

RESOLUTION NO. 2023-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, CONFIRMING THE ASSESSMENT AND DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 THROUGH 40 FOR FISCAL YEAR 2023/2024, PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

WHEREAS, the City Council and the City of Coachella, California (“City Council”) has adopted Resolution No. 2023-41 on June 28, 2023 Initiating the Preparation of the Engineer’s Report Declaring Intention to Levy and Collect Assessments for Fiscal Year 2023/2024 for the City of Coachella Landscaping and Lighting Maintenance District Number 1 through 40 pursuant to the terms and provisions of the “Landscaping and Lighting Act of 1972”, being Part 2 Division 15 of the California Streets and Highways Code; and

WHEREAS, the City has retained Willdan Financial Services (“Willdan”) as the Assessment Engineer of Work for the purpose of assisting with the Annual Levy of the Districts, to prepare and file the Engineer’s Annual Levy Report (“Engineer’s Report”) with the City Clerk in accordance with the Act;

WHEREAS, the City Council has adopted Resolution Number 2023-42 on June 28, 2023 Giving Preliminary Approval of the Preliminary Engineer’s Report for Levy of Annual Assessments for Landscaping and Lighting Maintenance Districts 1 through 40 Declaring the Intention to Levy and Collect Assessments for Fiscal Year 2023/2024 and Set a Public Hearing for Districts 1 through 40; and

WHEREAS, the City Council scheduled a Public Hearing on July 26, 2023 at 6:00 p.m. prior to confirmation of the proposed assessments for Fiscal Year 2023/2024; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coachella as follows:

Section 1. That above recitals area all true and correct

Section 2. Following notice duly given by publication, the City Council has held a full and fair Public Hearing regarding the Levy of the Proposed Assessment within the City of Coachella Landscaping and Lighting Maintenance District No. 1 through 40 for Fiscal Year commencing on July 1, 2023 and ending June 30, 2024, to pay for the cost and expenses of maintaining and servicing existing and proposed public landscaping and storm drain facilities installed and constructed within public places in the City of Coachella, pursuant to the terms and provisions of the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code. All interested persons were offered the opportunity to hear and be heard regarding protests and objections to the Levy and Collection of the Proposed Assessment against lots or parcels of real property within City of Coachella Landscaping and

Lighting Maintenance District No. 1 through 40. All protests and objections to the Levy and Collection of the proposed assessments for the Fiscal Year 2023/2024 commencing on July 1, 2023 and ending on June 30, 2024, area hereby overruled by the City Council.

Section 3. The City Council hereby orders the maintenance and servicing of the existing and proposed public landscape facilities installed and constructed in public places in the City of Coachella and hereby confirms the diagram and assessment set forth in the Engineer's Report.

Section 4. The assessment is in compliance with the provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code and with any applicable provisions of Proposition 218.

Section 5. The assessment is levied without regard to property valuation.

Section 6. The assessment is levied for the purpose of paying the costs and expenses of maintaining and servicing existing and proposed public landscaping facilities installed and constructed in public places in the City of Coachella for the Fiscal Year commencing on July 1, 2023 and ending on June 30, 2024.

Section 7. The adoption of Resolution No. 2023- constitutes the levy of an assessment for the Fiscal Year commencing on July 1, 2023 and ending on June 30, 2024.

Section 8. The maintenance and servicing of the public landscaping facilities shall be performed pursuant to law and the County Recorder/Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment and such assessments shall then 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 assessments shall be paid to the City of Coachella Finance Department.

Section 9. The City of Coachella Finance Department shall deposit all monies representing assessments collected by the County to the credit of a special fund known as Special Revenue Funds Special Assessments, City of Coachella Landscaping and Lighting Maintenance District No. 1 through 40.

Section 10. The City Clerk is hereby authorized and directed to file the diagram and assessment, or a certified copy of the diagram and assessment, with the Riverside County, Assessor's Office, together with a certified copy of Resolution 2023-52 upon its adoption.

Section 11. A certified copy of the assessment and diagram shall be filed in the Office of the City Clerk, with a duplicate copy on file in the Public Works Department and open for public review.

PASSED, APPROVED and ADOPTED this 26th day of July 2023.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. 2023-52 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 26th day of July 2023, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

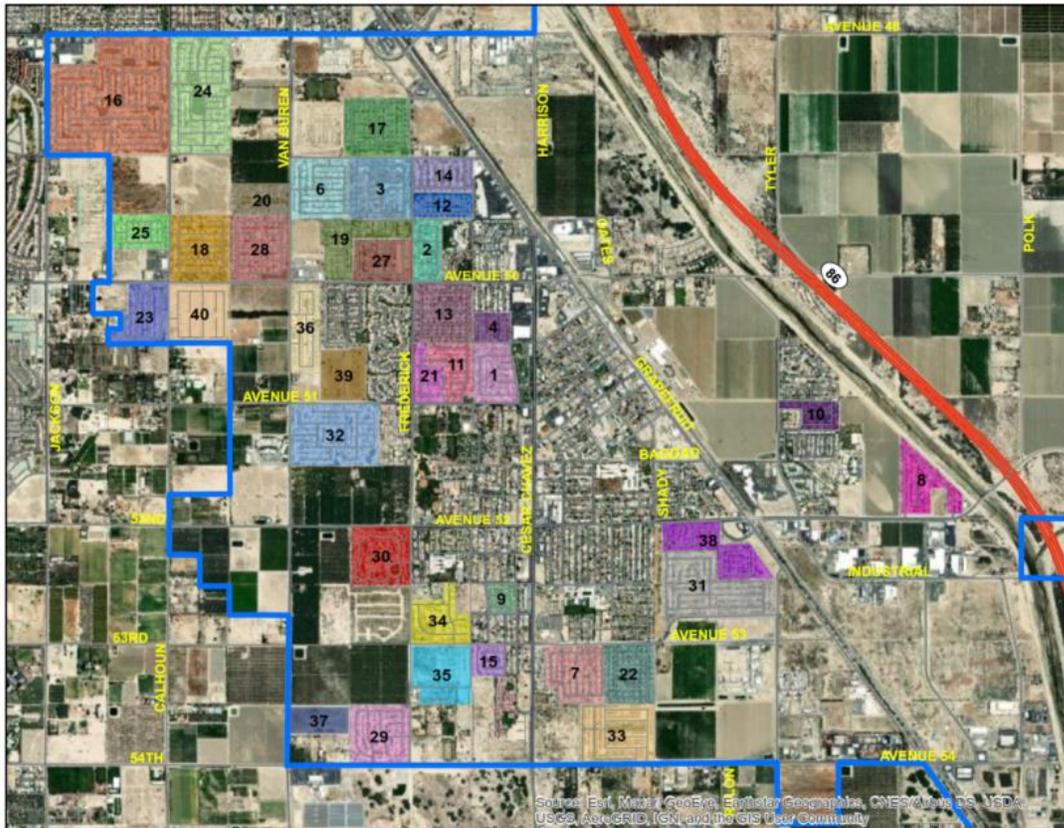
Delia Granados,
Deputy City Clerk

Exhibit "A"

CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 THROUGH 40 FISCAL YEAR 2023/2024

BOUNDARY MAP

CITY OF COACHELLA LANDSCAPING AND LIGHTING ASSESSMENT DISTRICTS



District	Tract Name	Tract Number
1	Lewis	14654
2	Peacock Palms	14472
3	Bevona Vista	14675
4	Palm Desert Dev.	18632
6	Fiesta Homes	23911
7	La Paz	26467
8	(Lighting only)	24299
9	CV Housing Coalition	23408
10	Plaza del Sol	36592
11	Loma Vista	22110
12	La Paz II	28374
13	Baron-Zrwick	28443
14	Pueblo de la Paz	29071
15	Cachanillas	30020
16	Tierra del Sol	30684
17	Rancho Las Flores	30498
18	Bella Canto	30728
19	Payaso de la Palmas	30354
20	Posada del Valle	30621
21	Loma Vista II	22110
22	Rancho de la Fe	30889
23	La Colonia	30871
24	La Paoma Estates	30910
25	Las Plumas	31376
27	Rancho Miraposa	30831
28	La Mirada	30830
29	Somerset	31664
30	Navarra/Sundate I	31508
31	Los Jardines	31533
32	Aventine	31551
33	Vista Escondida	32264
34	Terra Bonita	31158
35	Bellissima	31978
36	Valencia	31698
37	Volk	31550
38	Rancho Cielo	31714
39	Sevilla	38084
40	Mariposa Pointe	32074



