

**CITY OF RANCHO MIRAGE
NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2023-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE RANCHO MIRAGE CONSOLIDATED LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 87-01, FOR FISCAL YEAR 2023/24

WHEREAS, the City of Rancho Mirage is a charter city and recognized for certain purposes as a political subdivision of the State of California; and

WHEREAS, the City Council of the City of Rancho Mirage, California ("City Council") has, by previous Resolutions, formed the Rancho Mirage Consolidated Landscaping and Lighting Maintenance Assessment District No. 87-01 ("District"), and initiated proceedings for Fiscal Year 2023/24 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* ("Act"); and

WHEREAS, the Act provides for the levy and collection of assessments by the County of Riverside for the City of Rancho Mirage to pay for costs of maintenance, operation and services required for the landscaping and lighting improvements of the District and all appurtenant facilities, operations and expenses related thereto; and

WHEREAS, the City Council has retained Willdan Financial Services, for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals.

That the above recitals are true and correct and are incorporated herein by this reference.

Section 2. Intention.

That the City Council hereby declares that it is its intention to seek the Annual Levy of the District pursuant to the Act, over and including the land within the District boundaries, and to levy and collect assessments on all such land to pay the costs of the improvements for Fiscal Year 2023/24.

Section 3. Description of Improvements and Any Substantial Changes Proposed.

That the improvements within the District include the following: turf; ground cover; shrubs and trees; automatic sprinkler systems; ornamental lighting and associated lighting facilities; drainage systems; and all associated appurtenances. The Engineer's Annual Levy Report, as ordered by previous Resolution and on file with the City Clerk, provides a full and complete description of all improvements and any or all substantial changes to the improvements within the District.

Section 4. Boundaries and Designation.

That the boundaries of the District are coterminous with the boundaries of the City of Rancho Mirage ("City"), within the County of Riverside, State of California. The District includes six (6) zones: the Median Zone, which includes all parcels within the City; Zone A, which includes all parcels in the development known as Tamarisk Estates Tract 10585; Zone B, which includes all parcels in the development known as Mirage Estates Tract 6129; Zone C located at Mirage Cove (39th Avenue) and Highway 111; Zone D, which includes all parcels in Tracts 19294 and 19295; Zone F which includes all parcels in the development known as Verlaine Estates Tract No. 36623 and four parcels from Tract No. 31800-1. The District is designated as the Rancho Mirage Consolidated Landscaping and Lighting Maintenance Assessment District No. 87-01.

Section 5. Proposed Assessment Amounts.

That for Fiscal Year 2023/24, the proposed assessments for the Median Zone and Zones A through F are outlined in the Engineer's Annual Levy Report, which details the formula for any legally permitted changes or increases in the annual assessments for each zone. The assessments to be levied comply with the provisions of the California Constitution Article XIID.

Section 6. Public Hearing(s).

That the City Council hereby declares its intention to conduct a public hearing concerning the District and the levy of assessments for Fiscal Year 2023/24 in accordance with Chapter 3, Section 22625 of the Act.

Section 7. Notice.

That the City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution in the Local Newspaper not less than ten (10) days before the date of the hearing, and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices, pursuant to Chapter 3, Section 22626 of the Act.

Section 8. Time of Public Hearing.

That notice is hereby given that a Public Hearing on these matters will be held by the City Council on June 1, 2023, at 1:00 p.m., or as soon thereafter as feasible in the City Council Chambers, City Hall located at 69-825 Highway 111, Rancho Mirage.

Section 9. Severability.

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Repeal of Conflicting Provisions.

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 11. Effective Date.

That this Resolution shall take effect upon its adoption.

Section 12. Certification.

That the City Clerk shall certify to the passage of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 4th day of May 2023.

CITY OF RANCHO MIRAGE:
Richard W. Kite, Mayor

ATTEST:
Kristie Ramos, City Clerk

APPROVED AS TO FORM:
Steven B. Quintanilla, City Attorney

Declaration of Posting:

I, Kristie Ramos, City Clerk of the City of Rancho Mirage, do hereby declare that a copy of the foregoing Notice of Public Hearing was posted in the City Hall posting box, at the Rancho Mirage Library & Observatory, and on the City website on 05/09/2023.

K. Ramos
Signature