



ATTACHMENT #3

City of Indian Wells

Street Lighting District No. 2000-1

2023/2024 ENGINEER'S REPORT

Intent Meeting: April 6, 2023
Public Hearing: May 18, 2023

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ENGINEER'S REPORT AFFIDAVIT

Street Lighting District No. 2000-1

City of Indian Wells

Riverside County, State of California

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2023/2024, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____, 2023.

Willdan Financial Services
Assessment Engineer
On Behalf of the City of Indian Wells

By: _____

Chonney Gano, Project Manager
District Administration Services

By: _____

Tyrone Peter
P. E. # C 81888

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I. OVERVIEW

The City of Indian Wells (the “City”) annually levies and collects special assessments in order to provide and maintain the improvements within the Indian Wells Street Lighting District No. 2000-1 (the “District”). The boundary of the District includes Tract 21650 and Tract 3292-R, which consists of a portion of Riverside County Service Area (the “CSA”) No. 121 that was annexed to the City as “Indian Wells Annexation No. 13” by order of Resolution No. 2000-12 of the City of Indian Wells City Council (the “City Council”) on March 16, 2000. The annexation authorized the City to continue levying assessments previously approved and authorized to be levied by CSA 121 in order to continue street lighting services previously provided by that CSA and now provided by the City. The District was formed on October 2000 and provides a mechanism to continue levying assessments for street lighting services within the boundaries of the District. The District assessments described in this Engineer’s Report (the “Report”) are prepared and levied annually pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code* (the “1972 Act”) and Article XIID of the California Constitution (the “Article”) which was enacted with the passage of Proposition 218 in November 1996.

This Report describes the District, any changes to the District, and the proposed assessments for Fiscal Year 2023/2024. The assessments are based on the City’s estimate of the annual costs to maintain the improvements that provide direct and special benefits to properties within the District. The improvements within the District, the corresponding costs, and the annual levy are budgeted. The assessment includes expenditures, deficits, surpluses, revenue, and reserve funds.

For the purposes of this Report, the word “parcel” refers to an individual property assigned its own Assessor’s Parcel Number (the “APN”) by the Riverside County Assessor’s Office. The Riverside County (the “County”) Auditor/Controller uses the APN and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Following consideration of the public comments and written protests at a noticed public hearing, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments, the Council may order the levy and collection of assessments for Fiscal Year 2023/2024 pursuant to the 1972 Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel in Fiscal Year 2023/2024.

II. DESCRIPTION OF THE DISTRICT

A. DISTRICT BOUNDARY

The boundaries of the District include Tract 21650 and Tract 3292-R, which consists of the portion of Riverside County Service Area No. 121 that was annexed into the City as “Indian Wells Annexation No. 13” by order of Resolution No. 2000-12 of the City Council on March 16, 2000.

The District’s boundaries are comprised of the streets and parcels that are located within the territory that is defined as the area South of Fred Waring Drive between Elkhorn Trail and Warner Trail; North of Arapahoe Drive between Elkhorn Drive and Dakota Trail; and North of Blackfoot Drive between Dakota Trail and Warner Trail.

B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;

- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "Maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

C. IMPROVEMENTS WITHIN THE DISTRICT

The improvements for the District may be generally described as follows: the operation, maintenance and servicing of the street lighting and appurtenant facilities located in public places within the boundary of the District. "Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the street lighting and appurtenant facilities, including repair, removal or replacement of the streetlights or appurtenant facilities. "Servicing" means the furnishing of electricity for the lighting and operation of the street lighting and appurtenant facilities.

Plans and specifications for the improvements are on file in the office of the City Clerk and the City Engineer where they are available for public inspection.

III. METHOD OF APPORTIONMENT

A. GENERAL

Pursuant to the 1972 Act and the provisions of Proposition 218, the costs of the District are apportioned by a formula or method, which fairly distributes the net amount to be assessed among the assessable parcels in proportion to the special benefits to be received by each such parcel from the improvements. Proposition 218, approved by the voters in November 1996, requires the agency to separate the general benefit from special benefit, whereas only special benefits are assessable.

Each parcel within the District receives special benefits from the improvements due to the close proximity of the lighting improvements to each parcel. The proposed assessments are at the same rate as those imposed by the County under the CSA. Since the assessments are not new, not increased, and are for street lighting, they are currently exempt from the procedures and approval process of Proposition 218.

B. PROPOSITION 218 BENEFIT ANALYSIS

In conjunction with the provisions of the 1972 Act, the Article addresses several key criteria for the levy of assessments, notably:

Section 2(d) of the Article defines District as follows:

“District means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service”;

Section 2(i) the Article defines Special Benefit as follows:

“Special benefit” means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute “special benefit.”

