

Attachment 1

RESOLUTION 24-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, ACTING AS LEGISLATIVE BODY OF PASO ROBLES COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES), CERTIFYING THE RESULTS OF AN ELECTION AND ADDING TERRITORY TO THE COMMUNITY FACILITIES DISTRICT

(Annexation No. 62)

WHEREAS, the City Council (the "City Council") of the City of Paso Robles (the "City") has previously formed Paso Robles Community Facilities District No. 2005-01 (Public Services) ("CFD No. 2005-01") pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), as amended, for the purpose of financing certain public services; and

WHEREAS, acting pursuant to the Act, the City Council also authorized, by the adoption of a resolution (the "Resolution Authorizing Future Annexation"), the annexation in the future of territory to CFD No. 2005-01, such territory designated as a Future Annexation Area (the "Future Annexation Area"); and

WHEREAS, at this time the unanimous consent to the annexation of certain territory located within the Future Annexation Area to CFD No. 2005-01 has been received from the owners of certain parcels within such territory, and such territory has been designated as "Annexation No. 62" (the "Annexation Territory"); and

WHEREAS, there are no registered voters who have resided within the Annexation Territory for each of the ninety (90) days preceding the election date established for each parcel located within the Annexation Territory, and therefore, pursuant to the Section 53326 of the Act, the qualified electors of each parcel located within the Annexation Territory shall be the landowners of such parcels, as such term is defined in Government Code Section 53317(f), and each such landowner who is the owner of record as of the applicable election date, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of the parcel of land that she or he owns within such Annexation Territory; and

WHEREAS, the time limit specified by the Act for conducting an election to submit the question of the levy of the special taxes on each of the parcels within the Annexation Territory to the qualified electors of each such parcel, the requirements for impartial analysis and ballot arguments, word limit requirements, and other certain conduct of the election have been waived with the unanimous consent of all of the qualified electors of the Annexation Territory; and

WHEREAS, the City Clerk of the City, acting as the election official hereby authorized by this City Council to conduct such election, has caused ballots to be distributed to the qualified electors of the Annexation Territory, has received and canvassed such ballots, and provided a report to the City Council regarding the results of such canvass, a copy of which is attached as Exhibit A hereto and incorporated herein by this reference; and

WHEREAS, the City Council desires to call a special mailed ballot election with respect to Annexation No. 62; and

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WHEREAS, at this time the measure has been voted upon and such measure did receive the favorable vote of each of the qualified electors of the Annexation Territory, and the City Council desires to declare the results of the election; and

WHEREAS, a map showing the Annexation Territory and designated as Annexation Map No. 62 (the "Annexation Map"), a copy of which is attached as Exhibit B hereto and incorporated herein by this reference, has been submitted to this legislative body.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Paso Robles, California, acting as the legislative body of CFD No. 2005-01, as follows:

Section 1. Recitals. The above recitals are true and correct and the City Council so finds and determines.

Section 2. Calling of Election. The City Council hereby calls and schedules a special election for April 2, 2024 within and for Annexation No. 62 to CFD No. 2005-01 as to the proposition with respect to the annual levy of special taxes on the Annexation for the payment of the costs of the public services. The City Council hereby approves and ratifies the mailing of the official ballots.

Section 3. Proposition. The question or proposition to be submitted to the qualified electors at such special election shall be as follows:

Proposition A: Shall the City of Paso Robles Community Facilities District No. 2005-01 (Public Services), County of San Luis Obispo, State of California, subject to accountability measures set forth in California Government Code Section 50075.1, levy special taxes throughout the property included in Annexation No. 62 to such community facilities district in the amounts as set forth in the following table,

Land Use Class	Land Use	Max Special Tax Per Dwelling Unit
1	Detached Residential	\$883.63 per Dwelling Unit
2	Attached Residential	\$122.00 per Dwelling Unit

plus annual increases on each July 1, by an amount equal to the greater of the change in the Blended Consumer Price Index during the twelve months prior to December of the previous fiscal year, or two percent in perpetuity, for the purpose of financing public services, including but not limited to police protection services, fire protection and suppression services, ambulance and paramedic services, recreation program services, library services, maintenance services for elementary and secondary school sites and structures, operation and maintenance of museums and cultural facilities; maintenance of parks, parkways (including street lights), and open space, flood and storm protection services, including the operation and maintenance of storm drainage systems and sandstorm protection systems, services with respect to the removal or remedial action cleanup of hazardous substances, all with a useful life of five years or more and the cost of administering the levy and collection of special taxes, as provided in the Amended and Restated Rate and Method of Apportionment for CFD No. 2005-01, which is attached as Exhibit A to Resolution No. 16-138 adopted by the City Council of the City on November 1, 2016?

