

RESOLUTION NO. 2016-

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, CONFIRMING DIAGRAM AND ASSESSMENT AND
LEVY OF ANNUAL ASSESSMENT, 2016-2017, FOR LANDSCAPING
AND LIGHTING MAINTENANCE DISTRICT NO. 1**

WHEREAS, pursuant to Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972 (the "Act"), the Council of the City of Fresno ("Council") adopted a Resolution of Intention to Levy and Collect the Annual Assessment for Landscaping and Lighting Maintenance District No. 1 ("Resolution of Intention"); and

WHEREAS, the boundaries of City of Fresno Landscaping and Lighting Maintenance District No. 1 ("LLMD No. 1"), are set forth in the Engineer's Report, dated June 9, 2016, on file with the City Clerk ("Engineer's Report"); and

WHEREAS, the Council approved the Engineer's Report by adopting the Resolution Initiating Proceedings for the Annual Assessment; and

WHEREAS, the territory within LLMD No. 1 will benefit from the maintenance and service of the improvements described in the Engineer's Report; and

WHEREAS, in the Resolution of Intention, the Council declared its intention to levy and collect the annual assessment for maintaining and operating the landscaping facilities in City of Fresno Landscaping and Lighting Maintenance District No. 1 ("LLMD No. 1"); and

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

WHEREAS, On July 28, 2016, the Council held a hearing on the annual levy of assessment, in accordance with the law, and all persons desiring to speak were heard; and

WHEREAS, all interested persons had an opportunity before Council concluded the hearing, to file a written protest against the annual assessment levy with the City Clerk.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED by the Council of the City of Fresno, that:

1. A majority protest has not been filed against the levy of the annual assessment.

2. The assessment diagram in the Engineer's Report that shows the boundaries of the assessment district that is referred to in the Resolution of Intention, and the subdivisions of land within LLMD No. 1, is finally approved and confirmed as the diagram of the properties to be assessed to pay the costs of the improvements and maintenance.

3. The total and the individual assessments set forth in the Engineer's Report and the Resolution of Intention, upon the subdivisions of land within LLMD No. 1, are finally approved and confirmed as the assessment for the fiscal year 2016-2017.

4. The adoption of this resolution shall constitute the levy of the assessment for the fiscal year 2016-2017 that are described in the Resolution of Intention and the Engineer's Report.

5. The City Clerk shall file the diagram and assessment, as confirmed, or a certified copy thereof, with the Auditor of the County of Fresno immediately after adoption and not later than Friday, August 5, 2016.

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, CMC, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the ____ day of _____, 2016.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

By: _____
Raj Singh Badhesha, Deputy City Attorney