

**RESOLUTION NO. 2023-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, AMENDING AND/OR APPROVING THE ENGINEER'S REPORT FOR THE CITY OF INDIAN WELLS DRAINAGE MAINTENANCE BENEFIT ASSESSMENT DISTRICT NO. 1**

**WHEREAS**, the City Council of the City of Indian Wells, California (the "City Council") has by resolution ordered the preparation of 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, 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 as previously directed by Resolution; and

**WHEREAS**, this City Council has examined and reviewed the Report as presented, and, subject to the corrections and modifications made at the Public Hearing, is satisfied with each of the items and documents as set forth therein; and

**WHEREAS**, this City Council is satisfied that the levy of assessments within the Assessment District has been spread in accordance with the particular and distinct benefit over and above general benefits conferred on each parcel of real property located in the Assessment District or to the public at large, 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.** The above recitals are true and correct.

**SECTION 2.** The "Report" as presented, consists of the following:

- (a) a Description of Improvements.
- (b) the Annual Budget (Costs and Expenses of Services, Operations and Maintenance).
- (c) a Description and Diagram of the Assessment District.

(d) the Method of Apportionment and the proposed amount to be levied and collected against each property within the Assessment District for Fiscal Year 2023-24.

**SECTION 3.** That the Report, as presented or modified, is hereby approved and is 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 and final approval 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 18<sup>th</sup> day of May 2023.

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**DONNA GRIFFITH  
MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2023-21**

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 18<sup>th</sup> day of May 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**