

RESOLUTION NO. 2025-_____

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

WHEREAS, on July 8, 2021, the City Council called and duly held a public hearing and property owner protest ballot proceedings for the President's Plaza III 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 "Code") and the California Constitution Article XIID, for the purpose of presenting to the qualified property owners within the District the annual levy of assessments and a maximum annual assessment over a five year period beginning July 1, 2021 and ending June 30, 2026, 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 July 8, 2021 did cast their ballots resulting in the approval of the District formation and annual levy of assessments related thereto; and,

WHEREAS, the City Council, pursuant to the Code did by previous resolutions renewed the District, and approved an annual report in connection with the District and appointed an Advisory Board that caused to be prepared such annual report for the City Council's approval; and the resolution renewing the District adopted on July 8, 2021 following the public hearing (the "Resolution of Formation") is incorporated herein by this reference and is made a part of this Resolution; and,

WHEREAS, the Advisory Board has held a meeting for reviewing and approving the proposed budget for Fiscal Year 2025/2026 and has prepared an annual report in connection with the District for Fiscal Year 2025/2026, and filed with the City Clerk of the City of Palm Desert and the City Clerk has presented to the City Council such annual report entitled "*City of Palm Desert President's Plaza III Property and Business Improvement District Management District Plan and Engineer's Report Fiscal Year 2025/2026*" (hereafter referred to as the "Report"); and,

WHEREAS, The City Council has carefully examined and reviewed the Report as presented, and by previous resolution has approved said Report.

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. The City Council desires to levy and collect the annual assessment for the District for Fiscal Year 2025/2026 pursuant to the provisions of the Code.

SECTION 3. Based upon its review 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 territory of land within the District will receive special benefits from the operation, maintenance and servicing of the improvements and appurtenant facilities located within the boundaries of the District.
- B. District includes all 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 method which fairly distributes the net amount among all eligible parcels in proportion to the special benefits to be received by each parcel from the improvements and services.
- D. The assessments so described in the Report are consistent with the assessments so approved by the property owners within the District.

SECTION 4. The Report and assessments as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

SECTION 5. The City Council hereby orders the 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 for Fiscal Year 2025/2026. The County Auditor/Controller shall enter on the County Tax Roll opposite each parcel of land the amount of the assessment, and such assessments shall be 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 6. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the President's Plaza III Property and Business Improvement District, and such money shall be expended only for the improvements described in the Report.

SECTION 7. 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. The City Clerk is hereby authorized and directed to file the levy with the County Auditor 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