

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To:	Matthew J. Fertal	From:	William E. Murray
Dept:	City Manager	Dept:	Public Works
Subject:	PUBLIC HEARINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR GARDEN GROVE STREET LIGHTING DISTRICT, GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, AND GARDEN GROVE PARK MAINTENANCE DISTRICT (FY 2011-12)		
		Date:	August 9, 2011

**OBJECTIVE**

To hold Public Hearings prior to adoption of the FY 2011-12 assessments under the Landscape and Lighting Act of 1972 and determine whether to levy assessments for 1) the Garden Grove Street Lighting District, 2) the Garden Grove Street Lighting District No. 99-1, and 3) the Garden Grove Park Maintenance District. A separate Public Hearing will be held for each District.

**BACKGROUND/DISCUSSION**

On June 14, 2011, the City Council adopted Resolution Nos. 9051-11, 9052-11, 9053-11, declaring its intention to levy and collect annual assessments for the 2011-12 fiscal year to pay for the street lighting and park maintenance. The City Engineer, as required by state law, has prepared and filed a report for each district. The purpose of the Public Hearings are to hear testimony on the question of the annual assessments for parcels located within the Street Lighting District, Street Lighting District No. 99-1, and Park Maintenance District.

Properties throughout the City of Garden Grove have been paying assessments to fund street lighting and community park maintenance. The proposed assessments are based on rates and methodology as previously adopted in FY 1997-98 by the City Council for the Garden Grove Street Lighting District and the Garden Grove Park Maintenance District.

The boundaries of the Garden Grove Street Lighting District No. 99-1 include two zones, the first involving an area easterly of Dale Street between Lampson Avenue and Chapman Avenue, including an area west of Fairview Street approximately 900 feet south of Trask Avenue, and the second involving an area on Gail Lane, north of Chapman Avenue. Property owners approved this district on June 22, 1999 through a special ballot proceeding.

With regard to the Garden Grove Street Lighting District, property owners on Darnell Street, Beck Avenue, and portions of Stimson Street (the Darnell/Beck Area), and portions of Lorna Street have separately requested additional local lighting be installed along the those streets. As these properties are currently paying only the arterial lighting assessments, an assessment balloting process is required to impose the additional local lighting assessment.

PUBLIC HEARINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR  
GARDEN GROVE STREET LIGHTING DISTRICT,  
GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1,  
AND GARDEN GROVE PARK MAINTENANCE DISTRICT  
August 9, 2011  
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Assessment ballots were mailed out on June 24, 2011 to all property owners who are affected by the proposed additional local lighting assessment. All ballots are due back to the City Clerk prior to the close of the Public Hearing.

If more than 50% of the returned ballots are against the additional assessment, then the additional local lighting assessment cannot be levied and the additional local lighting along the streets mentioned above will not be installed.

In the absence of a majority protest, the City Council may authorize the levying of the local lighting assessment on these properties and authorize the installation of the streetlights.

There are forty (40) affected properties in the Darnell/Beck Area, and nineteen (19) affected properties along Lorna Street. The City Clerk will tabulate the ballots and announce the results for all district assessments following the close of each Public Hearing.

#### 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. The assessments will be collected by placement on the tax rolls.

#### RECOMMENDATION

It is recommended that the City Council take the following actions:

1. For the Garden Grove Street Lighting District No. 99-1:
  - Conduct the Public Hearing for the proposed annual levy of assessments;
  - Receive the report of the City Clerk regarding protests received; and
  - Assuming that there is no majority protest, adopt the Resolution confirming the assessment in Street Lighting District No. 99-1 for FY 2011-2012. (Resolution is Attachment 1 to the Agenda Report)
2. For the Garden Grove Park Maintenance District :
  - Conduct the Public Hearing for the proposed annual levy of assessments;
  - Receive the report of the City Clerk regarding protests received; and
  - Assuming that there is no majority protest, adopt the Resolution confirming the assessment in the Garden Grove Park Maintenance District for FY 2011-2012. (Resolution is Attachment 2 to the Agenda Report)

PUBLIC HEARINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR  
GARDEN GROVE STREET LIGHTING DISTRICT,  
GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1,  
AND GARDEN GROVE PARK MAINTENANCE DISTRICT  
August 9, 2011  
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3. For the Garden Grove Street Lighting District:

- Conduct the Public Hearing for the proposed annual levy of assessments, including the additional local lighting assessments for the Darnell/Beck Area and the portion of Lorna Street;
- Receive the report of the City Clerk regarding protests received for the annual general levy and for the balloting for the additional local lighting assessments;
- Assuming that there is not a majority protest on any of the general or additional local lighting assessments, adopt the Resolution confirming all of the proposed assessments in the Garden Grove Street Lighting District. (Resolution is Attachment 3 to the Agenda Report); and
- If there is any majority protest, staff will identify for adoption one of the additional Resolutions attached to the Agenda Report.

