

RESOLUTION NO. 24-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA ANNEXING OF TERRITORY (DESERT MEADOWS APARTMENTS AND TOWNHOMES) TO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS, CITY OF LANCASTER COMMUNITY FACILITIES DISTRICT NO. 2021-1 (PUBLIC SERVICES) ANNEXATION NO. 2

WHEREAS, the City Council of the City of Lancaster (the "City") has conducted proceedings to establish Community Facilities District No. 2021-1 (Public Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code; and

WHEREAS, under the Act, this Council, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: This Council hereby finds and determines that public convenience and necessity require that territory be added to the CFD.

Section 2: The name of the existing CFD is "Community Facilities District No. 2021-1 (Public Services)".

Section 3: The territory included in the existing CFD is as shown on the map thereof filed in Book 196 at Pages 44-45 as Document No. 20221204593 of the Book of Maps of Assessment and Community Facilities Districts in the Los Angeles County Recorder's Office, to which map reference is hereby made.

The territory now proposed to be annexed to the CFD is as shown on the Annexation Map No. 2 to the CFD, on file with the City Clerk, a copy of which is attached hereto as Exhibit A and made a part hereof, the boundaries of which territory are hereby preliminarily approved. The City Clerk is hereby directed to cause the recordation of said Annexation Map No. 2 to the CFD, showing the territory to be annexed, in the Office of the County Recorder of the County of Los Angeles within fifteen days of the date of adoption of this resolution.

Section 4: The types of public services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A in Resolution No. 23-05 adopted by the Council on the 24th day of January 2023, (the "Resolution of Formation"), a copy which is attached hereto as Exhibit B. It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory

proposed to be annexed to the CFD. It has been determined that this project will intensify the use of the property, creating a need for more services under this CFD.

Section 5: Except to the extent that funds are otherwise available to the CFD to pay for the Services CFD, a Special Tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner as ordinary ad valorem property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, and in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay, is described in Exhibit C, which is hereby incorporated by this reference.

Section 6: Notice is given that on January 28, 2025 at 1:30 p.m., in the regular meeting place of this Council, being the City Hall Council Chambers, located at 44933 Fern Avenue, Lancaster, California, the Council, as legislative body for the CFD, will conduct a public hearing on the annexation of territory to the CFD and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD and the levy of said special tax therein.

Section 7: The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD. The publication of said notice shall be completed at least seven days before the date herein set for said hearing. Said notice shall be substantially in the form specified in Section 53339.4 of the Act. The City Clerk shall also cause a copy of the Resolution of Annexation, or a notice thereof, to be mailed to each landowner (and to each registered voter, if any) within the territory proposed to be annexed, which resolution or notice shall be mailed at least fifteen days before the date of said hearing.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

\_\_\_\_\_  
ANDREA ALEXANDER. E  
City Clerk  
City of Lancaster

\_\_\_\_\_ FOR  
R. REX PARRIS  
Mayor  
City of Lancaster

(STATE OF CALIFORNIA )  
(COUNTY OF LOS ANGELES ) ss.  
(CITY OF LANCASTER )

