

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CONSOLIDATED PALM DESERT LANDSCAPING AND LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2025/2026

WHEREAS, the City Council has, by previous resolutions, initiated proceedings and declared its intention to levy special benefit assessments against parcels of land within Consolidated Palm Desert Landscaping and Lighting District No. 1 (hereafter referred to as the "District") for the fiscal year commencing July 1, 2025 and ending June 30, 2026, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "Act"), in order to pay for the costs and expenses of operating, maintaining, and servicing landscaping, lighting, and appurtenant facilities within the District; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Palm Desert, and the City Clerk has presented to the City Council the "2025/2026 Engineer's Report" (hereafter referred to as the "*Report*"), in connection with the proposed levy and collection of special benefit assessments upon eligible parcels of land within the District, and the City Council did, by previous resolution, approve the *Report*; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2025 and ending June 30, 2026, in order to pay for the costs and expenses of operating, maintaining, and servicing landscaping and street lighting improvements and appurtenant facilities within the District, and for which assessed properties receive special benefits.

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. Fair Public Hearing. Following notice duly given, the City Council has held a full and fair public hearing regarding the District, the levy and collection of assessments, and the *Report* prepared in connection therewith, and has considered any oral and written statements, protests, and communications that interested persons have made or filed regarding these matters.

SECTION 3. City Council Findings. Based upon its review, and amendments, as applicable, of the *Report*, 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 by the operations, maintenance, and servicing of landscaping, lighting, and appurtenant facilities within the boundaries of the District.
- B. The District includes all of the lands that will receive special benefits.
- C. The net amount to be assessed upon the lands within the District is in accordance with and apportioned by a formula and a method that fairly distribute the net amount among eligible parcels, in proportion to the special benefits that each parcel will receive from the improvements and services for the fiscal year commencing July 1, 2025 and ending June 30, 2026.

SECTION 4. Confirmation of Report and Assessment. The *Report*, the diagram, and the assessment, as presented to the City Council and as on file with the Office of the City Clerk, comply with the applicable provisions of California State Constitution Article XIII D and are hereby confirmed as filed.

SECTION 5. Improvements Ordered. The maintenance, operation, and servicing of the improvements and appurtenant facilities will be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made. These improvements are briefly described as the installation, maintenance, operation, administration, and servicing of the landscaping and lighting improvements, including turf, ground cover, shrubs, and trees, irrigation systems, street lighting, water features, ornamental lighting, entry monuments, drainage systems, and all appurtenant facilities related thereto.

SECTION 6. County Collection of Levy. The County Auditor/Controller of Riverside County (hereafter referred to as the “County”) will enter on the County Assessment Roll, opposite each eligible parcel of land, the amount of the levy. The levy will be collected at the same time and in the same manner as County 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 7. 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 maintenance, operation, and servicing of the landscaping, lighting, and appurtenant facilities that are described in Section 5.

SECTION 8. Adoption of District Levy. The adoption of this resolution constitutes the District levy for the fiscal year commencing July 1, 2025 and ending June 30, 2026.

SECTION 9. Direction to City Clerk. The City Clerk, or his or her designate, is hereby authorized and directed to file the levy with the county auditor/controller 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