

RESOLUTION NO. 2018-34

A RESOLUTION OF FORMATION OF THE COASTSIDE FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 33, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT, PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT AND SUBMITTING LEVY OF THE SPECIAL TAX AND THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT TO THE QUALIFIED ELECTORS OF THE DISTRICT

**COASTSIDE FIRE PROTECTION DISTRICT
Community Facilities District No. 33**

RESOLVED by the Board of Directors (the "Board") of the Coastsides Fire Protection District ("District") that:

WHEREAS, on August 22, 2018, this Board adopted Resolution No. 2018-30 entitled "A Resolution of Intention to Establish a Community Facilities District (the "Resolution of Intention"), stating its intention to form the Coastsides Fire Protection District Community Facilities District No. 33 ("CFD No. 33"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of CFD No. 33 and stating the services to be financed, and the rate and method of apportionment of the special tax to be levied within CFD No. 33 to pay the costs is on file with the District and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on this date, the Board held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of CFD No. 33; and

WHEREAS, at said hearing all interested persons desiring to be heard on all matters pertaining to the formation and extent of CFD No. 33, the facilities to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to the Board on said matters before it, including a report (the "Report") as to the services to be provided through the District and the costs thereof, a copy of which is on file with the Administrative Secretary, and the Board at the conclusion of said hearing was fully advised with respect to the basis of the costs to be borne by CFD No. 33; and

WHEREAS, written protests with respect to the formation of CFD No. 33, the furnishing of specified types of facilities and services and the rate and method of apportionment of the special taxes have not been filed with the District by fifty percent (50%) or more of the registered voters residing within the territory of the CFD No. 33 or property owners of one-half (1/2) or more of the area of land within the CFD No. 33 and not exempt from the special tax; and

WHEREAS, the special tax proposed to be levied in CFD No. 33 to pay for the proposed facilities and services to be provided therein, as set forth in Exhibit B to the Resolution of Intention, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD No. 33 or the owners of one-half (1/2) or more of the area of land within the CFD No. 33 and not exempt from the special tax.

NOW, THEREFORE, the Board of Directors of the Coastside Fire Protection District does hereby find, determine and order as follows:

1. The foregoing recitals are true and correct.
2. The proposed special tax to be levied within CFD No. 33 has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. All prior proceedings taken by the Board in connection with the establishment of CFD No. 33 and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the Act.
4. The community facilities district designated "Coastside Fire Protection District Community Facilities District No. 33" is hereby established pursuant to the Act.
5. The boundaries of the District, as set forth in the map of CFD No. 33 heretofore recorded in the San Mateo County Recorder's Office in Book 18 at Page 55 of Maps of Assessment and Community Facilities Districts, are hereby approved, are incorporated herein by reference and shall be the boundaries of the CFD No. 33.
6. The type of public services proposed to be financed by CFD No. 33 and pursuant to the Act (the "Services") shall consist of those items described in the Resolution of Intention and by this reference incorporated herein.
7. Except to the extent that funds are otherwise available to CFD No. 33 to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD No. 33, will be levied annually within the CFD No. 33, and collected in the same manner as ordinary *ad valorem* property taxes (or, with respect to any levy on a leasehold or possessory interest, on the County unsecured roll), or in such other manner as the Board may direct. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD No. 33, in sufficient detail to allow each landowner within the proposed CFD No. 33 to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached to the Resolution of Intention and by this reference incorporated herein.
8. It is hereby found and determined that the Services are necessary to meet increased demands as the result of development occurring in CFD No. 33.

9. The Fire Chief of the Coastside Fire Protection District, 1191 Main Street, Half Moon Bay, California, telephone number (650) 726-5213 is the officer of the District who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and which will be responsible for estimating future special tax levies pursuant to Section 53340.1 of the Act.

10. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD No. 33 and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the District.

11. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 11 of Article XIII B of the California Constitution, of the CFD No. 33 is hereby preliminarily established at \$5,000,000 and said appropriations limits shall be submitted to the voters of CFD No. 33 as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

12. Pursuant to the provisions of the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of CFD No. 33 at an election, the time, place and conditions of which shall be as specified by a separate resolution of the Board.

