

RESOLUTION NO. 2024-_____

**RESOLUTION OF FORMATION OF THE CITY COUNCIL OF THE
CITY OF CATHEDRAL CITY DETERMINING THE VALIDITY OF
PRIOR PROCEEDINGS, ESTABLISHING IMPROVEMENT AREA NO.
21 OF THE CITY OF CATHEDRAL CITY COMMUNITY FACILITIES
DISTRICT NO. 2006-1 (LAW ENFORCEMENT, FIRE, PARAMEDIC,
PARK MAINTENANCE AND GENERAL MAINTENANCE SERVICES)**

WHEREAS, the City Council (the “Council”) of the City of Cathedral City, California (the “City”), has heretofore adopted Resolution No. 2024-14 stating its intention to form Improvement Area No. 21 of the City of Cathedral City Community Facilities District No. 2006-1 (law enforcement, fire, paramedic, park maintenance and general services) (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the “Act”); and

WHEREAS, a copy of Resolution No. 2024-14, incorporating a description and map of the proposed boundaries of The District and setting forth the rate and method of apportionment and manner of collection of the special tax to be levied within the District, which will be used to finance a portion of the cost of providing police protection services, fire protection/paramedic services and park maintenance services that are in addition to those provided in the territory within the District prior to the formation of the District and do not supplant services already available within the territory of proposed to be included in the District, is on file with the City Clerk and incorporated herein by reference; and

WHEREAS, Resolution No. 2024-14 set April 10, 2024 as the date of the public hearing on the formation of the District and this Council held the said public hearing as required by law; and

WHEREAS, at said hearing all persons not exempt from the special tax desiring to be heard on all matters pertaining to the formation of the District were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to the Council on said matters before it, and this Council at the conclusion of said hearing is fully advised in the premises;

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

Section 1. Pursuant to Section 53325.1(b) of the Government Code, the Council finds and determines the proceedings prior hereto were valid and in conformity with the requirements of the Act.

Section 2. A community facilities district to be designated “Improvement Area No. 21 of the City of Cathedral City Community Facilities District No. 2006-1 (law enforcement, fire, paramedic, park maintenance and general maintenance services)” is hereby established pursuant to the Act.

Section 3. The description and map of the boundaries of the District on file in the City Clerk's office and as described in said Resolution No. 2024-14 and incorporated herein by reference, shall be the boundaries of the District. The map of the proposed boundaries of the District has been recorded in the Office of the County Recorder of Riverside County, California in Book 93 page 6 of the Book of Maps of Assessments and Community Facilities Districts (Instrument Number 2024-0120925).

Section 4. Except where funds are otherwise available, there shall be levied annually in accordance with procedures contained in the Act, a special tax sufficient to finance a portion of the cost of providing police protection, fire protection/paramedic and park maintenance services that are in addition to those provided in the territory within The District prior to the formation of the District and do not supplant services already available within the territory proposed to be included in the District. The rate and method of apportionment of the special tax and manner of collection is described in detail in Exhibit "A" attached hereto and incorporated herein by this reference. The special tax shall be utilized to pay for authorized services.

Section 5. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Council hereby establishes the following accountability measures pertaining to the levy by the District within the District of the special tax:

- A. Such special tax shall be levied for the specific purposes set forth herein.
- B. The proceeds of the levy of such special tax shall be applied only to the specific purposes set forth herein.
- C. The District shall establish an account or accounts into which the proceeds of such special tax shall be deposited.
- D. The City Manager, or his or here designee, acting for and on behalf of the District, shall annually file a report with the Council as required pursuant to Government Code Section 50075.3.

Section 6. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all real property in the District, and this lien shall continue in force and effect until the special tax obligation is canceled in accordance with law or until collection of the tax by the City ceases.

Section 7. The Council finds that the proposed public services are necessary to meet the increased demand put upon the City as a result of the development within the District.

Section 8. The Council finds that there is not an ad valorem property tax currently being levied on property within the proposed the District for the exclusive purpose of financing police, fire, paramedic and park maintenance services.

Section 9. Written protests against the establishment of the District, or against the furnishing of specified services or facilities or the levying of a specified special tax within the

District, have not been filed by fifty percent (50%) or more of the registered voters or property owners of one-half (1/2) or more of the area of land within the proposed the District.

Section 10. Written protests against the future annexation of the Future Annexation Area, or against the furnishing of specified services or facilities or the levying of a specified special tax within such Future Annexation Area, have not been filed by fifty percent (50%) or more of the registered voters or property owners of one-half (1/2) or more of the area of land within the Future Annexation Area.

Section 11. The Office of the City Manager, 68700 Avenida Lalo Guerrero, Cathedral City, California 92234, (760) 770-0340, or its designee, is designated to be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and for estimating future special tax levies pursuant to Section 53340.1 of the Government Code.

Section 12. The City Clerk is directed to certify and attest to this Resolution and to take any and all necessary acts to call, hold, canvass and certify an election or elections on the levy of the special tax, and the establishment of the appropriation limit.

PASSED, APPROVED and ADOPTED this 22nd day of May, 2024 by the following votes:

AYES:

NOES:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A
RATE AND METHOD OF APPORTIONMENT
OF SPECIAL TAX