

RESOLUTION NO. 18-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF CARSON COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MAINTENANCE AND SERVICES) DECLARING THE RESULTS OF A SPECIAL LANDOWNER ELECTION RELATING TO THE LEVY OF A SPECIAL TAX THEREIN AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

WHEREAS, the City Council of the City of Carson has adopted Resolution 18-119 (the "Resolution of Formation"), ordering the formation of the "City of Carson Community Facilities District No. 2018-01 (Maintenance and Services) and Future Voluntary Annexation Area" (the "CFD"), authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, under the provisions of the Resolution of Formation and pursuant to Resolution 18-120 (the "Election Resolution") heretofore adopted by the City Council, the propositions of the levy of the special tax and the establishment of the appropriations limit were submitted to the qualified electors of the CFD as required by the provisions of the Act; and

WHEREAS, the landowners of record within the CFD, as of close of the public hearing held on November 7, 2018, unanimously consented to a waiver of the time limits for setting the election and a waiver of any written analysis, arguments or rebuttals as set forth in the Act. Such waivers are set forth in written certificated executed by the landowners which are on file with the City Clerk, as the election official concurring therein; and

WHEREAS, pursuant to the terms of the Election Resolution, which are by this reference incorporated herein, the special election has been held and the City Clerk has certified to a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the City Council has been informed of the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, ACTING AS LEGISLATIVE BODY OF THE CITY OF CARSON COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MAINTENANCE AND SERVICES) DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The City Council finds and determines that all the foregoing recitals are true and correct and incorporated herein.

2. Issues Presented. The issues presented at the special election were the levy of a special tax within the CFD and the approval of establishing an annual appropriations limit of not to exceed \$1,000,000, all pursuant to the Resolution of Formation.

3. Canvass and Issues Approved. The City Council hereby approves the Canvass of the special election held November 7, 2018 and finds that it shall be a permanent part of the record of its proceedings for the CFD. Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of the CFD by more than two-thirds of the votes cast at the special election.

4. Proceedings Approved. Pursuant to the voter approval, the CFD is hereby declared to be fully formed with the authority to levy the special taxes and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by the City Council with respect to the CFD were valid and in conformity with the Act. The City Council is hereby authorized to take the necessary steps to levy the authorized special tax on property within the CFD.

5. Notice of Tax Lien. The City Clerk, or designee, is hereby directed to complete, execute and cause to be recorded in the office of the County Recorder of the County of Los Angeles a notice of special tax lien in the form required by the Act, such recording to occur no later than fifteen (15) days following adoption of this resolution by the City Council.

6. Accountability. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the City Council hereby establishes the following accountability measures pertaining to the levy by the CFD of the special tax:

a. Such special tax shall be levied for the specific purposes set forth the issues presented voters and described in Section 2 hereof.

b. The proceeds of the levy of such special tax shall be applied only to the specific purposes set forth in the issues presented to voters and described in Section 2 hereof.

c. The CFD shall establish an account or accounts into which the proceeds of such special tax shall be deposited.

d. The Director of Finance, or their designee, acting for an on behalf of the CFD, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3

7. **Effective Date.** The City Clerk shall certify the adoption of this Resolution. This Resolution shall take effect upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Carson at a regular meeting held on the 7th day of November, 2018

CITY OF CARSON:

Albert Robles, Mayor

ATTEST:

Donesia Gause-Aldana, MMC, City Clerk

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 18-121, adopted by the City of Carson City Council at its meeting held on November 7, 2018 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Donesia Gause-Aldana, MMC, City Clerk

EXHIBIT A

CANVASS AND STATEMENT OF RESULT OF SPECIAL ELECTION

CITY OF CARSON Community Facilities District No. 2018-01 (Maintenance and Services)

I hereby certify that on November 7, 2018, I canvassed the returns of the special election held on November 7, 2018, in the City of Carson Community Facilities District No. 2018-01 (Maintenance and Services) (the "CFD") and the total number of ballots cast in such CFD and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Carson Community Facilities District No. 2018-01 (Maintenance and Services) Special Tax Election, November 7, 2018.	5	_____	_____	_____

BALLOT MEASURE A: Shall the City of Carson Community Facilities District No. 2018-01 (Maintenance and Services) (the "CFD") be authorized to annually levy a special tax not exceeding \$1,971.51 per acre, which raises \$9,189.21 annually, subject to an index, in perpetuity solely on lands within the CFD, in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the City Council on November 7, 2018, which is incorporated herein by reference (the "Resolution"), commencing in the City's fiscal year 2018/2019, to pay for the municipal services for the CFD, as described in the Resolution, the costs of the City in administering the CFD and County charges; and establish an annual appropriations limit for the CFD of \$1,000,000, pursuant to Article XIII B of the California Constitution, as adjusted for changes in the costs of living and changes in population?

YES ☐

NO ☐

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on November 7, 2018.

By: _____
City Clerk, City of Carson