Section 4. Findings. This legislative body does hereby further determine as follows:

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A. The unanimous consent as described in the recitals hereto for the annexation of each parcel located within the Annexation Territory to CFD No. 2005-01 has been given by the owner or owners of each such parcel and such consent shall be kept on file in the Office of the City Clerk of the City.

B. No registered voters have resided within the Annexation Territory for each of the ninety (90) days preceding the election date established for the each of the parcels located within the Annexation Territory, and therefore, pursuant to the Act the qualified electors for each such parcel located within the Annexation Territory are be the landowners of each such parcel, as such term is defined in Government Code Section 53317(f). The City Clerk and the owners have consented to the holding of said election on April 2, 2024.

C. The qualified electors of each parcel located within the Annexation Territory have voted in favor of the levy of special taxes on each parcel upon its annexation to CFD No. 2005-01.

D. The owners of all of the land to be annexed hereby to CFD No. 2005-01 have by written consent (i) waived the time limit set forth in Section 53326 of the California Government Code for holding the elections called by this resolution, (ii) consented to the holding of said elections on April 2, 2024, (iii) waived notice of the time and date of said elections, (iv) waived an impartial analysis of the ballot propositions pursuant to Section 9500 of the California Elections Code and arguments and rebuttals pursuant to Sections 9501 to 9507, inclusive, and 9295 of that Code, and mailing of a statement pursuant to Section 9401 of that Code, (v) waived the word limit requirement for the ballots pursuant to Sections 13247 and 9051 of the Elections Code, and (v) consented to such election being called and conducted on April 2, 2024.

Section 5. Territory. The boundaries and parcels of territory within the Annexation Territory and on which special taxes will be levied in order to pay for the costs and expenses of authorized public services are shown on the Annexation Map as submitted to and hereby approved by this legislative body.

Section 6. Declaration of Annexation. This legislative body does hereby determine and declare that the Annexation Territory, and each parcel therein, is now added to and becomes a part of CFD No. 2005-01. The City Council, acting as the legislative body of CFD No. 2005-01, is hereby empowered to levy the authorized special tax within the Annexation Territory.

Section 7. Notice. Immediately upon adoption of this Resolution, notice shall be given as follows:

A. A copy of the Annexation Map as approved shall be filed in the Office of the County Recorder of the County of San Luis Obispo (the "County Recorder") no later than fifteen (15) days after the date of adoption of this Resolution.

B. An Amendment to the Notice of Special Tax Lien (Notice of Annexation) shall be recorded in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.

Section 8. Effective Date. This Resolution shall become effective upon its adoption.

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APPROVED this 2nd day of April, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John R. Hamon, Jr., Mayor

ATTEST:

Melissa Boyer, City Clerk

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EXHIBIT A

CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN LUIS OBISPO)

The undersigned, ELECTION OFFICIAL OF THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions of Section 53326 of the Government Code and Division 12, commencing with Section 17000 of the Elections Code of the State of California, I did canvass the returns of the votes cast at the

PASO ROBLES
COMMUNITY FACILITIES DISTRICT NO. 2005-01
(PUBLIC SERVICES)
SPECIAL ELECTION
ANNEXATION NO. 62

which was held on the election date established for each parcel located within the territory included in Annexation No. 62.

I FURTHER CERTIFY that this Statement of Votes Cast shows the whole number of votes cast in the area proposed to be annexed to Paso Robles Community Facilities District No. 2005-01 (Public Services) for or against the Measure are full, true and correct.

<u>Owner</u>	<u>Acreage</u>	<u>Votes</u>
River Oaks Reserve, LLC	48.88	49
The Vintage River Oaks LLC	13.87	14
Total:	72.75	73

VOTES CAST ON PROPOSITION A:

YES	<u>73</u>
NO	<u>0</u>

WITNESS my hand this 2nd day of April, 2024.

ELECTION OFFICIAL
CITY CLERK

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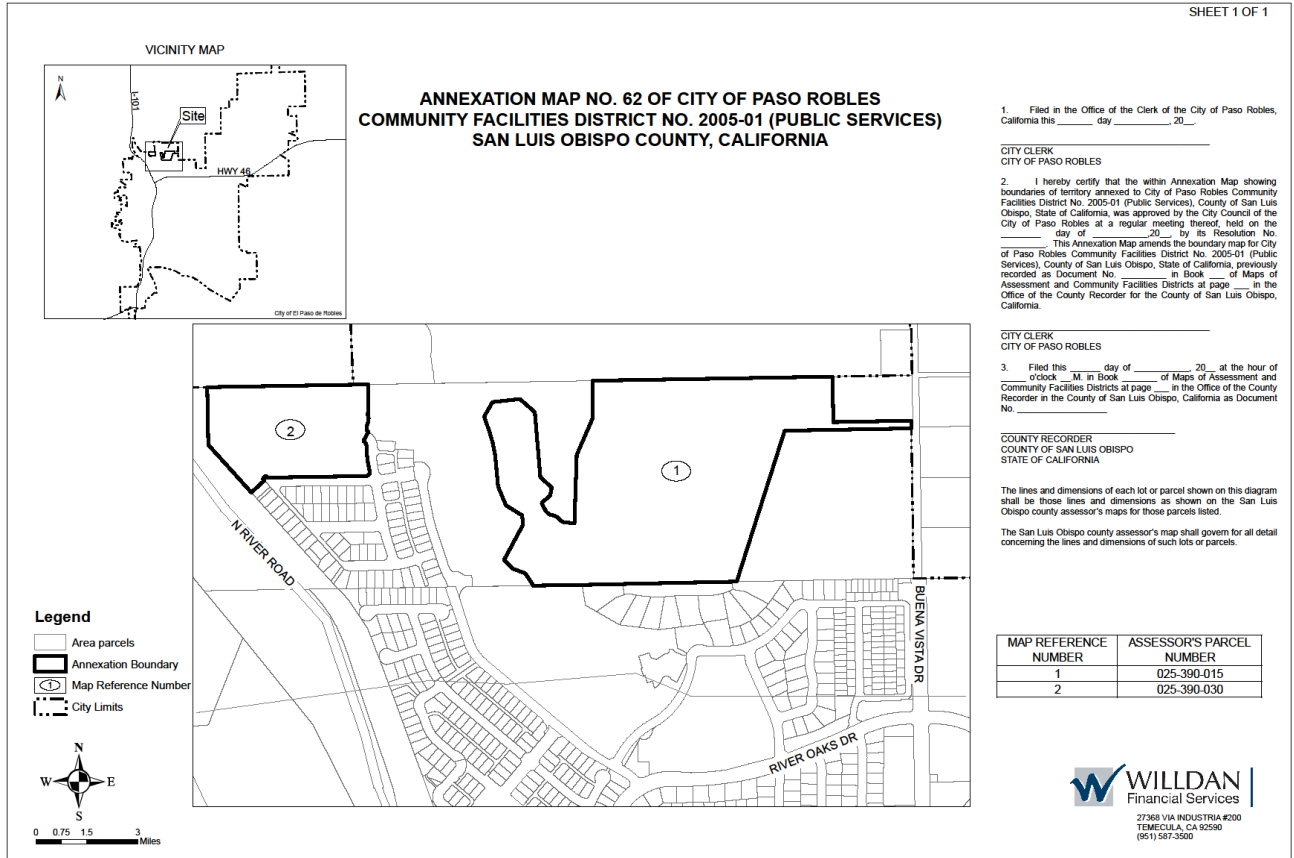
CITY OF PASO ROBLES
OF THE STATE OF CALIFORNIA

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EXHIBIT B

ANNEXATION MAP

SHEET 1 OF 1



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EXHIBIT C

FULL TEXT OF PROPOSITION

SPECIAL ELECTION AUTHORIZING ANNEXATION OF TERRITORY TO PASO ROBLES COMMUNITY FACILITIES DISTRICT NO. 2005-01 AND THE LEVY OF SPECIAL TAXES THEREIN

April 2, 2024

Proposition A: Shall the City of Paso Robles Community Facilities District No. 2005-01 (Public Services), County of San Luis Obispo, State of California, subject to accountability measures set forth in California Government Code Section 50075.1, levy special taxes throughout the property included in Annexation No. 62 to such community facilities district in the amounts as set forth in the following table,

Land Use Class	Land Use	Max Special Tax Per Dwelling Unit
1	Detached Residential	\$883.63 per Dwelling Unit
2	Attached Residential	\$122.00 per Dwelling Unit

plus annual increases on each July 1, by an amount equal to the greater of the change in the Blended Consumer Price Index during the twelve months prior to December of the previous fiscal year, or two percent in perpetuity, for the purpose of financing public services, including but not limited to police protection services, fire protection and suppression services, ambulance and paramedic services, recreation program services, library services, maintenance services for elementary and secondary school sites and structures, operation and maintenance of museums and cultural facilities; maintenance of parks, parkways (including street lights), and open space, flood and storm protection services, including the operation and maintenance of storm drainage systems and sandstorm protection systems, services with respect to the removal or remedial action cleanup of hazardous substances, all with a useful life of five years or more and the cost of administering the levy and collection of special taxes, as provided in the Amended and Restated Rate and Method of Apportionment for CFD No. 2005-01, which is attached as Exhibit A to Resolution No. 16-138 adopted by the City Council of the City on November 1, 2016?

BALLOT SUMMARY

By approval of this proposition by two-thirds of the votes cast hereupon within the territory to be annexed Paso Robles Community Facilities District No. 2005-01 (Public Services) (the “Community Facilities District”), the Community Facilities District shall be authorized as follows:

A Special Tax as hereinafter defined shall be levied on all Assessor’s Parcels in City of El Paso De Robles Community Facilities District No. 2005-01 (Public Services District) (“CFD No. 2005-1”) and collected each Fiscal Year commencing in Fiscal Year 2005-06, in an amount determined by the Council through the application of the appropriate Special Tax for “Developed Property,” as described below. All of the real property in CFD No. 2005-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

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A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2005-1: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs to the City, CFD No. 2005-1 or any designee thereof of complying with City, CFD No. 2005-1 or obligated persons disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City, CFD No. 2005-1 or any designee thereof related to an appeal of the Special Tax; and the City’s annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2005-1 for any other administrative purposes of CFD No. 2005-1, including attorney’s fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

“Assessor’s Parcel” means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel number.

“Attached Residential” means an Assessor’s Parcel within the CFD for which a Building Permit has been issued for purposes of constructing a residential structure or structures sharing common walls consisting of two or more Dwelling Units, including, but not limited to duplexes, triplexes, and apartment units, as of March 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Blended Consumer Price Index” means the sum of the Los Angeles Urban Consumer Price Index and the San Francisco Urban Consumer Price Index, divided by two.

“CFD Administrator” means an official of the City, or any designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“CFD No. 2005-1” means City of El Paso De Robles Community Facilities District No. 2005-01 (Public Services District).

“City” means the City of El Paso De Robles.

“Council” means the City Council of the City, acting as the legislative body of CFD No. 2005-1.

“County” means the County of San Luis Obispo.

“Detached Residential” means an Assessor’s Parcel within the CFD for which a Building Permit has been issued for purposes of constructing a residential structure consisting of one single-family

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detached Dwelling Unit, including Mobile Homes, as of March 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Developed Property” means, for each Fiscal Year, all Assessor’s Parcels of Residential Property for which a building permit has been issued on or after April 1, 2005.

“Dwelling Unit” means a building or portion thereof designed for and occupied in whole or part as a residence or sleeping place, either permanently or temporarily, by one family and its guests, with sanitary facilities and one kitchen provided within the unit. Boarding or lodging houses, dormitories, and hotels shall not be defined as Dwelling Units unless the land use permit specifies a residential use.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Land Use Class” means any of the classes listed in Table 1 and Table 2.

“Los Angeles Urban Consumer Price Index” means, for each Fiscal Year, the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Los Angeles Anaheim - Riverside Area, measured as of the month of December in the calendar year which ends in the previous Fiscal Year. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the CFD Administrator that is reasonably comparable to the Consumer Price Index for the City of Los Angeles.

“Maximum Special Tax” means, for each Fiscal Year, the maximum Special Tax, determined in accordance with Section C, below, that can be levied on any Assessor’s Parcel.

“Non-Residential Property” means, for each Fiscal Year, all Assessor’s Parcels of Developed Property for which a building permit was issued on or after April 1, 2005 for a non-residential use.

“Property Owner Association Property” means, for each Fiscal Year, any Assessor’s Parcel within the boundaries of CFD No. 2005-1 that is owned by or irrevocably offered for dedication to a property owner association, including any master or sub-association.

“Proportionately” means that the ratio of the actual annual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Developed Property.

“Public Property” means, for each Fiscal Year, (i) any property within the boundaries of CFD No. 2005-1 that is owned by or irrevocably offered for dedication to the federal government, the State, the City or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2005-1 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Residential Property” means, for each Fiscal Year, all Assessor’s Parcels of Developed Property for which a building permit was issued on or after March 1, 2005 for purposes of constructing one or more residential Dwelling Units.

“San Francisco Urban Consumer Price Index” means, for each Fiscal Year, the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the San Francisco — Oakland - San Jose Area, measured as of the month of December in the calendar year

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that ends in the previous Fiscal Year. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the CFD Administrator that is reasonably comparable to the Consumer Price Index for the San Francisco — Oakland - San Jose Area.

“Services” means those services authorized to be financed by CFD No. 2005-1 pursuant to Section 53313 and Section 53313.5 of the Act. CFD No. 2005-1 shall finance Services only to the extent that they are in addition to those provided in the territory of CFD No. 2005-1 before the CFD was created and such Services may not supplant services already available within CFD No. 2005-1 when the CFD was created.

“Special Tax” means the special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Developed Property to fund the Special Tax Requirement.

“Special Tax Requirement” means that amount to be collected in any Fiscal Year for CFD No. 20051 to pay for certain costs as required to meet the needs of the CFD in that Fiscal Year. The costs to be covered shall be the direct costs for (i) Services, and (ii) Administrative Expenses; less (iii) a credit for funds available to reduce the annual Special Tax levy, if any, as determined by the CFD Administrator. Under no circumstances shall the Special Tax Requirement include debt service payments for debt financings by CFD No. 2005-1.

“State” means the State of California.

“Undeveloped Property” means, for each Fiscal Year, all property not classified as Developed Property, Non-Residential Property, Property Owner Association Property, or Public Property.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, all Assessor’s Parcels, as applicable within CFD No. 2005-1, shall be classified as Developed Property, Non-Residential Property, Undeveloped Property, Property Owner Association Property, or Public Property. However, only Developed Property shall be subject to annual Special Taxes in accordance with the rate and method of apportionment determined pursuant to Sections C and D below. All Developed Property shall be assigned to Land Use Class 1.

C. MAXIMUM SPECIAL TAX RATE

1. Developed Property

a. Maximum Special Tax 2005-06 to 2016-17

The Maximum Special Tax for Fiscal Year 2005-06 for Developed Property is shown below in Table 1. Such Special Taxes shall only be levied for new structures on Residential Property. However, under no circumstances shall a Special Tax be levied on additions to existing Dwelling Units.

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TABLE 1
Maximum Special Taxes for Developed Property
Established for Fiscal Year 2005-06
Community Facilities District No. 2005-1

Land Use Class	Land Use	Maximum Special Tax Per Dwelling Unit
1	Residential Property	\$657.00 per Dwelling Unit

Multiple Land Use Classes

In some instances, an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax that can be levied on an Assessor's Parcel shall be the sum of the Maximum Special Taxes that can be levied for all Land Use Classes located on that Assessor's Parcel.

Increase in the Maximum Special

On each July 1, commencing on July 1, 2006, the Maximum Special Tax for Developed Property shall be increased annually by the greater of the change in the Blended Consumer Price Index during the twelve months prior to December of the previous Fiscal Year, or two percent (2%).

The table below represents the Maximum Special Tax for each fiscal year from 2005-06 to 2016-17.

Fiscal Year	Maximum Special Tax Per Dwelling Unit	Escalation Applied	Greater of:	
			2.00%	Blended CPI
2005-06	\$657.00			
2006-07	\$678.06	3.21%	2.00%	3.21%
2007-08	\$700.87	3.36%	2.00%	3.36%
2008-09	\$728.94	4.00%	2.00%	4.00%
2009-10	\$743.51	2.00%	2.00%	0.07%
2010-11	\$760.04	2.22%	2.00%	2.22%
2011-12	\$775.24	2.00%	2.00%	1.43%
2012-13	\$795.02	2.55%	2.00%	2.55%
2013-14	\$811.54	2.08%	2.00%	2.08%
2014-15	\$827.77	2.00%	2.00 ⁰ %	1.86%
2015-16	\$844.32	2.00%	2.00%	1.70%
2016-17	\$866.31	2.60%	2.00%	2.60%

b. Maximum Special Tax 2017-18 and subsequent fiscal years

The Maximum Special Tax for Fiscal Year 2017-18 and subsequent fiscal years for Developed Property is shown below in Table 2. Such Special Taxes shall only be levied for new structures on Detached Residential and Attached Residential property. However, under no circumstances shall a Special Tax be levied on additions to existing Dwelling Units.

