

RESOLUTION NO. 6592(23)

A Resolution of the Council of the City of Lompoc, County of Santa Barbara, State of California Ordering the Levy of Special Taxes for Fiscal Year 2023-24 Within Community Facilities District No. 2018-01 (Summit View Homes)

WHEREAS, the City Council of the City of Lompoc (City), on November 20, 2018, established the City of Lompoc Community Facilities District No. 2018-01 (Summit View Homes) (CFD 2018-01) pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311 (the Act); and

WHEREAS, the City Council, acting as the legislative body of CFD 2018-01, is authorized pursuant to Resolution No. 6224(18) (the Resolution of Formation) and Ordinance No. 1656(18) adopted by the City (the Ordinance) to levy a special tax sufficient to fund the annual operation, maintenance and servicing, including, but not limited to, repair and replacement of streets, parkways, roads, sidewalks, curbs, gutters, street lighting, signals, street signage; and to fund fire protection and suppression services, and ambulance and paramedic services, police protection services, including, but not limited to, criminal justice services (as defined in the Resolution of Formation); and

WHEREAS, it is now necessary and appropriate that this City Council order the levy and collection of the special taxes for the Fiscal Year (FY) 2023-24 for the purpose specified in the Resolution of Formation and the Ordinance, by the adoption of a resolution as specified by the Act and the Ordinance; and

WHEREAS, the annual escalation factor for maintenance service costs is equal to the percentage change in the Construction Cost Index as published by the Engineering News-Record (ENRCCI) for the twelve months ending in January, as published in January of the preceding year, or 4%, whichever is greater and

WHEREAS, the annual escalation factor for non-maintenance Service Costs is equal to the percentage increase during the preceding year in the Consumer Price Index for All Urban Consumers in the Los Angeles-Long Beach-Anaheim, CA, metropolitan area (CPI-U), as published by the U.S. Department of Labor, Bureau of Labor Statistics for the twelve months ending in January, as published in January of the preceding year, or 4%, whichever is greater; and

WHEREAS pursuant to rate and method of apportionment, the maximum special tax rates shall be adjusted each fiscal year by the weighted average of the annual escalation factor for maintenance costs (50%) and the annual escalation factor for non-maintenance service costs (50%); and

WHEREAS, since the percentage change in the ENRCCI and the CPI-U for the preceding twelve months ending in January 2023 was 4.934% and 5.771% respectively, therefore the Annual Escalation Factor is 5.353% and the maximum authorized special tax rates for FY 2023-24 is \$989.53 per residential unit for developed residential property.

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The special tax is imposed without regard to property valuation and is levied in compliance with the Act and the Ordinance.

SECTION 3. In accordance with the Act and the Ordinance, there is hereby levied upon the parcels of real property within the CFD 2018-01, which are not otherwise exempt from taxation under the Act or the Ordinance special taxes for FY 2023-24 at the special tax rate set at \$889.98 per residential unit for developed residential property, which special tax rate does not exceed the maximum special tax rate set forth in the Ordinance. The applied rate differs from the maximum rate due to budget allocation. After adoption of this Resolution, the CFD Levy Administrator, may make any necessary modifications to these special taxes to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxed or in the amount to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the special tax applicable to any category of parcels and is made prior to the submission of the tax rolls to the Santa Barbara County Auditor.

SECTION 4. All of the collections of the special tax shall be used only as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in the Resolution of Formation.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes except as such procedure may be modified by law and by this Council.

SECTION 6. The CFD Levy Administrator is hereby authorized and directed to transmit a certified copy of this Resolution to the Santa Barbara County Auditor, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for FY 2023-24, and to perform all other acts which are required by the Act, the Ordinance, or by law in order to accomplish the purpose of this Resolution.

SECTION 7. Effective Date. This Resolution is effective on the day of its adoption.

The foregoing resolution was proposed by Council Member _____, seconded by Council Member _____, and was passed and adopted by the Council of the City of Lompoc at its duly noticed regular meeting on July 18, 2023, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

Jenelle Osborne, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc