

RESOLUTION NO. 6485

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS,
COUNTY OF SAN BERNARDINO, CALIFORNIA,
INSTITUTING PROCEEDINGS, APPOINTING AN ASSESSMENT ENGINEER,
AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT
IN THE MATTER OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1**

WHEREAS, it has been determined by the City Council of the City of Redlands, County of San Bernardino, California, that the public interest, convenience and necessity requires the maintenance of landscaping as set forth in Section 22525 of the Streets and Highways Code, State of California;

WHEREAS, the City Council has heretofore appointed the Public Works Director of the City of Redlands, as the "Assessment Engineer" for Landscape Maintenance District No. 1;

NOW, THEREFORE, the City Council of the City of Redlands does hereby find, determine and resolve as follows:

SECTION 1. That the public interest, convenience and necessity requires the continuation of a landscaping maintenance district for the purpose of maintaining the landscaping authorized by Section 22525 of the Streets and Highways Code, State of California and in compliance with the requirements of both Proposition 218 and Article 16 Section 19 of the California Constitution.

SECTION 2. That the lands to be especially charged for the maintenance and operation of the facilities shall be the area within the boundaries of Landscape Maintenance District No. 1.

SECTION 3. That no part of the area is included within any other district formed for the same purposes.

SECTION 4. That the proceedings are to be conducted for said Landscape Maintenance District under and in accordance with provisions of Division 15 of the Streets and Highways Code (The Landscaping and Lighting Act of 1972) of the State of California and in compliance with the requirements of both Proposition 218 and Article 16 Section 19 of the California Constitution.

SECTION 5. That the Public Works Director of the City of Redlands, 35 Cajon Street, Suite 222, Redlands, California, is hereby appointed Assessment Engineer with all provisions of Division 15 applicable to the Engineer applied to said Assessment Engineer.

SECTION 6. That Ronald C. Mutter, Public Works Director, is hereby designated to sign all paper and documents in connection with the proceedings for Landscape Maintenance District No. 1, acting in the capacity of Assessment Engineer.

SECTION 7. That the cost of maintaining the landscaping within the various boundaries of the subject district shall be borne by the property owners within the District, said cost to be assessed and collected in accordance with The Landscaping and Lighting Act of 1972.

SECTION 8. That the Assessment Engineer is hereby ordered to prepare a report in accordance with Article 4, Chapter 1 of The Landscaping and Lighting Act of 1972.

ADOPTED, SIGNED AND APPROVED this 21st day of March, 2006.



Jon Harrison, Mayor

ATTEST:



City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing resolution was duly adopted by the City Council at a regular meeting thereof held on the 21st day of March, 2006 by the following vote:

AYES: Councilmembers, Gilbreath, Pepler, Gil, Gallagher; Mayor Harrison

NOES:

ABSENT:

ABSTAINED:



City Clerk, City of Redlands

RESOLUTION NO. 6486

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS,
COUNTY OF SAN BERNARDINO, OF PRELIMINARY APPROVAL OF
ENGINEER'S REPORT FOR FISCAL YEAR 2006-2007 FOR
LANDSCAPE MAINTENANCE DISTRICT NO. 1**

RESOLVED by the City Council of the City of Redlands that:

WHEREAS, the City Council of the City of Redlands, County of San Bernardino, California, has heretofore determined that the public interest, convenience and necessity required the maintenance of landscape and irrigation facilities set forth in Section 22525 of the Streets and Highways Code, State of California, along certain boundaries of development; and

WHEREAS, the Public Works Director for the City of Redlands is appointed "Assessment Engineer" with all provisions of Division 15 applicable to the Engineer applied to "Assessment Engineer"; and

WHEREAS, Section 22622 and 22623 of the Streets and Highways Code required that an Engineer's Report be prepared and filed annually, outlining the assessments to be levied against the benefitting properties within the Assessment District; and

WHEREAS, the Public Works Director as the Assessment Engineer shall prepare and file with the City Clerk a report in writing as required by the Landscaping and Lighting Act of 1972 and in compliance with Article XIID of the California Constitution; and

WHEREAS, the City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no part of the report requires or should be modified in any respect;

NOW, THEREFORE, it is ordered as follows:

1. That the Engineer's Estimate of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminarily approved and confirmed.
2. That the diagram showing the Assessment District referred to and described in said report, the boundaries of the lots and parcels of land within said Assessment District as the same existed at the time of passage of said Resolution is hereby preliminarily approved and confirmed.
3. That the proposed assessment upon the subdivision of land in said Assessment District, in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed district.

APPROVED AND ADOPTED this 16th day of May, 2006.



