

RESOLUTION NO. 2013-12

A RESOLUTION OF INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1 (PFMD), ZONES 1, 2, 3, 4, and 5 OF THE CITY OF LEMOORE

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on May 21, 2013, at 7:30 p.m. on said day, it was moved by Council Member _____, seconded by Council Member _____ and carried that the following Resolution be adopted:

1. It is the intention of the Council to order the levy and collection of assessments within Public Facilities Maintenance District No. 1 (“PFMD”), Zones 1, 2, 3, 4, and 5 of the City of Lemoore for fiscal year 2013-14, under the authority of Chapter 10 of Title 7 of the Lemoore Municipal Code, as enacted by Ordinance No. 2006-01 (the "Ordinance"), and according the procedures set forth in the Proposition 218 Omnibus Implementation Act (Government Code Sections 53750--53753.5, inclusive) (the "Implementation Act"), Article XIID of the California Constitution ("Proposition 218") and, to the extent not inconsistent with the Ordinance, the procedures specified in the State Landscaping and Lighting Act of 1972 (Chapter 2 of Part 2 of Division 15 of the California Streets & Highways Code) (the "Landscaping & Lighting Act"). The assessments within PFMD Zones 1, 2, 3, 4, and 5 are proposed to change from the previous fiscal year, but by no more than the increase in the Employment Cost Index for total compensation for State and Local Government Workers (the “Employee Cost Index”) during the previous fiscal year, which methodology for determining annual increases has been approved by a majority of property owners in PFMD Zones 1, 2, 3, 4 at duly noticed and conducted property owner ballot proceedings in 2006, 2007, 2008, 2009, 2010, 2011, and 2012 and Zone 5 in 2012 respectively.
2. The territories of PFMD Zones 1, 2, 3, 4, and 5 are comprised of various territories generally located on the attached vicinity map which is the real property particularly, distinctly and specially benefited and to be assessed for the maintenance, repair, operation and periodic replacement of the facilities and improvements generally described in Exhibit “A” attached hereto and by reference incorporated herein.
3. The City Engineer has prepared and filed with the Clerk of the City of Lemoore a report labeled Engineer’s Report of the City of Lemoore Public Facilities Maintenance District No. 1, Zones 1 – 5, dated May, 2013, to which reference is hereby made for a description of the existing facilities and improvements, the boundaries of the assessment district and the referenced zones therein, including the general nature, location and extent of the facilities and improvements, and the proposed assessment upon assessable lots and parcels of land within PFMD Zone 1, 2, 3, 4, and 5. No substantial changes are proposed to be made in the existing facilities and improvements, and no new facilities or improvements are proposed. The City Council intends to give final approval to the Engineer's Report at the conclusion of the public hearing described in paragraph 4, subject to changes, if any, ordered by the City Council during or upon the conclusion of the hearing.
4. Notice is hereby given that the 16^h day of July, 2013, at the hour of 7:30 p.m. or as soon thereafter as possible, in the regular meeting place of the City Council, Council Chambers, 429 C Street, Lemoore, California, is hereby fixed as the time and place for public hearing when and where all interested persons may be heard regarding the question

of levy and collection of the proposed assessments in PFMD Zones 1, 2, 3, 4, and 5 for fiscal year 2013-14, including the proposed change in the assessments for PFMD Zones 1, 2, 3, 4, and 5 according to the corresponding increase in the Employee Cost Index. At the hearing, any interested person shall be permitted to present written or oral testimony.

5. The City Clerk is hereby authorized and directed to give notice of the public hearing by publication of this Resolution in accordance with subdivision (a) of Section 22626 of the Landscaping & Lighting Act.
6. This Resolution shall take effect immediately upon adoption.

* * * * *

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 21st day of May, 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

APPROVED:

William M. Siegel, Jr., Mayor

ATTEST:

Kristie R. Baley, City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Kristie R. Baley, City Clerk of the City of Lemoore do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting held on May 21, 2013.

DATED: May 21, 2013

Kristie R. Baley, City Clerk