Regularly passed and adopted this 26^h day of September, 2018, by the following vote:

AYES:

NOES:

ABSENT:

Gary Burke, President
Board of Directors
Coastside Fire Protection District

ATTEST:

Ginny McShane, Board Secretary
Coastside Fire Protection District

COMMUNITY FACILITIES DISTRICT REPORT
FOR THE
COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 33

COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 33

COMMUNITY FACILITIES DISTRICT REPORT

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COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 33

INTRODUCTION. The Board of Directors (the "Board") of the Coastside Fire Protection District (the "Fire District") did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), on August 22, 2018, adopt a resolution entitled "A Resolution on Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes" pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Resolution of Intention"). In the Resolution of Intention, the Board expressly ordered the preparation of a written Communities Facilities District Report (the "Report"), for the proposed Coastside Fire Protection District Community Facilities District No. 33 (the "District").

The Resolution of Intention ordering the Report did direct that the Report generally contain the following:

1. A description of the services by type which will be required to adequately meet the needs of the District; and
2. An estimate of the cost of providing services, any incidental expenses to be paid, and all other related costs as provided in Section 53345.3 of the Act.

For particulars, reference is made to the Resolution of Intention for the District, as previously approved and adopted by the Board.

NOW, THEREFORE, I, the Fire Chief for the District, do hereby submit the following data:

A. DESCRIPTION OF SERVICES. A general description of the proposed services by type as is shown in the Resolution of Intention, and by this reference made a part hereof.

B. PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. The proposed boundaries of the District are those properties and parcels in which special taxes may be levied to pay for the costs and expenses for services. The proposed boundaries of the District are described in the map of the District recorded in Book 18, on page 55 of Maps of Assessment and Community Facilities Districts, in the office of the County Recorder for the County of San Mateo, a copy of which map is on file in the Fire District office, and shown in Exhibit "A" attached hereto.

C. COST ESTIMATE. The cost estimate for the services of the District is set in the Resolution of Intention, and shown in Exhibit B attached hereto.

Dated: September 17, 2018

By: _____
Ian Larkin, Fire Chief

Exhibit B

Summary of Cost of Services

The operational costs of the Coastside Fire District have increased steadily in recent years. These include personnel costs associated with the advanced life support program, salary increases, as well as fuel and utility costs. While operational expenses have increased, so has the demand for service at a rate of about 10% per year. This service demand involves fire prevention inspections, plan checks, and new construction inspections, as well as emergency incident responses.

The Mello-Roos Community Facilities District program is used as a means of offsetting the increased capital expenses and operational costs that the District is experiencing. Such costs are expected to further increase with additional development. The revenue raised by the special tax on new residential development will be used primarily to replace and refurbish capital equipment such as fire apparatus and fire station facilities (provided they have an estimated useful life of five years or more), but may also be used to offset the cost of providing services to the new development. Special tax revenue from new commercial development will primarily be directed towards offsetting the cost of staffing the fire prevention office, as there is a direct correlation between the fire code and life safety inspection requirements of commercial occupancies and the staffing needs of this division of the Fire District. In addition, such tax revenues may also be used to offset the cost of providing services to the new commercial development.

EXHIBIT A

**PROPOSED BOUNDARY MAP
FOR
COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT No. 33
COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

FILED IN THE OFFICE OF COASTSIDE FIRE PROTECTION DISTRICT THIS
24 DAY OF August, 2018

on file
SECRETARY OF THE COASTSIDE FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED
BOUNDARIES OF OCEAN VIEW PLACE CONDOMINIUMS, EL GRANADA,
SAN MATEO COUNTY, STATE OF CALIFORNIA WAS APPROVED BY THE
BOARD OF DIRECTORS OF THE COASTSIDE FIRE PROTECTION
DISTRICT AT A REGULAR MEETING THEREOF, HELD ON THE 22
DAY OF August, 2018, BY ITS RESOLUTION 2018-30.

on file
SECRETARY OF THE COASTSIDE FIRE PROTECTION DISTRICT

FILED THIS 17 DAY OF September 2018, AT THE HOUR OF
4:22 O'CLOCK P.M. IN BOOK 18 OF MAPS OF ASSESSMENT
AND COMMUNITY FACILITIES AT PAGE 55, AS INSTRUMENT No.
2018-900111 IN THE OFFICE OF THE COUNTY RECORDER,
COUNTY OF SAN MATEO, STATE OF CALIFORNIA.

on file
COUNTY RECORDER OF COUNTY OF SAN MATEO
MARIE CHURCH, COUNTY RECORDER



