

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, DECLARING THE RESULTS OF A PROPERTY OWNER PROTEST BALLOT PROCEEDING FOR THE ANNANDALE CANYON OPEN SPACE BENEFIT ASSESSMENT DISTRICT**

**WHEREAS**, the City Council of the City of Pasadena (the "City") called and duly held a public hearing for the proposed formation of the "City of Pasadena Annandale Canyon Open Space Benefit Assessment District" (the "District"), and the levy of assessments related thereto pursuant to the provisions of the provisions of Chapter 4.95 of Title 4 of the City's Municipal Code (the "Code") and the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act"), and the issuance of assessment bonds in accordance with the Improvement Bond Act of 1915 (the "1915 Act"), representing all unpaid assessments; and

**WHEREAS**, there has been presented to the City Council an Engineer's Report as required by the Act, the Code and California Constitution Article XIID and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code); and

**WHEREAS**, the City Council has conducted a property owner protest ballot proceeding relating to the improvements described in the Engineer's Report for the purpose of presenting to the qualified property owners a proposition of the levy and collection of assessments related thereto in accordance with the provisions of the California Constitution Article XIID; and

**WHEREAS**, the landowners of record within the District as of the close of the Public Hearing held on October 27, 2008, did cast their ballots, the results of which are illustrated below:

Yes: \$ \_\_\_\_\_

No: \$ \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pasadena:

**Section 1.** The above recitals are true and correct.

**Section 2.** The protest proceedings for the District assessments were conducted, with ballots presented to qualified property owners of the District for receipt by the City Clerk prior to the conclusion of the Public Hearing on October 27, 2008, with each ballot weighted according to the proportional maximum financial obligation of the affected property.

**Section 3.** The tabulation of the valid property owner protest ballots returned by the property owners within said District is hereby confirmed and made public record.

**Section 4.** The City Clerk is hereby directed to enter this Resolution on the minutes of the City Council, which shall constitute the official declaration of the result of such property owner protest proceeding.

**Section 5.** This resolution shall take effect immediately.

Adopted at a regular meeting of the City Council this \_\_\_\_ day of October, 2008, by the following vote:

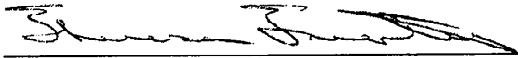
Ayes:

Noes:

Absent:

Abstain:

APPROVED AS TO FORM:

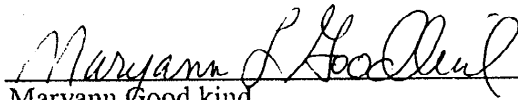


Theresa E. Fuentes  
Assistant City Attorney

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Mark Jomsky, CMC  
City Clerk

APPROVED AS TO FORM:



Maryann Good kind  
Fulbright & Jaworski L.L.P.  
Bond Counsel

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