

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE,  
STATE OF CALIFORNIA, DECLARING ITS INTENTION TO ESTABLISH A  
COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF  
SPECIAL TAXES THEREIN CITY OF PLACERVILLE COMMUNITY FACILITIES  
DISTRICT NO. 2023-1 (COTTONWOOD PARK PHASE 4 & 6 MAINTENANCE AND  
SERVICES)**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the City Council of the City of Placerville (the “City”) may commence proceedings for the establishment of a community facilities district; and

**WHEREAS**, this City Council has received a Petition (including Waivers) from the landowners requesting that it establish a community facilities district under the Act to provide for the costs of the maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm protection services; and related appurtenances, and this City Council now desires to commence proceedings to establish a community facilities district as described herein; and

**WHEREAS**, this City Council has previously adopted local goals and policies for the formation of community facilities districts within the City; and

**WHEREAS**, under the Act, this City Council is the legislative body for the proposed community facilities district and is empowered with the authority to establish the community facilities district and levy special taxes within the community facilities district; and

**WHEREAS**, this City Council now desires to proceed with the actions necessary to consider the establishment of the community facilities district:

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

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council’s adoption of this Resolution.
2. This City Council proposes to conduct proceedings to establish the community facilities district pursuant to the Act, and hereby determines that public convenience and necessity require the formation of the community facilities district to fund public services.
3. The name of the proposed community facilities district is City of Placerville, Community Facilities District No. 2023-1 (Cottonwood Park PHASE 4 & 6 Maintenance and Services) (the “District”).
4. The proposed boundaries of the District are as shown on the map of the District on file with the City Clerk, a copy of which is attached hereto as Exhibit A, which Exhibit

is by this reference incorporated herein. The proposed boundaries are hereby preliminarily approved. The City Clerk is hereby directed to record, or cause to be recorded, the map of the boundaries of the District in the office of the El Dorado County Recorder no later than fifteen (15) days after the adoption of this Resolution.

5. The type of services proposed to be funded by the District by proceeds of the special tax shall consist of those services described in Exhibit B hereto, which Exhibit is by this reference incorporated herein (the "Services").

The City Council hereby determines that the Services are necessary to meet increased demands for such services placed upon local agencies as the result of development occurring within the area of the District. The Services are in addition to those provided in the territory of the District as of the date hereof and will not supplant services already available within the territory of the District as of the date hereof.

6. Except where funds are otherwise available, a special tax sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the District, will be levied annually within the District and collected in the same manner as ordinary ad valorem property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the District, in sufficient detail to allow each landowner within the proposed District to estimate the maximum amount such owner will have to pay, is described in Exhibit C attached hereto, which Exhibit is by this reference incorporated herein. The special tax shall be levied perpetually until the collection of the special tax by the City ceases.
7. This City Council finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to ad valorem property taxes and schools financed by a community facilities district) are inapplicable to the District.
8. The levy of said proposed special tax shall be subject to the approval of the qualified electors of the District at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballots among the landowners in the proposed District, with each landowner having one vote for each acre or portion of an acre of land such landowner owns in the District.
9. Except as may otherwise be provided by law or the rate and method of apportionment of the special tax for the District, all lands owned by any public entity, including the United States, the State of California, and/or the City, or any departments or political subdivisions of any thereof, shall be omitted from the levy of the special tax to be made to cover the costs and expenses of the Services and any expenses of the District.
10. The Director of Public Works of the City is hereby directed to study the proposed Services and to make, or cause to be made, and file with the City Clerk a report required by Section 53321.5 of the Act presenting the following:

- (a) A brief description of the Services.
- (b) An estimate of the fair and reasonable initial annual cost of providing the Services, including the incidental expenses in connection therewith, any City administration costs and all other related costs.

Said report shall be made a part of the record of the public hearing provided for below. The Director of Public Works may delegate to consultants the duty to perform the study and prepare the report.

- 11. Tuesday, November 14, 2023, at 5:00 p.m. or as soon thereafter as the matter may be heard in the regular meeting place of this City Council at 549 Main Street Placerville, California, or virtually as noticed by the City, are hereby appointed and fixed as the time and place when and where this City Council, as legislative body for the District, will conduct a public hearing on the establishment of the District and consider and finally determine whether the public interest, convenience, and necessity require the formation of the District and the levy of said special tax.
- 12. The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper published in the area of the District. The publication of said notice shall be completed at least seven (7) days before the date herein set for said hearing. The notice shall be substantially in the form of Exhibit D hereto.
- 13. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Placerville held on September 26, 2023, by Councilmember who moved its adoption. The motion was seconded by Councilmember. The motion was passed by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Mayor Michael Saragosa

ATTEST:

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Regina O'Connell, CPMC, City Clerk

EXHIBIT A  
CITY OF PLACERVILLE  
COMMUNITY FACILITIES DISTRICT NO. 2023-1  
(COTTONWOOD PARK PHASES 4 & 6 MAINTENANCE AND SERVICES)  
PROPOSED BOUNDARIES OF THE DISTRICT

EXHIBIT B  
CITY OF PLACERVILLE  
COMMUNITY FACILITIES DISTRICT NO. 2023-1  
(COTTONWOOD PARK PHASES 4 & 6 MAINTENANCE AND SERVICES)

DESCRIPTION OF SERVICES

It is intended that the District will be eligible to fund all or a portion of the direct and incidental costs of the maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm protection services; and related appurtenances, within or adjacent to the District.

The District may fund any of the following related to the maintenance of the services described in the preceding paragraph: obtaining, constructing, reconstructing, furnishing, and operating and maintaining equipment, apparatuses or facilities related to providing the services; equipment, apparatuses, facilities, or fixtures in areas to be maintained; paying the salaries and benefits of personnel necessary or convenient to provide the services; payment of insurance costs and other related expenses; and the provision of reserves for repairs, replacements, and for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof. The District may also fund administrative fees of the City related to the District.

The services to be financed by the District are in addition to those provided in the territory of the District before the date of creation of the District and will not supplant services already available within that territory when the District is created.

EXHIBIT C  
CITY OF PLACERVILLE  
COMMUNITY FACILITIES DISTRICT NO. 2023-1  
(COTTONWOOD PARK PHASES 4 & 6 MAINTENANCE AND SERVICES)  
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

EXHIBIT D  
CITY OF PLACERVILLE  
COMMUNITY FACILITIES DISTRICT NO. 2023-1  
(COTTONWOOD PARK PHASES 4 & 6 MAINTENANCE AND SERVICES)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Placerville will conduct a public hearing on Tuesday, November 14, 2023, at 5:00 p.m. or as soon thereafter as the matter may be heard, in the City Council Chambers located at 549 Main Street Placerville, California, or virtually as noticed by the City, to consider the following:

CITY OF PLACERVILLE  
COMMUNITY FACILITIES DISTRICT NO. 2023-1  
(COTTONWOOD PARK PHASES 4 & 6 MAINTENANCE AND  
SERVICES)

On September 26, 2023, the City Council of the City of Placerville adopted a Resolution entitled “A Resolution of the City Council of the City of Placerville, State of California, Declaring Its Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes Therein” (the “Resolution of Intention”). Reference is hereby made to the Resolution of Intention on file in the office of the City Clerk of the City of Placerville for further particulars.

In the Resolution of Intention, the City Council declared its intention to form the City of Placerville Community Facilities District No. 2023-1 (Cottonwood Park Phases 4 & 6 Maintenance and Services) (the “District”) to fund the costs of the maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm protection services; and related appurtenances, as further identified in an exhibit to the Resolution of Intention. The proposed boundaries of the District were identified in another exhibit to the Resolution of Intention, and the Resolution of Intention identified a proposed special tax to be levied on real property to be included in the District to pay for the costs of the services.

In the Resolution of Intention, the City Council provided that the levy of the special tax will be subject to a mailed ballot election among the owners of land in the District. The City Council ordered the City’s Development Services Director or Designee to prepare a report on the District, and the City Council called for a public hearing on the District.

At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the District, the extent of the District or the furnishing of specified types of services will be heard. Any person interested may file a protest in writing with the City Clerk. If fifty percent or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be included in the District, or the owners of one-half or more of the area of land in the territory proposed to be included in the District and not exempt from the special tax file written protests against the establishment of the District and the protests are not withdrawn to reduce the value of the protests to less than a majority, the City Council of the City

shall take no further action to establish the District or authorize the special taxes for a period of one year from the date of the decision of the City Council, and if the majority protests of the registered voters or the landowners are only against the furnishing of a type or types of services within the District, or against levying a specified special tax, those types of services, or the specified special tax, will be eliminated from the proceedings to form the District.

Any person interested in these matters is invited to attend and present testimony either for or against the above item. If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Council during or prior to the public hearing.

/s/ Regina O'Connell  
City Clerk  
City of Placerville