

RESOLUTION NO. LB 17/18-5

**RESOLUTION OF THE GOVERNING BOARD OF THE WILLIAM S. HART
UNION HIGH SCHOOL DISTRICT ACTING AS THE LEGISLATIVE BODY
OF COMMUNITY FACILITIES DISTRICT NO. 2004-1
APPROVING THE 2017/2018 BUDGET, AND APPROVING
THE LEVY AND COLLECTION OF SPECIAL TAXES
WITHIN COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF
THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT**

WHEREAS, the Governing Board of the William S. Hart Union High School District (“District”) previously formed and serves as the legislative body of Community Facilities District No. 2004-1 of the William S. Hart Union High School District (“CFD No. 2004-1”) in accordance with the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Government Code Section 53311 *et seq.* (“Mello-Roos Act”); and

WHEREAS, in accordance with the Mello-Roos Act, the electors within CFD No. 2004-1 duly authorized the levy and collection of special taxes within CFD No. 2004-1 in amounts determined pursuant to the Rate and Method of Apportionment of Special Tax (“RMA”) for CFD No. 2004-1; and

WHEREAS, CFD No. 2004-1 is authorized to levy and collect special taxes within its boundaries pursuant to the Mello-Roos Act, the resolutions forming CFD No. 2004-1, the resolutions authorizing the levy and collection of special taxes within CFD No. 2004-1, the special tax election held within CFD No. 2004-1, and the Ordinance of CFD No. 2004-1 enacted pursuant to Government Code Sections 53316 and 36931 *et seq.*; and

WHEREAS, CFD No. 2004-1 is authorized to levy and collect such special taxes through the County of Los Angeles (“County”) property tax rolls pursuant to Government Code Section 53340 *et seq.*; and

WHEREAS, such special taxes are levied and collected pursuant to the RMA for CFD No. 2004-1 and are not levied with regard to property values; and

WHEREAS, special taxes authorized for collection pursuant to the provisions of the Mello-Roos Act meet the requirements of California Constitution Articles XIII C and XIII D (Proposition 218) as enacted by the voters of the State of California in November of 1996; and

WHEREAS, the Governing Board has reviewed the financial affairs of CFD No. 2004-1 and, with respect to the 2017/2018 fiscal year, has reviewed the proposed levy of CFD No. 2004-1 special taxes and the total amount of such special taxes to be levied and collected; and

WHEREAS, the special tax consultant for CFD No. 2004-1 has provided the Governing Board with the report entitled “Administration Report Fiscal Year 2017/2018 attached as Exhibit “A” hereto (“Budget/Levy Report”), which specifies the financial and administrative obligations and the special taxes proposed to be levied and collected within CFD No. 2004-1 for fiscal year/tax year 2017/2018.

NOW, THEREFORE, the Governing Board does hereby resolve, determine and order as follows:

Section 1. The Governing Board hereby approves and adopts the Budget/Levy Report set forth in Exhibit A for CFD No. 2004-1 fiscal year/tax year 2017/2018 and, by this reference, hereby incorporates the Budget/Levy Report into this Resolution. The Budget/Levy Report specifies the special taxes to be collected within CFD No. 2004-1 during fiscal year/tax year 2017/2018.

Section 2. As authorized pursuant to the Ordinance of CFD No. 2004-1 and the Mello-Roos Act, the Governing Board hereby levies the CFD No. 2004-1 special taxes during fiscal year/tax year 2017/2018 on all nonexempt property within CFD No. 2004-1 in accordance with the RMA for CFD No. 2004-1 and as specified in the Budget/Levy Report.

Section 3. The Governing Board hereby verifies and confirms that the levy and collection of CFD No. 2004-1 special taxes during fiscal year/tax year 2017/2018 shall occur by means of including the levy on County-issued property tax bills and collection of the CFD No. 2004-1 special taxes by the County. District officers, staff, and/or consultants shall provide all documentation relating to the levy and collection of the CFD No. 2004-1 special taxes to the County and other public agencies as necessary, and shall verify such information to the extent required by the County, in order to provide for the levy and collection of such special taxes.

Section 4. The District shall retain all special taxes collected within CFD No. 2004-1 in the special fund(s) established for such purpose and shall use such special taxes exclusively for the purposes for which CFD No. 2004-1 was established.

Section 5. The Governing Board hereby certifies that the CFD No. 2004-1 special tax rates for fiscal year/tax year 2017/2018 will be levied in conformance with Section 93(a) and Section 96.31 of the Revenue and Taxation Code of the State of California.

Section 6. The Governing Board hereby approves a total budget for CFD No. 2004-1 for fiscal year/tax year 2017/2018, inclusive of amounts necessary to pay costs of constructing or acquiring permitted facilities and administration costs, in the amount of four hundred fifty-four thousand, seven hundred thirty-seven dollars and 36 cents (\$454,737.36). The Clerk of the Governing Board or his designee shall cause this Resolution to be retained on file in the District’s records of CFD No. 2004-1.

Section 7. The Governing Board hereby authorizes and directs District officers, staff and/or consultants to file copies of this Resolution and the Budget/Levy Report with such other public agencies as may be necessary or convenient in connection with the purposes of this Resolution.

Section 8. The Governing Board hereby authorizes and directs District officers, staff, and consultants to take all other actions (including, without limitation, executing and delivering any and all other documents) as may be necessary or convenient to carry out the purposes of this Resolution.

APPROVED, ADOPTED, AND SIGNED this 19th day of July, 2017.

**GOVERNING BOARD OF THE WILLIAM S. HART
UNION HIGH SCHOOL DISTRICT, ACTING AS
THE LEGISLATIVE BODY OF COMMUNITY
FACILITIES DISTRICT NO. 2004-1**

By: _____
Joseph Messina, President of the Governing Board
of the William S. Hart Union High School District

By: _____
Steven Sturgeon, Clerk of the Governing Board
of the William S. Hart Union High School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Steven Sturgeon, Clerk of the Governing Board of the William S. Hart Union High School District, do hereby certify that the Governing Board, acting as the legislative body of CFD No. 2004-1 of the William S. Hart Union High School District, duly adopted the foregoing Resolution No. LB 17/18-5 during its meeting held on the 19th day of July, 2017, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____
Steven Sturgeon, Clerk of the Governing Board

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Steven Sturgeon, Clerk of the Governing Board of the William S. Hart Union High School District, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. LB 17/18-5 of said Board and that the same has not been amended or repealed as of the date set forth below.

Dated this 19th day of July, 2017.

By: _____
Steven Sturgeon, Clerk of the Governing Board

EXHIBIT “A”

[Administration Report Fiscal Year 2017/2018]