

RESOLUTION NO. 2019-\_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, DOES NOT OBJECT TO THE MISSION SPRINGS WATER DISTRICT INITIATION OF PROCEEDINGS FOR THE CONSTRUCTION OF CERTAIN WORK PURSUANT TO THE PROVISIONS OF THE MUNICIPAL IMPROVEMENT ACT OF 1913 FOR ASSESSMENT DISTRICT NO. 18 AND ADDITIONAL ASSESSMENT DISTRICTS CONTAINED THEREIN**

**WHEREAS**, the Board of Directors of the Mission Springs Water District is contemplating certain work in the City of Desert Hot Springs under the provisions of the Municipal Improvement Act of 1913, and to order the formation of an assessment district to pay the costs thereof, all as described in a proposed Resolution of Intention for an assessment district to be known and designated as Assessment District No. 18; and

**WHEREAS**, the Board of Directors of the Mission Springs Water District is contemplating the concurrent adoption of Resolutions of Intention for the formation of additional assessment districts which would each be formed within the territorial boundaries of proposed Assessment District No. 18, only in the event that a majority of the ballots received from the owners of property within Assessment District No. 18 does not approve proposed Assessment District No. 18, specifically with respect to all applicable law, including Proposition 218; and

**WHEREAS**, a portion of the projects and the property proposed to be assessed for said work is located in the City of Desert Hot Springs; and

**WHEREAS**, pursuant to the Municipal Improvement Act of 1913, the consent of the City Council of the City of Desert Hot Springs is required for the above proceedings; and

**WHEREAS**, the Mission Springs Water District, in accordance with Section 10104 of the Streets and Highways Code, has submitted to this City Council the proposed Resolutions of Intention for and a map indicating the extent of the territory included in the proposed assessment districts for Assessment District No. 18 and the additional assessment districts contained within the boundaries of Assessment District No. 18;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The City Council hereby does not object to the initiation of proceedings and the performance of work by the Mission Springs Water District as described by said proposed Resolutions of Intention for Assessment District No. 18 and the additional assessment districts contained within the boundaries of Assessment District No. 18, within the area shown on said maps.

**Section 2.** Said Resolutions of Intention for Assessment District No. 18 and the additional assessment districts contained within the boundaries of Assessment District No. 18 are approved with the understanding that said Resolutions may be modified or amended in order to carry out the purpose of the assessment district and the consent of this City Council hereby is given to the exercise by the Board of Directors of the Mission Springs Water District of exclusive jurisdiction over all proceedings necessary thereto for the purpose of consummating the same, all in accordance with the provisions of the Municipal Improvement Act of 1913.

**Section 3.** With respect to the acts contemplated in this Resolution, Mission Springs Water District shall comply with all applicable law,<sup>2</sup> including but not limited to Proposition 218.

**Section 4.** The City Clerk of the City Council hereby is authorized and directed to certify to the adoption of this resolution and to deliver two certified copies thereto to the Mission Springs Water District.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the 17th day of September, 2019, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

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Jerryl Soriano, CMC, City Clerk

**APPROVED:**

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Scott Matas, Mayor

**APPROVED AS TO FORM:**

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Jennifer A. Mizrahi, City Attorney