

RESOLUTION NO. 75-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
APPROVING THE LEVY AND COLLECTION OF ASSESSMENTS IN THE MARINA
BAY LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**

WHEREAS, the Marina Bay Landscaping 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 Landscaping 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 February 7, 2012 the City Council ordered preparation of an Engineer's Report for Fiscal Year 2012-2013 regarding proposed improvements and costs of improvements and maintenance for the MBLLMD; and

WHEREAS, the Engineer has prepared the Engineer's Final Annual Levy Report for the Marina Bay Landscaping and Lighting Maintenance District for Fiscal Year 2012-2013 ("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 2012-2013 the City would have to increase District assessments from those levied in Fiscal Year 2011-2012 by an inflation rate of 3%, as permitted under Resolution No. 83-09.

WHEREAS, on May 1, 2012, 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 Marina Bay Landscape and Lighting Maintenance District for Fiscal Year 2012-2013, proposed to increase District assessments from those levied in Fiscal Year 2011-2012 under the maximum amount permissible under Resolution 83-09, and further resolved to conduct a hearing on the levy of the proposed assessments at a regular meeting of the Richmond City Council to be held at 6:30 p.m. on June 5, 2012; and

WHEREAS, the City Council conducted a duly noticed public hearing on June 5, 2012 on the proposal to increase District assessments from those levied in Fiscal Year 2011-2012 under the maximum amount permissible under Resolution 83-09.

NOW THEREFORE THE CITY COUNCIL of the City of Richmond does hereby approve the increase in District assessments from those levied in Fiscal Year 2011-2012 in accordance with the Engineer's Report adopted May 1, 2012 and under the maximum amount permissible under Resolution 83-09, and does hereby approve the levy and collection of assessments in the Marina Bay Landscape and Lighting Maintenance District for Fiscal Year 2012-13.

I certify that the foregoing Resolution was passed and adopted by the Members of the City Council of the City of Richmond at a regular meeting held on June 5, 2012, by the following vote:

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

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Ritterman.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
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. 75-12, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 5, 2012.