

RESOLUTION NO. 21-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF MAMMOTH LAKES, STATE OF CALIFORNIA,
DECLARING ITS INTENTION TO ANNEX TERRITORY INTO
A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE
THE LEVY OF SPECIAL TAXES

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 4

WHEREAS, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the Town Council of the Town of Mammoth Lakes (the “Town”) previously conducted proceedings to establish the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) (the “District”); and

WHEREAS, this Town Council has received a Petition (including Waivers) from the landowners requesting to annex territory into the District under the Act, to provide for the services and maintenance related to the Town-wide transit system; and

WHEREAS, under the Act, this Town Council is the legislative body for the proposed annexation of territory to the District and is empowered with the authority to annex territory to the District and to levy special taxes within the annexation territory; and

WHEREAS, this Town Council now desires to commence proceedings to consider the annexation of territory to the District.

NOW, THEREFORE, the Town Council of the Town of Mammoth Lakes, DOES HEREBY RESOLVE as follows:

1. This Town Council proposes to begin the proceedings necessary to annex territory to the District pursuant to the Act.
2. The name of the existing District is Town of Mammoth Lakes, Community Facilities District No. 2013-3 (Transit Services).

3. A general description of the territory included in the existing District is shown on the map recorded in the office of the County Recorder for the County of Mono on March 21, 2013 in Book 2 at Page 76 of Maps of Assessments and Community Facilities Districts, to which map reference is hereby made.

4. The territory now proposed to be annexed to the District is shown on Annexation Map No. 4 of the District on file with the Town Clerk, a copy of which is attached hereto as Exhibit A, which Exhibit is, by this reference, incorporated herein. The boundaries of which territory are hereby preliminarily approved and to which map reference is hereby made for further particulars. The Town Clerk is hereby directed to record, or cause to be recorded, said Annexation Map No. 4 of the District in the office of the County Recorder of the County of Mono within fifteen days of the date of adoption of this Resolution.

5. The types of services to be funded by the District and pursuant to the Act consist of those services (the "Services") described in Exhibit B to Resolution No. 13-14 entitled "A Resolution of the Town Council of the Town of Mammoth Lakes Declaring its Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes" adopted by the Town Council on March 18, 2013 (the "Resolution of Intention"), which Resolution of Intention is, by this reference, incorporated herein. It is presently intended that the Services will relate to the existing territory in the District and the territory proposed to be annexed to the District.

6. Except to the extent that funds are otherwise available to the District to pay for the Services, a special tax sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the District (including the property being annexed thereto), 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 Town Council shall determine, including direct billing of the affected property owners. The rate and method of apportionment of the special tax among the parcels of real property within the District, as

now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the District to estimate the maximum amount such owner will have to pay, is described in Exhibit C to the Resolution of Intention.

7. The special tax proposed to be levied for Services to be supplied within the proposed territory to be annexed will be equal to the special taxes levied to pay for the same Services in the District, except that a higher or lower special tax may be levied within the proposed territory to be annexed to the extent that the actual cost of providing the Services in that territory is higher or lower than the cost of providing those Services in the existing District. Notwithstanding the foregoing, the special tax may not be levied at a rate which is higher than the maximum special tax authorized to be levied pursuant to the rate and method of apportionment of the special tax.

8. Notice is given that on Wednesday, October 6, 2021, at 6:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of this Town Council in the Council Chamber, Suite Z, 437 Old Mammoth Road, Minaret Village Shopping Center, Town of Mammoth Lakes, California, and the same are hereby appointed and fixed as the time and place when and where this Town Council, as legislative body for the District, will conduct a public hearing on the annexation of territory to the District and consider and finally determine whether the public interest, convenience, and necessity require said annexation of territory to the District and the levy of said special tax therein.

9. The Town 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 days before the date herein set for said hearing. The notice shall be substantially in the form of Exhibit B hereto.

10. This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED this 18th day of August, 2021.

BILL SAUSER, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

EXHIBIT A

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
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PROPOSED BOUNDARIES OF THE ANNEXATION TERRITORY

EXHIBIT B

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 4

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Mammoth Lakes will conduct a public hearing on Wednesday, October 6, 2021 at 6:00 p.m. or as soon thereafter as the matter may be heard, in the Town Council Chambers located in the Council Chambers, Suite Z, Minaret Village Shopping Center, 437 Old Mammoth Road, Town of Mammoth Lakes, California, to consider the following:

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 4

On August 18, 2021, the Town Council, as the legislative body for the District, adopted a resolution entitled "A Resolution of the Town Council of the Town of Mammoth Lakes, California, Declaring its Intention to Annex Territory into a Community Facilities District and to Authorize the Levy of Special Taxes" (the "Resolution of Intention"). Pursuant to the Resolution of Intention, the Town Council determined that the public convenience and necessity require that certain territory, as more particularly described in the Resolution of Intention, be annexed to the existing District, all as provided in the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code) (the "Act"). Reference is hereby made to the Resolution of Intention, on file with the Town Clerk of the Town for further particulars. The following is a summary of the provisions of the Resolution of Intention.

In the Resolution of Intention, the Town Council declared its intention to annex territory into Community Facilities District No. 2013-3 (Transit Services) (the "District"). The area proposed to be annexed to the District is as shown on Annexation Map No. 4, on file with the Town Clerk, and identified in Exhibit A of the Resolution of Intention. The District shall fund services and maintenance related to the Town-wide transit system. It is presently intended that the services will be provided, without preference or priority, to the existing territory in the District and the territory proposed to be annexed to the District. The Resolution of Intention provides that the special taxes heretofore caused to be levied in the District shall be levied in the territory proposed to be annexed, subject to public hearing and owner consent proceedings as specified in the Act.

At the public hearing the testimony of all interested persons for and against the annexation of said territory to the District or the levying of special taxes within the territory proposed to be annexed will be heard. Any person interested may file a protest in writing with the Town Clerk.

/s/ Jamie Gray
Town Clerk
Town of Mammoth Lakes