

RESOLUTION NO. 2023-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BEAUMONT, CALIFORNIA, LEVYING THE SPECIAL TAX IN
COMMUNITY FACILITIES DISTRICT NO. 93-1 (IA 9) AND DIRECTING
THE COUNTY AUDITOR TO COLLECT THE SAME ON THE TAX
ROLLS
(IA 9)**

WHEREAS, Mayor Julio Martinez recused himself from any participation in this Resolution;

WHEREAS, The City Council (the "City Council") of the City of Beaumont is the legislative body of Community Facilities District No. 93-1 ("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 (the "Improvement Areas") and providing for the Special Tax within 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 Area No. 9** of the District ("Improvement Area"). (Fund Code (68-2116 & 68-2124).

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 determines to Levy the Special Taxes in the Fiscal Year 2023-2024 (and each subsequent Fiscal Year) in Improvement Area No. 9 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 District and Improvement Area.

Section 4: As to the District and/or 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 ("Indenture of Trust"):

- A. The Administrative costs and other incidental expenses of the Improvement Area and/or District; and

- B. The Interest scheduled for collection on the outstanding bonded indebtedness related to the Improvement Area and/or District; and
- C. The principal scheduled for collection on the outstanding bonded indebtedness related to the Improvement Area and/or District; and
- D. The sinking payments scheduled for collection on the outstanding bonded indebtedness relating to the Improvement Area and/or District; 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 Improvement Area of the District 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:

RECUSED: Martinez

APPROVED:

David Fenn, Mayor Pro-Tem

ATTEST:

Nicole Wheelwright, Deputy City Clerk