



PUBLIC HEARING  
CITY OF GARDEN GROVE –  
STREET LIGHTING DISTRICTS AND  
PARK MAINTENANCE DISTRICT  
(FY 2010-11)  
July 13, 2010  
Page 2 of 2

FINANCIAL IMPACT

The adoption of street lighting and park maintenance assessments will raise approximately \$1,300,000 in street lighting revenue and \$700,000 in park maintenance revenue.

RECOMMENDATION


It is recommended that the City Council adopt the attached proposed resolutions:

- Confirming the proceedings and assessments for 1) Street Lighting District, 2) Street Lighting District No. 99-1, and 3) Park Maintenance District for FY2010/11 against the individual parcels;
- Ordering the proposed maintenance to be completed in accordance with the Engineer's Reports; and
- Directing the City Clerk to file and record the assessments with the County Auditor.

  
KEITH G. JONES  
Public Works Director

  
By: Tony Aquino  
Associate Engineer

Approved for Agenda Listing

  
Matthew Fertal  
City Manager

Attachments - Resolutions

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS FOR THE CITY OF GARDEN GROVE PARK  
MAINTENANCE DISTRICT AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR  
2010-2011 FISCAL YEAR

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS:

A. The City Council of the City of Garden Grove initiated proceedings to order the maintenance of public parks in the City of Garden Grove (Resolution No. 8988-10) for FY 2010-2011 under the provisions of the Landscaping and Lighting Act of 1972, being Division 15, Part 2 (Sections 22500 et seq.) of the California Streets and Highways Code.

B. At its meeting of June 8, 2010, the City Council considered and approved a Report prepared by the City Engineer under and pursuant to the California Streets and Highways Code.

C. Said Report contained an estimate of the costs of improvements, a diagram showing the Assessment District and the boundaries and dimensions of the subdivisions of the land within the District, and a proposed assessment of the total amount of the costs and expenses of said improvements in relation to special benefits that parcels receive from said improvements.

D. The City Council fixed July 13, 2010, at 6:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, as the time and place for the Public Hearing on the question of the levy of the proposed assessment.

E. The City Clerk has given notice of the passage of the Resolution of Intention and of the time and place and purpose of said Public Hearing.

F. The City Clerk has filed with the City Council an affidavit setting forth the time and manner of the compliance with the requirements of the California Streets and Highways Code.

G. At the time and place stated in said notice, the Public Hearing was opened by the City Council and said Report was considered, and all persons appearing and desiring to be heard were heard.

H. The City Council has examined the evidence presented at said Public Hearing.

I. 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

J. 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. Said Public Hearing has been duly held, and notices thereof given as set forth in the recitals of this Resolution, and each and every step in the proceedings has been duly 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 protests, objections, or appeals have been heard and the same are hereby overruled and denied.

SECTION 2. Based upon its review of the Report, and other reports and information presented to it, the City Council hereby finds and determines that: (i) the land within the District will be benefited by the improvements described in the Report; (ii) the District includes all of the lands so benefited; (iii) the net amount to be assessed upon the lands within the District for the 2010-2011 fiscal year in accordance with the Report described above, is apportioned by a formula and method that 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; and (iv) no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

SECTION 3. The City Council finds that the assessment is in compliance with the provisions of the Landscaping and Lighting Act of 1972 and that the City Council has complied with all laws pertaining to the levy of an annual assessment. The City Council hereby confirms the diagram and assessment for the District for fiscal year 2010-2011. The adoption of this Resolution constitutes the levy of an assessment against the lots and parcels of land in the District for the fiscal year commencing July 1, 2010, and ending June 30, 2011.

SECTION 4. The City Council hereby orders the proposed improvements to be made in accordance with said Report and these proceedings.

SECTION 5. The City Engineer is hereby authorized to update the Report and assessments to the most current available parcel listings as provided by the County Auditor's Office.

SECTION 6. The City Clerk is hereby directed to file the diagram and assessment, or a certified copy thereof, with the County Auditor for collection of the assessments on the tax roll.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT  
FOR 2010-2011 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING  
DISTRICT

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS:

A. The City Council of the City of Garden Grove initiated proceedings to order the installation, maintenance, and servicing of certain public street lighting facilities in the City of Garden Grove Street Lighting District (Resolution No. 8986-10) for FY 2010-2011 under the provisions of the Landscaping and Lighting Act of 1972, being Division 15, Part 2 (Sections 22500 et seq.) of the California Streets and Highways Code.

B. At its meeting of June 8, 2010, the City Council considered and approved a Report prepared by the City Engineer under and pursuant to the California Streets and Highways Code.

C. Said Report contained an estimate of the costs of improvements, a diagram showing the Assessment District and the boundaries and dimensions of the subdivisions of the land within the District, and a proposed assessment of the total amount of the costs and expenses of said improvements in relation to special benefits that parcels receive from said improvements.

D. The City Council fixed July 13, 2010, at 6:30 p.m. in the Community Meeting Center, 1300 Stanford Avenue, Garden Grove, California, as the time and place for the Public Hearing on the question of the levy of the proposed assessment.

E. The City Clerk has given notice of the passage of the Resolution of Intention and of the time and place and purpose of said Public Hearing.

F. The City Clerk has filed with the City Council an affidavit setting forth the time and manner of the compliance with the requirements of the California Streets and Highways Code.

