

RESOLUTION NO. 17-17

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DECLARING RESULTS OF THE SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN

WHEREAS, on March 21, 2017, the Town Council of the Town of Yucca Valley (the "Town") adopted the "Resolution of the Town Council of the Town of Yucca Valley Declaring Its Intent to Annex Territory to Community Facilities District No.11-1 (Services)" (referred to herein as the "Resolution of Intent") stating its intention to annex territory to Community Facilities District No.11-1 and to finance specified public facilities and services, pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code § 53311, *et seq.*; the "Mello-Roos Act");

WHEREAS, on May 2, 2017, the Town Council of the Town of Yucca Valley held a public hearing on the Resolution of Intent;

WHEREAS, on May 2, 2017, after the public hearing, the Town Council adopted "A Resolution of the Town Council of the Town of Yucca Valley for the Annexation of Improvement Area No. 4 to Community Facilities District NO 11-1 (Service)(Resolution No. 17-12; also referred to herein as the "Resolution of Formation"), annexing Annexation Area No. 4 (Improvement Area No. 5) to Community Facilities District No. 11-1 (hereafter, the "District"); and the Town Council also adopted the "Resolution of the Town Council of the Town of Yucca Valley Setting a Date for an Election on the levy of a special tax within Annexation Area No. 4 (Improvement Area No. 5) of Community Facilities District No. 11-1 for May 2 , 2017 (Resolution No. 17-12; also referred to herein as the "Resolution Calling for Special Election");

WHEREAS, on May 2, 2017, an election on the levy of special taxes on parcels within Annexation Area No. 4 (Improvement Area No. 5) of the District was held;

WHEREAS, this Resolution will only take effect if two-thirds of the votes cast in the special election are in favor of the levy, and such results were certified by the Town Council through adoption of the "Resolution of the Town Council of the Town of Yucca Valley Certifying the Results of the Election on the Levy of Special Taxes in Annexation Area No. 4 (Improvement Area No. 5) of Community Facilities District No. 11-1 (Services)" (Resolution No. 17-12), whereby the levying of special taxes was authorized;

WHEREAS, pursuant to the Resolution of Intent, the Resolution of Formation, and the

provisions of the Mello-Roos Act, the maximum rate of special taxes and the manner of apportionment has been determined, and within 15 days of an election resulting in two-thirds of the votes cast in favor of the levy of a special tax in the District, a Notice of Special Tax Lien will be recorded with the San Bernardino County Recorder's Office; and

WHEREAS, pursuant to Government Code Section 53340(a), the Town Council, as legislative body for the District, now wishes to levy the special taxes at the rate, apportionment, and in the manner specified in the above-referenced Resolutions.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Yucca Valley as follows:

SECTION 1. The Town Council hereby affirms the accuracy of the foregoing recitals.

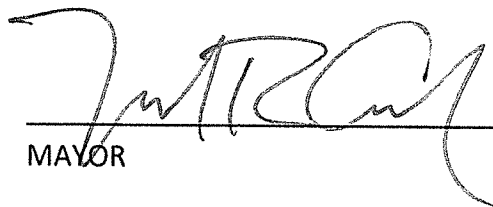
SECTION 2. Pursuant to Government Code Sections 53328, 53340(a), and other provisions and requirements under the Mello-Roos Act, the Town Council hereby levies the special taxes as specified in said Resolutions, and hereby apportions the special taxes in such manner.

SECTION 3. The levy and apportionment of all special taxes hereby shall be consistent with the authorizations provided under the Mello-Roos Act, the Resolution of Intent, and the Resolution of Formation. No levy or apportionment of any special tax not otherwise consistent with said authorities is authorized by this Ordinance.

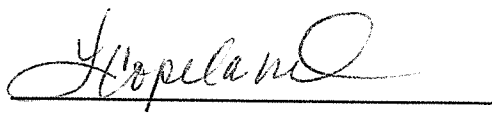
SECTION 4. The Town Council hereby authorizes the Town Manager or his/her designee to implement all necessary steps to cause the special taxes levied hereby to be placed on the San Bernardino County Tax Assessor's secured property tax rolls for the fiscal year commencing July 1, 2017, and continuing each subsequent fiscal year for so long as said special taxes are authorized under the Mello-Roos Act. Furthermore, the Town Council hereby authorizes the Town Manager or his/her designee to cause all such special taxes to be collected, deposited, expended, and otherwise used in a manner consistent with the provisions of the District.

SECTION 5. The Town Council hereby determines that all proceedings for the formation of the District and the levy and apportionment were valid and in conformity with the requirements of the Mello-Roos Community Facilities Act of 1982.

APPROVED AND ADOPTED this 2nd Day of May, 2017.


MAYOR

ATTEST:


TOWN CLERK

TOWN CLERK

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 17-17 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 2nd day of May, 2017, by the following vote:

Ayes: Council Members Denison, Drozd, Leone, Lombardo

Noes: None

Abstain: Mayor Abel

Absent: None



Lesley R. Copeland, CMC
TOWN CLERK