

RESOLUTION NO.79-09

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS IN THE HILLTOP
LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, the Hilltop Landscape Maintenance District was established in 1986 to provide landscaping and lighting improvements and maintenance in an area in the northeastern portion of the City of Richmond generally adjacent to the I-80 freeway, north of the City of San Pablo, and extending west to the Richmond Country Club and north to the border with unincorporated lands within Contra Costa County; and

WHEREAS, on June 23, 1998 by Resolution No. 91-98 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 Hilltop Landscape Maintenance District (the "HLMD" 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 March 3, 2009 the City Council ordered preparation of an Engineer's Report for Fiscal Year 2009-2010 regarding proposed improvements and costs of improvements for the HLMD; and

WHEREAS, the Engineer has prepared the Engineer's Final Annual Levy Report Hilltop Landscape Maintenance District Fiscal Year 2009-2010 ("Engineer's Report") which describes existing and proposed improvements and substantial changes to be made to existing improvements within the HLMD, 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 2009-2010 the City would have to increase District assessments,

WHEREAS, on June 2, 2009, the City Council approved the Engineer's Report on file with the City Clerk's Office, declared its intention to levy and collect assessments in the Hilltop Landscape Maintenance District for Fiscal Year 2009-2010, proposed to increase District assessments from those levied in Fiscal Year 2008-2009 under the maximum amount permissible under Resolution 91-98, and further resolved 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 July 21, 2009,

WHEREAS, the City Council conducted a duly noticed public hearing on July 21, 2009 on the proposal to increase District assessments from those levied in Fiscal Year 2008-2009 under the maximum amount permissible under Resolution 91-98,

NOW THEREFORE THE CITY COUNCIL, of the City of Richmond does hereby approve the increase in District assessments from those levied in Fiscal Year 2008-2009 in accordance with the Engineer's Report adopted June 2, 2009 and under the maximum amount permissible under Resolution 91-98, and does hereby approve the levy and collection of assessments in the Hilltop Landscape Maintenance District for Fiscal Year 2009-10.

I hereby certify that the foregoing Resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held July 21, 2009, by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes, Vice Mayor Lopez, 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. 79-09, finally passed and adopted by the City of Richmond at a regular meeting held on July 21, 2009.