G. At the time and place stated in said notice, the Public Hearing was opened by the City Council and said Report was considered, and all persons appearing and desiring to be heard were heard.

H. The City Council has examined the evidence presented at said Public Hearing.

I. 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

J. 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. Said Public Hearing has been duly held, and notices thereof given as set forth in the recitals of this Resolution, and each and every step in the proceedings has been duly 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 protests, objections, or appeals have been heard and the same are hereby overruled and denied.

SECTION 2. Based upon its review of the Report, and other reports and information presented to it, the City Council hereby finds and determines that: (i) the land within the District will be benefited by the improvements described in the Report; (ii) the District includes all of the lands so benefited; (iii) the net amount to be assessed upon the lands within the District for the 2010-2011 fiscal year in accordance with the Report described above, is apportioned by a formula and method that 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; and (iv) no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

SECTION 3. The City Council finds that the assessment is in compliance with the provisions of the Landscaping and Lighting Act of 1972 and that the City Council has complied with all laws pertaining to the levy of an annual assessment. The City Council hereby confirms the diagram and assessment for the District for fiscal year 2010-2011. The adoption of this Resolution constitutes the levy of an assessment against the lots and parcels of land in the District for the fiscal year commencing July 1, 2010, and ending June 30, 2011.

SECTION 4. The City Council hereby orders the proposed improvements to be made in accordance with said Report and these proceedings.

SECTION 5. The City Council does hereby order that the funds remaining in the Street Lighting Fund from FY 2009-2010 be carried over as the beginning balance for FY 2010-2011 as shown in the Engineer's Report.

SECTION 6. The City Council finds that the Southern California Edison Company is the only practical contractor capable of furnishing said improvements, and authorization is hereby granted to continue with said contractor pursuant to agreement dated July 22, 1958, without publishing any notice inviting bids or submitting said contract to competitive bidding.

SECTION 7. The City Engineer is hereby authorized to update the Report and assessments to the most current available parcel listings as provided by the County Auditor's Office.

SECTION 8. The City Clerk is hereby directed to file the diagram and assessment, or a certified copy thereof, with the County Auditor for collection of the assessments on the tax roll.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT  
FOR 2010-2011 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING  
DISTRICT NO. 99-1

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS:

A. The City Council of the City of Garden Grove initiated proceedings to order the installation, maintenance, and servicing of certain public street lighting facilities in the City of Garden Grove Street Lighting District No. 99-1 (Resolution No. 8987-10) for FY 2010-2011 under the provisions of the Landscaping and Lighting Act of 1972, being Division 15, Part 2 (Sections 22500 et seq.) of the California Streets and Highways Code.

B. At its meeting of June 8, 2010, the City Council considered and approved a Report prepared by the City Engineer under and pursuant to the California Streets and Highways Code.

C. Said Report contained an estimate of the costs of improvements, a diagram showing the Assessment District and the boundaries and dimensions of the subdivisions of the land within the District, and a proposed assessment of the total amount of the costs and expenses of said improvements in relation to special benefits that parcels receive from said improvements.

D. The City Council fixed July 13, 2010, at 6:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, as the time and place for the Public Hearing on the question of the levy of the proposed assessment.

E. The City Clerk has given notice of the passage of the Resolution of Intention and of the time and place and purpose of said Public Hearing.

F. The City Clerk has filed with the City Council an affidavit setting forth the time and manner of the compliance with the requirements of the California Streets and Highways Code.

G. At the time and place stated in said notice, the Public Hearing was opened by the City Council and said Report was considered, and all persons appearing and desiring to be heard were heard.

H. The City Council has examined the evidence presented at said Public Hearing.

I. 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



J. 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. Said Public Hearing has been duly held, and notices thereof given as set forth in the recitals of this Resolution, and each and every step in the proceedings has been duly 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 protests, objections, or appeals have been heard and the same are hereby overruled and denied.

SECTION 2. Based upon its review of the Report, and other reports and information presented to it, the City Council hereby finds and determines that: (i) the land within the District will be benefited by the improvements described in the Report; (ii) the District includes all of the lands so benefited; (iii) the net amount to be assessed upon the lands within the District for the 2010-2011 fiscal year in accordance with the Report described above, is apportioned by a formula and method that 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; and (iv) no assessment imposed on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

SECTION 3. The City Council finds that the assessment is in compliance with the provisions of the Landscaping and Lighting Act of 1972 and Article XIIIID of the California Constitution and that the City Council has complied with all laws pertaining to the levy of an annual assessment.

SECTION 4. The City Council hereby confirms the diagram and assessment for the District for fiscal year 2010-2011. The adoption of this Resolution constitutes the levy of an assessment against the lots and parcels of land in the District for the fiscal year commencing July 1, 2010, and ending June 30, 2011.

SECTION 5. The City Council hereby orders the proposed improvements to be made in accordance with said Report and these proceedings.

SECTION 6. The City Council finds that the Southern California Edison Company is the only practical contractor capable of furnishing said improvements, and authorization is hereby granted to continue with said contractor pursuant to agreement dated July 22, 1958, without publishing any notice inviting bids or submitting said contract to competitive bidding.

SECTION 7. The City Engineer is hereby authorized to update the Report and assessments to the most current available parcel listings as provided by the County Auditor's Office.

SECTION 8. The City Clerk is hereby directed to file the diagram and assessment, or a certified copy thereof, with the County Auditor for collection of the assessments on the tax roll.