

ATTACHMENT #2
RESOLUTION NO. 2026-__

A RESOLUTION OF THE CITY OF INDIAN WELLS CITY COUNCIL TO AMEND THE PUBLIC SAFETY ELEMENT OF THE INDIAN WELLS GENERAL PLAN TO INCORPORATE THE INDIAN WELLS HAZARD MITIGATION PLAN INTO THE PUBLIC SAFETY ELEMENT, FOR WHICH THE ACTION HAS BEEN FOUND EXEMPT FROM THE PROVISIONS OF CEQA

WHEREAS, the City of Indian Wells Planning Commission, conducted a public hearing on January 30, 2025, which addressed a comprehensive General Plan Update to the City's General Plan, including an amendment to the Public Safety Element; and

WHEREAS, The Local Hazard Mitigation Plan (LHMP) for the City of Indian Wells planning area was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and followed FEMA's 2011 Local Hazard Mitigation Plan guidance. The LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short-term and long-term strategies, involve planning, policy changes, programs, projects, and other activities.; and

WHEREAS, the Planning Commission found that the proposed General Plan amendment is in the public interest; and

WHEREAS, following the public hearing the Planning Commission found that this amendment is exempt from environmental review as required by CEQA through the use of the "General Rule," Section 15061(b)3 that is applied to proposals, which will have no potential adverse impact on the environment; and

WHEREAS, the Planning Commission recommended to the City Council of the City of Indian Wells that it adopt the Planning Commission's recommended finding that the amendment is in the public interest and approve the General Plan amendment to amend the Public Safety Element of the General Plan; and

WHEREAS, the City Council of Indian Wells considered said recommendations of the Planning Commission on the matter of amending the Public Safety Element of the Indian Wells General Plan and conducted a public hearing on the matter on January 30, 2025 and after review and consideration found that the project is in conformance with State and local environmental guidelines;

WHEREAS, the City Council of Indian Wells now desires to clarify and amend the Public Safety Element ("Element") of the Indian Wells General Plan ("General Plan") to incorporate the Local Hazard Mitigation Plan ("LHMP") into the Element.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS RESOLVES AS FOLLOWS:

SECTION 1. The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. The City Council **ADOPTS** the Resolution approving the Public Safety Element of the Indian Wells General Plan amended as described above and in section 3 below.

SECTION 3. The City of Indian Wells developed a Local Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000. This LHMP was approved by FEMA on January 30, 2024, and this resolution will serve as evidence of incorporation of the LHMP into the Public Safety Element of the General Plan for compliance with Assembly Bill 2140 and Cal OES requirements.

SECTION 4. This action has been assessed under the authority and criteria contained in the California Environmental Quality Act ("CEQA"), the State and local CEQA Guidelines, and the environmental regulations of the City. The City, acting as the Lead Agency, has determined that this action qualifies as exempt from CEQA through the use of the "General Rule," Section 15061(b)3 that is applied to proposals, which will have no potential adverse impact on the environment.

SECTION 5. This Resolution shall take effect upon adoption.

SECTION 6. The City Clerk shall certify the adoption of this Resolution and City staff will submit a certified copy of this Resolution via email to the California Governor's Office of Emergency Services to establish conformance with the requirements of AB 2140.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a special meeting held on this 5th day of March 2026.

**TOPER TAYLOR
MAYOR**

CERTIFICATION FOR RESOLUTION NO. 2026-____

I, Angelica Avila, City Clerk 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 special meeting of the City Council of the City of Indian Wells on the 5th day of March 2026, by the following vote:

ATTEST:

APPROVED AS TO FORM:

**ANGELICA AVILA
CITY CLERK**

**TODD LEISHMAN FOR
BEST BEST & KRIEGER LLP
CITY ATTORNEY**