

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR CONSOLIDATED PALM DESERT LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2024-25 AND PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT

The City Council of the City of Palm Desert (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council, pursuant to provisions of the Landscaping and Lighting Act of 1972, part 2, division 15 of the Streets and Highways Code of the State of California, commencing with section 22500 (hereafter referred to as the "Act"), did, by previous resolution, order the preparation of the *Engineer's Annual Levy Report* (hereafter referred to as the "Report") for the district known and designated as Consolidated Palm Desert Landscaping and Lighting Maintenance District No. 1. (hereafter referred to as the "District"); and,

WHEREAS, the City Council proposes to levy and collect assessments against lots and parcels of land within the various zones of the District for fiscal year 2024-25, to pay the maintenance, servicing, and operation of the improvements related thereto, pursuant to the provisions of the Act; and,

WHEREAS, Willdan Financial Services has prepared and filed the Report with the city clerk, pursuant to section 22623 of the Act, and the Report has been presented to City Council and is hereby incorporated by reference; and

WHEREAS, the City Council has examined and reviewed the Report, as presented, and is preliminarily satisfied with the description of the District, zones, and improvements identified therein; each of the budget items and documents as set forth therein; and is satisfied that the proposed assessments contained therein have been spread in accordance with the special benefits received from the improvements, operation, maintenance, and services to be performed within the District, as set forth in the Report or as modified by City Council action and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, THE LEGISLATIVE BODY FOR THE DISTRICT, AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. Intention: The City Council hereby declares its intention to order the annual levy and collection of assessments within the District, over and including the land within the District boundary and to levy and collect assessments on such land to pay for the annual costs and expenses of the improvements and services described in section 5 of this resolution for fiscal year 2024-25, pursuant to the provisions of the Act.

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Section 3. Approval: The Report has been prepared and filed with the city clerk. The city clerk has presented to the City Council the Report on the proposed improvements, assessments, and levy and collection of assessments for fiscal year 2024-25, in accordance with chapter 1, article 4 of the Act, and is hereby approved, as required by section 22623 of the Act, on a preliminary basis.

Section 4. Boundaries and Designation: The description of the District boundary and the zones therein are outlined in the Report and by reference is made part of this resolution. The District includes thirty-three (33) benefit zones and sub-zones: Canyon Cove (Zone 2); Vineyards (Zone 3); Parkview Estates (Zone 4); Cook and Country Club (Zone 5): sub-zones are Desert Mirage, Sandcastles, and Primrose 2; Hovley Lane (Zone 6): sub-zones are Monterey Meadows, Hovley Glen, Hovley Estates, Sonata I, Sonata II, Hovley Collection, La Paloma I, La Paloma II, La Paloma III, Sandpiper Court, Sandpiper West, Hovley Court West, Diamondback and Palm Court; Waring Court (Zone 7); Palm Gate (Zone 8); The Grove (Zone 9); Portola Place (Zone 11); Palm Desert Country Club (Zone 13); K&B at Palm Desert (Zone 14); Canyon Crest (Zone 15); and, Shepard Lane (Zone 16): sub-zones are College View Estates I, College View Estates II, Sundance East, Sundance West, Petunia I, and The Boulders. This District is designated as “Consolidated Palm Desert Landscaping and Lighting Maintenance District No. 1”.

Section 5. Description of Improvements: Reference is hereby made to the Report for a detailed description of the improvements. The improvements within the District include, but are not limited to, turf, groundcover, shrubs and trees, irrigation systems, street lighting, water features, entry monuments, drainage systems, and all appurtenant facilities and operations related thereto.

Section 6. Proposed Assessment Amounts: The proposed assessments are outlined in the Report. District Assessments are calculated in accordance with the method of apportionment established for the District and do not exceed the assessment rates and annual inflationary adjustment previously authorized by City Council and approved by the property owners, in accordance with the provisions of California State Constitution article XIII D.

Section 7. Notice of Public Hearing: The City Council hereby declares its intention to conduct a public hearing concerning the District improvements and the levy of assessments, in accordance with chapter 3 of the Act. Notice is hereby given that a public hearing on these matters will be held by the City Council on **Thursday, June 27, 2024 at 4:00 p.m.**, or as soon thereafter as feasible, at City Hall (in the City Council Chambers), which is located at

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73-510 Fred Waring Drive, Palm Desert, California. At the public hearing, all interested persons shall be afforded the opportunity to hear and to be heard.

Section 8. Publication and Posting of Notice: The City shall give notice of the time and place of the public hearing to all property owners within the District by causing the publishing of this resolution once in the local newspaper not less than ten (10) days before the date of the public hearing, and by a posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices pursuant to the Act. For fiscal year 2024-25, no new or increased assessments are proposed and a mailing of a notice and ballot to property owners is not required.

Section 9. Direction to City Clerk. The city clerk is hereby authorized and directed to give notice of this public hearing, as provided by law.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Palm Desert City Council, on the 9th day of May, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

KARINA QUINTANILLA, MAYOR
CITY OF PALM DESERT, CALIFORNIA

ATTEST:

ANTHONY J. MEJIA, CITY CLERK
CITY OF PALM DESERT, CALIFORNIA