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TABLE 2
Maximum Special Taxes for Developed Property
Established For Fiscal Year 2017-18
Community Facilities District No. 2005-1

Land Use Class	Land Use	Maximum Special Tax Per Dwelling Unit ⁽¹⁾
1	Detached Residential	\$883.63 per. Dwelling Unit
2	Attached Residential	\$122.00 per Dwelling Unit

Multiple Land Use Classes

In some instances, an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax that can be levied on an Assessor's Parcel shall be the sum of the Maximum Special Taxes that can be levied for all Land Use Classes located on that Assessor's Parcel.

Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2017, the Maximum Special Tax for Developed Property shall be increased annually by the greater of the change in the Blended Consumer Price Index during the twelve months prior to December of the previous Fiscal Year, or two percent (2%).

2. Undeveloped Property

No Special Taxes shall be levied on Undeveloped Property.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2005-06 and for each following Fiscal Year, the Council shall levy the annual Special Tax Proportionately for each Assessor's Parcel of Developed Property at up to 100% of the applicable Maximum Special Tax, until the amount of Special Taxes equals the Special Tax Requirement.

E. EXEMPTIONS

In addition to Undeveloped Property being exempt from annual Special Taxes, no Special Tax shall be levied on Non-Residential Property, Public Property or Property Owner Association Property. However, should an Assessor's Parcel no longer be classified as Non-Residential Property, Public Property or Property Owner Association Property, such Assessor's Parcel shall, upon each reclassification, no longer be exempt from Special Taxes.

F. APPEALS AND INTERPRETATIONS

¹ Subject to annual increases, as authorized herein

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Any landowner or resident may file a written appeal of the Special Tax on his/her property with the CFD Administrator, provided that the appellant is current in his/her payments of Special Taxes. During the pendency of an appeal, all Special Taxes previously levied must be paid on or before the payment date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination. If the CID Administrator agrees with the appellant, the CFD Administrator shall eliminate or reduce the Special Tax on the appellant's property and/or provide a refund to the appellant. If the CFD Administrator disagrees with the appellant and the appellant is dissatisfied with the determination, the appellant then has 30 days in which to appeal to the Council by filing a written notice of appeal with the City Clerk, provided that the appellant is current in his/her payments of Special Taxes. The second appeal must specify the reasons for the appellant's disagreement with the CID Administrator's determination. The CFD Administrator may charge the appellant a reasonable fee for processing the appeal. Interpretations may be made by the Council by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment.

G. MANNER OF COLLECTION

The annual Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2005-1 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

H. TERM OF SPECIAL TAX

The Special Tax shall be levied in perpetuity as necessary to meet the Special Tax Requirement.

The Public Services to be Financed by CFD No. 2005-1 are:

A community facilities district may finance any one or more of the following types of services: police protection services; fire protection and suppression services; ambulance and paramedic services; recreation program services, library services, maintenance services for elementary and secondary school sites and structures, operation and maintenance of museums and cultural facilities; maintenance of parks, parkways (including street lights), and open space; flood and storm protection services, including the operation and maintenance of storm drainage systems and sandstorm protection systems; services with respect to the removal or remedial action cleanup of hazardous substances. The authorized services may be financed only to the extent that such services are in addition to those services provided in the community facilities district prior to creation of the community facilities district. All of these public services are authorized by CFD No. 2005-1.

CFD No. 2005-1 shall only finance the above listed services only to the extent that they are in addition to existing public services provided within the boundaries of CFD No. 2005-1 before creation of the district and such authorized services may not supplant services already available within CFD No. 2005-1 at creation of said CFD. The Special Taxes required to finance the related annual costs of those public services will be apportioned as described in the Rate and Method of Apportionment of the Special Tax for CFD No. 2005-1.