Exhibit "B"

**CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 1 THROUGH 40 FISCAL YEAR 2023/2024**

DISTRICT NUMBER	PROPOSED LEVY PER LOT	NUMBER OF LOTS
AREA 1	\$109.60	127
AREA 2	\$59.76	130
AREA 3	\$95.40	181
AREA 4	\$94.42	66
AREA 5	\$0.00	0
AREA 6	\$214.28	171
AREA 7	\$152.90	161
AREA 8	\$25.26	138
AREA 9	\$176.42	32
AREA 10	\$81.86	75
AREA 11	\$84.76	105
AREA 12	\$249.40	76
AREA 13	\$400.62	168
AREA 14	\$407.30	90
AREA 15	\$615.00	48
AREA 16	\$600.00	554
AREA 17	\$550.00	162
AREA 18	\$679.18	172
AREA 19	\$400.16	126
AREA 20	\$700.00	81
AREA 21	\$167.82	70
AREA 22	\$500.00	118
AREA 23	\$666.90	119
AREA 24	\$830.02	291
AREA 25	\$647.82	87
AREA 26	\$0.00	0
AREA 27	\$600.00	112
AREA 28	\$600.00	171
AREA 29	\$475.00	152
AREA 30	\$400.00	160
AREA 31	\$475.00	265
AREA 32	\$525.00	250
AREA 33	\$750.00	282
AREA 34	\$625.00	115
AREA 35	\$725.00	49
AREA 36	\$520.00	108
AREA 37	\$0.00	0
AREA 38	\$625.00	150
AREA 39	\$449.70	107
AREA 40	\$526.46	155

Exhibit “C”

NOTICE OF PUBLIC HEARING FOR RESOLUTION NO. 2023-52, “CONFIRMING THE ASSESSMENT AND DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 THROUGH 40 FOR FISCAL YEAR 2023/2024

THE DESERT SUN

RESOLUTION NO. 2023-42

A RESOLUTION OF THE CITY COUNCIL OF COACHELLA, CALIFORNIA, APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR LEVY OF ANNUAL ASSESSMENTS FOR FISCAL 2023/2024 FOR THE CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 THROUGH 40 AND SETTING A TIME AND PLACE FOR THE PUBLIC HEARING

WHEREAS, the City Council and the City of Coachella, California (“City Council”) has previously determined that the public interest, convenience, and necessity, require the installation, construction, and maintenance, servicing and operation of public lighting and landscaping and appurtenant facilities as set forth in Section 22525 of the Streets and Highways Code, State of California, within the incorporated boundaries of the City of Coachella; and

WHEREAS, the City Council pursuant to provisions of the Landscaping and Lighting Act of 1972 being Part 2, Division 15 of the California Streets and Highways Code (“Act”), did by previous Resolution, initiate proceedings for the assessment districts within the City known as the Landscaping and Lighting Maintenance District No. 1 through 40 (“Districts”), to pay for the operation, maintenance, and servicing of local landscaping, street lighting, park and trail improvements, and appurtenant facilities related thereto; and

WHEREAS, the Assessment Engineer of Work has prepared and filed an Engineer's Report with the City Clerk in connection with the formation of the District, the establishment of the proposed maximum assessment connected therewith and the assessment for fiscal year 2023/2024 (beginning July 1, 2023 and ending June 30, 2024) with the City Clerk pursuant to Section 22623 of the Act, and said report has been presented to the City Council, and is incorporated herein by reference.

