

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO APPROVE THE ANNUAL ENGINEER’S REPORT AND TO CONFIRM THE ASSESSMENT AND LEVY AN ANNUAL ASSESSMENT FOR THE DOWNTOWN PARKING MAINTENANCE DISTRICT ASSESSMENT FOR FISCAL YEAR 2016-2017

WHEREAS, on June 14, 2016, the City Council adopted Resolution No. 760-16 declaring its intention to levy and collect an assessment for the Downtown Parking Maintenance District for fiscal year 2016/17 pursuant to Streets and Highways Code section 22500 et seq and Chapter 14.26 of the Sunnyvale Municipal Code (the “Law”), and for each fiscal year thereafter and to set date and time for public hearing on the levy of the proposed assessment; and

WHEREAS, on July 26, 2016, the City Council held a public hearing at the time and place specified in the Resolution of Intention to Levy and Collect an Assessment, where all interested persons were afforded the opportunity to hear and be heard, and to consider oral statements and written protests made or filed by any interested person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. Francisco & Associates, the Assessment Engineer, has filed with the City Clerk, the report required by Chapter 14.26 of the Sunnyvale Municipal Code, which report is open to public inspection and by reference incorporated herein. The report includes the total amount of the proposed assessment to the entire district for Fiscal Year 2016/17, the amount chargeable to the record owner’s parcel for that year, the duration of the payments, the reason for the assessment, and the basis upon which the proposed assessment was calculated. All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, the assessment zones, and the proposed assessments upon assessable lots and parcels of land within the assessment district.

2. The City Council finds that the Assessment Engineer, in the Engineer’s Report, has fairly and properly apportioned the cost of the improvement to each parcel of land in the assessment district in proportion to the estimated benefits to be received by each parcel, respectively, from the improvement. The inflation factor is consistent with published data by the U.S. Department of Labor.

3. The City Council hereby approves the Engineer’s Report and each component part of it, including each exhibit incorporated by reference in the report, and levies each individual assessment as stated in the Engineer’s Report for the Fiscal Year 2016/17.

BE IT FURTHER RESOLVED THAT the City Council finds that there was no majority protest with the meaning of the Law and all protests and objections to the levy and collection of the assessment and any and all protests and objections are hereby overruled by the City Council. The adoption of this Resolution shall constitute a levy of an assessment for the Fiscal Year 2016/17, which shall be collected in the same manner as the County of Santa Clara *ad-valorem* property tax payments for Fiscal Year 2016/17.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney