

RESOLUTION NO. 2007-23

A RESOLUTION OF INTENTION TO LEVY AND COLLECT ANNUAL PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1 (PFMD) ZONE 1 OF THE CITY OF LEMOORE

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on June 19th, 2007, at 7:30 p.m. on said day, it was moved by Councilmember _____, seconded by Councilmember _____ and carried that the following Resolution be adopted:

1. It is the intention of the Council to order the levy and collection of assessments within Public Facilities Maintenance District No. 1 ("PFMD"), Zones 1 and 2, of the City of Lemoore for fiscal year 2007-08, under the authority of Chapter 10 of Title 7 of the Lemoore Municipal Code, as enacted by Ordinance No. 2006-01 (the "Ordinance"), and according to the procedures set forth in the Proposition 218 Omnibus Implementation Act (Government Code Sections 53750--53753.5, inclusive) (the "Implementation Act"), Article XIII D of the California Constitution ("Proposition 218") and, to the extent not inconsistent with the Ordinance, the procedures specified in the State Landscaping and Lighting Act of 1972 (Chapter 2 of Part 2 of Division 15 of the California Streets & Highways Code) (the "Landscaping & Lighting Act"). The assessments within PFMD Zone 1 are proposed to increase from the previous fiscal year, but by no more than the increase in the Employment Cost Index for total compensation for State and Local Government Workers (the "Employee Cost Index") during the previous fiscal year, which methodology for determining annual increases has been approved by a majority of property owners in PFMD Zone 1 at a duly noticed and conducted property owner ballot proceeding in 2006. The assessments proposed within PFMD Zone 2 for fiscal year 2007-08 will be the initial annual assessments within Zone 2, and therefore no increase is proposed for Zone 2 in fiscal year 2007-08.
2. The territories of PFMD Zone 1 and Zone 2 are comprised of various territories generally located on the attached vicinity map which is the real property particularly, distinctly and specially benefited and to be assessed for the maintenance, repair, operation and periodic replacement of the facilities and improvements generally described in Exhibit "A" attached hereto and by reference incorporated herein.
3. The City Engineer has prepared and filed with the Clerk of the City of Lemoore a report labeled Engineer's Report of the City of Lemoore Public Facilities Maintenance District No. 1, Zones 1 and 2, dated June, 2007, to which reference is hereby made for a description of the existing facilities and improvements, the boundaries of the assessment district and the referenced zones therein, including the general nature, location and extent of the facilities and improvements, and the proposed assessment upon assessable lots and parcels of land within, PFMD Zone 1 and Zone 2. No substantial changes are proposed to be made in the existing facilities and improvements, and no new facilities or improvements are proposed.
4. Notice is hereby given that the 7th day of August, 2007, at the hour of 7:30 p.m. or as soon thereafter as possible, in the regular meeting place of the City Council, Council Chambers, 429 C Street, Lemoore, California, is hereby fixed as the time and place for public hearing when and where all interested persons may be heard regarding the

question of levy and collection of the proposed assessments in PFMD Zones 1 and 2 for fiscal year 2007-08, including the proposed increase in the assessments for PFMD Zone 1 according to the corresponding increase in the Employee Cost Index. At the hearing, any interested person shall be permitted to present written or oral testimony.

- 5. The City Clerk is hereby authorized and directed to give notice of the public hearing by publication of this Resolution in accordance with subdivision (a) of Section 22626 of the Landscaping & Lighting Act
- 6. This resolution shall take effect immediately upon adoption.

* * * * *

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 19th day of June, 2007 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

APPROVED:

John F. Murray
Mayor

ATTEST:

Nanci C. O. Lima, City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I Nanci C. O. Lima, City Clerk of the City of Lemoore do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting held on June 19, 2007.

DATED: June 20, 2007

Nanci C. O. Lima
City Clerk