

RESOLUTION NO. 11541

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE REGARDING LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT 94-1 (SYCAMORE CROSSING) DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2024-2025; SET A TIME AND PLACE FOR A PUBLIC HEARING TO RECEIVE PUBLIC TESTIMONY ON THE FOREGOING MATTERS; AND GIVE PRELIMINARY APPROVAL TO THE CERTIFIED ENGINEER'S REPORT FOR LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT 94-1 (SYCAMORE CROSSING)

WHEREAS, the City Council of the City of Orange previously formed City of Orange Landscape Maintenance District No. 94-1 (hereinafter "Maintenance District") and desires to initiate proceedings for the levy of annual increased assessments in connection with the Maintenance District, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500 (hereinafter the "Act"), Government Code Section 53753 and the provisions of the article 13D of the California Constitution (hereinafter "Article 13D") and such constitutional provisions and statutes are referred to collectively as the "Applicable Law;" and

WHEREAS, there has now been presented to the City Council the Certified Engineer's Reports (hereinafter "Report") as required by the Applicable Law that describes the proposed annual levy of assessments for each parcel for fiscal year 2024-2025 and the proposed changes to the Maintenance Districts or improvements; and

WHEREAS, the City Council has carefully examined and reviewed the Reports and is satisfied with each and all of the items and documents set forth therein and has made a preliminary determination that the assessments on each parcel have been proportioned in accordance with the benefits received by each parcel and that such assessments do not exceed the estimated reasonable cost of providing the service; and

WHEREAS, at this time the City Council determines to commence proceedings to provide for the annual levy of assessments for fiscal year 2024-2025 to pay for the costs and expenses necessary for the maintenance of the improvements in the Maintenance Districts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orange as follows:

Section I:

That the above recitals are all true and correct.

Section II:

That the public interest and convenience require the undertaking of proceedings for the annual levy and collection of assessments to pay the costs and expenses for the maintenance of the improvements within the Maintenance Districts, which in general include: the maintenance, repair, removal or replacement of any of the landscaping improvements, including walkways, signage, irrigation, trimming, spraying, fertilizing, etc., and as such maintenance is more particular described in the Report on file with the City Clerk (hereinafter “maintenance of improvements”).

Section III:

That the maintenance of improvements are of direct benefit to the properties within the boundaries of the Maintenance Districts, which the City Council previously declared to be the area benefited and which area is more particularly described in the boundary map open for public inspection and on file with the City Clerk bearing the designation of the Maintenance District.

Section IV:

That the Reports are preliminarily approved and ordered to be on file with the City Clerk and open for public inspection. The Report contains a full and detailed description of the existing works of improvement, the boundaries of the Maintenance District and any zones therein, and the proposed assessments upon parcels within the Maintenance District.

Section V:

The City shall give notice of the time and place of the public hearing to all property owners of record within the Maintenance District subject to a levy of assessment.

Section VI:

Notice is hereby given that Tuesday, May 28th, 2024, at 6:00 p.m. at City Hall, 300 E. Chapman Avenue, Orange, CA 92866, is the time and place fixed by the City Council for hearing protests or objections in reference to the proposed annual levy of assessments for the Maintenance District in accordance with Government Code Section 53753 and Article 13D and to any other matters contained in this Resolution. Any persons who wish to object to the proceedings or the annual levy should file a written protest with the City Clerk prior to the time set for the public hearings.

Section VII:

For any and all information relating to these proceedings, including information relating to protest procedure, your attention is directed to the person designated below:

Tawnie Schraan, Associate Civil Engineer
City of Orange Public Works Department
P.O. Box 449 - 300 East Chapman Avenue
Orange, California 92866-0449
(714) 744-5528

ADOPTED this ____ day of _____, 2024

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Mike Vigliotta

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the ____ day of _____, 2024 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange