

RESOLUTION NO. 2023-087

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CORONA ABANDONING THE ASSESSMENT INCREASE
PROCEEDINGS FOR ZONE 19 OF CORONA LANDSCAPE
MAINTENANCE DISTRICT NO. 84-2**

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, 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 opposition to 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 favor of the proposed increase and proposed revision to the methodology, and that a majority protest exists with respect to Zone 19; and

WHEREAS, pursuant to Section 22630.5 of the Streets and Highways Code and Section 53753(e)(5) of the Government Code, the proposed increase and the proposed revision to the methodology for determining the assessment amount for Zone 19 shall be abandoned.

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; and (ii) the assessment ballots that were voted in opposition to 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 favor thereto, and a majority protest exists with respect to Zone 19.

SECTION 2. Abandonment of Proceedings. The proceedings proposing to increase 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 final Engineer's Report for Zone 19 prepared by Spicer Consulting Group, LLC on file with the City Clerk, are hereby abandoned and the increased assessments, as contained in the Report, shall not be imposed or levied.

SECTION 3. No Effect on Annual Levy Proceedings. By separate action, the City Council has also initiated proceedings to approve the annual levy and collection of assessments within Zone 19 for fiscal year 2024 at the rate currently authorized for Zone 19 (\$126.00 per benefit unit) in the event there is a majority protest against the proposed increase in the annual assessment. The majority protest that exists against the proposed increase in the amount of the assessments for Zone 19 and the proposed revision to the methodology for determining the assessment amount shall not pertain to the annual levy proceedings and shall not affect, reduce or eliminate the annual assessments to be levied on parcels of property in Zone 19 for fiscal year 2024 pursuant to the annual levy proceedings.

PASSED, APPROVED AND ADOPTED this 19th day of July 2023.

Mayor of the City of Corona

ATTEST:

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 19th 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 19th day of July 2023.

City Clerk of the City of Corona