

RESOLUTION NO. 2021-19

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 38 FOR FISCAL YEAR 2021/2022, 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. 2021-17 on March 24, 2021 Initiating the Preparation of the Engineer’s Report Declaring Intention to Levy and Collect Assessments for Fiscal Year 2021/2022 for the City of Coachella Landscaping and Lighting Maintenance District Number 1 through 38 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, this City Council has directed the staff to prepare the Engineer’s Report, and the City has contracted with Willdan Financial Services to prepared and submitted the report to the City Clerk and the report is pursuant to law for the City Council’s consideration; and

WHEREAS, the City Council has adopted Resolution Number 2021-18 on April 28, 2021 Giving Preliminary Approval of the Preliminary Engineer’s Report for Levy of Annual Assessments for Landscaping and Lighting Maintenance Districts 1 through 38 Declaring the Intention to Levy and Collect Assessments for Fiscal Year 2021/2022 and Set a Public Hearing for Districts 1 through 38; and

WHEREAS, the City Council scheduled a Public Hearing on June 23, 2021 at 6:00 p.m. prior to confirmation of the proposed assessments for Fiscal Year 2021/2022; 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 38 for Fiscal Year commencing on July 1, 2021 and ending June 30, 2022, 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 38. All protests and objections to the Levy and Collection of the proposed assessments for the Fiscal Year 2021/2022 commencing on July 1, 2021 and ending on June 30, 2022, 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, 2021 and ending on June 30, 2022.

Section 7. The adoption of Resolution No. 2021-19 constitutes the levy of an assessment for the Fiscal Year commencing on July 1, 2021 and ending on June 30, 2022.

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 38.

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 2021-19 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 office of the Public Works Department and open for public review.

PASSED, APPROVED and ADOPTED this 14th day of July 2021.

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. 2021-19 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 14th day of July 2021, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza
Deputy City Clerk

SCHEDULE

Landscaping and Lighting Maintenance District No. 1 Through 38

Item	Council Meeting Date
Resolution 2021-17 Initiating Preparation of Engineer's Report and Declaring Intention to Levy and Collect Assessments for Fiscal Year 2021/2022	March 24, 2021
Resolution 2021-18 Preliminary Approval of Engineer's Report and Setting a time and Place for Public Hearing to Levy and Collect Assessments for Fiscal Year 2021/2022	April 28, 2021
Resolution 2021-19 Confirming the Assessment and Diagram and Ordering the Levy and Collection of Assessments for Fiscal Year 2021/2022	June 23, 2021 (continued to July 14, 2021)

Exhibit "A"

CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 THROUGH 38 FISCAL YEAR 2021/2022

