

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ADOPTING THE PUBLIC WORKS DIRECTOR'S REPORT FOR THE CONSOLIDATED MAINTENANCE DISTRICT AND THE 2020-2021 BUDGET, CONFIRMING THE PARK LANDSCAPING ASSESSMENTS, AND AUTHORIZING COLLECTION OF ASSESSMENTS BY THE KERN COUNTY TAX COLLECTOR. (ALL WARDS)

WHEREAS, Chapter 13.04 of Title 13 of the Municipal Code of the City of Bakersfield provides for an alternative procedure by which the City Council may provide for the payment of all or any part of the costs and expenses of maintaining and operating any public improvements which are local in nature, from annual benefit assessments apportioned among the several lots or parcels of property within the maintenance district established therefore;

WHEREAS, the Public Works Director has filed his report as set forth in Exhibit 1, attached hereto and incorporated by reference herein, including the 2020-2021 budget for the Consolidated Maintenance District with the City Clerk's Office, as required by Section 13.04.130 of the Bakersfield Municipal Code;

WHEREAS, the City Clerk has filed in his office affidavits setting forth the compliance with the requirements of Chapter 13.04 of the Bakersfield Municipal Code concerning publishing notice of the hearing on the Consolidated Maintenance District; and said City Council hereby finds that said notice has been published in the manner required by law;

WHEREAS, the above hearing was duly held by the City Council at the time and place for hearing protests to the boundaries of the district, the fairness of the benefit formula, the zones of benefit including tier level, the reservation of right of the City to utilize either City forces or to contract with private industry for the operation and maintenance of the improvements, or the amount of the assessment on any parcel of property to be assessed; and

WHEREAS, any written protests filed with the Clerk at or before the time set for said protest hearing were considered by said Council.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Bakersfield as follows:

1. The foregoing recitals are found to be true and correct and are incorporated herein.
2. The Council finds and determines that, for purposes of the majority protest provisions of Section 13.04.150 of the Bakersfield Municipal Code, there were not sufficient protests received and, therefore, there is not a majority protest.
3. The Council hereby approves and adopts the Public Works Director's Report and the 2020-2021 Budget, and confirms and levies the individual assessments for park landscaping as set forth in said Public Works Director's Report.
4. The City Council hereby reserves the right to perform the work of maintenance and operation of the public improvements within the Consolidated Maintenance District by City forces or by private contractor.

5. The Public Works Director is hereby directed to file assessments with the Kern County Tax Collector and the Kern County Tax Collector is hereby authorized to collect such assessments. These assessments are exempt from the procedural requirements of Proposition 218.

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I **HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

AYES:	COUNCILMEMBER	RIVERA, GONZALES, WEIR, SMITH, FREEMAN, SULLIVAN, PARLIER
NOES:	COUNCILMEMBER	_____
ABSTAIN:	COUNCILMEMBER	_____
ABSENT:	COUNCILMEMBER	_____

JULIE DRIMAKIS
CITY CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

APPROVED:

KAREN GOH
MAYOR of the City of Bakersfield

APPROVED as to form:
VIRGINIA GENNARO
CITY ATTORNEY

By: _____
JOSHUA RUDNICK
Deputy City Attorney

Attachments: Exhibit "1" - Director's Report
Exhibit "A" - Director's Report Benefit Formula
Exhibit "B" - Directors Report Budget