

**RESOLUTION NO. 2023-044**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA DECLARING INTENTION TO INCREASE, LEVY AND COLLECT ASSESSMENTS COMMENCING IN FISCAL YEAR 2024 IN ZONE 19 OF LANDSCAPE MAINTENANCE DISTRICT NO. 84-2 AND PROPOSING A REVISION OF THE METHODOLOGY FOR DETERMINING THE AMOUNTS OF THE ASSESSMENTS FOR THAT ZONE TO ALLOW FOR AN ANNUAL INCREASE BASED ON THE INCREASE, IF ANY, IN THE CONSUMER PRICE INDEX, AND SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON SUCH ASSESSMENTS**

**WHEREAS**, the City Council of the City of Corona (“City Council”), has determined that due to increasing costs associated with the maintenance, servicing and operation of public landscaping and appurtenant facilities in Zone 19 of Landscape Maintenance District No. 84-2 (“Zone 19”) it is necessary that the assessments which will be levied on parcels of assessable property in Zone 19 be increased commencing fiscal year 2024, and that proceedings for the levy of such increased assessments be conducted 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; and

**WHEREAS**, the City Council has also determined that it is necessary and desirable that there be submitted to the owners of the parcels of assessable parcels of property in Zone 19 the proposition of whether the methodology for determining the amounts of the assessments to be levied on such parcels for maintenance should be revised to provide for increasing the amounts of such assessments in future fiscal years, commencing with fiscal year 2025, by the percentage increase, if any, in the Consumer Price Index (All Items) for Riverside-San Bernardino-Ontario California since the beginning of the preceding fiscal year or two percent (2%), whichever is greater; and

**WHEREAS**, pursuant to Section 22622 of the Streets and Highways Code, the City Council has adopted a resolution ordering, among other things, the preparation and filing of an engineer’s report in accordance with Sections 22565 through 22574 of the Streets and Highways Code with regard to the assessments which are proposed to be levied on assessable parcels of property in Zone 19 commencing fiscal year 2024; and

**WHEREAS**, pursuant to such resolution Spicer Consulting Group, LLC, the assessment engineer, has prepared the report ordered thereby and has filed it with the City Clerk, and such report (“Engineer’s Report”) contains the matters specified in Section 22567 of the Streets and Highways Code; and

**WHEREAS**, the Engineer’s Report provides that the total assessment to be levied on assessable parcels of property in Zone 19 is comprised of a maintenance assessment, which will be used to pay the annual costs of the maintenance, servicing and operation of public landscaping and appurtenant facilities located in the Zone, and a capital improvement replacement assessment, which will be used to repay an interfund loan from the City to the Zone for a prior year negative fund balance, as well as capital improvements to replant missing landscape throughout the Zone using new sustainable plant palettes; and

**WHEREAS**, the City Council may proceed to approve the Engineer’s Report as filed and to preliminarily approve and confirm the assessments contained therein.

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

**SECTION 1. Findings.** The City Council finds that:

- (a) The foregoing recitals are correct;
- (b) The increased amounts of the assessments which are proposed to be levied on and collected from parcels of assessable land within Zone 19 commencing fiscal year 2024 are based on special benefit conferred upon each such parcel from the payment of the cost of the maintenance, servicing and operation of landscaping and appurtenant facilities, repayment of the City interfund loan and the cost of the capital improvements within Zone 19;
- (c) The proportionate special benefit derived by each such parcel has been determined in relationship to the entirety of the estimated cost of the maintenance, servicing and operation of landscaping and appurtenant facilities, repayment of the City interfund loan and the cost of the capital improvements within Zone 19; and
- (d) The amount of the assessment which is proposed to be assessed on each parcel is based upon and will not exceed the reasonable cost of the proportional special benefit conferred on that parcel.

**SECTION 2. Intention.** The City Council hereby declares its intention to increase, levy and collect assessments on assessable parcels of property in Zone 19 commencing fiscal year 2024 pursuant to the Landscaping and Lighting Act of 1972 to pay the costs of 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 the City interfund loan and the cost of the capital improvements within Zone 19. The assessments for fiscal year 2024 are proposed to be increased over the amounts of such assessments which were approved and levied in fiscal year 2023 (*i.e.*, from \$126 to \$395.81 per benefit unit). The assessments shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected.

