

RESOLUTION NO. 2022-14

A RESOLUTION OF FORMATION OF THE COASTSIDE FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 36, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT, PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT AND SUBMITTING LEVY OF THE SPECIAL TAX AND THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT TO THE QUALIFIED ELECTORS OF THE DISTRICT

**COASTSIDE FIRE PROTECTION DISTRICT
Community Facilities District No. 36**

RESOLVED by the Board of Directors (the “Board”) of the Coastside Fire Protection District (“District”) that:

WHEREAS, on March 23, 2022, this Board adopted Resolution No. 2022-07 entitled “A Resolution of Intention to Establish a Community Facilities District (the “Resolution of Intention”), stating its intention to form the Coastside Fire Protection District Community Facilities District No. 36 (“CFD No. 36”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of CFD No. 36 and stating the services to be financed, and the rate and method of apportionment of the special tax to be levied within CFD No. 36 to pay the costs is on file with the District and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on this date, the Board held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of CFD No. 36; and

WHEREAS, at said hearing all interested persons desiring to be heard on all matters pertaining to the formation and extent of CFD No. 36, the facilities to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to the Board on said matters before it, including a report (the “Report”) as to the services to be provided through the District and the costs thereof, a copy of which is on file with the Administrative Secretary, and the Board at the conclusion of said hearing was fully advised with respect to the basis of the costs to be borne by CFD No. 36; and

WHEREAS, written protests with respect to the formation of CFD No. 36, the furnishing of specified types of facilities and services and the rate and method of apportionment of the special taxes have not been filed with the District by fifty percent (50%) or more of the registered voters residing within the territory of the CFD No. 36 or property owners of one-half (1/2) or more of the area of land within the CFD No. 36 and not exempt from the special tax; and

WHEREAS, the special tax proposed to be levied in CFD No. 36 to pay for the proposed facilities and services to be provided therein, as set forth in Exhibit B to the Resolution of Intention, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD No. 36 or the owners of one-half (1/2) or more of the area of land within the CFD No. 36 and not exempt from the special tax.

NOW, THEREFORE, the Board of Directors of the Coastside Fire Protection District does hereby find, determine and order as follows:

1. The foregoing recitals are true and correct.
2. The proposed special tax to be levied within CFD No. 36 has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. All prior proceedings taken by the Board in connection with the establishment of CFD No. 36 and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the Act.
4. The community facilities district designated “Coastside Fire Protection District Community Facilities District No. 36” is hereby established pursuant to the Act.
5. The boundaries of the District, as set forth in the map of CFD No. 36 heretofore recorded in the San Mateo County Recorder’s Office in Book 18 at Page 75 of Maps of Assessment and Community Facilities Districts, are hereby approved, are incorporated herein by reference and shall be the boundaries of the CFD No. 36.
6. The type of public services proposed to be financed by CFD No. 36 and pursuant to the Act (the “Services”) shall consist of those items described in the Resolution of Intention and by this reference incorporated herein.
7. Except to the extent that funds are otherwise available to CFD No. 36 to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD No. 36, will be levied annually within the CFD No. 36, and collected in the same manner as ordinary *ad valorem* property taxes (or, with respect to any levy on a leasehold or possessory interest, on the County unsecured roll), or in such other manner as the Board may direct. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD No. 36, in sufficient detail to allow each landowner within the proposed CFD No. 36 to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached to the Resolution of Intention and by this reference incorporated herein.
8. It is hereby found and determined that the Services are necessary to meet increased demands as the result of development occurring in CFD No. 36.

9. The Fire Chief of the Coastside Fire Protection District, 1191 Main Street, Half Moon Bay, California, telephone number (650) 726-5213 is the officer of the District who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and which will be responsible for estimating future special tax levies pursuant to Section 53340.1 of the Act.

10. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD No. 36 and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the District.

11. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 11 of Article XIII B of the California Constitution, of the CFD No. 36 is hereby preliminarily established at \$5,000,000 and said appropriations limits shall be submitted to the voters of CFD No. 36 as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

12. Pursuant to the provisions of the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of CFD No. 36 at an election, the time, place and conditions of which shall be as specified by a separate resolution of the Board.

Regularly passed and adopted this 27th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

Gary Burke, President
Board of Directors
Coastside Fire Protection District

ATTEST:

Jonathan Cox, Deputy Chief
District Secretary

COMMUNITY FACILITIES DISTRICT REPORT
FOR THE
COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 36

COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 36

COMMUNITY FACILITIES DISTRICT REPORT

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COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 36

INTRODUCTION. The Board of Directors (the "Board") of the Coastside Fire Protection District (the "Fire District") did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), on March 23, 2022, adopt a resolution entitled "A Resolution on Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes" pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Resolution of Intention"). In the Resolution of Intention, the Board expressly ordered the preparation of a written Communities Facilities District Report (the "Report"), for the proposed Coastside Fire Protection District Community Facilities District No. 36 (the "District").

The Resolution of Intention ordering the Report did direct that the Report generally contain the following:

1. A description of the services by type which will be required to adequately meet the needs of the District; and
2. An estimate of the cost of providing services, any incidental expenses to be paid, and all other related costs as provided in Section 53345.3 of the Act.

