Loneny

## RESOLUTION NO. 01-22

origination formation PPROVING THE ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF ASSESSMENT FOR FISCAL YEAR 2001-02

WHEREAS, this Council designated Shilts Consultants, Inc. as Engineer of Work and ordered said Engineer to make and file an Engineer's Report for a proposed Vernon Streetscape Lighting and Landscaping District; and

WHEREAS, the report was duly made and filed with the Council and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent proceedings; and

WHEREAS, pursuant to California Constitution Article XIIID and Government Code §54654.6, a joint notice and mail ballot was duly and regularly given, including the notice that this Council would be conducting a public hearing on January 17, 2001, on the question of the levy of the proposed assessment; and

WHEREAS, on January 17, 2001, at the hour of 7:00 p.m., or as soon thereafter as the matter could be heard, at the City Council Chambers at 311 Vernon Street, Roseville, CA, 95678, the public hearing was duly and regularly held as noticed, and all persons interested and desiring to be heard were given an opportunity to speak and be heard, and all matters and things pertaining to the levy were fully heard and considered by this Council, and all oral statements and all written protests or communications were duly considered; and

WHERE, at the public hearing the Council tabulated the mail ballots and found that a majority protest as defined by California Constitution Article XIIID did not exist, and this Council thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville that:

- The assessment ballots submitted by the owners of property within the assessment district in favor of the assessment exceeded those submitted in opposition to the assessment with each ballot weighted by the amount of assessment it represents.
  - 2. The public interest, convenience and necessity require that the levy be made.
- The Vernon Streetscape Lighting and Landscaping District benefited by the improvements and assessed to pay the costs and expenses as shown in the Engineer's Report preliminarily approved on November 15, 2000, and the exterior boundaries thereof, are as

shown by a map thereof filed with the City Clerk, which map is made a part hereof by this reference.

- 4. The Engineer's Report as a whole and each part thereof, are finally approved and confirmed, to wit:
- a. the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
- b. the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Vernon Streetscape Lighting and Landscaping District; and
- c. the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the Vernon Streetscape Lighting and Landscaping District in proportion to the estimated special benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto.
- 5. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Council.
- 6. The assessment to pay the costs and expenses of the maintenance, servicing, and installation of the improvements for fiscal year 2001-02 is hereby levied.
- 7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
- 8. Immediately upon the adoption of this resolution, but in no event later than August 10, 2001, the following such adoption, the Council shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Placer. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessment, After collection by the

County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Vernon Streetscape Lighting and Landscaping District of the City of Roseville Housing and Redevelopment Agency.

9. The moneys representing assessments collected by Placer County, shall be deposited in the District Treasury to the credit of the improvement fund previously established under the distinctive designation of the Vernon Streetscape Lighting and Landscaping District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the improvements.

PASSED A	AND ADOPTED by the Council of the City of Roseville this 17thday of	f
January	, 2001, by the following vote on roll call:	

**AYES** 

COUNCILMEMBERS:

Earl Rush, Richard Roccucci, Rocky Rockholm, Claudia Gamar

**NOES** 

**COUNCILMEMBERS:** 

None

**ABSENT** 

**COUNCILMEMBERS:** 

farkeno

Dan Goodhall

Laudia Lamas

ATTEST:

City Clerk

Resol-22 PG3