WHEREAS, the public interest and convenience require the installation, construction, maintenance, servicing and operation of lighting and landscaping and appurtenant facilities within the City of Coachella Landscaping and Lighting Maintenance District No. 1 through 40; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coachella as follows:

SECTION 1. That the foregoing recitals are true and correct.

SECTION 2. The Engineer's Report as presented, consists of the following:

The Plans and Specifications which describe the boundaries of the Districts and the improvements associated therewith that provide special benefits to the parcels therein.

The Method of Apportionment that details the method of calculating proportional special benefit and the annual assessment obligation for each affected parcel.

The Estimate of Improvement Costs including the calculation of the assessments and the estimated annual funding (Budget) required for the annual maintenance, servicing, and operation of the landscaping and lighting improvements and specifically the costs associated with the improvements determined to be of special benefit to parcels within the Districts, establishing the proposed maximum assessment and the assessment for fiscal year 2023/2024.

The Assessment Range Formula (Annual Inflationary Adjustment) to be applied to the proposed Maximum Assessment Rate per Equivalent Benefit Unit.

A District Diagram outlining the boundaries of the Districts for fiscal year 2023/2024.

An Assessment Roll containing the proposed maximum assessment for fiscal year 2023/2024 for each Assessor Parcel Number within the Districts.

SECTION 3. The City Council hereby approves the Engineer's Report on a preliminary basis submitted or amended by direction of this City Council, and orders said Report to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection, and by reference the Engineer's Report is made part of this resolution.

SECTION 4. The City Council hereby declares its intention to levy and collect special assessments within the boundaries of the City of Coachella Landscaping and Lighting Maintenance District No. 1 through 40 for fiscal year 2023/2024, pursuant to the Landscape and Lighting Act of 1972 to pay the costs of the improvements and maintenance described in Sections 5 and 6, below, that are within budget. The proposed assessments will not increase above the maximum levy allowed by Proposition 218.

SECTION 5. The City Council hereby finds that the territory within the Districts as identified in the Engineer's Report consists of and includes those lots, parcels and subdivisions of land that will receive special benefits from the improvements to be provided.

SECTION 6. The improvements and services for the District as identified in the Engineer's Report, include, but are not limited to, the maintenance, operation and servicing of various landscaping improvements established in connection with development of the properties within the District, and which shall be maintained for the special benefit of those properties. The maintenance and servicing of the improvements generally include, but are not limited to turf, ground cover, shrubs, and plants; vines, trees; irrigation and drainage systems; masonry walls, retaining walls, or other fencing, monuments; hardscapes; concrete, gravel, or decomposed granite trails, pathways and/or access roads; and other related appurtenant facilities within the District. The proposed local street lighting improvements include operation of lights only, not maintenance. The Engineer's Report prepared and filed with the City Clerk provides a more detailed description of the improvements and services to be provided and for which properties shall be assessed.

SECTION 7. The City Council hereby determines that to provide the improvements described in section 6 of this resolution, it is necessary to levy and collect assessments against lots and parcels within the District commencing in fiscal year 2023/2024. The Engineer's Report referred to in Section 2 of this resolution establishes the fiscal year 2023/2024 proposed maximum assessment for the District including the annual inflationary adjustment to the maximum assessment rates.

SECTION 8. The City Council hereby authorizes and directs the City Clerk shall give notice of public meeting and public hearing as follows:

a) The City Clerk shall cause this resolution of intention to be published as required by Section 22500, of the California Streets and Highways Code. The Desert Sun is hereby designated as the newspaper in which the City Clerk shall publish this resolution of intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

SECTION 9. Notice is hereby given that on **Wednesday, July 26, 2023 at 6:00 p.m.** in the City Council Chambers of the City of Coachella, California, 1515 Sixth Street, in the City of Coachella, State of California is hereby fixed as the time and place for a public hearing by this City Council regarding the levying and collection of the proposed assessments for Landscaping and Lighting Maintenance District No. 1 through 40 for fiscal year 2023/2024. Any interested person may file a written protest with the City Clerk prior to the conclusion of the hearing, which protest must state all ground of objections and describe the property within the Districts owned by the signer of the protest.

Published: 7/13, 7/20/2023