

Attachment B

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA
RESOLUTION NO: _____

INITIATING ANNEXATION OF TERRITORY
TO ORCUTT COMMUNITY FACILITIES DISTRICT
AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES
THEREIN

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Santa Barbara (the "County") has formed Orcutt Community Facilities District No. 2002-1 (Orcutt Community Plan) (the "Community Facilities District"), under and pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"); and,

WHEREAS, the Board of Supervisors, as the legislative body of the Community Facilities District, is authorized under the Act to annex territory to the existing Community Facilities District; and,

WHEREAS, a map entitled "Annexation Map No. 8 of Community Facilities District No. 2002-1, County of Santa Barbara, State of California," ("Annexation Map No. 8) has been filed with the County Clerk of the County of Santa Barbara and is attached hereto as Exhibit A; and

WHEREAS, the "Annexation Map No.8 cross-references the map entitled, "Amended Boundary of Community Facilities District No. 2002-1, County of Santa Barbara, State of California," filed for record in the office of the County of Santa Barbara on DATE TBD, in Book 4 of Maps of Assessment and Community Facilities Districts at pages XXXX (attached hereto as Exhibit B).

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Barbara as follows:

1. The Board of Supervisors hereby finds and determines that public convenience and necessity require that territory be added to the Community Facilities District.
2. The name of the existing Community Facilities District is the "Orcutt Community Facilities District No 2002-01."
3. The territory proposed for annexation is known as Orcutt Gateway Retail Commercial Development/Key Site 2 (APN 129-280-001) which is a commercial project with 4 commercial units shown on the attached Annexation Map No. 8 of Orcutt Community Facilities District No. 2002-1 (Exhibit A).
4. The types of public facilities and services financed by the Community Facilities District and pursuant to the Act in the existing Community Facilities District and the in the territory proposed to be annexed consist of: (1) fire protection services, (2) police protection services, (3) maintenance of parks, parkways and open space, and (4) flood and storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems only to the extent that they are in addition to existing public services provided within the boundaries of Community Facilities District No. 2002-1 before the Community Facilities District was created.

5. Except where funds are otherwise available, a special tax sufficient to pay for all services provided with the territory to be annexed into the Community Facilities District is intended to be levied annually within the territory to be annexed into the Community Facilities District, and shall be equal to the special taxes levied to pay for the same services within the existing Community Facilities District. The proposed rate and method of apportionment of the special taxes to be levied within the territory proposed to be annexed, in sufficient detail to allow each landowner within the territory proposed to be annexed to the Community Facilities District to estimate the maximum amount such owner will have to pay, are described in Exhibit C attached hereto, which is by this reference incorporated herein. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes.
6. The Board of Supervisors hereby fixes January 23, 2024 at 9:00 a.m., or as soon thereafter as the Board of Supervisors may reach the matter, at the Santa Barbara County Government Administration Building, Board Hearing Room, 105 East Anapamu, Santa Barbara as the time and place when and where the Board of Supervisors will conduct a public hearing on this resolution of intention to annex territory to the Community Facilities District and the levying of special taxes therein and consider written protests, if any, filed at or before the conclusion of the hearing against the proposed annexation of Orcutt Gateway Retail Commercial Development/Key Site 2 (APN 129-280-001) to the Orcutt Community Facilities District, the furnishing of any specified type or types of services to the annexed areas within the Orcutt Community Facilities District, or the levying of any special tax within the annexed areas of the Orcutt Community Facilities District.
7. The Clerk of the Board is hereby directed to publish, or cause to be published, a notice of said public hearing one time in a newspaper of general circulation published in the area of the Orcutt Community Facilities District. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said hearing. Said notice shall contain the information prescribed by Section 53322 of the Act. In addition, said notice shall contain information that pursuant to California Government Code section 53339.6 written protests may be filed at or before the conclusion of the hearing against the proposed annexation of Orcutt Gateway Retail Commercial Development/Key Site 2 (APN 129-280-001) to the Orcutt Community Facilities District, the furnishing of any specified type or types of services to the annexed areas within the Orcutt Community Facilities District, or the levying of any special tax within the annexed areas of the Orcutt Community Facilities District.
8. The levy of said proposed special tax shall be subject to the approval of the qualified electors of the territory to be annexed by the Community Facilities District at a special election. The proposed voting procedure shall be by distributing ballots by mail with return postage prepaid or by personal service among the landowners in the area to be annexed to the Community Facilities District, with each owner having one vote for each acre or portion of an acre such owner owns in the territory to be annexed to Community Facilities District.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 12th day of December 2023, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Das Williams, Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CLERK OF THE BOARD

Mona Miyasato

By _____

Deputy Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BETSY SCHAFFER
AUDITOR-CONTROLLER

RACHEL VAN MULLEM
COUNTY COUNSEL

Exhibit C

Rate and Method of
Apportionment
Orcutt Community
Facilities District
No. 2002-1

The amount of special taxes that CFD No: 2002-1 may levy is strictly limited by the maximum special taxes set forth in the Rate and Method of Apportionment. The Maximum Special taxes for each classification of Developed Property are specified below. The initial Maximum Special Tax will be adjusted each fiscal year by the greater of the change in the Los Angeles Urban Consumer Price Index (CPI) during the previous twelve months or 2%.

The maximum annual Grading Permit Special Tax for Graded Property is also specified below. No Special Taxes shall be levied upon Undeveloped Property.

Community Facilities District No. 2002-1

Fiscal Year 2023-2024 Annual Special Taxes for Developed Property and Graded Property			
Land Use Class	Description	FY 2023-2024 Maximum Special Tax	FY 2023-2024 Actual Special Tax
1	Single-Family Property	\$1,120.23 per unit	\$806.56 per unit
2	Multi-Family Property	\$761.76 per unit	\$548.47 per unit
3	Non-Retail Commercial/Industrial Property	\$1.08662 per sq. ft.	\$0.78237 per sq. ft.
4	Retail Commercial Property	\$0.77298 per sq. ft.	\$0.55654 per sq. ft.
N/A	Graded Property	\$50.00 per lot	\$50.00 per lot

Fiscal Year 2023-2024 One-Time Special Taxes			
Type of Tax	Property Type	FY 2023-2024 Special Tax	Time of Levy
Building Permit One-Time Special Tax	Residential Property	\$250 per unit	Issuance of Building Permit
Building Permit One-Time Special Tax	Non-Residential Property	\$0.20 per sq. ft.	Issuance of Building Permit
Grading Permit Special Tax	N/A	\$50 per lot	Issuance of Land Use Permit for Grading