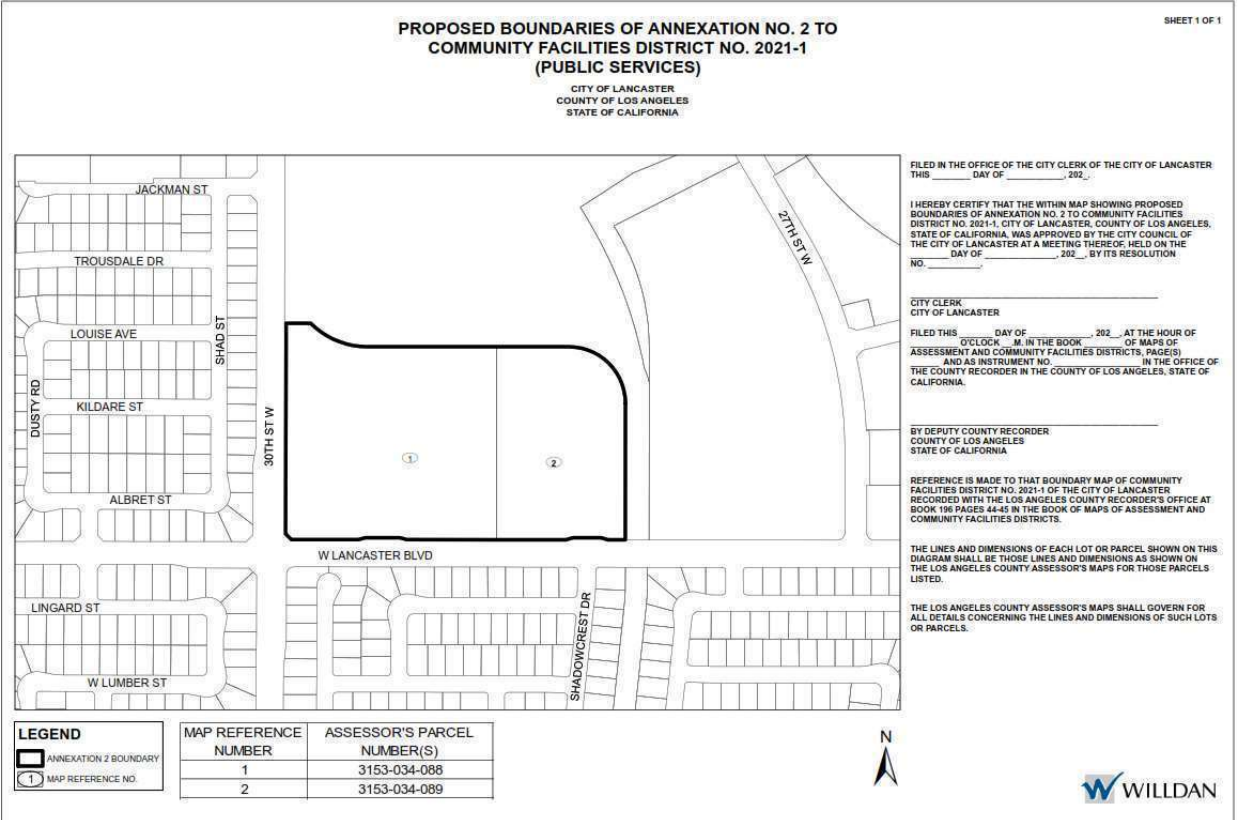
CERTIFICATION OF RESOLUTION  
CITY COUNCIL

I, \_\_\_\_\_, City Clerk of the City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Resolution No. 24-\_\_\_\_, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

(seal)

EXHIBIT A  
BOUNDARY MAP



## **EXHIBIT B**

### **CITY OF LANCASTER COMMUNITY FACILITIES DISTRICT NO. 2021-1 (PUBLIC SERVICES)**

#### **DESCRIPTION OF SERVICES**

The types of public services to be provided for and financed by CFD No. 2021-1 (Public Services) are including but not limited to:

- Fire protection and suppression services;
- Ambulance and paramedic services;
- Police protection services, including, but not limited to, criminal justice services;
- Maintenance and lighting of parks, parkways, streets, roads, and open space;
- Flood and storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems; and/or
- Other improvements as authorized by the Act.

## EXHIBIT C

# RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

For the City of Lancaster Community Facilities District No. 2021-1  
(Public Services), County of Los Angeles, State of California

The Special Tax as hereinafter defined shall be levied on all Assessor's Parcels within the City of Lancaster Community Facilities District No. 2021-1 (Public Services), ("CFD 2021-1"), other than Assessor's Parcels classified as Exempt Property as defined herein, and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD 2021-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

## A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**"Act"** means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

**"Administrative Expenses"** means the following actual or reasonably estimated expenses related to the administration of CFD 2021-1: the costs of determining the amount of the levy of the Special Tax, the collection of Special Taxes, including the expenses of collecting delinquencies and pursuing foreclosures, the payment of a proportional share of salaries and benefits of any City employee and City overhead whose duties are directly related to the administration of CFD 2021-1, fees and expenses for counsel, audits, costs associated with responding to public inquiries regarding CFD 2021-1, and any and all other costs incurred in connection with the administration of CFD 2021-1.

**"Annual Escalation Factor"** means the annual percentage increase of the All Urban Consumers Consumer Price Index ("CPI") or two percent (2%), whichever is greater. The annual CPI used shall be for the area of Los Angeles-Long Beach-Anaheim, CA as determined by the Bureau of Labor Statistics for the twelve (12) months ending the preceding December 31, or such other replacement index as may be determined by the City.

**"Assessor's Parcel"** means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

**"Assessor's Parcel Map"** means an official map of the Assessor of the County designating parcels by assessor's parcel number.

**"Base Year"** means Fiscal Year beginning July 1, 2021 and ending June 30, 2022.

**"Building Permit"** means a permit issued for new construction of a residential dwelling or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits

for construction or installation of retaining walls, grading, utility improvements, or other such improvements not intended for human habitation.

**“Building Square Footage”** means all of the square footage within the perimeter of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of “Building Square Footage” for a non-residential structure will be

based on the Building Permit(s) issued for such structure and/or by reference to appropriate records kept by the City.

**“CFD Administrator”** means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Tax for CFD 2021-1.

**“CFD 2021-1”** means City of Lancaster Community Facilities District No. 2021-1 (Public Services) established by the City Council under the Act.

**“City”** means the City of Lancaster.

**“City Council”** means the Council of the City of Lancaster, acting as the legislative body of CFD 2021-1.

**“County”** means the County of Los Angeles.

**“Developed Property”** means an Assessor’s Parcel of Taxable Property for which a Building Permit was issued on or before June 1 preceding the Fiscal Year for which the Special Tax is being levied.

**“Exempt Property”** means all Assessor’s Parcels within CFD 2021-1 that are exempt from the Special Tax pursuant to the Act or Section F herein.

**“Fiscal Year”** means the period commencing on July 1 of any year and ending the following June 30.

**“Inner Zone”** means all property located within the area identified as Inner Zone in Attachment A.

**“Land Use Type”** means any of the land use types listed in Table 1 below.

**“Maximum Special Tax”** means the maximum Special Tax determined in accordance with Section C, which may be levied in any Fiscal Year on an Assessor’s Parcel of Taxable Property.

**“Multi-Family Residential Property”** means all Assessor’s Parcels of Residential Property for which a Building Permit has been issued for the purpose of constructing a building or buildings comprised of attached Residential Units available for rental by the general public, not for sale to an end user, and under common management.

**“Municipal Services”** means those authorized services that may be funded by CFD 2021-1 pursuant to the Act, as amended including but not limited to police protection services; maintenance of streets and roadways; maintenance and operation of street lights; maintenance of parks, parkways and open space; and maintenance of public facilities.

**“Non-Residential Property”** means any Assessor’s Parcel classified as Developed Property, which is not classified as any, Residential Property, Public Property and Property Owner Association Property.

**“Outer Zone”** means all property located within the area identified as Outer Zone in Attachment A.

**“Property Owner Association Property”** means for each Fiscal Year any property within the boundaries of CFD 2021-1 that was owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to a property owner association, including any master or sub-association, as of June 1.

**“Proportionately”** means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels within each Land Use Class.

**“Public Property”** means any property that is owned by, dedicated or irrevocably dedicated to a city, the federal government, the State of California, the County, or any other public agency (each, a “Public Entity”); provided, however, that any such property is leased by such a Public Entity to a private entity and is thereby subject to taxation pursuant to Section 53340.1 of the Act, such leasehold estate shall be classified and taxed according to the use thereof.

**“Residential Property”** means all Assessor’s Parcels of Developed Property within CFD 2021-1 for which a Building Permit has been issued for purposes of constructing one or more Residential Unit(s).

**“Residential Unit”** means any residence in which a person or persons may live, which is not considered to be used for non-residential purposes.

**“Single Family Residential Property”** means all Assessor’s Parcels of Residential Property not classified as Multi-Family Residential Property.

**“Special Tax”** means the special tax authorized to be levied within CFD 2021-1 pursuant to the Act, to fund the Special Tax Requirement.

