

RESOLUTION NO. 2023-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023-24 FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982

WHEREAS, the City Council of the City of Indian Wells (the "City Council") by previous Resolutions formed and established the annual levy of assessments for the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with section 54703* (the "Act"); and

WHEREAS, the Act authorizes the City Council to levy and collect assessments for the Assessment District to pay for the costs and expenses of operating, maintaining, and servicing drainage improvements, and appurtenant facilities located within public places within the boundaries of the District; and

WHEREAS, the City Council desires to initiate proceedings for the levy and collection of annual assessments against lots and parcels of land within the Assessment District for Fiscal Year 2023-24 pursuant to provisions of the Act; and

WHEREAS, the City Council has retained Willdan to assist with the annual levy of the Assessment District.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, AS FOLLOWS:

SECTION 1. Improvements. The drainage improvements for the assessment District are briefly described as:

Installation, construction, or maintenance of any authorized improvements under the Act, including, but not limited to, drainage improvements and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof.

SECTION 2. Extension of Existing Assessments. The City Council hereby **DETERMINES** that to provide the drainage improvements described in Section 1 of this Resolution, it is necessary to levy and collect assessments against lots and parcels within the Assessment District. The City Council hereby **DECLARES** that the property owners previously approved the existing assessments in compliance with the provisions of the California Constitution Article XIII D and the proposed assessments for Fiscal Year 2023-24 comply with said approval and provisions.

SECTION 3. Finance Director. The Finance Director of the City of Indian Wells is hereby **AUTHORIZED** and **DIRECTED** to take all action necessary and appropriate in connection with the annual levy and collection of assessments for the Assessment District.

ATTACHMENT #2

PASSED, APPROVED AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 6th day of April 2023.

**DONNA GRIFFITH
MAYOR**

CERTIFICATION FOR RESOLUTION NO. 2023-16

I, Angelica Avila, City Clerk of the City Council of the City of Indian Wells, California **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five (5); that the above and foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells the 6th day of April 2023, by the following vote:

AYES:
NOES:

ATTEST:

APPROVED AS TO FORM:

**ANGELICA AVILA
CITY CLERK**

**TODD LEISHMAN
CITY ATTORNEY**