BOUNDARY MAP

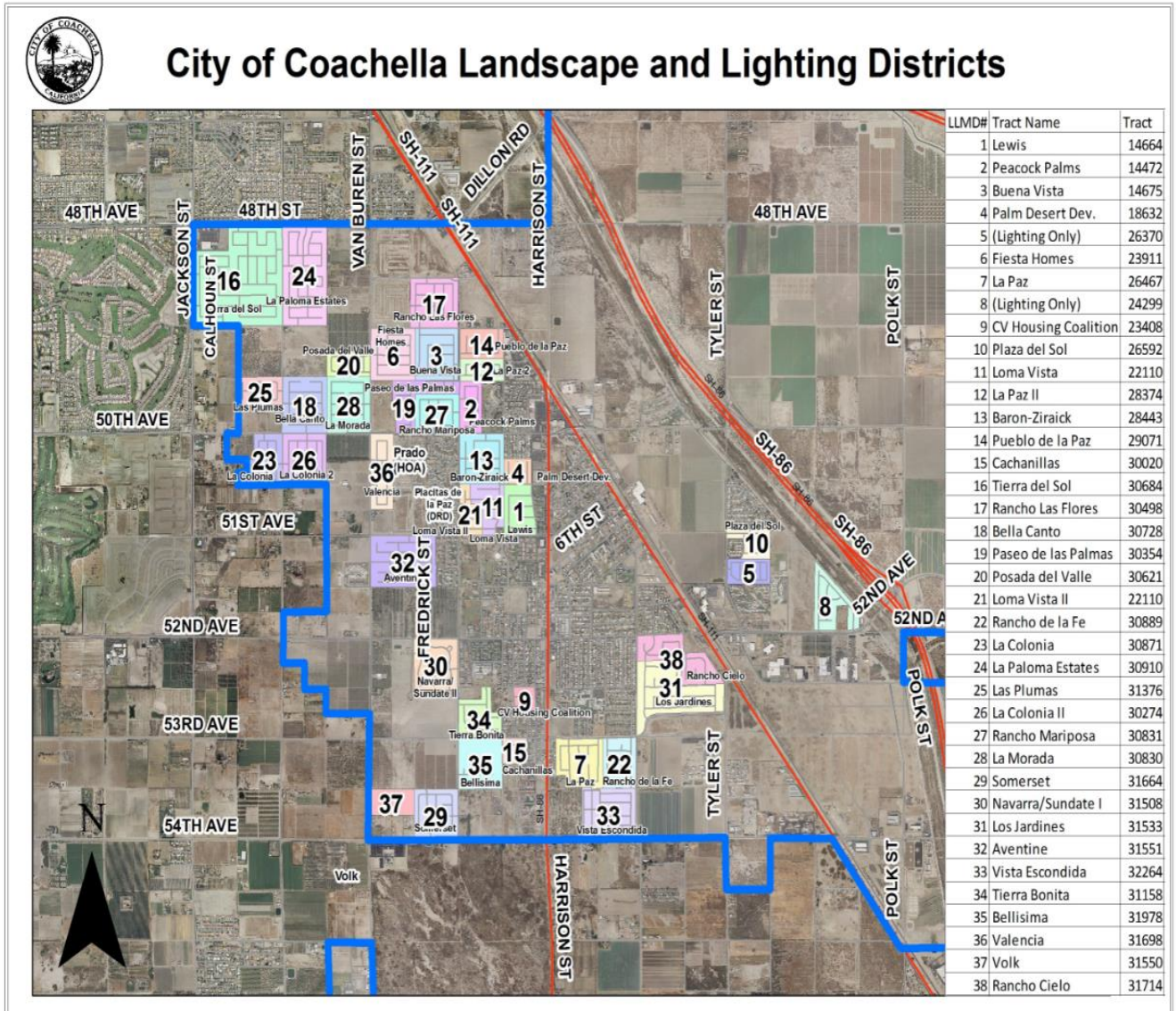


Exhibit "B"

**CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 1 THROUGH 38 FISCAL YEAR 2021/2022**

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	175.00	76
AREA 13	343.74	168
AREA 14	349.46	90
AREA 15	540.00	48
AREA 16	825.00	555
AREA 17	475.00	162
AREA 18	582.74	172
AREA 19	343.34	126
AREA 20	550.00	81
AREA 21	144.00	70
AREA 22	350.00	118
AREA 23	572.18	119
AREA 24	712.15	291
AREA 25	525.00	87
AREA 26	0.00	0
AREA 27	525.00	112
AREA 28	525.00	171
AREA 29	325.00	152
AREA 30	250.00	160
AREA 31	325.00	265
AREA 32	450.00	250
AREA 33	600.00	282
AREA 34	475.00	115
AREA 35	575.00	49
AREA 36	370.00	108
AREA 37	0.00	0
AREA 38	550.00	150

Exhibit “C”

NOTICE OF PUBLIC HEARING FOR RESOLUTION NO. 2021-19, “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 38 FOR FISCAL YEAR 2021/2022

THE DESERT SUN

05/28/2021

06/04/2021

06/11/2021

Text of Ad: 05/10/2021

RESOLUTION NO. 2021-18

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR LEVY OF ANNUAL ASSESSMENTS FOR FISCAL YEAR 2021/2022 FOR CITY OF COACHELLA LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NUMBER 1 THROUGH 38.

WHEREAS, the City Council of the City of Coachella, California (this "City Council") has previously determined that the public interest, convenience and necessity, require the installation, construction, maintenance, servicing and operation of public lighting and landscaping and appurtenant facilities as set forth in Section 22500 of the Streets and Highways Code, State of California, within the incorporated boundaries of the City of Coachella; and

WHEREAS, this City Council wishes to levy and collect annual special assessments within those assessment districts presently designated as "City of Coachella Landscaping and Lighting Maintenance District Number 1 through 38 pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Section 22500 et seq.); and

WHEREAS, the Preliminary Engineer's Report has been prepared for fiscal year 2021/2022 for City of Coachella Landscaping and Lighting Maintenance District Number 1 through 38 in accordance with Sections 22622 and 22565, et seq. of the California Street and Highways Code (the "Code"); and

WHEREAS, The Engineer of Work has filed with the City Clerk his report (the "Engineer's Report") containing the matters specified in Section 22567, et seq. of the Code; and

WHEREAS, the preliminary Engineer's Report has been duly presented by the City Clerk to the City Council for consideration and has been fully considered by the City Council and the City Council finds that each and every part of the Engineer's Report is sufficient, and that no portion of the report requires or should be modified in any respect.

THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the Preliminary Engineer's Report, on file in the office of the City Clerk and available for inspection, is hereby approved and confirmed as filed.

Section 2. Notice is hereby given that June 23, 2021 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 District Number 1 through 38 for fiscal year 2021/2022. 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 District owned by the signer of the protest.

Section 3. The City Clerk shall give notice of the 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.

PASSED APPROVED AND ADOPTED, this April 28, 2021, by the following vote:

AYES: Mayor Hernandez, Mayor Pro Tem Gonzalez, Councilmember Beaman Jacinto, Councilmember Delgado, Councilmember Galarza

NOES: None.

Absent: None.

Abstain: None.

ATTEST:

Bill Pattison, City Manager

Angela Zepeda, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney

I hereby certify that the foregoing is true and correct copy of a resolution, being Resolution No. 2021-18 duly passed and adopted by the City Council of the City of Coachella, California at a regular meeting held this 28th day of April, 2021.

Angela Zepeda, City Clerk

Published: 5/28, 6/4, 6/11/2021