

**RESOLUTION 18-\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES DIRECTING THE FILING OF THE ANNUAL ENGINEER'S REPORT FOR CITY OF HERCULES LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 83-2, VICTORIA BY THE BAY LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 2002-1, HERCULES VILLAGE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 2002-2, BAYWOOD LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 2004-1, AND BAYSIDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 2005-1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the City Council through previous resolutions has established and levied annual assessments for the City of Hercules Landscaping and Lighting Assessment District No. 83-2, Victoria by the Bay Landscaping and Lighting Assessment District No. 2002-1, Hercules Village Landscaping and Lighting Assessment District No. 2002-2, Baywood Landscaping and Lighting Assessment District No. 2004-1, and Bayside Landscaping and Lighting Assessment District No. 2005-1 (hereinafter referred to as the "Districts"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15* of the California Streets and Highways Code (commencing with *Section 22500*) (hereinafter referred to as the "Act") that provides for the collection of assessments by the County of Contra Costa on behalf of the City of Hercules to pay the maintenance and services of improvements and facilities related thereto, and

**WHEREAS**, the City Council desires to initiate proceedings for the levy of annual assessments against certain lots and parcels of land within the Districts for fiscal year 2018/2019 for the landscape and lighting improvements and services that will provide benefit to the properties within the Districts pursuant to the provisions of the Act; and

**WHEREAS**, The City formed an ad hoc committee to discuss the need to increase assessments in Zones 1, 3&4, 6, and 7 of Lighting and Landscape District No 83-2; and

**WHEREAS**, The ad hoc committee discussed the need to conduct a Proposition 218 election with property owners located within Zones 1, 3&4, 6, 7 and 9 of Lighting and Landscape Districts No. 83-2 in order to obtain property owner approval to increase assessments within those zones; and

**WHEREAS**, the City has retained Francisco & Associates, Inc. (hereinafter referred to as the "Engineer"), for the purpose of assisting with the levy of such assessments, including the preparation and filing of the Engineer's Report with the City Clerk in accordance with the Act.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hercules as follows:

1. The above recitals are true and correct.
2. Engineer's Report: The City Council hereby orders the Engineer to prepare and file with the City Clerk Engineer's Reports concerning the improvements and services within the Districts and the levy of assessments within the Districts for the fiscal year commencing July 1, 2018 and ending June 30, 2019, in accordance with *Chapter 3 Section 22623* of the Act. Said Engineer's Reports shall contain a description of the improvements and services, an estimate of the costs financed by the levy of the assessments, the properties benefiting from the improvements, the method of apportioning the assessments, and any substantial changes to the existing improvements and assessments.
3. Proposed Improvements: The improvements and services include but are not limited to the maintenance, operation and incidental expenses related to: street lighting, street trees; turf; ground cover and shrubs;

irrigation and electrical systems; monuments; fountains; hardscape improvements; masonry walls and other fencing, and all necessary appurtenances and services connected with the landscaped channelways, medians, parkways, entryways, parks and public easements and facilities designated and maintained as part of the District improvements. The Engineer's Reports prepared in connection with these proceedings shall provide a more detailed description of the improvements and services to be provided by the Districts and for which properties are proposed to be assessed.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the thirteenth day of March 2018, by the following vote of the Council:

AYES:

NOES:

ABSENT:

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Chris Kelley, Mayor

ATTEST:

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Lori Martin, Administrative Services Director/City Clerk