**SECTION 3. Improvements.** The existing improvements within Zone 19 consist generally of public landscaping and include the following:

(a) The planting and installation of public landscaping.

(b) The installation and construction of facilities which are appurtenant to such landscaping or which are necessary or convenient for the maintenance or servicing thereof, including water, drainage, and electrical facilities.

(c) The maintenance or servicing, or both, of any of the foregoing.

No new or different improvements are proposed for fiscal year 2024 which will be financed with the assessments. However, the capital improvement replacement assessment will be used to replant and restore missing landscape throughout the Zone using new sustainable plant palettes.

**SECTION 4. Maintenance.** The maintenance and servicing which will be performed consists of the ordinary and usual maintenance, servicing and operation of public landscaping and appurtenant facilities, including:

(a) Repair, removal, or replacement of all or any part of the public landscaping and appurtenant facilities;

(b) Operation, maintenance, repair and replacement of irrigation systems;

(c) Servicing and maintenance of plantings and landscaping; and

(d) Repair and maintenance of incidental drainage facilities.

**SECTION 5. Approval of Report.** The City Council has and does hereby preliminarily approve the Engineer's Report and preliminarily confirms the assessments contained therein. The Engineer's Report contains all matters required by Section 22567 of the Streets and Highways Code. Reference is made to the Engineer's Report, which is on file with the City Clerk, for all particulars for the amount and extent of the assessments and for the extent of the maintenance, servicing and operation of landscaping, repayment of the City interfund loan and the cost of the capital improvements within Zone 19.

**SECTION 6. Notice of Hearing.** Notice is hereby given that July 19, 2023, at 6:30 p.m., and the City Council Chambers of the City of Corona at 400 South Vicentia Avenue in the City of Corona are hereby fixed as the time and place of the public hearing to be conducted by the City Council with respect to the proposed increased assessments within Zone 19 commencing fiscal year 2024.

**SECTION 7. Notice to Owners.** The City Clerk shall give notice of the public hearing by first-class mail to all owners of assessable parcels of property in Zone 19. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the increased assessments and shall include the total amount of the assessment chargeable to all the property within Zone 19, the amount chargeable to each owner's particular parcel, the duration of the increased assessments, the reason for the increased assessments and the basis upon which the amount of the proposed assessments were calculated, together with the

date, time and location of the public hearing on the proposed increased assessments. The notice shall include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return and tabulation of the ballots and shall include a disclosure statement that the existence of a majority protest will result in the increased assessments not being levied, and that a majority protest will exist if, upon the conclusion of the hearing, ballots submitted in opposition to the increased assessments exceed the ballots submitted in favor of the increased assessments. Each such notice mailed to owners of identified parcels within Zone 19 shall contain a ballot which includes the City Clerk's address for receipt of any ballot when completed by any owner receiving such notice whereby each such owner may indicate his or her name, reasonable identification of his or her parcel and support or opposition to the proposed increased assessments.

**SECTION 8. Revision of Methodology.** The City Council has determined that in order to provide sufficient funds from the levy and collection of assessments in Zone 19 in future fiscal years to pay increasing costs due to inflation, the assessments which will be levied on assessable parcels of property in Zone 19 should be subject to annual increases in future fiscal years, commencing with fiscal year 2025, by the percentage increase, if any, in the Consumer Price Index, (All Items) for Riverside-San Bernardino-Ontario California or two percent (2%), whichever is greater. The ballot to be mailed to the owners of assessable parcels in Zone 19 shall include a proposition whereby the property owners will be allowed to vote in favor of or in opposition to revising the methodology for determining the amounts of the annual assessments to be levied on parcels in Zone 19 to provide for such annual increases.

**SECTION 9. Inquiries.** The City Council designates Shane Spicer of Spicer Consulting Group, LLC, telephone number (951) 208-7870, as the person to answer inquiries regarding Zone 19 and the increasing, levying and collection of the proposed assessments for fiscal year 2024.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of May 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 17<sup>th</sup> day of May 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 17<sup>th</sup> day of May 2023.

\_\_\_\_\_  
City Clerk of the City of Corona