

Attachment D

Resolution No. 23-040

RESOLUTION NO. 23-040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE VICTORVILLE MAINTENANCE ASSESSMENT DISTRICTS NOS. 1, 2, AND 3, PRELIMINARILY APPROVING THE CONSOLIDATED ENGINEER'S REPORT FILED IN SUPPORT OF THE LEVY OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 PURSUANT TO THE PROVISIONS OF THE LANDSCAPE AND LIGHTING ACT OF 1972 (CALIFORNIA STREETS AND HIGHWAYS CODE SECTION 22500 ET SEQ.)

WHEREAS, the City Council of the City of Victorville (the "City Council") previously adopted a Resolution initiating the proceedings for the annual levy of assessments on lots and parcels of land within Maintenance Assessment Districts Nos. 1, 2, and 3, (hereinafter the "Districts") to provide for the continued maintenance, operation, and servicing of certain lighting and landscape improvements within the Districts; and

WHEREAS, in accordance with the applicable provisions of the Landscaping and Lighting Act of 1972, *Streets and Highways Code section 22500 et seq.* (hereinafter the "Act"), the applicable provisions of Proposition 218 (Article XIID of the California Constitution), and Government Code section 53750 et seq., the Engineer of Work has prepared and filed a Consolidated Engineer's Report (hereinafter the "Report") with the City Clerk relating to the annual assessments, which is now being submitted to the City Council for consideration and preliminary approval.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Recitals.

That the recitals set forth above are true and correct, and together with the definitions set forth therein, are hereby made part of this Resolution by this reference.

Section 2. Contents of Engineer's Report.

That the Report presented to for City Council consideration contains the following:

- a. A description of the Improvements (Plans and Specifications); and
- b. The Method of Apportionment of the Assessment detailing the method of calculating the proportional special benefits and the annual assessment obligation for each affected parcel, including a description of the applicable Cost Inflater formulas that provide for annual inflationary adjustments to the maximum assessment rate currently in effect in the Districts; and

- c. The Estimate of Costs for providing the improvements and services, and the current maximum assessment rate for properties in each District; and
- d. An Assessment Diagram (Boundary Map); and
- e. An Assessment Roll containing the assessments to be levied for each Assessors' Parcel Number (APN) within each District in accordance with the Estimate of Costs for each District.

Section 3. Approval of Engineer's Report.

That the Report presented, together with this Resolution, is hereby approved on a preliminary basis, as submitted, or amended by direction of the City Council and is hereby ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4. Effective Date.

That this Resolution shall be effective immediately upon its adoption.

Section 5. Certification.

That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this Resolution is passed and adopted.