

RESOLUTION NO. 2022-06

A RESOLUTION OF THE CITY COUNCIL OF COACHELLA, CALIFORNIA, INITIATING PROCEEDINGS FOR THE FORMATION OF THE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 39 (SEVILLA-TRACT 38084); AND DIRECTING THE PREPARATION AND FILING OF AN ENGINEER'S REPORT RELATED THERETO, PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

WHEREAS, the City Council of the City of Coachella (“City”), pursuant to the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 of the California Streets and Highways Code (“Act”), desires to initiate proceedings for the formation of an assessment district within the City to be known and designated as the Landscaping and Lighting Maintenance District No. 39 (Sevilla-Tract 38084) (“District”), and to establish the maximum annual assessments for the District as of fiscal year 2022/2023 to pay for the operation, maintenance, and servicing of local landscaping, street lighting, park and trail improvements, and appurtenant facilities related thereto; and

WHEREAS, pursuant to Chapter 2, Article 1 Section 22585 of the Act, proceedings for the formation of an assessment district shall be initiated by resolution and that resolution shall generally describe the proposed improvements, describe the proposed assessment district, and specify a distinctive designation for the district and order the engineer to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act; and

WHEREAS, the City has retained Willdan Financial Services (“Willdan”) as the Assessment Engineer of Work for the purpose of assisting with the formation of the District, the establishment of assessments, and to prepare and file a report with the City Clerk concerning the formation of the District and the proposed annual levy of assessments in accordance with the Act and the provisions of the California Constitution Article XIII D (the “Constitution”).

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. That the City proposes to form the Landscaping and Lighting Maintenance District No. 39 (Sevilla) incorporating the parcels of land within the development area known as Tract No. 38084 generally located within the City of Coachella, north of Avenue 51, and generally south of Avenue 50 and east of the Van Buren Street and west of Frederick Street; to establish the maximum assessment for fiscal year 2022/2023 including an inflationary adjustment (assessment range formula); and to levy and collect annual assessments for the District as required for fiscal year 2022/2023 to pay for the operation, maintenance, and servicing of local landscaping and lighting improvements, and appurtenant facilities related thereto.

SECTION 3. The territory to be included within the District as described above incorporates approximately twenty-seven acres (26.81 acres) which are included and identified on

the Riverside County Assessor's Parcel Number (APN) Map as Book 768, Page 050, Parcel 002. By reference, these maps are made part of this resolution.

SECTION 4. That the improvements for which the District is formed, may generally include at buildout, local street lighting, two (2) retention basin areas and streetscape landscaping improvements and appurtenant facilities that are maintained and serviced for the benefit of real property within the District. These local improvements to be maintained will be 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, the materials, equipment, utilities, labor, and incidental expenses, including administrative expenses, required for annual operation, as well as the performance of periodic repairs and replacement activities as needed to provide for the growth, health, and beauty of the trees and landscaping within specified public right-of-ways and/or dedicated easements, the proper operation and functioning of related landscape facilities including, irrigation and drainage systems, specified fencing, and hardscapes; and the proper operation of the public street lights and street lighting system within the public rights-of-way.

SECTION 5. In accordance with Chapter 2 Article 1 Section 22586 of the Act, the City Council hereby directs the Assessment Engineer Work to prepare and file with the City Clerk an Engineer's Report concerning the formation of the District; the improvements and services connected therewith and the annual assessments that may be levied and collected commencing with the fiscal year 2022/2023, in accordance with Chapter 1 Article 4 (commencing with Section 22565) of the Act.

PASSED, APPROVED, and ADOPTED this 26th day of January 2022.

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. 2021-06 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 26th day of January 2022, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza, MMC
Deputy City Clerk