Section 4(a) the Article defines proportional special benefit assessments as follows:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be

imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments. These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

The costs of the proposed improvements have been identified and allocated to properties within the District based on special benefit. The improvements to be provided by this District and for which properties will be assessed have been identified as an essential component and local amenity that provides a direct reflection and extension of the properties within the District which the property owners and residents have expressed a high level of support.

The method of apportionment (method of assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape and lighting improvements within the District, and the assessment obligation for each parcel reflects that parcel’s proportional special benefits as compared to other properties that receive special benefits.

To identify and determine the proportional special benefit to each parcel within the District, it is necessary to consider the entire scope of the improvements provided as well as the properties that benefit from those improvements. The improvements and the associated costs described in this Report, have been carefully reviewed and have been identified and allocated based on a benefit rationale and calculations that proportionally allocate the net cost of only those improvements determined to be of special benefit to properties within the District. The various public improvements and the associated costs have been identified as either “general benefit” (not assessed) or “special benefit”.

C. BENEFIT ANALYSIS

The improvements associated with the District are part of the overall development plan for these parcels and were specifically installed for the benefit and development of the parcels. The benefit of street lighting conferred upon the parcels within the District includes the convenience, safety, and security of properties, improvements and goods. Specifically:

1. Enhanced deterrence of crime – an aid to police protection.
2. Increased nighttime safety on roads and highways.

3. Improved visibility of pedestrians and motorists.
4. Improved ingress and egress to and from property.
5. Reduced vandalism, damage to improvements or property, and other criminal acts.
6. Improved traffic circulation and reduced nighttime accidents and personal property loss.
7. Increased promotion of business during nighttime hours in the case of commercial properties.

D. METHODOLOGY

The cost to provide maintenance and services of the improvements within the District is fairly and equitably distributed among each assessable parcel based upon the estimated special benefits received by each parcel.

The District is comprised of single-family residential parcels with the exception of two parcels identified as common areas or public property. The residential lots receive the same special benefit from the improvements due to their similarity in size and use and their similar proximity to the improvements. Therefore, each assessable lot is assessed an equal amount.

For Fiscal Year 2023/2024, the assessment rate will be the total balance to levy divided by the number of assessable residential lots.

The assessed lots or parcels of real property within the District are listed on the Assessment Roll, which is provided as Appendix B of this report. The Assessment Roll provides a listing of the assessable parcels and their respective assessment for Fiscal Year 2023/2024. The specific lines and dimensions of the parcels are more particularly described on the County Assessor's Parcel Map, which is on file in the Office of the Riverside County Assessor and by reference is made a part of this Report.

The maximum assessment rate for the District is the same as the rate approved under the CSA (\$47.74 per parcel) and is to be used for the same purpose – maintaining and servicing the existing streetlights within the District. As part of the annexation process of this unincorporated area to the City, it was detached from the CSA. However, the annexation process specifically allowed the City to continue the imposition of these assessments for street lighting purposes.

IV. DISTRICT BUDGETS

A. DESCRIPTION OF BUDGET ITEMS

The following section describes the services and costs that are funded through the District and are shown in the District Budget.

Maintenance Costs

Labor, Material and Equipment – Includes labor, material and equipment required to properly maintain and service the street lighting and appurtenant facilities within the District. The improvements within the District will be maintained and serviced on a regular basis by the City. The specific maintenance operations required for the District, and the frequency thereof, are to be determined by City Staff.

Utilities

Electric – The furnishing of electricity for the operation of the landscaping and appurtenant facilities.

Capital Replacement Costs

Repairs – Unforeseen repairs not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism or weather.

Upgrades – Planned upgrades of the improvements that provide a direct benefit to the District may also be included in capital replacement costs. Examples of upgrades are additional street lighting facilities and/or renovating existing street lighting facilities.

Reserves

Operating Reserves – Reserves to be accumulated for maintenance services for the first six months of each fiscal year until tax monies become available for maintenance costs.

Administrative Services

City Staff – The cost of City Staff's efforts in coordinating the maintenance and servicing of the improvements, responding to public concerns, and levying and collecting the assessments. This includes reimbursement for time spent by Finance and Accounting, the City Attorney, the City Manager, and the Public Works Staff.

Professional Services – The cost of contracting with professionals to provide services specific to the levy of assessments and annual administration of the District.

County Administration Fees

Assessment Collection – The fees charged by the County to place the assessments on the property tax rolls and collect the assessments from property owners.

Carryover/(Deficit) Prior Year

Available Funds – Any funds that are not expended in the prior fiscal year shall be included to offset maintenance costs in the current fiscal year. If the total funds in any fiscal year are insufficient to offset maintenance costs, a loan from other City funds shall be a deficit of the District and shall be included and repaid as the costs and assessments for the subsequent fiscal year.

Assessable Lots

Current and Planned Lots – Any subdivided residential lots and parcels planned for subdivision into residential lots within the District.

