

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

ORDERING LEVY OF ASSESSMENTS, MAINTENANCE  
ASSESSMENT DISTRICT 01-01 (MARINA COVE)

WHEREAS, the City's Maintenance Assessment District 01-01 (Marina Cove) (the "District") is organized and exists pursuant to the Landscaping and Lighting Act of 1972, (Streets and Highways Code §§ 22500) (the "Act"); and

WHEREAS, the purpose of the District is to fund costs associated with certain landscaping and lighting improvements; and

WHEREAS on March 5, 2024, by its Resolution No. 16139, this Council appointed the City Engineer to serve as Engineer-of-Work of the District for Fiscal Year 2024-25; and

WHEREAS, on May 7, 2024, by its Resolution No. 16153 (the "Resolution of Intention"), this Council preliminarily approved a report of the Engineer-of-Work entitled "Fiscal Year 2024-25 Engineer's Report For: Maintenance Assessment District No. 01-01" (the "Report"), which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the Resolution of Intention declared the intention of the City Council to levy assessments for Fiscal Year 2024-25 against real property in the District as described in the Report; and

WHEREAS, the Resolution of Intention set June 18, 2024, at 7:00 P.M., in the third floor City Council Chambers of the Alameda City Hall located at 2263 Santa Clara Avenue, Alameda, California, as the time and place for a public hearing on the levy of the proposed assessments (the "Hearing"); and

WHEREAS, notice of the Hearing was given as required by law; and

WHEREAS, at the appointed time and place the City Council held the Hearing and all interested persons were afforded the opportunity to hear and be heard; and

WHEREAS, the City Council has considered all oral and written statements and protests made or filed in connection with the hearing by any interested person; and

WHEREAS, the City Council now desires to levy the assessments for Fiscal Year 2024-25 in connection with the District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. The forgoing recitals are true and correct.
2. The assessment as set forth in the Report is hereby confirmed. This action constitutes the levy of the Proposed Assessments for Fiscal Year 2024-25 in connection with the District. Staff is directed to file the diagram and assessment with the Alameda County Auditor and to cause the assessments to be collected at the same time and in the same manner as county taxes are collected.
3. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
4. This Resolution shall be effective immediately upon adoption.
5. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 18<sup>th</sup> day of June 2024, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 19<sup>th</sup> day of June 2024.

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Lara Weisiger, City Clerk  
City of Alameda

APPROVED AS TO FORM:

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Yibin Shen, City Attorney  
City of Alameda