

## RESOLUTION 11-19

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS, CALIFORNIA CONFIRMING THE ENGINEERS REPORT AND ASSESSMENTS AND PROVIDING FOR THE FISCAL YEAR 2011-12 LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 97-1 ANNUAL LEVY OF ASSESSMENTS**

**WHEREAS**, the City Council of the City of Williams has initiated proceedings for the annual levy of the assessments for a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 97-1** ("District"); and

**WHEREAS**, the City Council has ordered the preparation of an Engineer's Report ("Report") and the City Administrator filed with this City Council said Report pursuant to the Law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for Fiscal Year 2011-12 relating to the District, and further did proceed to give notice to the time and place for a public hearing on all matters relating to said annual levy of the proposed assessment in accordance with the Law; and

**WHEREAS**, at this time this City Council has heard all testimony and evidence, and is desirous of proceeding with said annual levy of assessments.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Williams, California:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That this City Council hereby confirms the Engineer's Report and assessment as submitted and orders the annual levy of the assessment for landscape and street lighting purposes for Fiscal Year 2011-12 and in the amounts as set forth in the Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

**SECTION 3.** That the Engineer's Report, assessment diagram and assessment for landscape and street lighting purposes as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

**SECTION 4.** That the adoption of this Resolution constitutes the levy of the assessment for the Fiscal Year 2011-12.

**SECTION 5.** That the estimates of costs, assessment diagram, the assessments and all other matters as set forth in said Report, pursuant to the Law, as submitted, are hereby approved, adopted and confirmed by this City Council.

**SECTION 6.** That the maintenance of improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County of Colusa Auditor shall enter on the County of Colusa Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County of Colusa, the net amount of the assessment shall be paid to the City of Williams.

**SECTION 7.** That the Finance Officer has established a special fund known as the **WILLIAMS LANDSCAPE AND LIGHTING DISTRICT NO. 97-1**, into which the City shall place all monies collected by the County of Colusa Tax Collector pursuant to the provisions of this Resolution and Law, and said transfer shall be accomplished as soon as said monies have been made available to the City of Williams.

**SECTION 8.** That the City Clerk is hereby ordered and directed to file a certified copy of the Engineer's Report and assessment roll with the County of Colusa Auditor, together with a certified copy of this Resolution upon its adoption.

**SECTION 9.** That a certified copy of the Engineer's Report and assessment roll shall be filed in the office of the City Administrator, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

**ADOPTED** by the City Council of the City of Williams, California, at a regular meeting thereof held this 8<sup>th</sup> day of June, 2011, by the following roll call vote to wit:

**AYES:** Council Members Ash, Barker, Plachek-Fulcher, Troughton, Jr.  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Council Member Sellers, Jr.

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Angela Plachek-Fulcher, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Charles Bergson, Interim City Clerk

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Ann M. Siprelle, City Attorney