  
WILLIAM E. MURRAY, P.E.  
Public Works Director/City Engineer

By:   
Tony Aquino  
Associate Engineer

Approved for Agenda Listing

  
Matthew Fertal  
City Manager

Attachments:

1. Resolution for Garden Grove Street Lighting District No. 99 -1
2. Resolution for Garden Grove Park Maintenance District
3. Resolution for Garden Grove Street Lighting District (no majority protests)
4. Resolution for Garden Grove Street Lighting District (majority protest for both Darnell/Beck Area and Lorna Street)
5. Resolution for Garden Grove Street Lighting District (majority protest for Darnell/Beck Area only)
6. Resolution for Garden Grove Street Lighting District (majority protest for Lorna Street only)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT  
FOR 2011-2012 FISCAL YEAR FOR THE 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 Garden Grove Street Lighting District No. 99-1 (Resolution No. 9052-11) for FY 2011-2012 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 14, 2011, 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 August 9, 2011, at 6:30 p.m. in the Council Chamber of 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 protest, 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 2011-2012 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 XIIID 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 Garden Grove Street Lighting District No. 99-1 for fiscal year 2011-2012. 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, 2011, and ending June 30, 2012.

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 diagram and assessment, or a certified copy thereof, with the County Auditor, for collection of the assessment on the tax roll.

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS FOR THE GARDEN GROVE PARK MAINTENANCE  
DISTRICT AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2011-2012  
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. 9053-11) for FY 2011-2012 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 14, 2011, 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 August 9, 2011, at 6:30 p.m. in the Council Chamber of 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 protest, 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 2011-2012 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 Garden Grove Park Maintenance District for fiscal year 2011-2012. 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, 2011, and ending June 30, 2012.

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 diagram and assessment, or a certified copy thereof, with the County Auditor, for collection of the assessment 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 2011-2012 FISCAL YEAR FOR THE 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 Garden Grove Street Lighting District (Resolution No. 9051-11) for FY 2011-2012 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 14, 2011, 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 August 9, 2011, at 6:30 p.m. in the Council Chamber of 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 caused notices and ballots to be mailed to the record owners of properties along Darnell Street, Beck Avenue and portions along Stimson Street (hereinafter Darnell/Beck Area) for potential addition of the Local Lighting Assessment rate.
- G. The City Clerk has caused notices and ballots to be mailed to the record owners of properties along portions of Lorna Street for potential addition of the Local Lighting Assessment rate.
- H. 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.

I. 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.

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

K. The Darnell/Beck Area ballots that were returned were tabulated, and no majority protest exists with regard to the addition of the Local Lighting Assessment rate.

L. The Lorna Street ballots that were returned were tabulated, and no majority protest exists with regard to the addition of the Local Lighting Assessment rate.

M. Protests were not made by the owners of more than one-half of the area of the property to be assessed for the other improvements proposed; and

N. 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 protest, 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 2011-2012 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 Garden Grove Street Lighting District for fiscal year 2011-2012. 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, 2011, and ending June 30, 2012.

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 hereby orders the levy of an assessment against properties in the Darnell/Beck Area, for which Local Lighting was proposed, for payment of the Local Lighting Assessment and authorizes the installation of local lights on those streets.

SECTION 6. The City Council hereby orders the levy of an assessment against properties along portions of Lorna Street, for which Local Lighting was proposed, for payment of the Local Lighting Assessment and authorizes the installation of local lights on a portion of Lorna Street.

SECTION 7. 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 8. 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 9. The City Clerk is hereby directed to file diagram and assessment, or a certified copy thereof, with the County Auditor, for collection of the assessment on the tax roll.

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND  
ASSESSMENT FOR 2011-2012 FISCAL YEAR FOR THE 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 Garden Grove Street Lighting District (Resolution No. 9051-11) for FY 2011-2012 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 14, 2011, 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 August 9, 2011, at 6:30 p.m. in the Council Chamber of 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 caused notices and ballots to be mailed to the record owners of properties along Darnell Street, Beck Avenue, and portions along Stimson Street (hereinafter Darnell/Beck Area) for potential addition of the Local Lighting Assessment rate.
- G. The City Clerk has caused notices and ballots to be mailed to the record owners of properties along portions of Lorna Street for potential addition of the Local Lighting Assessment rate.
- H. 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.

