

RESOLUTION NO. 2023-5837

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, APPROVING THE ANNEXATION ENGINEER'S REPORT REGARDING A PROPOSED NEW OR INCREASED ASSESSMENT FOR THE ANNEXATION TERRITORY OF TRACT 17341, KNOWN AS THE CIELO VISTA DEVELOPMENT WITHIN ARTERIAL LIGHTING ZONE, ARTERIAL LANDSCAPING ZONE A-3, TRAFFIC SIGNAL ZONE TS-2 AND LOCAL LANDSCAPING ZONE L-2K WITHIN THE YORBA LINDA STREET LIGHTING AND LANDSCAPING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2022/2023

WHEREAS, the City Council of the City of Yorba Linda, California has adopted Resolution No. 2023-5836 Initiating Proceedings for the proposed new or increased assessments for the Annexation Territory of Tract 17341, known as the Cielo Vista Development, within the Arterial Lighting Zone, Arterial Landscaping Zone A-3, Traffic Signal Zone TS-2, and Local Landscaping Zone L-2K within the City of Yorba Linda Street Lighting and Landscaping Maintenance District commencing in Fiscal Year 2022/2023, ordering the City's Assessment Engineer to prepare and file a report regarding such matters pursuant to Chapter 3 of Part 2 of Division 15 of the Streets and Highway Code of the State of California; and

WHEREAS, the City's Assessment Engineer has prepared and filed with the City Clerk an Annexation Engineer's report, and the City Clerk has presented such report for the City of Yorba Linda Street Lighting and Landscaping Maintenance District for the Annexation Territory of Tract 17341, known as the Cielo Vista Development, within the Arterial Lighting Zone, Arterial Landscaping Zone A-3, Traffic Signal Zone TS-2, and Local Landscaping Zone L-2K for Fiscal Year 2022/2023 ("Report"); and

WHEREAS, City Council has examined and reviewed said Report.

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

Section 1. **Incorporation of Recitals.** The foregoing recitals are incorporated herein by this reference.

Section 2. **Approval of Report.** The Report, including plans and specifications for the improvements and the estimate of the costs of the improvements, diagrams for the Annexation Territory of Tract 17341, known as the Cielo Vista Development, within the Arterial Lighting Zone, Arterial Landscaping Zone A-3, Traffic Signal Zone TS-2, and

Local Landscaping Zone L-2K and the proposed new or increased assessments for the costs of the improvements, is hereby approved as filed.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions might subsequently be declared invalid or unconstitutional. Additionally, if any section, subsection, sentence, clause, phrase, portion, zone, or subzone of the Report is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of the Report and each section, subsection, subdivision, sentence, clause, phrase, portion, zone, or subzone thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, portions, zones, or subzones might subsequently be declared invalid or unconstitutional.

Section 4. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 17th day of January 2023.

GENE HERNANDEZ, MAYOR
CITY OF YORBA LINDA

ATTEST:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER LLP

CITY ATTORNEY

STATE OF CALIFORNIA) ss.

COUNTY OF ORANGE)

I, MARCIA BROWN, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 17th day of January, 2023, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA