

RESOLUTION CC 2025-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA
ORDERING THE ANNEXATION OF TERRITORY TO COVINA
LANDSCAPE MAINTENANCE DISTRICT NO. 1, CONFIRMING A
DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS,
AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH
TERRITORY FOR FISCAL YEAR 2025/2026 PURSUANT TO THE
PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA
STREETS AND HIGHWAYS CODE AND ARTICLE XIID OF THE
CALIFORNIA CONSTITUTION**

WHEREAS, the City Council has, by previous Resolutions, initiated proceedings and declared its intention for the annexation of territory identified as Tract No. 84311 (hereinafter referred to as the “Annexation Territory”), into the Landscape Maintenance District No. 1 (hereinafter referred to as the “District”) and the levy and collection of assessments within the Annexation Territory for the 2025/2026 fiscal year, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (hereinafter referred to as the “Act”), to pay the costs and expenses for the ongoing maintenance, operation, and servicing of the landscape improvements and appurtenant facilities related thereto; and

WHEREAS, the initial Public Hearing was scheduled for May 20, 2025, and rescheduled to June 3, 2025; and

WHEREAS, the City Council caused to be prepared a written report (the “Engineer’s Report”) in accordance with the Act and Article XIID of the California Constitution; and

WHEREAS, it is estimated that the improvements to be installed and constructed within the Annexation Territory will be accepted and maintained by the City as part of the District for the 2025/2026 fiscal year; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the Annexation Territory for the fiscal year commencing July 1, 2025, ending June 30, 2026 (fiscal year 2025/2026), to pay the costs and expenses of the ongoing operation, maintenance, and servicing of improvements determined to be of special benefit to the properties and the development of properties within the Annexation Territory, and all appurtenant facilities related thereto.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA DOES
HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

SECTION 1. Protest Determination: Following notice duly given in accordance with law, the City Council has held a full and fair public hearing regarding the Engineer's Report, the annexation of territory to the District, and the levy and collection of the proposed assessment within such territory for fiscal year 2025/2026. All interested persons were afforded the opportunity to hear and be heard. The City Council considered all oral and written statements, protests and communications made or filed by interested persons, and tabulated all ballots. The City Council hereby finds that a majority protest does not exist as defined in Section 4(e) of Article XIII D of the California Constitution. All protests and objections to the annexation of territory to the District and the levy and collection of the proposed assessment against lots or parcels of property within the annexed territory for fiscal year 2025/2026 are hereby overruled by the City Council.

SECTION 2. Findings: Based upon its review of the facts presented, the City Council hereby finds and determines that:

- a) The land within the Annexation Territory will receive special benefit from the operation, maintenance, and servicing of landscape improvements to be provided by the City as part of the District.
- b) The Annexation Territory includes all of the lands receiving such special benefit.
- c) The net amount to be assessed upon the lands within the Annexation Territory has been apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services to be provided commencing with fiscal year 2025/2026.
- d) Only special benefits are assessed and no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

SECTION 3. Improvements: The City Council hereby orders the proposed improvements to be made. Said improvements include, but are not limited to, the maintenance, operation, and incidental expenses related to the landscaped areas within the public right-of-ways or easements associated with the parcels of land within the Annexation Territory that may include, but are not limited to: street trees; turf; ground cover and shrubs; irrigation and electrical systems; monuments; hardscape improvements; and all necessary appurtenances and services connected with the public right-of-ways, public easements, and facilities designated, and to be maintained by the City in connection with the special benefit received by parcels of land within the Annexation Territory. The cost of providing such

improvements generally include, but are not limited to, all materials, equipment, utilities, labor, and incidental expenses including administrative expenses for the regular annual maintenance as authorized by the Act. Detailed maps and descriptions of the location and extent of the specific improvements to be maintained for the Annexation Territory are on file in the Department of Public Works of the City of Covina and by reference these plans, and specifications are made part of this Resolution and the Engineer's Report prepared in connection with these proceedings.

SECTION 4. Annexation Approval: The City Council hereby orders the annexation of territory to be known as "Tract No. 84311" to the District. The District will continue to be designated as City of Covina Landscape Maintenance District No. 1, the boundaries of which shall be contained in the assessment diagram for the District, the establishment of the maximum assessment rate and assessment range formula connected therewith; and the assessments for the fiscal year commencing July 1, 2025, ending June 30, 2026.

SECTION 5. Confirmation of Diagram and Assessment: The City Council hereby confirms the diagram and assessment, with respect to the annexed parcel, as originally proposed in the Engineer's Report. The assessment is in compliance with the provisions of the Act and Article XIID of the California Constitution. The assessment is levied without regard to property valuation. The assessment is levied for the purpose of paying the costs and expenses of the improvements described in Section 3 above for the fiscal year commencing on July 1, 2025, ending June 30, 2026.

SECTION 6. Levy of Assessment: The adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2025, ending June 30, 2026.

SECTION 7. Collection of Assessments: The County Auditor of Los Angeles County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy so described in the Engineer's Report for the Annexation Territory as Zone 19 of the District, and such levies shall be submitted to the County Auditor along with the other assessments for the District and collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

SECTION 8. Deposit of Funds: The City Treasurer shall deposit all money representing assessments collected by the County for the Annexation Territory to the credit of a fund for Zone 19 of the District, and such money shall be expended only for the maintenance, operation, and servicing of the improvements as described in the Engineer's Report and generally described in Section 3 of this Resolution.

SECTION 9. The City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the City Council's approval of the annexation of the parcels within Zone 19 to the District, the adoption and confirmation of the Annexation Territory Assessment Diagram, and the establishment of the maximum assessment rates, assessment range formula, and the assessments for fiscal year 2025/2026 as contained in the Engineer's Report.

APPROVED and **PASSED** this 3rd day of June 2025.

City of Covina, California

BY: _____
VICTOR LINARES, Mayor

ATTEST:

FABIEN VELEZ, Chief Deputy City Clerk

APPROVED AS TO FORM:

CANDICE K. LEE, City Attorney

CERTIFICATION

I, Fabien Velez, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution CC 2025-**XX** was duly adopted by the City Council of the City of Covina at a regular meeting held on the 3rd day of June 2025, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Dated:

FABIEN VELEZ
Chief Deputy City Clerk