

RESOLUTION NO. 21-003

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) REPEALING RESOLUTION NO. 19- 009 WHICH APPROVED ADMINISTRATIVE ANNEXATION PROCEDURES AND ADOPTED CERTAIN CITY-WIDE TAX RATES

WHEREAS, on September 18, 2018, the City Council of the City of Carson (“the “City”) adopted Resolution No. 18-083 (the “Resolution of Intention”), stating its intention to form City of Carson Community Facilities District No. 2018-01 (Maintenance and Services) (the “CFD”) and Future Voluntary Annexation Area (the “Future Annexation Area”) 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, the Resolution of Intention called for a public hearing on November 7, 2018 as required by the Act relative to the proposed formation of the CFD and the Future Annexation Area; and

WHEREAS, at the hearing, all interested persons desiring to be heard on all matters pertaining to the formation of the CFD and Future Annexation Area, the services to be provided therein and the levy of such special tax were heard and a full and fair hearing was held; and

WHEREAS, no written protests were filed with the City Clerk by 50% or more of the registered voters residing within the territory of the CFD or Future Annexation Area, or property owners that own one-half or more of the area of land within the CFD or Future Annexation Area, and not exempt from the proposed special taxes; and

WHEREAS, on November 7, 2018, the City Council adopted Resolution No. 18-119 (the “Resolution of Formation”), which formed the, defined the public services (the “Services”) to be provided by the CFD, authorized the levy of a special tax on property within the CFD, preliminarily established an appropriations limit for the CFD, and approved future qualifying projects the ability to voluntarily annex into the Future Annexation Area, all pursuant to the Act; and

WHEREAS, on November 7, 2018, the City Council adopted Resolution No. 18-120 that called a special election for November 7, 2018, at which the questions of levying a special tax and establishing an appropriations limit with respect to the CFD were submitted to the qualified electors within the CFD; and

WHEREAS, on November 7, 2018, the City Council adopted Resolution No. 18-121, that declared the results of the special election and finding that more than two-thirds (2/3) of all votes cast at the special election were in favor of the issue presented, and such measure passed; and

WHEREAS, on November 13, 2018 a notice of special tax lien was recorded with the Office of the County Recorder of the County of Los Angeles, as Document No. 20181142886 (the "Notice of Special Tax Lien"), thereby giving notice that the lien to secure payment of the special tax was imposed on the land in the CFD; and

WHEREAS, on April 2, 2019, the Council adopted Resolution No. 19-009 ("Resolution No. 19-009") approving procedures for the future annexation of property administratively to the CFD and approving a form of tax-rate for Tax Zone 4 of the CFD based on a Fiscal Impact Analysis for Citywide Future Development dated March, 2019 prepared by NBS Government Financial Group ("Fiscal Impact Report"); and

WHEREAS, the Council has been informed and has determined that the land use categories and zones contemplated in the Fiscal Impact Report do not fit within the tax formula of the previously created CFD, and therefore, Tax Zone No. 4 created by Resolution No. 19-009 has not been used, and individual annexations of property at a public hearing have provided more transparency for the public than any administrative annexation; and

WHEREAS, the Council, as legislative body of the CFD, has therefore determined not to approve Tax Zone No. 4 of the CFD or to annex to the CFD administratively; and

WHEREAS, consequently, the Council has determined to repeal Resolution No. 19-009; and

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. Repeal of Resolution No. 19-009. The City Council hereby repeals Resolution No. 19-009. From the date hereof, Resolution No. 19-009 is no longer in effect.

3. Effective Date. The City Clerk, or designee, 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 ____ day of _____, 2021.

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. 21-003, adopted by the City of Carson City Council at its meeting held on January 12 2021 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Donesia Gause-Aldana, MMC, City Clerk