

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9122-12

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 NO. 99-1 FOR FISCAL YEAR 2012-13 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 FINDS:

A. The City Council of the City of Garden Grove adopted its Resolution No. 9118-12, initiating proceedings to levy annual assessments for Fiscal Year 2012-13 within the City of Garden Grove Street Lighting District No. 99-1 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").

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

C. 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:

Section 1. The City Council hereby finds and declares that the public interest and necessity require the maintenance and servicing of public lighting facilities as hereinafter described, and the City Council hereby declares its intention to levy and collect assessments for Fiscal Year 2012-13 covering the real property benefited by said improvements, pursuant to the Act.

Section 2. The proposed improvements for Fiscal Year 2012-13 are generally described as the maintenance and servicing of public street lighting within the assessment district.

Section 3. The assessment district is designated as the "City of Garden Grove Street Lighting District No. 99-1." This district consists of the following areas: the first involving an area easterly of Dale Street between Lampson Avenue and Chapman Avenue, and an area west of Fairview Street approximately 900 feet

south of Trask Avenue; the second involving an area on Gail Lane north of Chapman Avenue.

Section 4. 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 5. An assessment will be levied pursuant to said Act upon all property in the City of Garden Grove Street Lighting District No. 99-1 for Fiscal Year 2012-13, subject to assessment under said Act, as described in the Engineer's Report. Parcels within the district that are owned or used by any county, city, city and county, special district or any other local or regional governmental agency, the State of California, or the United States shall be assessed unless the City demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements. The rates of the assessment to be levied for Fiscal Year 2012-13 are not proposed to increase from the rates levied in Fiscal Year 2011-2012.

Section 6. Notice is hereby given that July 10, 2012, at 6:30 p.m. (or as soon thereafter as the City Council may hear same), in the Council Chamber of 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 of said City prior to the conclusion of the Public 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 7. The City Clerk shall cause this Resolution of Intention to be published once in an adjudicated 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 22nd day of May 2012.

ATTEST:

/s/ WILLIAM J. DALTON
MAYOR

/s/ KATHLEEN BAILOR, CMC
CITY CLERK

