

# INDIAN WELLS CITY COUNCIL

## May 18, 2023



**To:** City Council  
**From:** Finance Department  
**Prepared by:** Kevin McCarthy, Finance Director  
**Subject:** **Resolution Adopting Annual Levy and Engineer's Report for the Drainage Maintenance Benefit Assessment District No. 1**

### RECOMMENDED ACTION:

Council **OPENS** the Public Hearing, takes any public testimony, **CLOSES** the Public Hearing; and

**ADOPTS** Resolution approving the Engineer's Report for the Drainage Maintenance Benefit Assessment District No. 1 for the Fiscal Year 2023-24; and

**ADOPTS** Resolution approving the annual levy of the Drainage Maintenance Benefit Assessment District No. 1 for the Fiscal Year 2023-24; and

**ORDERS** the Drainage Maintenance Benefit Assessment District No. 1 levy to be placed on the fiscal year 2023-24 Riverside County tax roll.

### SUMMARY:

The City is responsible for levying the annual drainage maintenance assessment in accordance with the Landscape and Lighting Act of 1972 and Proposition 218. As a condition of approval for the Province development in 2006, the City required the developer to install and guarantee the maintenance of stormwater control structures. The structures consist of two drywells at the northeast corner of Desert Horizons Drive and Vista Del Ray Drive.

These drywells remove nuisance water and stormwater from the Province's development into neighboring developments. The City performs monthly inspections and schedules semi-annual "cleanouts" of the drywells to ensure effective operation.

### FISCAL IMPACT:

The annual levy is \$98.12 per assessed parcel. The City anticipates collecting \$13,050 from 133 assessed parcels inside the gates of the Province. The City records District revenues into a Special Revenue fund to operate the District as described in the attached engineer's report.

**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 – Ordering the levy and collection
2. Resolution – Approving the Engineer's Report
3. Drainage Maintenance Benefit Assessment- Engineer's Report