I. 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.

J. The City Council has examined the evidence presented at said hearing.

K. The Darnell/Beck Area ballots that were returned were tabulated, and a majority protest exists, with regard to the addition of the Local Lighting Assessment rate.

L. The Lorna Street ballots that were returned were tabulated, and a majority protest exists, with regard to the addition of the Local Lighting Assessment rate.

M. Protests were not made by the owners of more than one-half of the area of the property to be assessed for the other improvements proposed; and

N. Except as to the protests for the addition of local lighting in the Darnell/Beck Area and on the Lorna Street 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 protest, 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 2011-2012 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. Except for the proposed assessment for additional local lighting (i) in the Darnell/Beck Area and (ii) on Lorna Street, the City Council hereby confirms the diagram and assessment for the Garden Grove Street Lighting District for fiscal year 2011-2012. 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, 2011, and ending June 30, 2012.

SECTION 4. Except for the proposed additional local lighting (i) in the Darnell/Beck Area and (ii) on Lorna Street, the City Council hereby orders the proposed improvements to be made in accordance with said report and these proceedings.

SECTION 5. 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 6. 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 7. The City Clerk is hereby directed to file diagram and assessment, or a certified copy thereof, with the County Auditor, for collection of the assessment 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 2011-2012 FISCAL YEAR FOR THE 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 Garden Grove Street Lighting District (Resolution No. 9051-11) for FY 2011-2012 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.

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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.

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G. The City Clerk has caused notices and ballots to be mailed to the record owners of properties along portions of Lorna Street for potential addition of the Local Lighting Assessment rate.

H. 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.

I. 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.

J. The City Council has examined the evidence presented at said hearing.

K. The Darnell/Beck Area ballots that were returned were tabulated, and a majority protest exists, with regard to the addition of the Local Lighting Assessment rate.

L. The Lorna Street ballots that were returned were tabulated, and no majority protest exists, with regard to the addition of the Local Lighting Assessment rate.

M. Protests were not made by the owners of more than one-half of the area of the property to be assessed for the other improvements proposed; and

N. Except as to the protests for the additional of local lighting in the Darnell/Beck Area, 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 protest, 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 2011-2012 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. Except

for the proposed assessment for additional local lighting in the Darnell/Beck Area, the City Council hereby confirms the diagram and assessment for the Garden Grove Street Lighting District for fiscal year 2011-2012. 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, 2011, and ending June 30, 2012.

SECTION 4. Except for the proposed additional local lighting in the Darnell/Beck Area, the City Council hereby orders the proposed improvements to be made in accordance with said report and these proceedings.

SECTION 5. The City Council hereby orders the levy of an assessment against properties along portions of Lorna Street, for which Local Lighting was proposed, for payment of the Local Lighting Assessment and authorizes the installation of local lights on a portion of Lorna Street.

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.

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## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT  
FOR 2011-2012 FISCAL YEAR FOR THE 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 Garden Grove Street Lighting District (Resolution No. 9051-11) for FY 2011-2012 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 14, 2011, 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 August 9, 2011, at 6:30 p.m., in the Council Chamber of 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 caused notices and ballots to be mailed to the record owners of properties along Darnell Street, Beck Avenue, and portions along Stimson Street (hereinafter Darnell/Beck Area) for potential addition of the Local Lighting Assessment rate.

G. The City Clerk has caused notices and ballots to be mailed to the record owners of properties along portions of Lorna Street for potential addition of the Local Lighting Assessment rate.

H. 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.

I. 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.

J. The City Council has examined the evidence presented at said hearing.

K. The Darnell/Beck Area ballots that were returned were tabulated, and no majority protest exists, with regard to the addition of the Local Lighting Assessment rate.

L. The Lorna Street ballots that were returned were tabulated, and a majority protest exists, with regard to the addition of the Local Lighting Assessment rate.

M. Protests were not made by the owners of more than one-half of the area of the property to be assessed for the other improvements proposed; and

N. Except as to the protests for the addition of local lighting on Lorna Street, 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 protest, 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 2011-2012 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. Except

for the proposed assessment for additional local lighting on Lorna Street, the City Council hereby confirms the diagram and assessment for the Garden Grove Street Lighting District for fiscal year 2011-2012. 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, 2011, and ending June 30, 2012.

SECTION 4. Except for the proposed additional local lighting on Lorna Street, the City Council hereby orders the proposed improvements to be made in accordance with said report and these proceedings.

SECTION 5. The City Council hereby orders the levy of an assessment against properties in the Darnell/Beck Area, for which Local Lighting was proposed, for payment of the Local Lighting Assessment and authorizes the installation of local lights on those streets.

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 diagram and assessment, or a certified copy thereof, with the County Auditor, for collection of the assessment on the tax roll.