

RESOLUTION NO. 2023-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA, LEVYING THE SPECIAL TAX IN COMMUNITY FACILITIES DISTRICTS NO. 93-1, 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 & 2021-1 AND DIRECTING THE COUNTY AUDITOR TO COLLECT THE SAME ON THE TAX ROLLS (93-1, 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 & 2021-1)

WHEREAS, The City Council (the "City Council") of the City of Beaumont is the legislative body of Community Facilities Districts No. 93-1, 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 & 2021-1 (collectively or individually "District"), which District was established pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, on June 29, 1993 the City Council adopted Resolution 1993-13 establishing the District, including separate improvement areas therein (each an Improvement Area, and collectively, the "Improvement Area") and providing for the Special Tax within each such Improvement Area; and

WHEREAS, on August 11, 1993 the City Council enacted **Ordinance No. 721** in accordance with Section 53340 of the Act authorizing the levy of the Special Tax on the property located within **Improvement Areas No's. 1 thru 7 (including 6A and 6B) and 10 thru 12** of the District. (Fund Code 68-2109 thru 68-2130); and

WHEREAS, on January 18, 2005 the City Council adopted **Ordinance No. 873** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 6A1**. (Fund Code 68-2088 & 68-2183); and

WHEREAS, on May 3, 2005 the City Council adopted **Ordinance No's. 882** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 7B**. (Fund Code 68-2139 & 68-2095); and

WHEREAS, on May 3, 2005 the City Council adopted **Ordinance No's. 883** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 7C**. (Fund Code 68-2094 & 68-2146); and

WHEREAS, on May 3, 2005 the City Council adopted **Ordinance No's. 884** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 7D**. (Fund Code 68-2179 & 68-2180); and

WHEREAS, on December 16, 2014, the City Council adopted **Ordinance No. 1053** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 7A1**. (Fund Code 68-1811 & 68-1812); and

WHEREAS, on February 19, 2002 the City Council adopted **Ordinance No. 825** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area No. 8**. (Fund Code 68-2127 & 68-2129); and

WHEREAS, on November 2, 2004 the City Council adopted **Ordinance No. 871** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 8A**. (Fund Code 68-2136 & 68-2101); and

WHEREAS, on June 6, 2006 the City Council adopted **Ordinance No. 896** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 8B**. (Fund Code 68-2140 & 68-2102); and

WHEREAS, on June 6, 2006 the City Council adopted **Ordinance No. 897** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 8C**. (Fund Code 68-2141 & 68-2149); and

WHEREAS, on May 1, 2007 the City Council adopted **Ordinance No. 913** amending Ordinance 897 in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 8C**. (Fund Code 68-2141 & 68-2149); and

WHEREAS, on August 21, 2007, the City Council adopted **Ordinance No. 915** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 8D**. (Fund Code 68-2147 & 68-2150); and

WHEREAS, on July 21, 2015 the City Council adopted **Ordinance No. 1057** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 8F**. (Fund Code 68-2162 & 68-2163); and

WHEREAS, on May 22, 1995 the City Council adopted **Ordinance No. 752** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area No. 13**. (Fund Code 68-2120); and

WHEREAS, on November 5, 2002, the City Council adopted **Ordinance No. 836** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 14A**. (Fund Code 68-2181); and

WHEREAS, on May 21, 2002 the City Council adopted **Ordinance No. 830** in accordance with Section 53340 of the Act authorizing the levy of the Special Tax on the property located within **Improvement Area No. 15**. (Fund Code 68-2128); and

WHEREAS, on July 20, 2004 the City Council adopted **Ordinance No. 868** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 16**. (Fund Code 60-2093 & 68-2134); and

WHEREAS, on November 18, 2004 the City Council adopted **Ordinance No. 851** in accordance with Section 53340 of the Act authorizing the levy of Special Tax

on the property located within **Improvement Area 17A**. (Fund Code 68-2090 & 68-2131); and

WHEREAS, on December 5, 2006 the City Council adopted **Ordinance No. 905** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 17B**. (Fund Code 68-2089 & 68-2142); and

WHEREAS, on August 7, 2012, the City Council adopted **Ordinance No. 1022** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 17C**. (Fund Code 68-2098 & 68-2144); and

WHEREAS, on July 21, 2015, the City Council adopted **Ordinance No. 1058** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 17D**. (Fund Code 68-xxxx); and

WHEREAS, on December 7, 2004 the City Council adopted **Ordinance No. 872** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 19A**. (Fund Code 68-2096 & 68-2135); and

WHEREAS, on December 7, 2004 the City Council adopted **Ordinance No. 872** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 19C**. (Fund Code 68-2099 & 68-2137); and

WHEREAS, on December 20, 2005 the City Council adopted **Ordinance No. 889** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 20**. (Fund Code 68-2091 & 68-2143); and

WHEREAS, on August 15, 2006 the City Council adopted **Ordinance No. 899** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **Improvement Area 23**. (Fund Code 68-2138); and

WHEREAS, on June 7, 2016, the City Council adopted **Ordinance No. 1073** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2016-1** (Fund Code 68-1818 & 68-1819); and

WHEREAS, on February 21, 2017, the City Council adopted **Ordinance No. 1081** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2016-2** (Fund Code 68-0043, 68-0045 & 68-0046); and

WHEREAS, on February 21, 2017, the City Council adopted **Ordinance No. 1082** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2016-3** (Fund Code 68-0204, 68-0205 & 68-0206); and

WHEREAS, on February 21, 2017, the City Council adopted **Ordinance No. 1083** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2016-4** (Fund Code 68-0047, 68-0048 & 68-0049).

WHEREAS, on September 18, 2018, the City Council adopted **Ordinance No. 1103** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2018-1** (Fund Code 68-0208).

WHEREAS, on March 5, 2019, the City Council adopted **Ordinance No. 1105** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2019-1** (Fund Code 68-0209, 68-0210 & 68-0211).

WHEREAS, on June 15, 2021, the City Council adopted **Ordinance No. 1133** in accordance with Section 53340 of the Act authorizing the levy of Special Tax on the property located within **CFD 2021-1** (Fund Code 68-0425, 68-0426 & 68-0427).

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Beaumont as follows:

Section 1: The preceding recitals are true and correct.

Section 2: The City of Beaumont hereby determined to Levy the Special Taxes in the Fiscal Year 2023-2024 (and each subsequent Fiscal Year) in Improvement Area No's. 1-7 (including 6A), 10-12, 6A1, 7B, 7C, 7D, 7A1, 8, 8A-F, 13, 14B, 15, 16, 17A-D, 19A, 19C, 20, and 23 of CFD 93-1 and CFDs 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 & 2021-1 and to each parcel therein, as provided in the schedule of Special Taxes, a copy of which has been presented to the City Council and lodged with the City Clerk.

Section 3: The rate of each Special Tax utilized in the preparation of the Report does not exceed the amount previously authorized by Ordinance and is not in excess of that approved by the qualified electors of the applicable Districts and Improvement Areas.

Section 4: As to a District and/or an Improvement Area, the proceeds of the Special Tax shall be used to pay, in whole or in part and as applicable, the costs of the following for the subject Fiscal Year as provided in the City of Beaumont Community Facilities District No. 93-1 Indenture of Trusts and the City of Beaumont CFDs 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 & 2021-1 Indenture of Trust (collectively the "Indenture of Trust"):

- A. The Administrative costs and other incidental expenses of the applicable District and/or Improvement Area; and
- B. The Interest scheduled for collection on the outstanding bonded indebtedness related to the applicable District and/or Improvement Area; and
- C. The principal scheduled for collection on the outstanding bonded indebtedness related to the applicable District and/or Improvement Area; and
- D. The sinking payments scheduled for collection on the outstanding bonded indebtedness relating to the applicable District and/or Improvement Area; and
- E. Amounts, if any, needed to replenish the applicable Reserve Account of the Bond Fund to the level of the Reserve Requirement; and

F. Amounts, if any, required to bring the amount on deposit in the Rebate Fund to the required level; and

G. Amounts for approved services.

Section 5: The Auditor-Controller of the County of Riverside is hereby directed to apply to each real property statement for each parcel in such County in the applicable District and/or Improvement Area for the Fiscal Year listing the Special Tax due opposite each parcel of land affected, in a line item designated "CFD Special Tax," or any other suitable designation, in accordance with this Resolution.

Section 6: All Special Taxes collected will be paid to the trustee for deposit in the applicable Special Tax fund upon receipt by the City of Beaumont from the Auditor- Controller pursuant to the terms of the Indenture of Trust.

Section 7: The Auditor-Controller shall, at the close of the tax collection period, promptly render to the Director a detailed report showing the amounts of Special Tax installments, penalties, interest, and fees collected, and from which properties collected. Any expenses to be paid to the Auditor-Controller for carrying out the forgoing responsibilities shall be in accordance with a contract, if any, entered into between the District and the Auditor-Controller, pursuant to Section 29304 of the Government Code of the State of California or as otherwise provided by law.

Section 8: This resolution shall take effect immediately upon its passage and adoption.

MOVED, PASSED, and ADOPTED this 18th day of July, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Julio Martinez III, Mayor

ATTEST:

Nicole Wheelwright, Deputy City Clerk