

INDIAN WELLS CITY COUNCIL

April 6, 2023



To: City Council
From: Finance Department
Prepared by: Kevin McCarthy, City Finance Director
Subject: **Resolution Initiating Proceedings for the Annual Levy of Landscape and Lighting District No. 91-1 and Declare Intention to Order the Levy and Collection of Assessments for the Fiscal Year 2023-24**

RECOMMENDED ACTION:

Council **ADOPTS** Resolution initiating the proceedings for the annual levy and collection of assessments for the Fiscal Year 2023-24 for the Landscape and Lighting District (LLMD) No. 91-1 and declaring the intention to order the levy and collection of assessments; and

SCHEDULES a noticed Public Hearing on May 18, 2023, to hear public testimony on the proposed levy; and

ADOPTS Resolution preliminarily approves the annual engineer's report regarding the Landscape and Lighting District No. 91-1 for the fiscal year 2023-24.

SUMMARY:

The City collects levies for the citywide Landscape and Lighting Maintenance District No. 91-1 (the "LLMD"). The LLMD contains seventeen active landscape and lighting districts along Highway 111. The City operates in twelve districts, and respective homeowner's associations operate the remaining five.

The City Council conducts a public hearing each year to act on costs to operate and maintain the landscape and maintenance districts. The public hearing will be held on Thursday, May 18, 2023, to receive public testimony and consider approval of the fiscal year 2023-24 levy. In addition, the Engineer's Report provides a total budget for the landscape and lighting maintenance districts.

FISCAL IMPACT:

The preliminary levy amounts to operate the LLMD for Fiscal Year 2023-24 per the Engineer's Report are as follows:

Zone	Description	Maximum Levy Allowed per EDU	Prior Year Levy per EDU	Proposed Levy per EDU	Annual Increase (Decrease)
A1	Eldorado	\$ 227.01	\$ 123.86	\$ 165.95	\$ 42.09
A2	Montecito/Stardust	\$ 477.55	\$ 440.18	\$ 477.13	\$ 36.95
A3	Casa Dorado (A Pass-through District)	\$ 219.26	\$ 212.42	\$ 219.22	\$ 6.80
A5B	The Cove (A Pass-through District)	\$ 339.90	\$ 322.34	\$ 339.84	\$ 17.50
A8	Indian Wells Golf Resort	\$ 654.15	\$ 634.60	\$ 653.92	\$ 19.32
A11A	Hwy. 111 & Club Drive	\$ 316.15	\$ 172.82	\$ 219.56	\$ 46.74
A11C	Club Drive	\$ 205.68	\$ 198.80	\$ 205.50	\$ 6.70
C	The Colony	\$ 3,925.09	\$ 985.16	\$ 1,036.24	\$ 51.08
D	Colony Cove Estates	\$ 11,284.36	\$ 969.63	\$ 1,026.74	\$ 57.11
E	Desert Horizons (A Pass-through District)	\$ 747.14	\$ 725.38	\$ 746.75	\$ 21.37
A19	Mountain Gate	\$ 1,198.18	\$ 815.00	\$ 866.28	\$ 51.28
A20	Mountain Gate Estates	\$ 1,165.54	\$ 867.86	\$ 917.44	\$ 49.58
A21	Villagio	\$ 2,452.42	\$ 1,106.38	\$ 1,164.73	\$ 58.35
A22	Vaidya	\$ 921.99	\$ 415.38	\$ 472.63	\$ 57.25
A23	Montelena	\$ 1,317.23	\$ 1,069.44	\$ 1,117.14	\$ 47.70
A25	Sundance (A Pass-through District)	\$ 1,442.95	\$ 1,094.44	\$ 1,147.98	\$ 53.54
A26	Province (A Pass-through District)	\$ 1,513.58	\$ 1,468.80	\$ 1,512.85	\$ 44.05

The total cost to operate the districts during Fiscal Year 2023-24 is \$1,718,771. The City provides all seventeen Districts \$40,531 in administrative and field support. In addition, the City pays a total of \$105,024 to eight landscape districts that offer a public benefit to the City.

District reserves contribute \$92,675, and the remaining \$1,521,072 of the costs to operate the landscape and lighting maintenance districts are collected from property owners living within the districts.

California Environmental Quality Act (CEQA):

This action has been reviewed per the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the City's environmental regulations. The City, acting as the Lead Agency, determined that the ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change to the environment as there is no possibility that the action would result in a significant environmental impact, and because it does not constitute a "project" as defined in Section 15378 of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

ATTACHMENTS:

1. Resolution – Initiate
2. Resolution- Preliminary Annual Levy
3. Indian Wells Lighting District No. 91-1 Engineer's Report