

**RESOLUTION NO. 2023-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, PRELIMINARILY APPROVING OF THE ENGINEER'S REPORT REGARDING THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023-24 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982**

**WHEREAS**, the City Council of the City of Indian Wells (the "City Council") has by Resolution ordered the preparation of the Engineer's Annual Levy Report (the "Engineer's Report") in connection with the City of Indian Wells Drainage Maintenance Benefit Assessment District No. 1 (the "Assessment District"), and levy and collection of assessments against lots and parcels of land within the territory for the Fiscal Year commencing July 1, 2023 and ending June 30, 2024, to pay the maintenance, servicing and operation of the improvements, pursuant to 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 Assessment District Engineer has prepared and filed with the City Clerk of the City of Indian Wells and the City Clerk has presented to the City Council such report entitled "City of Indian Wells Engineer's Annual Levy Report for the Drainage Maintenance Benefit Assessment District No. 1 Fiscal Year 2023-24" (the "Report"); and

**WHEREAS**, the City Council has examined and reviewed the Report as presented, and is satisfied with the Report including, without limitation, each of the budget items and documents as set forth therein and is satisfied that the assessments have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report.

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

**SECTION 1.** That the above recitals are true and correct.

**SECTION 2.** That the Report as presented consists of the following:

- (a) A Description of Improvements; and,
- (b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance); and,
- (c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor's Parcel within Assessment District for Fiscal Year 2023-24.

**SECTION 3.** The Report is hereby **APPROVED** on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Report.

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

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**DONNA GRIFFITH  
MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2023-17**

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 6<sup>th</sup> day of April 2023, by the following vote:

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

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**ANGELICA AVILA  
CITY CLERK**

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**TODD LEISHMAN  
CITY ATTORNEY**