

**RESOLUTION NO. 2023-086**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA APPROVING THE ENGINEER'S REPORT, DETERMINING THE RESULTS OF THE ASSESSMENT BALLOT PROCEEDINGS ON PROPOSITION SUBMITTED TO PROPERTY OWNERS IN ZONE 19 OF CORONA LANDSCAPE MAINTENANCE DISTRICT NO. 84-2 AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2024 FOR ZONE 19**

**WHEREAS**, on May 17, 2003, the City Council (the "City Council") of the City of Corona (the "City") adopted Resolution No. 2023-044, a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which, among other things, scheduled a public hearing on the increase, levy and collection of assessments on the lots and parcels of assessable property within Zone 19 of City of Corona Landscape Maintenance District No. 84-2 ("Zone 19") for fiscal year 2024 pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code and Article 4.6 (commencing with Section 53750) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code ("Applicable Law") for 6:30 p.m. on July 19, 2023, in the City Council Chambers; and

**WHEREAS**, pursuant to Resolution No. 2023-044, the preliminary Engineer's Report prepared by Spicer Consulting Group, LLC on the increase, levy and collection of assessments on the lots and parcels of assessable property within Zone 19 for Fiscal Year 2024 was filed with the City Clerk and preliminarily approved subject to certain conditions set forth therein; and

**WHEREAS**, as directed by the City Council in Resolution No. 2023-044, the City Clerk caused to be mailed notices of the public hearings on the proposed increased assessments and assessment ballots to all owners of assessable parcels of property in Zone 19 in accordance with Streets and Highways Code Section 22626(b) and Government Code Section 53753; and

**WHEREAS**, at the time and place of said hearings, as set forth in Resolution No. 2023-044, the City Council held the hearings and afforded all interested persons an opportunity to be heard, and considered all oral statements and all written protests or communications made or filed by any interested persons, and no written protests were received; and

**WHEREAS**, the City Clerk has presented a statement to the City Council regarding the tabulation of the assessment ballots which were returned by the property owners in Zone 19 advising the City Council that the assessment ballots that were voted in favor of the proposed increase in the amount of the assessments for Zone 19 and the proposed revision to the methodology for determining the assessment amount to permit annual increases in future fiscal years by the percentage increase in the Consumer Price Index (All Items) for Riverside-San

Bernardino-Ontario for two percent (2%), whichever is greater, exceeded the assessment ballots that were voted in opposition to the proposed increase and proposed revision to the methodology, and that a majority protest does not exist with respect to Zone 19; and

**WHEREAS**, the City Council may proceed, pursuant to Section 22631 of the Streets and Highways Code, to adopt a resolution confirming the diagram and assessment for Zone 19 for fiscal year 2024 and levying the assessments on the assessable lots and parcels in Zone 19 in the increased amount set forth in the assessment ballots for Zone 19, and the adoption of such a resolution shall constitute the levy of assessments on all assessable lots and parcels of property within Zone 19 for fiscal year 2024.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORONA AS FOLLOWS:**

