



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

A RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO TO FORM COMMUNITY FACILITIES DISTRICT NO. 2019-1 (BASS LAKE HILLS SERVICES) AND LEVY A SPECIAL TAX THEREIN TO FINANCE CERTAIN PUBLIC SERVICES RELATED TO SUCH COMMUNITY FACILITIES DISTRICT

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code, this Board of Supervisors (the “Board”) of the County of El Dorado (the “County”) is authorized to establish a community facilities district and to act as the legislative body for such community facilities district; and

WHEREAS, this Board, having received applications from the owners of not less than 10% of the area of land proposed to be included in the proposed community facilities district, desires to proceed with the establishment of a community facilities district in order to finance cost of maintenance services related to public infrastructure necessary or incidental to new development in the County;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Authority. It is proposed to establish a community facilities district within the County of El Dorado under the terms of the Act to finance costs of certain public services necessary or incidental to new development in the County, which include the payment of special taxes related to new development.
2. Name of CFD. The name proposed for the community facilities district is the County of El Dorado Community Facilities District No. 2019-1 (Bass Lake Hills Services) (the “CFD”).
3. Boundaries Described. The proposed boundaries of the district are shown on the Map of Proposed Boundary of a proposed community facilities district to be known as Community Facilities District No. 2019-1 (Bass Lake Hills Services), El Dorado County, California, on file with the Clerk of the Board, which this Board approves as the map describing the extent of the territory included in the proposed community facilities district. This Board finds that the map is in the form and contains the matters prescribed by Section 3110 of the California Streets and Highways Code. This Board directs the Clerk of the Board to certify the adoption of this resolution on the face of the map, and to file a copy of the map in the office of the Clerk of the Board in accordance with Section 3111 of the California Streets and Highways Code and within 15 days of the date of adoption of this resolution but in no event later than 15 days prior to the public hearing provided for herein, transmit the map to the County Recorder for recording in the Book of Maps of Assessment and Community Facilities Districts in the office of the County Recorder of El Dorado County.

4. Services. The type of public services proposed to be financed by the CFD and pursuant to the Act shall consist of those listed as services on Exhibit A hereto and hereby incorporated herein (the "Services"). The Board hereby determines that the Services are necessary to meet increased demands placed upon local agencies as the result of development occurring within the CFD. The Services to be financed by the CFD are in addition to those provided in the territory of the CFD as of the date hereof and will not supplant services already available within the territory of the CFD as of the date hereof.

5. Special Tax. Except to the extent that funds are otherwise available, the County will levy a special tax (the "Special Tax") to pay directly for the Services and/or pay the principal and interest on bonds of the County issued to finance the Services. The Special Tax will be secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes, however, this Board reserves the right, under Section 53340, to utilize any method of collecting the special tax which it shall, from time to time, determine to be in the best interests of the County, including, but not limited to, direct billing by the County to the property owners and supplemental billing. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein.

Under no circumstances may the Special Tax on a parcel in the CFD in residential use be increased in any fiscal year as a consequence of delinquency or default in payment of the Special Tax levied on another parcel or parcels by more than ten percent (10%) above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults.

This Board hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to ad valorem property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD.

6. Exempt Property. Except as may otherwise be provided by law or by the Rate and Method, all lands owned by any public entity, including the United States, the State of California and the County, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required debt service payments and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

7. Election. The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD at a special election as authorized under the Act. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the proposed CFD, with each owner having one vote for each acre or portion of an acre such owner owns in the CFD.

8. CFD Report. The Auditor-Controller of the County, as the officer having charge and control of the Services in and for the CFD, or the designee of such official, is hereby directed to cause and direct a study of said proposed CFD and the Services and to cause to be prepared for filing at the public hearing the report required by Section 53321.5 of the Act (the "CFD Report") presenting at least the following:

(a) A description of the Services by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services and incidental expenses in connection therewith.

The CFD Report shall be made a part of the record of the public hearing specified below.

9. Public Hearing. The Board hereby sets March 26, 2019 at 10:00 AM at the Board of Supervisors Placerville Office located at 330 Fair Lane, Placerville, California 95667, as the time and place when and where this Board, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD, the levy of the Special Tax and the issuance of bonds. At the hearing, testimony concerning the CFD, the extent of the CFD or the furnishing of the particular types of public services will be heard and protests will be considered from registered voters residing within the CFD and persons owning real property within the CFD. Written protests by the owners of a majority of the land which would be subject to special taxation within the proposed the CFD will require the suspension of proceedings for at least one year. Written protests must be filed with the Clerk of the Board at or before the time fixed for the hearing. If such protests are directed only against certain elements of the proposed improvements or proposed special tax, and if such protests constitute a majority protest, only those elements shall be deleted from the proceedings.

10. Notice of Hearing. The Clerk of the Board is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing specified above. The notice shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof as set forth in Exhibit C hereby specifically approved.

11. Effective. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest: _____
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chair, Board of Supervisors

Attach: Exhibit A – List of Services
Exhibit B – Rate and Method of Apportionment of Special Tax
Exhibit C – Notice of Public Hearing