B. FISCAL YEAR 2023/2024 DISTRICT BUDGET

<u>BUDGET ITEM</u>	<u>AMOUNT</u>
<i><u>Direct Costs</u></i>	
Maintenance - Labor, Material and Equipment	\$100
Utilities – Electric	1600
Capital Replacement Costs - Repairs and Upgrades	100
Reserves - Operating Reserves	<u>9</u>
Direct Costs Subtotal	\$1,809
<i><u>Administrative Costs</u></i>	
Administrative Services - City Staff	\$200
Administrative Services - Professional Services	320
County Administration Fees – Assessment Collection	<u>10</u>
Administrative Costs Subtotal	\$530
<i><u>Fiscal Year 2023/2024 Assessment</u></i>	
Total Direct and Administrative Costs	\$2,339
Carryover (Deficit) Prior Years – Available Funds	<u>0</u>
Balance to Levy ⁽¹⁾	\$2,339
Assessable Lots – Current and Planned Lots	49
Annual Assessment Per Parcel	\$47.74

⁽¹⁾ Balance to Levy rounded to the nearest dollar

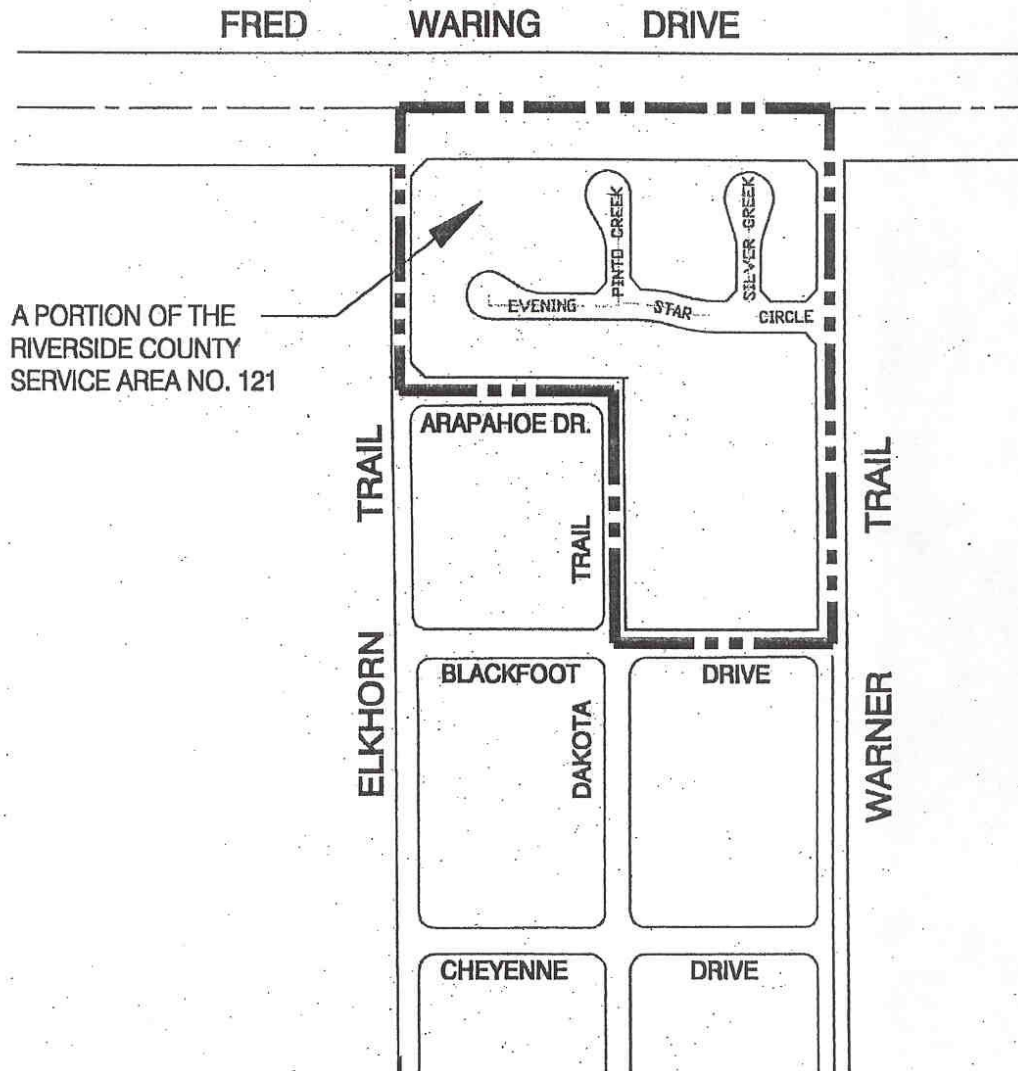
APPENDIX A -DISTRICT BOUNDARY MAPS

The Boundary Diagrams for the original districts have previously been submitted to the Clerk of the City in the format required under the Act and are made part of this Report by reference.

