

RESOLUTION NO. 23-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE
LEVY AND COLLECTION OF ASSESSMENTS WITHIN
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-
C FOR FISCAL YEAR 2023-24**

WHEREAS, the City Council (the "City Council") of the City of Menifee (the "City"), has by previous Resolutions initiated proceedings, and approved the Annual Engineer's Report (hereinafter referred to as the "Report") as presented or amended which described the assessments against parcels of land within the Landscaping and Lighting Maintenance District No. 89-1-C (hereafter referred to as the "District") for the Fiscal Year commencing July 1, 2023 and ending June 30, 2024; pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (hereafter referred to as the "Act") to pay the costs and expenses of operating, maintaining and servicing the improvements located within the District; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council, a Report in connection with the proposed levy and collection upon eligible parcels of land within the District, and the City Council did by previous Resolution approve such Report; and

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of the landscape and lighting maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the Fiscal Year commencing July 1, 2023, and ending June 30, 2024, to pay the costs and expenses of operating, maintaining and servicing the improvements within the District.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT AS FOLLOWS:

Section 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution Approving and or Amending the Report prepared in connection therewith; the levy and collection of assessments, and considered all oral and written statements, protests, and communications made or filed by interested persons.

Section 2. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- A. The land within the District will receive special benefit by the operation, maintenance, and servicing of landscaping, lighting, and appurtenant facilities within the boundaries of the District.
- B. The District includes all of the lands receiving such special benefit.
- C. The net amount to be assessed upon the lands within the District in accordance with the costs for the Fiscal Year commencing July 1, 2023, and ending June 30, 2024, is apportioned by a formula and method that fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefit to be received by each parcel from the improvements and services.

Section 3. The Report and assessment as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

Section 4. The City Council hereby orders the improvements to be made, which are briefly described as the maintenance of streets, trees, sidewalks, landscaped slopes and park facilities within the District and the operation and maintenance of the street lighting system within the District.

Section 5. The maintenance, operation and servicing of the landscaping, lighting and appurtenant facilities shall be performed pursuant to the Act and the County Auditor-Controller of the County of Riverside shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County Taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6. The City Treasurer shall deposit all money representing assessments collected by the County of Riverside for the District to the credit of a fund for the Landscaping and Lighting Maintenance District No. 89-1-C, and such money shall be expended only for the maintenance, operating and servicing of the landscaping, lighting, and appurtenant facilities as described in Section 4.

Section 7. The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2023, and ending June 30, 2024.

Section 8. The City Clerk is hereby authorized and directed to file the levy with the County Auditor-Controller upon adoption of this Resolution.

Section 9. A certified copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

PASSED AND ADOPTED by the City Council of the Menifee at a regular meeting held on this 21st day of June, 2023.

ATTEST:

APPROVED:

Stephanie Roseen, Acting City Clerk

Jim Zimmerman, Mayor

APPROVED AS TO FORM:

Jeffrey T. Melching, City Attorney