

RESOLUTION NO. HFPD 2017-13

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HESPERIA FIRE PROTECTION DISTRICT, HESPERIA, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 94-01 FOR FISCAL YEAR 2017-18 AND REQUESTING THAT THE COUNTY OF SAN BERNARDINO COLLECT THE SPECIAL TAX ON THE REAL ESTATE TAX ROLLS FOR FISCAL YEAR 2017-18

WHEREAS, in 1994 the Board of Directors of the Hesperia Fire Protection District, Hesperia, California, (hereinafter referred to as the "legislative body"), initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California. This Community Facilities District is designated as Community Facilities District No. 94-01 (hereinafter referred to as the "Community Facilities District"); and

WHEREAS, this legislative body, by Ordinance as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said Community Facilities District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for the fiscal year.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HESPERIA FIRE PROTECTION DISTRICT AS FOLLOWS:

Section 1. That the above is true and correct and adopted as findings.

Section 2. That the specific rate and amount of the special tax for each taxable property (as such term is defined in the Rate and Method of Apportionment of Special Tax applicable to the Community Facilities District) is to be collected to pay for the costs and expenses for Fiscal Year 2017-18.

Section 3. That the rate as set forth in Section 2 above does not exceed the amount as previously authorized by Ordinance of this legislative body and is not in excess of that as previously approved by the qualified electors of the community facilities district.

Section 4. That the proceeds of the special tax shall be used to pay, in whole or in part, the costs and expenses of authorized fire suppression and emergency medical services and shall not be used for any other purpose.

Section 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to include reasonable administrative costs incurred in collecting any said tax.

Section 6. All monies above collected shall be paid into the Fire District fund.

Section 7. It is hereby further directed that a certified copy of this Resolution also be filed with the County Auditor.

Section 8. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax.

Section 9. The County Auditor shall then, at the close of the tax collection period, promptly render to this Agency a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

Section 10. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 1st day of August 2017.

Paul Russ, Chair

ATTEST:

Melinda Sayre, Board Secretary