

RESOLUTION NO. 2017-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS CREATING SPECIAL TAX AREA ZONE 29 WITHIN THE DESERT HOT SPRINGS SPECIAL PUBLIC SAFETY TAX AREA FOR ASSESSOR'S PARCEL NUMBER 665-030-060

WHEREAS, it is the intention of the City Council of the City of Desert Hot Springs (the "City Council") to create Zone 29 within the City of Desert Hot Springs Special Public Safety Tax Area and authorize an election; and

WHEREAS, it is the intention of the City Council to adopt an ordinance establishing a special tax for police and fire protection services within Zone 29; and

WHEREAS, the City of Desert Hot Springs recognizes the need for increased police and fire protection services (hereinafter "public safety services") in Zone 29 and the difficulty of funding the current or increased level of services with revenues now available; and

WHEREAS, the City Council has received a written instrument from the landowners within Zone 29 to initiate and conduct proceedings for the creation of Zone 29 within the City of Desert Hot Springs Special Public Safety Tax Area and consenting to the shortening of election time requirements, waiving analysis and arguments, and waiving all notice requirements relating to the conduct of the election; and

WHEREAS, it is the intention of the City Council to direct the City Clerk to conduct the election required by Government Code Section 53978 to be conducted by mail ballot pursuant to Elections Code Section 4000 and to be held on the earliest date permitted by law; and

WHEREAS, Assessor's Parcel Number 665-030-060 was allowed by the City of Desert Hot Springs to develop a 1.81 acre parcel (Commercial). The initial annual tax will be \$730.13 per the Desert Hot Springs Special Public Safety Tax Area – Tax Rate Table (approved by the City Council on March 1, 2005 Resolution No. 2005-07 and amended by Resolution No. 2005-49 approved on July 6, 2005, adjusted for inflation as provided for in Section 3(B) of Exhibit C); and

WHEREAS, this Resolution is adopted pursuant to Government Code section 53978; and

WHEREAS, under Government Code section 53978 and for the purposes of this Resolution, a "voter" entitled to vote on the creation of Zone 29 is a person who owns real property within Zone 29, as shown on the last equalized assessment role prepared by the Riverside County Assessor's Office, at the time that the City Council submits an ordinance authorizing the imposition of a public safety tax to the voters of Zone 29. At the time that the City Council adopted this Resolution, there were 0 registered voters residing within Zone 29 and a single property owner. Because the Special Public Safety Tax will be imposed on property in Zone 29 and paid by the owner of the property, the City Council finds that restricting the vote on the Special Public Safety Tax to the property owner in Zone 29 is appropriate and consistent with the principles and requirements of California Constitution article XIIC (Proposition 218).

NOW THEREFORE, be it resolved as follows:

Section 1. That portion of the City of Desert Hot Springs described in Exhibit A is established as Zone 29 of the Desert Hot Springs Special Public Safety Tax Area.

Section 2. That Ordinance No. _____, is to be presented for approval of the voters of Zone 29 by a mail ballot election, to be held on November 21, 2017, after which and assuming approval of the voters of Zone 29, will be presented for approval by the City Council on the same date as the election. The ballot proposition shall read as follows:

“Shall Ordinance No. _____ be approved so as to authorize a special tax on property located in Zone 29 of the Desert Hot Springs Special Public Safety Tax Area to maintain the present level of police and fire protection services and provide additional funding for increased police and fire protection services?”

Section 3. The City Clerk is directed to take all steps necessary to conduct the election required by this order. Said election shall be conducted by mailed ballot pursuant to Elections Code Section 4000 and shall be held on a date other than the same date as a statewide direct primary election on statewide general election as specified above.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on this third day of October, 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

EXHIBIT A

DESERT HOT SPRINGS PUBLIC SAFETY TAX AREA ZONE 29 (DHS MANNA LLC) ZONE DESCRIPTION

The City of Desert Hot Springs Special Public Safety Tax Area District (the “District”) boundary is coterminous with that of the City of Desert Hot Springs’ (the “City”) incorporated territory. Each zone within the District is a portion of that area and is described below by Riverside County Assessor’s Parcel Number (APN) included within the zone.

(Note: the APN is current as of the Final Tax Assessment Roll for FY 2017-18.)

| APN | Acreage |
|-------------|----------------|
| 665-030-060 | 1.81 |

EXHIBIT B

**PETITION AND CONSENT FORM TO CREATE
ZONE 29 (DHS MANNA LLC)**

EXHIBIT C

City of Desert Hot
Springs
Public Safety Tax Area
Zone 29 Establishment

| <u>Assessor's Parcel No.</u> | <u>Lot Size Acres</u> | <u>Description</u> | <u>Total Charge</u> |
|------------------------------|---------------------------|--------------------|-------------------------|
| 665-030-060 | 1.81 | COM | \$730.13 |
| 1 | 1.81 | | \$730.13 |