

RESOLUTION NO. 2023-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA, AMENDING AND/OR APPROVING THE ENGINEER'S REPORT FOR THE IMPERIAL LIGHTING MAINTENANCE DISTRICT NO. 1, FOR FISCAL YEAR 2023/24

WHEREAS, the City Council, 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* (the "Act"), did, by previous Resolution, order the Assessment Engineer, Koppel & Gruber Public Finance, to prepare and file the Fiscal Year ("FY") 2023/24 Engineer's Report for the City of Imperial "Imperial Lighting Maintenance District No. 1" (the "District"); and,

WHEREAS, the Assessment Engineer has prepared and filed with the City Clerk of the City of Imperial, who presented to the City Council a report titled: "City of Imperial, Lighting Maintenance District No. 1 (Paseo del Sol and Wildflower) Engineer's Report, Fiscal Year 2023/24" (the "Report") as required by the Act; and,

WHEREAS, the City Council may approve the Report, as filed, or may modify the Report and approve it as modified, pursuant to the provisions of *Chapter 2, Article 1, Section 22586* of said Act; and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, considered all oral and written comments presented with respect to the District and Report at a noticed Public Hearing and has discussed any necessary or desired modifications to the Report, and is satisfied that the levy for each parcel has been calculated in accordance with the special benefits received from the operation, maintenance and services performed, as set forth in the Report.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL DOES RESOLVE, DETERMINE, AND ORDERS AS FOLLOWS:

SECTION 1. The preceding recitals are true and correct.

SECTION 2. The Report as presented or as modified, contains the following:

- a. A Description of Improvements.
- b. A Diagram of the District.
- c. The Method of Apportionment that details the method of calculating each parcel's proportional special benefits and annual assessment.
- d. The FY 2023/24 Assessment based upon Method of Apportionment as approved by the property owners pursuant to the provision of the California Constitution Article XIID Section 4.

- e. An “Assessment Range Formula” for calculating annual inflationary adjustments to the initial “Maximum Assessment” (Adjusted Maximum Levy per benefit unit), also approved by the property owners.
- f. The Annual Budget (Costs and Expenses) and the resulting assessment (Levy per benefit unit) for FY 2023/24.
- g. The Assessment Roll containing the Levy for each Assessor Parcel Number within the District for FY 2023/24.

SECTION 3. The City Clerk is hereby directed to enter on the minutes of the City Council any and all modifications to the Report determined and approved by the City Council, and all such changes and/or modifications by reference are incorporated into the Report.

SECTION 4. The City Council is satisfied with the Report as presented or modified, each and all of the budget items and documents as set forth therein, and is satisfied that the FY 2023/24 annual assessments contained therein are consistent with the assessments approved by the property owners and spread in accordance with the special benefits received from the improvements pursuant to the provisions of the California Constitution Article XIID.

SECTION 5. The Report is hereby approved as submitted or modified and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 6. The City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation and approval of the Report as submitted or modified.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Imperial on the _____ day of July, 2023.

KATHERINE BURNWORTH,
Mayor

ATTEST:

KRISTINA M. SHIELDS,
City Clerk

CERTIFICATION

I, Kristina M. Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing resolution was duly adopted at a meeting of the City Council of said City at its meeting held on the ____ of July, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this _____ day of July, 2023.

KRISTINA M. SHIELDS,
City Clerk