

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY TO ESTABLISH IMPROVEMENT AREA NO. 22 OF THE CITY OF CATHEDRAL CITY COMMUNITY FACILITIES DISTRICT NO. 2006-1 (LAW ENFORCEMENT, FIRE, PARAMEDIC, PARK MAINTENANCE AND GENERAL SERVICES) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX WITHIN SAID IMPROVEMENT AREA**

**WHEREAS**, the City Council (the "Council") of the City of Cathedral City (the "City") has received a petition (including consent and waiver) ("Petition") requesting the institution of proceedings for formation of Improvement Area ("IA") 22, within the existing Community Facilities District ("CFD 2006-1"), pursuant to the Mello-Roos Community Facilities Act of 1982 ("ACT"), as amended, commencing with Section 53311 of the Government Code of the State of California; and

**WHEREAS**, the Council has determined the Petition complies with the requirements of Section 53318(b) of the Act and now intends to form the CFD; and

**WHEREAS**, the Council intends to finance (1) police protection services, (2) fire protection, (3) paramedic services, (4) park maintenance services and (5) general services in addition to those provided in the territory within the CFD prior to the formation of the CFD and do not supplant services already available within the territory proposed to be included in the CFD through the formation of the CFD subject to the levy of a special tax to pay for such services, being approved at an election to be held within the boundaries of the CFD; and

**WHEREAS**, the Council intends to provide for the annexation in the future of territory (the "Future Annexation Area") to the CFD pursuant to the terms and provisions of the Act,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The Council hereby determines to institute proceedings for the formation of a community facilities district under the terms of the Act. The exterior boundaries of the community facilities district are hereby specified and described to be as shown on the certain map now on file in the office of the City Clerk entitled "Proposed Boundaries of Improvement Area No. 22 of Community Facilities District No. 2006-1 of the City of Cathedral City," which map indicates by a boundary line the extent of the territory included in the proposed community facilities district and shall govern for all details as to the extent of the CFD. On the original and one copy of the map of such CFD on file in the City Clerk's office, the City Clerk shall endorse the certificate evidencing the date and adoption of this Resolution. The City Clerk shall file the original of such map in her office and, within fifteen (15) days after the adoption of this Resolution, the City Clerk shall file a copy of such map so endorsed in the records of the County Recorder, County of Riverside, State of California.

**Section 2.** The Future Annexation Area, which area is to be subject to a special tax to be levied, shall be comprised of undeveloped parcels within the boundaries of the City, other than those parcels already within the boundaries of the proposed CFD, requiring a discretionary approval for development, which are developed for non-retail commercial purposes, and such other parcels as may be added upon the petition of the property owners thereof. Such Future Annexation Area may be annexed only with the unanimous approval of the owner or owners of each parcel or parcels at the time the parcel or parcels are annexed.

**Section 3.** The name of the proposed community facilities district shall be "Improvement Area No. 22 of the City of Cathedral City Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic, Park Maintenance and General Services)."

**Section 4.** Except where funds are otherwise available, it is the intention of the City Council to levy annually in accordance with procedures contained in the Act a special tax (the "Special Tax") sufficient to finance a portion of the cost of providing law enforcement, fire and paramedic services in addition to those provided in the territory within the CFD prior to the formation of the CFD and do not supplant services already available within the territory proposed to be included in the CFD, the costs of administering the levy and collection of the Special Tax and all other costs of the levy of the Special Tax, including any foreclosure proceedings, legal, fiscal, and financial consultant fees, election costs, and all other administrative costs of the tax levy. The Special Tax will be secured by recordation of a continuing lien against all real property in the proposed CFD. The schedule of the rate and method of apportionment and manner of collection of the Special Tax is described in detail in Exhibit "A" attached hereto and by this reference incorporated herein.

The Special Tax is apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act.

The schedule of the rate and method of apportionment of special taxes with respect to any Future Annexation Area may be different than the rate and method of apportionment of special taxes with respect to the CFD.

**Section 5.** A public hearing (the "Hearing") on the establishment of the CFD and the proposed rate and method of apportionment of the Special Tax shall be held on November 13, 2024 at 5:30 o'clock p.m., or as soon thereafter as practicable, at the chambers of the City Council of the City of Cathedral City, 68700 Avenida Lalo Guerrero, Cathedral City, California 92234.

**Section 6.** At the time and place set forth above for the hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.

**Section 7.** Each City officer who is or will be responsible for the CFD, if it is established, is hereby directed to study the proposed CFD and, at or before the time of the above-mentioned Hearing, file a report with the City Council, and which is to be made a part of the record of the Hearing, containing a brief description of the CFD and

his or her estimate of the cost of providing additional law enforcement, fire and paramedic services within the boundary of the CFD. The City Manager is directed to estimate the fair and reasonable cost of all incidental expenses, including all costs associated with the creation of the CFD, determination of the amount of any special taxes, collection of any special taxes, or costs otherwise incurred in order to carry out the authorized purposes of the City with respect to the CFD.

**Section 8.** The City may accept advances of funds from any sources, including private persons or private entities, and is authorized and directed to use such funds for any authorized purpose, including any cost incurred by the City in creating the CFD. The City may enter into an agreement to repay all of such funds as are not expended or committed for any authorized purpose at the time of the election on the levy of the Special Tax, if the proposal to levy such tax should fail, and to repay all of such funds advanced if the levy of the Special Tax shall be approved by the qualified electors of the CFD.

**Section 9.** The City Clerk is hereby directed to publish a notice ("Notice") of the Hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of the proposed CFD. Such Notice shall contain the text of this Resolution, state the time and place of the Hearing, a statement the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners in the proposed CFD as provided in Section 53324 of the Act and a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least 7 days prior to the date of the Hearing.

**Section 10.** The voting procedure with respect to the establishment of the CFD and the imposition of the special tax shall be by hand delivered or mailed ballot election.

**PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of October, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSET:**

**ABSTAIN:**

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**MAYOR**

**ATTEST:**

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**CITY CLERK**

**EXHIBIT A**  
**RATE AND METHOD OF APPORTIONMENT**  
**OF SPECIAL TAX**