

RESOLUTION NO. 2026-5980

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR FISCAL YEAR 2026/2027 FOR THE YORBA LINDA STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT LOCAL LANDSCAPING ZONE L-1A, OVERRULING ALL PROTESTS CONCERNING THE ASSESSMENTS, AND LEVYING THE ASSESSMENTS CONFIRMED HEREIN

WHEREAS, Resolution No. 2026-5976, of the City Council of the City of Yorba Linda initiated proceedings to levy proposed new or increased assessments for the City of Yorba Linda Street Lighting and Landscaping Maintenance District (the "District") for Local Landscaping Zone L-1A; and

WHEREAS, Resolution No. 2026-5976, also ordered the Engineer to prepare and file the report required by Streets and Highways Code Section 22622 for Local Landscaping Zone L-1A; and

WHEREAS, after fully considering the Engineer's Report, the City Council adopted Resolution No. 2026-5977 approving the Engineer's Report; and

WHEREAS, by Resolution No. 2026-5978, the City Council declared its intention to ballot property owners withing Local Landscaping Zone L-1A for the proposed new or increased assessments commencing in Fiscal Year 2026/2027; and

WHEREAS, the City Council set the Public Hearing for May 5, 2026, and authorized the proceedings for a Proposition 218 ballot; and

WHEREAS, Proposition 218 ballots and notices were mailed to the property owners in Local Landscaping Zone L-1A pursuant to the applicable laws and regulations governing Majority Protest proceedings, including but not limited to Article XIID of the California Constitution and Government Code Section 53750 et seq; and

WHEREAS, the City Clerk caused Notice of the Public Hearing to be given in the manner provided by applicable law; and

WHEREAS, on May 5, 2026, the City Council held the duly noticed Public Hearing to consider all oral statements and all written protests and communications made or filed by any interested persons, receive Proposition 218 ballots, and thereafter tabulated said ballots concerning the proposed new or increased assessments for Local Landscaping Zone L1A; and

WHEREAS, the May 5, 2026 Public Hearing was held not less than 45 days after the mailing of the Proposition 218 ballots and notices; and

WHEREAS, the returned ballots for Local Landscaping Zone L-1A were opened and tabulated and a Majority Protest, as outlined in Article XIID of the California Constitution does not exist; and

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

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. Pursuant to Streets and Highways Code Section 22631, the City Council hereby confirms the diagram and assessments for the Local Landscaping Zone L-1A within the Yorba Linda Street Lighting and Landscaping Maintenance District for Fiscal Year 2026/2027 as revised to include changes approved by City Council.

Section 3. Proposition 218 ballots for Local Landscaping Zone L-1A were tabulated and a Majority Protest does not exist. The City Council hereby overrules all protests presented concerning the annual assessments for the Zone for Fiscal Year 2026/2027.

Section 4. Passage of this Resolution shall constitute the adoption of the maximum assessment for Fiscal Year 2026/2027 for Local Landscaping Zone L-1A and authorize the levy of such assessments for Fiscal Year 2026/2027 unless such assessments are modified at the Fiscal Year 2026/2027 public hearing for all District assessments. A copy of the Fiscal Year 2026/2027 maximum assessment amounts for each parcel as approved is on file in the Office of the City Clerk and is incorporated herein and made a part hereof as though fully set forth.

Section 5. The City Council finds that the assessments for Local Landscaping Zone L1A are in compliance with the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution, and that the City Council has complied with all laws pertaining to the levy of an annual assessment.

Section 6. The City Council orders the proposed improvements to be made in Local Landscaping Zone L-1A in accordance with said Engineer's Report and these proceedings.

Section 7 The City Engineer is hereby authorized to update the Engineer's Report and assessments to the most current available parcel listings as provided by the County Auditor's office for Local Landscaping Zone L-1A.

Section 8. Pursuant to applicable law, the City Clerk is hereby authorized and directed to file a certified copy of this Resolution, and the diagrams and assessments confirmed by this Resolution of a certified copy thereof, with the County Auditor/Assessor/Tax Collector of the County of Orange as may be required.

Section 9. 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 provision 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 Engineer's 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 Engineer's Report of 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 10 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 5th day of May 2026.

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 5th day of May 2026, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA