

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

April 3, 2013 — Agenda Item XII

Resolution No. 13-49

RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY DECLARING RESULTS OF SPECIAL TAX ELECTION AND ORDERING LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2013-2014 WITHIN COMMUNITY FACILITIES DISTRICT NO. 2

Resolved, That the Governing Board of the Mountains Recreation and Conservation Authority (MRCA) hereby:

1. FINDS on August 7, 2012 the Governing Board of the Mountains Recreation and Conservation Authority adopted Resolution No. 12-102, establishing Community Facilities District No. 2 (CFD No. 2) for the purpose of funding open space protection and fire prevention by imposing a special tax on all taxable developed real property within the Woodland Hills, Encino and Tarzana Hillside Areas (Special Tax); and
2. FINDS on August 7, 2012 the Governing Board of the Mountains Recreation and Conservation Authority adopted Resolution No. 12-103 ordering an election for November 6, 2012 on levying Special Taxes on taxable developed real property within CFD No. 2; and
3. FINDS the staff report dated April 3, 2013 further describes the project; and
4. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and
5. WHEREAS on November 6, 2012 the election (Measure MM) on the levy of Special Taxes within CFD No. 2 was approved by the voters, receiving 68.67% support; and
6. WHEREAS the Governing Board of the Mountains Recreation and Conservation Authority has received, reviewed and hereby accepts the Official Certificate of the Canvass of Election Returns and the Official Statement of Votes Casts from the County of Los Angeles Registrar-Recorder/County Clerk; and

7. WHEREAS the required notice of special tax lien for CFD No. 2 was recorded in the Office of the Los Angeles County Recorder on January 23, 2013; and
8. WHEREAS the Governing Board of the Mountains Recreation and Conservation Authority finds and declares that (a) Measure HH on the levy of Special Taxes for CFD No. 2 was submitted to the qualified registered voters within the boundaries of CFD No. 2, pursuant to the Governing Board Resolution No. 12-103, and (b) the election has been passed and approved by more than two-thirds of the votes cast in accordance with Section 53326 of the California Government Code; and
9. WHEREAS the Governing Board of the Mountains Recreation and Conservation Authority declares CFD No. 2 to be fully formed and the property within CFD No. 2 to be subject to the levy of the Special Taxes and the Special Tax Lien as described in the Governing Board Resolution No. 12-102 on file with the Clerk of the Governing Board; and
10. WHEREAS the Governing Board of the Mountains Recreation and Conservation Authority, in accordance with the Rate and Method of Apportionment of Special Tax as shown in Exhibit C to Resolution No. 12-102, a special tax of \$19 per parcel is hereby authorized and levied on all taxable developed real property within CFD No. 2 for fiscal year 2013-2014; and
11. ADOPTS the staff report and recommendation dated April 3, 2013; and
12. AUTHORIZES the Governing Board of the Mountains Recreation and Conservation Authority to provide all necessary and appropriate information to the Los Angeles County Auditor in the form and within the time, necessary to effect the correct and timely billing and collection of the special tax on the secured property tax roll of the County of Los Angeles (County). The special tax shall be levied and collected in the same manner, shall be subject to the same penalties and the same lien priority, and the same procedure and sale for delinquency, as for ad valorem taxes; and
13. AUTHORIZES if a court of competent jurisdiction finds any part of this Resolution to be invalid or the Special Tax to be inapplicable to or unreasonable for any particular parcel, the balance of this Resolution and the application of the Special Tax to the remaining parcels shall not be affected and shall remain in full force and effect; and
14. AUTHORIZES the Executive Officer to do any and all acts necessary to carry out this resolution and any recommendations made by the Governing Board.

Chair

AYES:

NOS:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Governing Board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 3rd day of April, 2013.

Date:

Executive Officer