

**AGENDA ITEM NO. 7.a.2.**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND  
ASSESSMENTS IN THE MATTER OF MAIN STREET ASSESSMENT  
DISTRICT NO. 1

WHEREAS, the City Council has, by its Resolution No. 8819-08 declared its intention to order the maintenance of certain improvements and appurtenances within the Main Street Assessment District No. 1 under the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 (commencing with Section 22500) of the California Streets and Highways Code (herein "the Act"); and

WHEREAS, by Resolution No. 8819-08 the City Council has approved a report prepared by the City Engineer under and pursuant to the Act and, in particular Section 22622 of the Streets and Highways Code; and

WHEREAS, the report contained among other things, an estimate of the cost of maintenance, a diagram showing the assessment district and boundaries and dimensions of the subdivisions of land within the assessment district (which is on file in the City Clerk's Office and incorporated herein by reference), and a proposed assessment of the total amount of the costs and expenses of maintenance upon several subdivisions of land in the assessment district in direct proportion to the estimated benefits to be received by the subdivisions respectively from the maintenance; and

WHEREAS, by Resolution No. 8819-08 the City Council fixed the date of June 24, 2008 at the hour of 6:30 p.m. (or as soon thereafter as the City Council may hear same) in the City Council Chamber, located at 11300 Stanford Avenue, Garden Grove, California, as the time and place for the hearing on the question of the levy of the proposed assessment; and

WHEREAS, the City Clerk has given the notices of the passage of the Resolution of Intention, Resolution No. 8819-08 and of the time and place of purpose of the hearing, all as required by the Act; and

WHEREAS, the City Clerk has filed with the City Council its affidavit setting forth the time and manner of the compliance with the requirements of the Act for publishing of the notices; and

WHEREAS, at the time and place stated in the notices, a hearing was opened by the City Council at which hearing the report was duly presented and public testimony solicited and heard in the matter of the proposed assessment, and a full, fair and complete hearing has been held and the City Council has been fully informed;

WHEREAS, the City Council has examined and considered the assessment prepared in the report and proceedings prior thereto, and the evidence presented at the hearing; and

WHEREAS, protests were not made by the owners of more than one-half of the area of the property to be assessed for the improvements proposed; and

WHEREAS, any and all protests and objections, written and oral, made or filed in the matter of the report or assessments have been overruled and denied.

NOW, THEREFORE, the City Council of the City of Garden Grove does hereby resolve, determine and order as follows:

SECTION 1. The hearing has been duly held, and notices given as set forth in the recitals, and each and every step in the proceedings prior to and including the hearing has been duly and regularly taken. The City Council is satisfied with the correctness of the report, including the assessment and diagram, the proceedings, and all matters relating thereto; and all protest, objections, or appeals have been heard and the same are hereby overruled and denied. The City Council does hereby confirm the proceedings and the assessment.

SECTION 2. The City Council orders the proposed maintenance to be made in accordance with the report and these proceedings.

SECTION 3. The City Council does hereby determine that the amounts to be assessed against the individual parcels shown on the assessment diagram contained in the report are hereby approved and confirmed, and the City Clerk is hereby directed to endorse the fact and date of approval of the report.

SECTION 4. The adoption of this Resolution constitutes the levy of an assessment for fiscal year 2008-09.

SECTION 5. The City Clerk is hereby directed to file and record the diagram and assessment, as required by Section 22641 of the California Streets and Highways Code, with the County Auditor.

