

RESOLUTION NO. 2023-156

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ACTING AS LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 (PUBLIC SERVICES), PROVIDING FOR THE LEVY OF AN ANNUAL SPECIAL TAX FOR SUCH COMMUNITY FACILITIES DISTRICT FOR FISCAL YEAR 2023/24

WHEREAS, the City Council of the City of Escondido, California (the “Legislative Body”), has initiated proceedings, held a public hearing, conducted an election, and received a favorable vote from the qualified electors to authorize 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 (the “Act”). This Community Facilities District is designated as Community Facilities District No. 2020-1 (Public Services) (the “District”); and

WHEREAS, this Legislative Body, by the adoption of the Ordinance No. 2020-1 (the “Ordinance”) pursuant to Section 53340 of the Government Code of the State of California, has authorized the levy of Special Taxes (as such term is defined in the Ordinance) within the District to finance authorized facilities; and

WHEREAS, Government Code section 53340 provides that this legislative body may provide, by resolution, for the levy of the Special Taxes in the current tax year at the same rates or at a lower rate than the indexed rates provided for in the Ordinance, if such resolution is adopted and a certified list of all parcels subject to the Special Tax levy including the amount of the Special Tax to be levied on each parcel for the current tax year (the “Certified Parcel List”) is timely filed by the clerk or other official designated by this legislative body with the Auditor of the County of San Diego (the “County Auditor”) on or before August 10 of the applicable tax year; and

WHEREAS, this legislative body previously levied Special Taxes on the District in the current tax year with the adoption of Resolution No. 2023-82 on August 9, 2023; and

WHEREAS, the County of San Diego allows for this legislative body to provide, by resolution, for decreases after August 10 to the levy of Special Taxes previously set in the current tax year for a fee of \$15.00 per parcel on the Certified Parcel List.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, acting as the legislative body of Community Facilities District No. 2020-1 (“Public Services”):

1. That the above recitations are true.
2. That this legislative body hereby authorizes and provides for the reduction of the levy of the Special Tax within the District on those Taxable Properties (as such term is defined in the Ordinance) within the District for Fiscal Year 2023/24 so long as the rates of such Special Tax are the same rates or lower rates than the rates provided for in the Ordinance. The Proposed Reduced Special Tax Rates for the District for Fiscal Year 2023/24 are contained on Exhibit “A” attached to this Resolution and incorporated by this reference. After adoption of this Resolution, the Finance Director of the City, or Finance Director’s designee, may make any necessary modifications to these Special Tax Rates to correct any errors, omissions or inconsistencies in the listing or categorization of parcels to be taxed or in the amounts to be charged to any category of parcels; provided, however, that any such modifications shall not result in an increase in the Special Tax applicable to any category of parcels and can only be made prior to the submission of the tax rolls to the County Auditor.
3. That the Finance Director is hereby designated and directed to prepare and submit a Certified Parcel List to the County Auditor setting forth the amount of the Special Tax to be levied on each Taxable Property within the District calculated pursuant to the Ordinance and subject to the limitations set forth in Section 2 above, along with remittance of a fee of \$15.00 per parcel in the Certified Parcel List.

4. That 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 Treasurer-Tax Collector of the County of San Diego is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Special Tax. Any Special Taxes that may not be collected on the County of San Diego (“County”) tax roll shall be collected through a direct billing procedure by the Treasurer of the City of Escondido, or his/her designee acting for and on behalf of the District.

5. That the County Auditor 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.

6. That the County Auditor shall then, at the close of the tax collection period, promptly render to the District 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.

**THE FOLLOWING RESOLUTION LANGUAGE SHALL ONLY BE INCLUDED IF THE CITY COUNCIL CHOOSES  
“OPTION C”, “OPTION D”, “OPTION F”, OR “OPTION G” WHEN ADOPTING THIS RESOLUTION**

7. That the Finance Director shall insure that revenue realized via the Special Tax shall be restricted to funding for the Police Department and Fire Department of the City of Escondido.