For particulars, reference is made to the Resolution of Intention for the District, as previously approved and adopted by the Board.

NOW, THEREFORE, I, the Fire Chief for the District, do hereby submit the following data:

A. DESCRIPTION OF SERVICES. A general description of the proposed services by type as is shown in the Resolution of Intention, and by this reference made a part hereof.

B. PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. The proposed boundaries of the District are those properties and parcels in which special taxes may be levied to pay for the costs and expenses for services. The proposed boundaries of the District are described in the map of the District recorded in Book 18, on page 75 of Maps of Assessment and Community Facilities Districts, in the office of the County Recorder for the County of San Mateo, a copy of which map is on file in the Fire District office, and shown in Exhibit "A" attached hereto.

C. COST ESTIMATE. The cost estimate for the services of the District is set in the Resolution of Intention, and shown in Exhibit B attached hereto.

Dated: April 27, 2022

By: _____
Jonathan Cox, Deputy Chief

Exhibit B

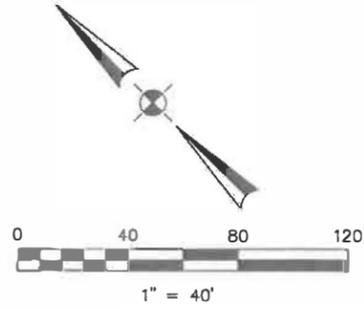
Summary of Cost of Services

The operational costs of the Coastside Fire District have increased steadily in recent years. These include personnel costs associated with the advanced life support program, salary increases, as well as fuel and utility costs. While operational expenses have increased, so has the demand for service at a rate of about 10% per year. This service demand involves fire prevention inspections, plan checks, and new construction inspections, as well as emergency incident responses.

The Mello-Roos Community Facilities District program is used as a means of offsetting the increased capital expenses and operational costs that the District is experiencing. Such costs are expected to further increase with additional development. The revenue raised by the special tax on new residential development will be used primarily to replace and refurbish capital equipment such as fire apparatus and fire station facilities (provided they have an estimated useful life of five years or more), but may also be used to offset the cost of providing services to the new development. Special tax revenue from new commercial development will primarily be directed towards offsetting the cost of staffing the fire prevention office, as there is a direct correlation between the fire code and life safety inspection requirements of commercial occupancies and the staffing needs of this division of the Fire District. In addition, such tax revenues may also be used to offset the cost of providing services to the new commercial development.

PROPOSED BOUNDARY MAP

FOR
COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 36
COUNTY OF SAN MATEO, STATE OF CALIFORNIA



CABRILLO HIGHWAY
[STATE ROUTE 1]

CAPISTRANO ROAD
[WIDTH VARIES]

PARCEL ONE
047-081-420

VOLUME 68 PARCEL MAPS 7-8
PARCEL TWO
047-081-430

PARCEL B
047-081-380

PARCEL A
047-081-370

VOLUME 67 PARCEL MAPS 90-91

FILED IN THE OFFICE OF COASTSIDE FIRE PROTECTION DISTRICT
THIS 23rd DAY OF March, 2022

SECRETARY OF THE COASTSIDE FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED
BOUNDARIES
OF HARBOR VILLAGE RV PARK
Half Moon Bay SAN MATEO COUNTY,
STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF
DIRECTORS OF COASTSIDE FIRE PROTECTION DISTRICT AT A
REGULAR MEETING THEREOF, HELD ON THE 23rd DAY OF
March, 2022 BY ITS RESOLUTION NO.
2022-07

SECRETARY OF THE COASTSIDE FIRE PROTECTION DISTRICT

FILED THIS 6th DAY OF APRIL
2022 AT THE HOUR OF 1:45 O'CLOCK P.M., IN BOOK
18 OF MAPS OF ASSESSMENT AND COMMUNITY
FACILITIES AT PAGE 75, AS INSTRUMENT NO.
2022-9000816, IN THE OFFICE OF THE COUNTY
RECORDER, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

COUNTY RECORDER OF THE COUNTY OF SAN MATEO

EXHIBIT A

RESOLUTION NO. 2022-15

**A RESOLUTION CALLING A SPECIAL ELECTION
FOR THE LEVY OF A SPECIAL TAX
AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT
FOR COASTSIDE FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 36**

**COASTSIDE FIRE PROTECTION DISTRICT
Community Facilities District No. 36**

RESOLVED, by the Board of Directors of the Coastside Fire Protection District (“District”) that:

WHEREAS, on April 27, 2022, the Board of Directors adopted Resolution 2022-14 entitled “A Resolution of Formation of the Coastside Fire Protection District Community Facilities District No. 36, Authorizing the Levy of a Special Tax Within the District, Preliminarily Establishing an Appropriations Limit for the District and Submitting Levy of the Special Tax and the Establishment of the Appropriations Limit to the Qualified Electors of the District” (the “Resolution of Formation”), ordering the formation of Community Facilities District No. 36 (“CFD No. 36”), authorizing the levy of a special tax on property within the District and preliminarily establishing an appropriations limit for the District;

WHEREAS, pursuant to the provisions of said resolution, the propositions of the levy of said special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the District as required by the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”).