**“Special Tax Requirement”** means the amount, as determined by the CFD Administrator, for any Fiscal Year to: (i) pay the costs of providing the Municipal Services during such Fiscal Year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish any operational reserve fund established for Municipal Services, (iv) pay incidental expenses related to the Municipal Services as authorized pursuant to the Act, (v) fund an amount equal to a reasonable estimate of delinquencies expected to occur in the Fiscal Year in which the Special Tax will be levied (“Estimated Special Tax Delinquency Amount”) and (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year necessary to fund the Special Tax Requirement for such Fiscal Year where such shortfall resulted from delinquencies in the payment of the Special Tax in such Fiscal Year that exceeded the Estimated Special Tax Delinquency Amount included in the Special Tax Requirement for such Fiscal Year.

**“Taxable Property”** means all Assessor’s Parcels that are not exempt from the Special Tax pursuant to the Act or Section H.

**“Undeveloped Property”** means an Assessor’s Parcel of Taxable Property which is not classified as Developed Property.



“Zone” means, as the context requires, either Outer Zone or Inner Zone.

## B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021-22, using the definitions above, each Assessor’s Parcel within CFD 2021-1 shall be assigned to the Outer Zone or the Inner Zone and classified by the CFD Administrator as Taxable Property or Exempt Property. In addition, each such Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the CFD Administrator as Developed Property or Undeveloped Property. Commencing with Fiscal Year 2021-22 and for each subsequent Fiscal Year, all Taxable Property shall be assigned a Land Use Type and subject to the levy of the Special Tax pursuant to Section C below.

## C. SPECIAL TAX RATES

### 1. Developed Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor’s Parcel of Developed Property shall be subject to the Special Tax.

The Maximum Special Tax for Developed Property for Fiscal Year 2021-22 is shown below in Table 1.

**TABLE 1**

Land Use Type	Outer Zone Maximum Special Tax	Inner Zone Maximum Special Tax
Single-Family Residential Property	\$901 per Residential Unit	\$546 per Residential Unit
Multi-Family Residential Property	\$631 per Residential Unit	\$382 per Residential Unit

For each subsequent Fiscal Year commencing July 1, 2024, the Maximum Special Tax rates shall be increased from the Maximum Special Tax rate in effect for the prior Fiscal Year by the Annual Escalation Factor.

### 2. Undeveloped Property

Each Fiscal Year commencing in Fiscal Year 2021-22, each Assessor’s Parcel classified as Undeveloped Property shall be exempt from the levy of the Special Tax.

### 3. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section F.

For each Fiscal Year, if the use or ownership of an Assessor’s Parcel or Exempt Property changes so that such Assessor’s Parcel is no longer classified as one of the uses set forth in Section F, therefore making such Assessor’s Parcel no longer eligible to be classified as Exempt Property, such Assessor’s Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.

## **D. METHOD OF APPORTIONMENT OF SPECIAL TAX**

Commencing in Fiscal Year 2021-22 and for each subsequent Fiscal Year, the CFD Administrator shall levy the Special Tax on all Taxable Property of CFD 2021-1 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property within CFD 2021-1 up to 100% of the Maximum Special Tax to satisfy the Special Tax Requirement.

Notwithstanding any provision of this Section D to the contrary, under no circumstances will the Special Tax levied against any Assessor's Parcel of Developed Property that is classified as Residential Property be increased by more than ten percent (10%) per Fiscal Year as a consequence of delinquency or default in the payment of the Special Tax by the owner of any other Assessor's Parcel.

## **E. PREPAYMENT OF SPECIAL TAX**

The Special Tax shall be levied in perpetuity for the purpose of financing ongoing authorized services and therefore may not be prepaid.

## **F. EXEMPTIONS**

The City Council shall classify as Exempt Property: (i) Public Property, (ii) Property Owner Association Property, (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, including but not limited to property designated for open space, trails, pathways, parks or park and recreation related facilities, (iv) property reasonably designated by the City or CFD Administrator as affordable housing, and (v) property reasonably designated by the City or CFD Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors.

## **G. APPEALS**

Any property owner claiming that the amounts or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than twelve months after having paid the first installment of the Special Tax. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the CFD Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

## **H. MANNER OF COLLECTION**

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Special Tax may be billed and collected at a different time or in a different manner if necessary to meet the financial obligations of CFD 2021-1.

## **I. DURATION OF TAX**

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement unless such tax is no longer required as determined by the City Council.

## Attachment A – Zone Map

