

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE PRESIDENT'S I PLAZA PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2025/2026

WHEREAS, on June 23, 2022, the City Council called and duly held a public hearing and property owner protest ballot proceedings for the President's Plaza I Property and Business Improvement District (hereafter referred to as the "District"), pursuant to the provisions of Property and Business Improvement District Law of 1994, part 7 of division 18 of the Streets and Highways Code of California (hereafter referred to as the "Act"), and California Constitution Article XIII D, for the purpose of presenting to qualified property owners within the District the annual levy of assessments and a maximum annual assessment over a five-year period, beginning July 1, 2022 and ending June 30, 2027, for the costs and expenses associated with the maintenance and operation of landscaping, lighting, refuse collection, and all appurtenant facilities related thereto; and

WHEREAS, the landowners of record within the District, as of the close of the public hearing held on June 23, 2022, did cast their ballots and approve a five-year District renewal and an annual levy of assessment related thereto; and

WHEREAS, the City Council did, by previous resolutions, renew the District for an additional five years and appoint the El Paseo Business Association as the Advisory Board for the District, pursuant to the Act. The resolution renewing the District adopted on June 23, 2022 following the public hearing (the "Resolution of Formation") is incorporated herein by this reference and is made a part of this Resolution. This Advisory Board has caused to be prepared an annual report on the District for the City Council's approval; and

WHEREAS, the Advisory Board has held a meeting for reviewing and approving the proposed budget for fiscal year 2025/2026 and has prepared a report regarding the District for fiscal year 2025/2026. This report is entitled, "*City of Palm Desert President's Plaza Property and Business Improvement District Management District Plan and Engineer's Report Fiscal Year 2025/2026*" (hereafter referred to as "*Plan*"). The *Plan* has been filed with the City Clerk of the City of Palm Desert, and the City Clerk has presented it to the City Council; and

WHEREAS, the City Council has carefully examined and reviewed the *Plan*, as presented, and, by previous resolution, did approve it.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Levy of Assessments. The City Council wishes to levy annual assessments for fiscal year 2025/2026, as outlined and authorized in the *Plan* and pursuant to the provisions of the Act.

SECTION 3. City Council Findings. Based upon its review of the *Plan*, a copy of which has been presented to the City Council and filed with the City Clerk, the City Council hereby finds and determines that:

- A. The land within the District will receive special benefits from the operation, maintenance, and servicing of the improvements and appurtenant facilities within the boundaries of the District.
- B. The District includes all of the lands so benefited.
- C. The net amount to be assessed upon the lands within the District, in accordance with the proposed budget for the fiscal year commencing July 1, 2025, and ending June 30, 2026, is apportioned by a formula and by a method that fairly distributes the net amount among all eligible parcels, in proportion to the special benefits that each parcel receives from the improvements and services.
- D. The assessments described in the *Plan* are consistent with the assessments that District property owners have approved.

SECTION 4. Confirmation of *Plan* and Assessments. The *Plan* and the assessments, as presented to the City Council and as presented for filing with the Office of the City Clerk, are hereby confirmed as filed.

SECTION 5. Improvements Ordered. The City Council hereby orders the proposed improvements to be made, and the levy and collection of annual assessments to pay for those improvements to be presented to the County Auditor/Controller of Riverside County (hereafter referred to as the "County") for fiscal year 2025/2026. The County will enter on the County Assessment Roll, opposite each parcel of land, the amount of the assessments. The assessments will be collected at the same time and in the same manner as County general taxes are collected. After the County collects the levy, the net amount of the levy will be paid to the Treasurer of the City of Palm Desert.

SECTION 6. Restricted Use of Assessment Money. The City Treasurer will deposit all money representing assessments that the County has collected for the District, into a District fund. This money will be expended only for the improvements that the *Plan* describes.

SECTION 7. Adoption of District Levy. The adoption of this Resolution, and the Resolution of Formation by this reference, constitutes the District levy for the fiscal year commencing July 1, 2025 and ending June 30, 2026.

SECTION 8. Direction to City Clerk. The City Clerk is hereby authorized and directed to file the levy with the County upon adoption of this resolution.

ADOPTED ON _____, 2025.

JAN C. HARNIK
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2025-__ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
CITY CLERK