NOW, THEREFORE, the Board of Directors does hereby find, determine and order as follows:

1. Pursuant to Sections 53326, 53353.5 and 53325.7 of the Act, the issues of the levy of said special tax and the establishment of said appropriations limit shall be submitted to the qualified electors of CFD No. 36 at an election called therefore as provided below.

2. As authorized by Section 53353.5 of the Act, the two propositions described in paragraph 1 above shall be combined into a single ballot measure, the form of which is attached hereto as Exhibit “A” and by this reference incorporated herein. Said form of ballot is hereby approved.

3. This Board of Directors hereby finds that fewer than 12 persons have been registered to vote within the territory of CFD No. 36 for each of the ninety (90) days preceding the close of the public hearings heretofore conducted and concluded by this Board of Directors for the purposes of these proceedings. Accordingly, and pursuant to Section 53326 of the Act,

this Board of Directors finds that for purposes of these proceedings the qualified electors are the owners of land within CFD No. 36 subject to the levy of the special taxes and that the vote shall be by said landowners or their authorized representatives, each having one vote for each acre or portion thereof such landowner owns in CFD No. 36 as of the close of said public hearings that is subject to the levy of the special taxes.

4. This Board of Directors hereby calls a special election to consider the measures described in paragraph 2 above, which election shall be held on May 25, 2022. The Fire Chief is hereby designated as the official to conduct said election. It is hereby acknowledged that the Fire Chief has on file the Resolution of Formation, a certified map of the proposed boundaries of CFD No. 36, and a sufficient description to allow the Fire Chief to determine the boundaries of CFD No. 36.

5. Pursuant to Section 53327 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Section 4000 of the California Elections Code. This Board of Directors hereby finds that paragraphs (a), (b), (c)(1) and (c)(3) of said Section 4000 are applicable to this special election.

6. This Board of Directors directs the Fire Chief, pursuant to Elections Code Section 4101, to deliver to each of the qualified electors of CFD No. 36 a ballot generally in the form set forth in Exhibit "A" hereto no earlier than 29 days prior to the date of the election and no later than 11 days prior to the date of the election. Each ballot shall indicate the number of votes to be voted by the respective landowner to which it pertains.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot shall be enclosed with the ballot, return postage prepaid, and shall contain the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Analysis and arguments with respect to the ballot measures shall be waived, as provided in Section 53327 of the Act.

7. The Fire Chief shall accept ballots of the qualified electors in the administrative offices of the District until 5:00 p.m. on May 25, 2022, whether said ballots be personally delivered or received by mail. The Fire Chief shall have available at said location ballots which may be marked on the election day by said qualified electors.

8. This Board of Directors hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days following the adoption of the Resolution of Formation to elapse before said special election is for the protection of the qualified electors of CFD No. 36. The ballots of the landowners within CFD No. 36 contain a waiver of the time

limit pertaining to the conduct of the election. And the landowners also unanimously consent to waive the requirements for preparation and inclusion of an impartial analysis, arguments and rebuttals per section 53327. Accordingly, this Board of Directors finds and determines that said qualified electors will have been fully apprised of and will have agreed to the shortened time for the election and have thereby been fully protected in these proceedings. This Board of Directors also finds and determines that the Fire Chief has concurred in the shortened time for the election.

9. The Fire Chief is hereby directed to publish in a newspaper of general circulation circulating within the area of CFD No. 36 a copy of this Resolution as soon as practicable after the date of adoption of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Coastside Fire Protection District on this 27th day of April, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

Gary Burke, President
Board of Directors
Coastside Fire Protection District

ATTEST:

Jonathan Cox, Deputy Chief
Secretary
Coastside Fire Protection District

Coastside Fire Protection District
Community Facilities District No. 36

OFFICIAL BALLOT
SPECIAL TAX ELECTION

This ballot is for a special landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the Fire Chief of the Coastside Fire Protection District no later than 5:00 p.m. on May 25, 2022, either by mail or in person. The Fire Chief's office is located at 1191 Main Street, Half Moon Bay, California 94019.

To vote, mark a cross (X) on the voting line after the word "YES" or after the word "NO." All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the Fire Chief of the Coastside Fire Protection District and obtain another.

BALLOT MEASURE: Shall a special tax payable solely from YES: _____
lands within Community Facilities District No. 36 ("CFD No. 36")
be levied annually upon lands within CFD No. 36 to pay for services
to be provided by CFD No. 36 in accordance with Resolution
No. 2022-07 of the Coastside Fire Protection District, and
shall the annual appropriations limit of CFD No. 36 be established NO: _____
in the amount of \$5,000,000?

By execution in the space provided below, you also indicate your waiver of the time limit pertaining to the conduct of the election and any requirement for analysis and arguments with respect to the ballot measure, as such waivers are described and permitted by Section 53326(a) and 53327(b) of the California Government Code.

Number of votes: _____

Property Owner(s):

Keet Nerhan
210 San Mateo Road
Half Moon Bay, CA 94019

By: _____
Name Title