Mayor

ATTEST:



City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing resolution was duly adopted by the City Council at a regular meeting thereof held on the 16th day of May, 2006, by the following vote:

AYES:	Councilmembers Gilbreath, Gil, Gallagher, Aguilar; Mayor Harrison
NOES:	None
ABSENT:	None
ABSTAIN:	None



City Clerk

RESOLUTION NO. 6487

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN REDLANDS LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2006-07 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, ESTABLISHING A TIME AND PLACE FOR HEARING PROTESTS

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDLANDS AS
FOLLOWS:**

Section 1. The City Council of the City of Redlands hereby (1) finds that the public interest and convenience requires and (2) declares its intention to levy and collect assessments against the lots and parcels of property within an existing assessment district designated "Redlands Landscape Assessment District No. 1" (the "District") pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code (commencing with Section 22500) (the "Act") for fiscal year 2006-07, commencing July 1, 2006 and ending June 30, 2007, to pay for the costs and expenses of the improvements described in Section 3 hereof.

Section 2. Reference is hereby made to a map on file in the office of the City Clerk and open for public inspection for a description of the exterior boundaries of the District.

Section 3. The existing improvements may be briefly described as follows: The operation, maintenance and servicing of public streets within the District, specifically the operation, maintenance and servicing of landscaping, including trees, shrubs, grass and other ornamental vegetation, and appurtenant facilities, including irrigation systems and drainage devices, located in public roadways, streets and rights-of-way within the boundaries of the District. "Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping and appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of landscaping and appurtenant facilities to remove or cover graffiti. "Servicing" means the furnishing of electric current, energy or gas for the operation of any of the appurtenant facilities and the furnishing of water for the irrigation of the landscaping and the maintenance of any of the appurtenant facilities.

Section 4. The assessments to be levied and collected against the assessable lots and parcels of property within the District for fiscal year 2006-07 are not proposed to increase from the assessments levied and collected for fiscal year 1997-1998.

Section 5. Public property owned by any public agency and in use in the performance of a public function which is included within the boundaries of the District shall not be subject to assessment to be made under these proceedings to cover any of the costs and expenses of the improvements.

Section 6. All railroad, gas, water and electric utility rights-of-way are included within the District and shall be assessed in accordance with the benefits received from the improvements.

Section 7. Reference is hereby made to the Report of the Engineer entitled "Engineer's Report for Redlands Landscape Assessment District No. 1, Fiscal Year 2006-07" on file in the office of the City Clerk for a full and detailed description of the improvements, the boundaries of the District and any zones therein and the proposed assessments upon assessable lots and parcels of land within the District.

Section 8. NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL APPOINTS WEDNESDAY, THE 5TH DAY OF JULY, 2006 AT THE HOUR OF 3:00 P.M., IN THE COUNCIL CHAMBERS AT CITY HALL, CITY OF REDLANDS, 35 CAJON STREET, SUITE 2, REDLANDS, CALIFORNIA 92373, AS THE TIME AND PLACE FOR THE HEARING OF PROTESTS OR OBJECTIONS TO THE LEVY OF THE PROPOSED ASSESSMENTS IN CONNECTION WITH THE DISTRICT. All interested persons shall be afforded the opportunity to hear and be heard. Any interested person may file a written protest with the City Clerk prior to the conclusion of the hearing. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by the signer thereof. The City Council shall consider all oral statements and all written protests made or filed by any interested person.

Section 9. The City Clerk is hereby authorized and directed to give notice of such hearing in accordance with law.

Section 10. The City Council hereby determines and declares that the proposed assessments constitute a continuation of assessments existing on the effective date of Article XIID, that the assessments are imposed exclusively to finance the maintenance and operation expenses for streets and that the assessments are exempt from the requirements of Article XIID, Section 4 of the California Constitution.

Section 11. The City Council hereby designates Tom Fujiwara, Assistant Public Works Director, telephone number (909) 798-7655, to answer inquiries regarding the hearing, protest proceedings and procedural or technical matters.

ADOPTED, SIGNED AND APPROVED this 16th day of May, 2006.



Mayor

ATTEST:



City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing resolution was adopted by the City Council at a regular meeting thereof, held on the 16th day of May, 2006 by the following vote:

AYES: Councilmembers Gilbreath, Gil, Gallagher, Aguilar; Mayor Harrison
NOES: None
ABSENT: None
ABSTAIN: None



City Clerk

The reason that the four resolution numbers for this process are not in numerical order is:

Resolution number 6487 was not used because of a failure to publish the notice of intent.

Resolution number 6488 was not used because the "final" adoption action resolution number needs to fall numerically after the No. used for the intent.

New resolution number issued for the intent is 6523

New resolution number issued for the final adoption is 6524