The parcel identification, lines and dimensions of each parcel within the District are those lines and dimensions shown on the Assessor Maps of Riverside County for the year in which this Report was prepared and is incorporated by reference and made part of this Report.

CITY OF INDIAN WELLS

PROPOSED STREET LIGHTING DISTRICT NO. 2000-1



A PORTION OF THE RIVERSIDE COUNTY SERVICE AREA NO. 121



PROPOSED DISTRICT BOUNDARY

FW/SCA121/DIST2000-1

APPENDIX B - 2023/2024 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Riverside County Assessor Parcel Maps and/or the Riverside County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land; public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

A listing of parcels within the District, along with the proposed assessment amounts, has been submitted to the City Clerk and, by reference, is made part of this Report.

Upon approval of the Report, and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll in Fiscal Year 2023/2024. If the parcels or assessment numbers within the District and referenced in this Report, are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.

**City of Indian Wells
Street Lighting District No. 2000-1
Fiscal Year 2023/2024
Preliminary Assessment Roll**

Assessor's Parcel Number	Situs Address	Benefit Unit	Applied Assessment
633-324-001	44264 DAKOTA TRL	1.0	\$47.74
633-324-002	44252 DAKOTA TRL	1.0	47.74
633-324-003	77431 HUNTLEY DR	1.0	47.74
633-324-004	77453 HUNTLEY DR	1.0	47.74
633-324-005	77467 HUNTLEY DR	1.0	47.74
633-324-006	77475 HUNTLEY DR	1.0	47.74
633-324-007	77495 HUNTLEY DR	1.0	47.74
633-324-008	44251 WARNER TRL	1.0	47.74
633-324-009	44265 WARNER TRL	1.0	47.74
633-324-010	44299 WARNER TRL	1.0	47.74
633-324-011	44321 WARNER TRL	1.0	47.74
633-324-012	77494 BLACKFOOT DR	1.0	47.74
633-324-013	77474 BLACKFOOT DR	1.0	47.74
633-324-014	77466 BLACKFOOT DR	1.0	47.74
633-324-015	77452 BLACKFOOT DR	1.0	47.74
633-324-016	77430 BLACKFOOT DR	1.0	47.74
633-324-017	44320 DAKOTA TRL	1.0	47.74
633-324-018	44298 DAKOTA TRL	1.0	47.74
633-700-001	44110 SILVER CREEK CIR	1.0	47.74
633-700-002	44080 SILVER CREEK CIR	1.0	47.74
633-700-003	44056 SILVER CREEK CIR	1.0	47.74
633-700-004	44053 SILVER CREEK CIR	1.0	47.74
633-700-005	44083 SILVER CREEK CIR	1.0	47.74
633-700-006	44111 SILVER CREEK CIR	1.0	47.74
633-700-007	44090 PINTO CREEK CIR	1.0	47.74
633-700-008	44064 PINTO CREEK CIR	1.0	47.74
633-700-009	44030 PINTO CREEK CIR	1.0	47.74
633-700-010	44061 PINTO CREEK CIR	1.0	47.74
633-700-011	77386 EVENING STAR CIR	1.0	47.74
633-700-012	77372 EVENING STAR CIR	1.0	47.74
633-700-013	77344 EVENING STAR CIR	1.0	47.74
633-700-014	77330 EVENING STAR CIR	1.0	47.74
633-700-015	44028 ELKHORN TRL	1.0	47.74
633-700-021	77329 EVENING STAR CIR	1.0	47.74
633-700-022	77343 EVENING STAR CIR	1.0	47.74
633-700-023	77371 EVENING STAR CIR	1.0	47.74
633-700-024	77385 EVENING STAR CIR	1.0	47.74
633-700-025	77399 EVENING STAR CIR	1.0	47.74
633-700-026	77413 EVENING STAR CIR	1.0	47.74
633-700-027	77427 EVENING STAR CIR	1.0	47.74
633-700-028	77441 EVENING STAR CIR	1.0	47.74
633-700-029	77455 EVENING STAR CIR	1.0	47.74
633-700-030	77469 EVENING STAR CIR	1.0	47.74
633-700-031	77483 EVENING STAR CIR	1.0	47.74
633-700-033	44080 ELKHORN TRL	1.0	47.74
633-700-034	44108 ELKHORN TRL	1.0	47.74
633-700-035	44134 ELKHORN TRL	1.0	47.74
633-700-036	44162 ELKHORN TRL	1.0	47.74
633-700-037	44054 ELKHORN TRL	1.0	47.74

Summary Fields	Value
Parcel Count:	49
Benefit Unit Total:	49.00
Applied Assessment Total:	\$2,339.26