

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2006-1 IMPROVEMENT AREA 1, FOR FISCAL YEAR 2017-18

WHEREAS, the City Council of the City of Desert Hot Springs (the "City") has formed City of Desert Hot Springs Community Facilities District No. 2006-1 (the "Community Facilities District") and designated portions of the Community Facilities District as five improvement areas (each an "Improvement Area") known as "Improvement Area 1 of Community Facilities District No. 2006-1" ("Improvement Area 1"), "Improvement Area 2 of Community Facilities District No. 2006-1" ("Improvement Area 2"), "Improvement Area 3 of Community Facilities District No. 2006-1" ("Improvement Area 3"), "Improvement Area 4 of Community Facilities District No. 2006-1" ("Improvement Area 4") and "Improvement Area 5 of Community Facilities District No. 2006-1" ("Improvement Area 5"), under and pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act");

WHEREAS, the City Council, as the legislative body of the Community Facilities District, is authorized under the Act to levy certain special taxes within Improvement Area 1 to pay for the costs of certain public facilities (the "Special Taxes");

WHEREAS, the City Council, pursuant to Ordinance No. 2007-13, adopted by the City Council on August 7, 2007, authorized and levied the Special Taxes within Improvement Area 1 of the Community Facilities District;

WHEREAS, Section 53340 of the Act provides that the legislative body of a community facilities district may provide, by resolution, for the levy of the special tax in the current year or future tax years at the same rate or at a lower rate than the rate provided by ordinance, if the resolution is adopted and a certified list of all parcels subject to the special tax levy including the amount of the tax to be levied on each parcel for the applicable tax year, is filed by the clerk or other official designated by the legislative body with the county auditor on or before the 15th day of August of that tax year; and

WHEREAS, the City Council desires to levy the Special Taxes within Improvement Area 1, as applicable, for Fiscal Year 2017-18;

NOW, THEREFORE, BE IT RESOLVED DETERMINED, AND ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

Section 1. Recitals

That all of the above recitals are true and correct.

Section 2. Special Taxes

That the City Council hereby levies the Special Taxes for the Fiscal Year 2017-18 at the rates and with respect to the parcels as set forth in Exhibit A, which is attached hereto and incorporated herein by reference. The Finance Director of the City is hereby authorized and directed to file with the Riverside County Auditor-Controller no later than August 15, 2017,

subject only to permitted extension by the Auditor-Controller, a certified list of all parcels subject to the Special Tax levy including the amount of the Special Taxes to be levied on each parcel for Fiscal Year 2017-18.

Section 3. Authorization

That the officers and agents of the City are, and each of them hereby is, authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the levy of the Special Taxes for Fiscal Year 2017-18 as provided in this Resolution.

Section 4. Approval of Previous Actions

That all actions heretofore taken by the officers and agents of the City with respect to the levy of the Special Taxes for Fiscal Year 2017-18 are hereby approved, confirmed and ratified.

Section 5. Effective Date

That this Resolution shall take effect immediately upon its adoption.

Section 6. Certification

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on this fifth day of July, 2017, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, CMC, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney

CERTIFICATE OF CLERK

I, Jerryl Soriano, City Clerk of the City of Desert Hot Springs, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of the City of Desert Hot Springs duly and regularly held at the regular meeting place thereof on July 5, 2017, of which meeting all of the members of said City Council had due notice, and at said meeting said resolution was adopted by the following vote:

AYES:

NAYES:

ABSENT:

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: July 5, 2017

City Clerk of the City of Desert Hot Springs

[SEAL]