

RESOLUTION NO. 35-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND APPROVING THE ENGINEER'S FINAL ANNUAL LEVY REPORT FOR FISCAL YEAR 2011-2012 FOR THE MARINA BAY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT, DECLARING THE COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS IN THE DISTRICT, AND ANNOUNCING A PUBLIC HEARING REGARDING ASSESSMENTS

WHEREAS, the Marina Bay Landscape and Lighting Maintenance District was established in 2009 to provide landscaping and lighting improvements and maintenance in an area of the City known as Marina Bay; and

WHEREAS, on July 28, 2009 by Resolution No. 83-09 the City Council of the City of Richmond approved a maximum amount of individual maintenance assessments that may be levied by the City Council in the Marina Bay Landscape and Lighting Maintenance District (the "MBLLMD" or "District") in future fiscal years and approved the index by which the stated maximum amount of individual assessments may be increased; and

WHEREAS, on January 4, 2011 the City Council ordered preparation of an Engineer's Report for Fiscal Year 2011-2012 regarding proposed improvements and costs of improvements for the MBLLMD; and

WHEREAS, the Engineer has prepared the Engineer's Final Annual Levy Report the Marina Landscape and Lighting Maintenance District Fiscal Year 2011-2012 ("Engineer's Report") which describes existing and proposed improvements and substantial changes to be made to existing improvements within the MBLLMD, and which estimates the costs of such improvements; and

WHEREAS, the City has reviewed the Engineer's Report on file with the City Clerk's Office at Richmond City Hall at 450 Civic Center Plaza in the City of Richmond and determined that in order to pay the costs of proposed improvements for Fiscal Year 2011-2012 the City would have to increase District assessments,

NOW, THEREFORE, by this resolution the City Council hereby approves the Engineer's Report on file with the City Clerk's Office, declares its intention to levy and collect assessments in the Marina Landscape and Lighting Maintenance District Fiscal Year 2011-2012, proposes to increase District assessments from those levied in Fiscal Year 2010-2011 by the maximum amount permissible under Resolution 83-09, and further resolves to conduct a hearing on the levy of the proposed assessment at a regular meeting of the Richmond City Council to be held at 7 p.m. on June 7, 2011 at the Council Chambers in City Hall at 440 Civic Center Plaza in the City of Richmond.

I hereby certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a joint meeting thereof held May 3, 2011, by the following vote:

AYES: Councilmembers Bates, Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 35-11**, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on May 3, 2011.