**SECTION 1. Findings.** The City Council finds that: (i) the preceding recitals are correct; (ii) the assessment ballots that were voted in favor of the proposed increase in the amount of the assessments for Zone 19 and the proposed revision to the methodology for determining the assessment amount to permit annual increases in future fiscal years by the percentage increase in the Consumer Price Index (All Items) for Riverside-San Bernardino-Ontario for two percent (2%), whichever is greater, exceeded the assessment ballots that were voted in opposition thereto, and a majority protest does not exist with respect to Zone 19; (iii) the City Council may proceed to confirm the diagram and assessment for Zone 19 for fiscal year 2024, and order the increase, levy and collection of the assessment; (iv) the assessments proposed to be levied on the assessable lots and parcels of property in Zone 19 during fiscal year 2024 for the installation or construction of public landscaping and appurtenant facilities and the ordinary and usual maintenance, servicing and operation of such public landscaping and appurtenant facilities, repayment of a City interfund loan and the cost of the capital improvements within Zone 19, as contained in the final Engineer's Report for Zone 19 prepared by Spicer Consulting Group, LLC on file with the City Clerk (the "Report") shall be levied in the increased amount set forth in the assessment ballots for Zone 19; (v) the increased assessments proposed to be levied on the assessable lots and parcels of property in Zone 19 during fiscal year 2024 for the installation or construction of public landscaping and appurtenant facilities and the ordinary and usual maintenance, servicing and operation of such public landscaping and appurtenant facilities, repayment of a City interfund loan and the cost of the capital improvements within Zone 19, as contained in the Report, are based on the proportionate special benefit derived by such lots and parcels from the availability of such public landscaping and appurtenant facilities; (vi) the proportionate special benefit derived by each such lot or parcel has been determined in relationship to the entirety of the estimated cost of the installation or construction of public landscaping and appurtenant facilities and the ordinary and usual maintenance, servicing and operation of such public landscaping and appurtenant facilities; (vii) the increased assessments do not exceed the reasonable cost of the proportional special benefit conferred on each such lot and parcel; and (viii) based on the foregoing and the full record before the City Council, the Report as whole and each part thereof are finally approved and confirmed.

**SECTION 2. Levy of Assessment.** The assessments to be levied on assessable lots and parcels of property in Zone 19 for the installation or construction of public landscaping and appurtenant facilities and the ordinary and usual maintenance, servicing and operation of such public landscaping and appurtenant facilities, repayment of a City interfund loan and the cost of the capital improvements within Zone 19, as contained in the Report, shall be levied in the increased amount set forth in the assessment ballots for Zone 19. Specifically, the annual assessments to be levied on assessable lots and parcels of property in Zone 19 shall be increased beginning in fiscal year 2024 to the amount of \$194.14 for each benefit unit (i.e., a single-family residential unit) and the annual assessments for City loan repayment and capital improvement replacement levied on parcels of property within Zone 19 shall be increased beginning in fiscal year 2024 and ending in fiscal year 2029 by the amount of \$201.67 for each benefit unit (i.e., a single-family residential unit), for a total assessment of \$395.81 per parcel. The diagram and assessment, as contained in the Report are confirmed. Pursuant to Section 22631 of the Streets and Highways Code, the adoption of this resolution constitutes the levy of the assessment for the for the installation or construction of public landscaping and appurtenant facilities and the ordinary and usual maintenance, servicing and operation of such public landscaping and appurtenant facilities, repayment of a City interfund loan and the cost of the capital improvements within Zone 19 during fiscal year 2024, as contained in the Report, and such assessment is hereby levied. The City Clerk is directed to file a certified copy of this Resolution together with the diagram and assessment contained in the Report with the County Auditor of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on the County Assessment Roll opposite each lot or parcel of land the amount assessed thereupon, as shown in said assessment.

**SECTION 3. Annual Adjustments in Assessments for Zone 19.** As a result of the property owner approval of the propositions set forth in the the assessment ballots for Zone 19, the amount of the assessment per benefit unit (*i.e.*, a single-family residential unit), and the resulting amount to be assessed on each parcel in Zone 19, for future fiscal years, commencing with fiscal year 2025, will be subject to being increased based on the percentage increase in the Consumer Price Index (All Items) for Riverside-San Bernardino-Ontario for two percent (2%), whichever is greater.

**PASSED, APPROVED AND ADOPTED** this 19<sup>th</sup> day of July 2023.

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Mayor of the City of Corona

**ATTEST:**

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City Clerk of the City of Corona

**CERTIFICATION**

I, Sylvia Edwards, City Clerk of the City of Corona, do hereby certify that the foregoing resolution was regularly passed and adopted by the City Council of the City of Corona at a regular meeting held on the 19<sup>th</sup> day of July 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Corona this 19<sup>th</sup> day of July 2023.

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City Clerk of the City of Corona