

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9284-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT FOR FISCAL YEAR 2015-16 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS

The City Council of the City of Garden Grove adopted Resolution No. 9280-15, initiating proceedings to levy annual assessments for Fiscal Year 2015-16 within the City of Garden Grove Street Lighting District describing the proposed improvements and ordering the City Engineer to prepare and file a report, pursuant to the provisions of the Landscaping and Lighting Act of 1972, i.e., Division 15, Part 2 (commencing with Section 22500) of the California Streets and Highways Code (herein "Act").

The City Engineer has prepared the report, filed same with the City Clerk and presented same to the City Council, with the City Council examining and approving the report.

Under the Act, before levying and collecting assessments in the Assessment District, the City Council is required to adopt a Resolution declaring its intention to do so.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

SECTION 1. The City Council hereby finds and declares that the public interest and necessity require the installation, maintenance, and servicing of public lighting facilities in the streets of the city as hereinafter described, and the City Council hereby declares its intention to levy and collect assessments for Fiscal Year 2015-16 covering the real property benefited by the improvements, pursuant to the Act.

SECTION 2. The proposed improvements are generally described as follows: The maintenance and operation of streets and sidewalks throughout the city, namely the installation, maintenance, and servicing of public street lighting facilities including traffic signals.

SECTION 3. In accordance with a vote of the property owners on Louise Street, from Stanford Avenue to Acacia Avenue, additional local lighting service may be added to Louise Street, whose property owners will then be subject to the local street lighting assessment.

SECTION 4. The Assessment District is designated as the "City of Garden Grove Street Lighting District." The boundaries of the District are generally coterminous with the boundaries of the city of Garden Grove, and generally include all parcels within the city.

SECTION 5. Reference is hereby made to the City Engineer's report, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the Assessment District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Assessment District.

SECTION 6. An assessment will be levied pursuant to the Act upon all property in the City of Garden Grove Street Lighting District for Fiscal Year 2015-16, subject to assessment under the Act, as described in the City Engineer's report. No assessment shall be imposed upon a federal or state governmental agency or another local agency. Except as to the added local street lighting on Louise Street, from Stanford Avenue to Acacia Avenue, the rates of the assessment to be levied for Fiscal Year 2015-16 are not proposed to increase from the rate levied in Fiscal Year 2014-15.

SECTION 7. The City Clerk shall cause a written notice and ballot to be sent to each property owner on Louise Street whose assessment will increase from the addition of local lighting at least 45 days prior to the Public Hearing in accordance with the requirements of Proposition 218.

SECTION 8. Notice is hereby given that July 14, 2015, at 6:30 p.m. (or as soon thereafter as the City Council may hear same), in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, is hereby fixed as the time and place for a Public Hearing on the question of the levy of the proposed assessments. Any interested person may file a written protest with the City Clerk, stating all grounds of objection. Protests by property owners must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and must be delivered to the City Clerk prior to the conclusion of the hearing. In addition, all interested persons shall be afforded the opportunity to hear and be heard at the Public Hearing. The City Council shall consider all oral statements and all written protests or communications made or filed by any interested person.

SECTION 9. The City Clerk shall cause this Resolution of Intention to be published once in a newspaper of general circulation in the city of Garden Grove, California, with the publication being not less than ten (10) days prior to the date herein fixed for the Public Hearing.

Adopted this 12th day of May 2015.

ATTEST:

/s/ BAO NGUYEN
MAYOR

/s/ TERESA POMEROY, CMC
DEPUTY CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, TERESA POMEROY, Deputy City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on May 12, 2015, by the following vote:

AYES: COUNCIL MEMBERS: (5) BEARD, BUI, JONES, PHAN, NGUYEN
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ TERESA POMEROY, CMC
DEPUTY CITY CLERK