



## Legislation Text

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Resolution of the City Council of the City of South San Francisco Acting as the Legislative Body of the City of South San Francisco Community Facilities District No. 2021-01 (Public Facilities and Services) Authorizing the Levy of Special Taxes Within Community Facilities District No. 2021-01 (Public Facilities and Services) for Fiscal Year 2023-24.

WHEREAS, the City of South San Francisco (the “City”) previously established Community Facilities District No. 2021-01 (Public Facilities and Services) (“CFD No. 2021-01”) all pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53111 (the “Act”); and

WHEREAS, the City, acting as the legislative body of CFD No. 2021-01, is authorized pursuant to Resolution No. 53-2021 approved on March 10, 2021 (the “Resolution of Formation”) and the Ordinance Authorizing the Levy of Special Taxes, Ordinance No. 1620-2021 approved on March 10, 2021 (the “Ordinance”), to levy a special tax on property in CFD No. 2021-01 to pay principal, interest, and administrative expenses with respect to all bonds of CFD No. 2021-01, to finance certain public services authorized for CFD No. 2021-01, and to pay all expenses incidental thereto pursuant to the Resolution of Formation; and

WHEREAS, it is now necessary and appropriate that the City levy and collect the special taxes for Fiscal Year 2023-24 for the purpose specified in the Ordinance, by the adoption of a resolution as specified in the Act and the Ordinance; and

WHEREAS, the special taxes being levied hereunder are the same rate or at a lower rate than provided by the Ordinance; and

NOW, THEREFORE, THE CITY, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CFD NO. 2021-01, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOW:

Section 1. The above recitals are true and correct.

Section 2. The special tax (“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 within CFD No. 2021-01, which are not otherwise exempt from taxation under the Act or the Ordinance of the special taxes for Fiscal Year 2023-24 at the tax rates set forth in the attachment prepared by DTA for CFD No. 2021-01 entitled “Maximum Annual Special Tax Levy for Fiscal Year 2023-24” (the “Levy”) submitted herewith, which rates do not exceed the maximum rates set forth in the Ordinance. After adoption of this Resolution, the City 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 tax applicable to any category of parcels and can only be made prior to the submission of the tax rolls to the San Mateo County

Assessor and/or Tax Collector.

Section 4. All of the collections of the special tax shall be used only as provided for in the Act and Resolutions of Formation. The special tax shall be levied only so long as needed to accomplish the purposes described in 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 as such procedure may be modified by law or this Council from time to time.

Section 6. The Clerk is hereby authorized and directed to transmit a certified copy of this Resolution and the Levy to the San Mateo County Assessor and/or Tax Collector, together with other supporting documentation as may be required to place said special taxes on the secured property tax roll for Fiscal Year 2023-24 on or before July 31, 2023, 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. This resolution shall take effect immediately upon its passage.

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