

RESOLUTION NO. 2024-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, LEVYING ASSESSMENTS FOR FISCAL YEAR 2024-25 FOR ASSESSMENT DISTRICTS 75-1, 75-2, 76-1, 76-2, 83-2, AND 2002-1, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, pursuant to Chapter 3 of the Landscaping and Lighting Act of 1972 ("Act"), the City Council directed the City Engineer, the Engineer of Work for Assessment Districts 75-1, 75-2, 76-1, 76-2, 83-2, and 2002-1 ("Districts"), to prepare and file an annual report for Fiscal Year 2024-25; and

WHEREAS, the Engineer of Work filed the annual report on July 2nd, 2024, and the City Council adopted its resolution of intention to levy and collect assessments within the assessment districts for Fiscal Year 2024-25; and

WHEREAS, the City Council set a date for a public hearing, to be held on July 16, 2024, at 6:00 p.m., in the City Council Chambers, 13220 Central Avenue, Chino, California; and

WHEREAS, at said public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report, either in writing or orally, and the City Council considered each protest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHINO DOES HEREBY RESOLVE as follows:

Section 1. The above recitals are true and correct, and by this reference are incorporated herein.

Section 2. Pursuant to prior resolutions, the City Council initiated proceedings and declared its intention to levy assessments against the assessable lots and parcels of property within the District pursuant to the provisions of the Act for the Fiscal Year commencing July 1, 2024, and ending June 30, 2025, and ordered the Engineer to prepare the Engineer's Report in accordance with the Act (the "Engineer's Report"). The City Council, by prior resolution, approved such Engineer's Report.

Section 3. Following notice duly given in accordance with the law, the City Council has held a full and fair public hearing regarding the Engineer's Report and the levy and collection of the proposed assessments within the Districts for Fiscal Year 2024-25 to pay for the costs and expenses of the improvements described in the Engineer's Report pursuant to the terms and provisions of the Act. All interested persons were afforded the opportunity to hear and be heard regarding protests and objections to the levy and collection of the proposed assessments against lots or parcels of property within the Districts. The City Council considered all oral and written statements, protests, and communications made or filed by interested persons.

Section 4. Based upon its review of the Engineer's Report and other reports and information, the City Council hereby finds and determines that (i) the land within the Districts will be benefited by the improvements described in the Engineer's Report, (ii) the Districts include all of the lands so benefited, and (iii) the net amount to be assessed upon the lands within the Districts for Fiscal Year 2024-25, in accordance with the Engineer's Report, is apportioned by a formula and method which

fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements. Any and all oral and written protests and objections are hereby overruled by the City Council.

Section 5. The City Council declares that the diagrams and assessments in the Engineer's Report are hereby confirmed as filed.

Section 6. The City Council hereby orders the improvements described in the Engineer's Report to be made.

Section 7. The assessment is in compliance with the provisions of the Act and the City Council has complied with all laws pertaining to the levy of annual assessments pursuant to the Act.

Section 8. The assessments are levied without regard to property valuation.

Section 9. Public property owned by any public agency and in use in the performance of a public function, which is included within the boundaries of the Districts, shall not be subject to assessment to be made under these proceedings to pay for any of the costs and expenses of the improvements.

Section 10. The assessments are levied for the purpose of paying the costs and expenses of the improvements described in the Engineer's Report for Fiscal Year 2024-25.

Section 11. The improvements described in the Engineer's Report shall be performed pursuant to law.

Section 12. The San Bernardino County Auditor-Controller shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

Section 13. The City Treasurer shall deposit all moneys representing assessments collected by the County to the credit of a special fund for the respective Districts.

Section 14. The adoption of this Resolution constitutes the levy of assessments against the lots and parcels of land in the District for the Fiscal Year commencing July 1, 2024, and ending June 30, 2025.

Section 15. The City Clerk is hereby authorized and directed to file the diagram and assessments, or a certified copy of the diagram and assessments, with the San Bernardino County Auditor-Controller, together with a certified copy of this Resolution upon its adoption.

Section 16. A certified copy of the assessments and diagram shall be filed in the Public Works Department, with a duplicate copy on file in the City Clerk's Office, and open for public inspection.

APPROVED AND ADOPTED THIS 16th DAY OF JULY 2024.

ATTEST:

EUNICE M. ULLOA, MAYOR

NATALIE GONZAGA, CITY CLERK

State of California)
County of San Bernardino)§
City of Chino)

I, Natalie Gonzaga, City Clerk of the City of Chino, do hereby certify that the foregoing resolution was duly adopted by the City Council at a regular meeting held on the 16th day of July 2024, by the following votes:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

NATALIE GONZAGA, CITY CLERK