

RESOLUTION NO. 2017 -

**RESOLUTION OF THE OF SOLANO COUNTY BOARD OF SUPERVISORS
APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT
AND ORDERING LEVY OF ASSESSMENT
FOR LANDSCAPE AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT**

Green Valley Open Space Maintenance District

Whereas, the Board of Supervisors (the "Board") of the County of Solano (the "County"), State of California, by its Resolution No. 2017-113, A Resolution Directing Preparation of Annual Report, County of Solano, Green Valley Open Space Maintenance District (the "District"), designated the Director of the Resource Management Department of the County of Solano as Engineer of Work and ordered said Engineer to make and file a report for the fiscal year 2017-2018 in writing in accordance with and pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"); and

Whereas, the report was duly made and filed with the Clerk of the Board of Supervisors and duly considered by this Board and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that June 13, 2017, at 9:00 a.m., in the regular meeting place of this Board, at 675 Texas Street, Fairfield, California, was appointed as the time and place for a hearing by this Board on the question of the levy of the proposed assessment, notice of which hearing was duly and regularly published; and

Whereas, at the appointed time and place the hearing was duly and regularly held, and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

Now, therefore, it is found, determined, resolved and ordered as follows:

1. The public interest, convenience and necessity require that the levy be made.
2. The District benefited by the improvements and to be assessed to pay the costs and expenses thereof, and the exterior boundaries thereof are as shown by a map thereof filed in the office of the Clerk to the Board, which map is made a part hereof by reference thereto.
3. The Engineer's Report as a whole and each part thereof, to wit:
 - a) the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
 - b) the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the District; and

- c) the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the District in proportion to the estimated benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto is finally approved and confirmed.
4. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report, as hereinabove determined and ordered, is intended to and shall refer and apply to the report, and any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, and resolution or order, if any, heretofore duly adopted or made by this Board.
5. The assessment to pay the costs and expenses of the maintenance of the improvements is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Annual Report.
6. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
7. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following its adoption, the Clerk of the Board shall file a certified copy of this resolution with the Auditor of the County of Solano. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessment. After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Auditor/Controller of this County.
8. Upon receipt of moneys representing assessments collected by the County, the Auditor/Controller of this County shall deposit moneys in the County Treasury to the credit of an improvement fund, which improvement fund the Auditor/Controller of this County is hereby directed to establish under the distinctive designation of the District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, installation and construction of the improvements.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on June 13, 2017 by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

JOHN M. VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk