

Puente Hills Habitat Preservation Authority
Resolution No. 2024-07

**RESOLUTION TO FORM A COMMUNITY FACILITIES DISTRICT AND TO
LEVY SPECIAL TAXES THEREIN**

PUENTE HILLS HABITAT PRESERVATION AUTHORITY
Community Facilities District No. 2024-01
(Puente Hills Preserve Protection)

WHEREAS, the Puente Hills Habitat Preservation Authority (“Authority”) manages approximately 3,886 acres of public open space in the Puente Hills Preserve, which includes Hacienda Hills, Turnbull Canyon, Sycamore Canyon, Hellman Park, Arroyo Pescadero and Powder Canyon, and

WHEREAS, the Authority’s mission includes the restoration and management of the Puente Hills for preservation of native wildlife and plants, to provide outdoor recreation for the community, and also to prevent and respond to wildfires and other emergencies in the area; and

WHEREAS, the Authority has created safe habitats for important wildlife, including birds protected by the federal Endangered Species Act and foxes, deer and bobcats; and

WHEREAS, the Authority also works to assist with wildfire preparedness and emergency response with rangers and park staff they currently contract with to provide patrol services; and

WHEREAS, these rangers and park staff also help to keep Authority lands safe and clean and provide trail and vandalism repair, homeless encampment and debris removal services, prevent car break-ins and drug use on lands and the surrounding neighborhoods, in addition to assisting with fuel clearance from homes and emergency access routes and extra patrol during high fire threat season; and

WHEREAS, the Authority does not receive permanent ongoing funding to meet its needs from local or state agencies but has been funded through the years by an investment portfolio referred to as an endowment and several competitive one-time grants to protect critical services, and

WHEREAS, the Authority has made many budgetary reductions in recent years to maintain a balanced budget, costs have continued to increase, and the remaining program and service levels do not meet current ongoing needs, even as lengthening fire seasons and neighborhood safety concerns increase the need for services, and

WHEREAS, without an additional stable funding source, the Authority will be forced to make additional cuts, which could include eliminating Ranger services and limiting access for individuals and families; and

WHEREAS, on June 12, 2024, the Board of Directors ("Board") of the Authority, County of Los Angeles, State of California, adopted Resolution No. 2024-04 entitled "Resolution of the Board of Directors of the Puente Hills Habitat Preservation Authority Declaring Intention to Establish a Community Facilities District (the "Resolution of Intention") with respect to Community Facilities District No. 2024-01 (Puente Hills Preserve Protection) (the "CFD") of the Authority pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention incorporates a map of the proposed boundaries of the CFD are as shown on the map attached hereto as Exhibit A, states the services to be provided, the cost of providing such services, and the rate and method of apportionment of the special tax to be levied within the CFD, and is on file with the Board Secretary and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, the services to be provided by the CFD as stated in the Resolution of Intention are set forth in Exhibit B attached hereto and hereby made a part hereof (the "Services"); and

WHEREAS, a notice of a public hearing relating to the establishment of the CFD, the extent of the CFD, the funding of certain types of services, and all other related matters have been given, and a report containing a brief description of the public facilities and services by type that will in the Executive Director's opinion be required to adequately meet the needs of the CFD and the officer's estimate of the cost of providing those public services ("CFD Public Hearing Report"), as ordered by this Board, has been presented to this Board and has been made a part of the record of the hearing to establish such CFD, all pursuant to the Act and the Resolution of Intention relating to the proposed formation of the CFD; and

WHEREAS, at the hearing, all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the extent of the CFD, the services to be provided therein, and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of services, the extent of the CFD and the rate and method of apportionment of the special taxes have not been filed with the Board Secretary by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the proposed special tax; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed services to be provided therein has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE PUENTE HILLS HABITAT PRESERVATION AUTHORITY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and incorporated herein by this

reference.

Section 2. The CFD Public Hearing Report is hereby approved.

Section 3. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.

Section 4. The type of services proposed to be funded by the CFD and pursuant to the Act shall consist of those items listed as Services and shown Exhibit A hereto and by this reference incorporated herein.

Section 5. The Executive Director of the Authority, located at 7333 Greenleaf Avenue, Whittier, California 90602, telephone number 562-945-9003, or an administrator appointed for the CFD, will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies pursuant to the Act.

Section 6. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs of the Services, including administrative and incidental expenses, secured by recordation of a continuing lien against all nonexempt real property in the CFD, will be levied annually within the CFD perpetually until ended by the voters, and collected in the same manner as ordinary ad valorem property taxes levied within the CFD. The proposed rate and method of apportionment of the Special Tax are described in the document titled "Rate and Method of Apportionment of Special Tax," attached hereto as Exhibit C and incorporated herein by this reference.

Section 7. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD, 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 Authority ceases.

Section 8. The boundaries of the CFD are as set forth in the maps heretofore recorded on June 17, 2024, as Document No. 20240393968, and filed in Book 196 of Maps of Assessment and Community Facilities District at Page 80 in the office of the County Recorder for the County of Los Angeles, State of California.

Section 9. All prior proceedings taken by this Board in connection with the establishment of the CFD 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.

Section 10. The community facilities district designated "Community Facilities District No. 2024-01 (Puente Hills Preserve Protection)" of the Authority is hereby established pursuant to the Act.

Section 11. Pursuant to the provisions of the Act, the proposition of the levy of the special tax specified above shall be submitted to the qualified electors of the CFD at an election, the time, place, and conditions of which election shall be as specified by a separate resolution of the Board.

Section 12. If the election is to be held less than 125 days following the adoption of the resolution of formation, the concurrence of the election official conducting the election shall be required as provided by the Act.

Section 13. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED at a meeting held on the 18th day of July 2024.

AYES: Ferrante, Yip, Pacheco, Sulic

NOES: None


ABSENT: None

ABSTAIN: None



Chair, Board of Directors
Ivan Sulic


ATTEST:



Secretary to the Board of Directors
Marlyn Barajas

CERTIFICATION

I, Marlyn Barajas, Secretary of the Board of Directors of the Puente Hills Habitat Preservation Authority, Los Angeles County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Authority Board of Directors at a meeting thereof held on the 18th day of July 2024; with a copy of such Resolution being on file in the Administrative Office of the Authority.

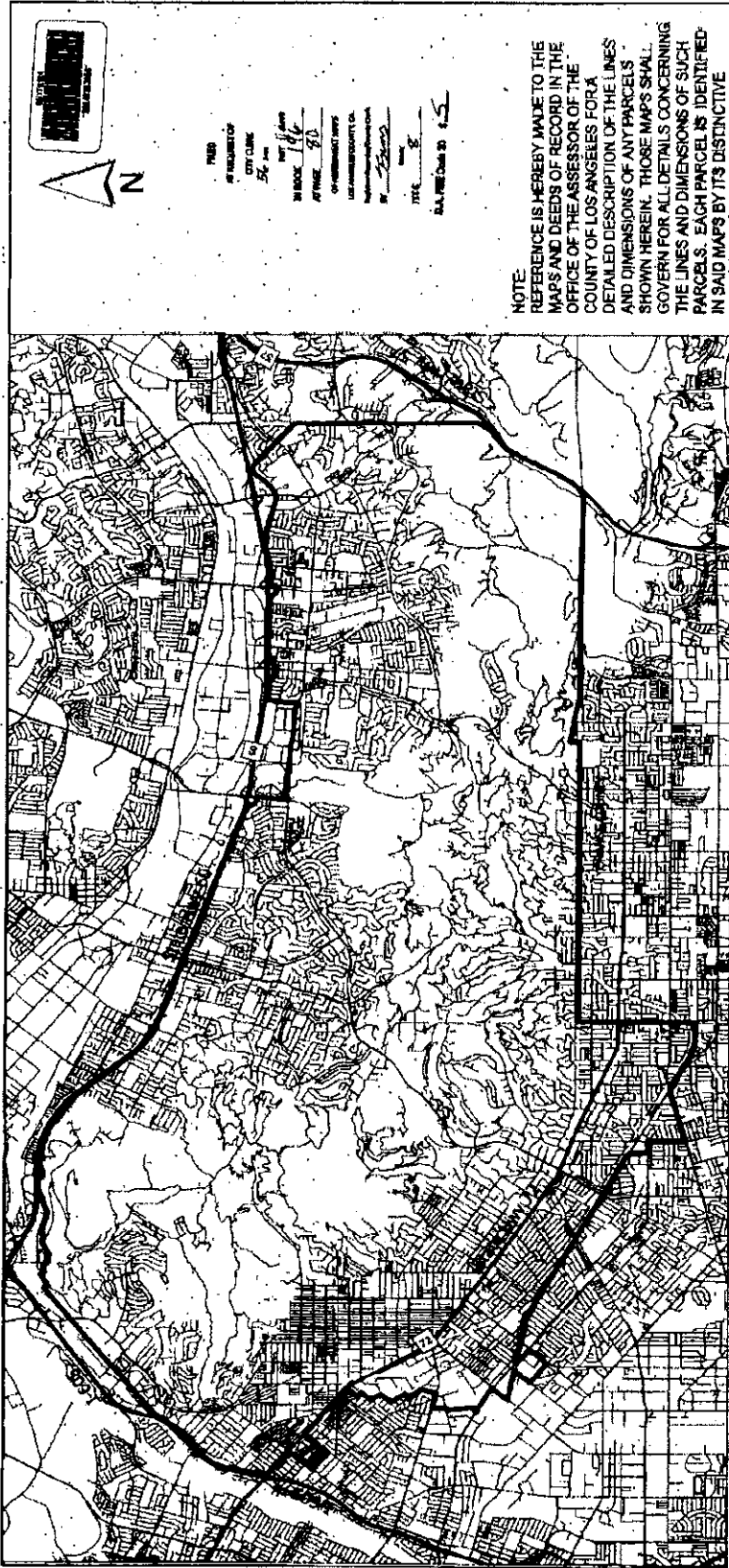


Marlyn Barajas
Secretary of the Board of Directors
Puente Hills Habitat Preservation Authority

EXHIBIT A

MAP OF PROPOSED BOUNDARIES

**PUENTE HILLS HABITAT PRESERVATION AUTHORITY
Community Facilities District No. 2024-01
(Puente Hills Preserve Protection)**



FILED
AT RECORDER'S OFFICE
CITY CLERK
50 PM
ON 11/14/24
AT 1:14 PM
OF 11/14/24
BY 2024
S.A. 11/14/24

NOTE:
REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF LOS ANGELES FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

SECRETARY'S MAP FILING STATEMENT

FILED IN THE OFFICE OF THE BOARD SECRETARY OF THE PUENTE HILLS HABITAT PRESERVATION AUTHORITY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, THIS 13 DAY OF 2024.

Michelle Baugh
BOARD SECRETARY

CLERK'S MAP CERTIFICATE

I DO HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2024-1, PUENTE HILLS HABITAT PRESERVATION AUTHORITY, COUNTY OF LOS ANGELES STATE OF CALIFORNIA, WAS APPROVED BY THE BOARD OF DIRECTORS OF THE PUENTE HILLS HABITAT PRESERVATION AUTHORITY AT A MEETING THEREOF HELD ON THE 13 DAY OF 2024.

Michelle Baugh
BOARD SECRETARY

RECORDER'S CERTIFICATE

FILED THIS 13 DAY OF 2024 AT THE HOUR OF 01:00 PM IN BOOK M IN BOOK OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 32 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

COUNTY RECORDER, COUNTY OF LOS ANGELES

Legend

- Community Facilities District 2024-1 Proposed Boundary
- Major Roads
- Roads

SCT Consulting Group
4745 Ringwood Blvd
Pasadena, CA 91104
(626) 508-5000

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2024-1 OF THE
PUENTE HILLS HABITAT PRESERVATION AUTHORITY,
CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
Sheet 1 of 1 (PUENTE HILLS PRESERVE PROTECTION)

EXHIBIT B

DESCRIPTION OF SERVICES TO BE FUNDED BY THE CFD

PUENTE HILLS HABITAT PRESERVATION AUTHORITY Community Facilities District No. 2024-01 (Puente Hills Preserve Protection)

The types of Services to be funded by the CFD (“Services”) shall include the maintenance, servicing, protection, preservation of open space, natural or other lands and improvements owned or managed by the Authority; reduce the risk of wildfire and improve local wildfire prevention, ranger safety patrols; and recreation program services. Additionally, the CFD will fund the collection and accumulation of reserves for these activities and cover administrative or incidental expenses related to them.

“Improvements,” as used herein, means improvements such as facilities, buildings, museums, cultural facilities, housing, visitor centers, fixed equipment, fences, gates, monument signage, other signage, posts, walkways, railings, curbs, benches, kiosks, drinking fountains, drainages, trails, roads, recreational facilities, public facilities, public restrooms, parking lots and other man-made structures on or alterations to lands owned or managed by the Authority, and other real property or other tangible property as permitted by the law.

“Maintenance,” as used herein, means the furnishing of services, equipment and materials or other items for the routine, recurring, and usual work or emergency work for the preservation or protection of Improvements, open space, natural or other lands for their intended purposes. Maintenance includes, but is not limited to, the upkeep, repair, removal or replacement of all or any part of any Improvements; providing for the life, growth, health, and beauty of landscaping, open space, natural or other lands, including cultivation, seeding, planting, weeding, irrigation, trimming, spraying, fertilizing, treating for disease or injury, goat grazing, or wildlife, vegetation and habitat surveys, monitoring and mapping services; vegetation clearance, including the removal of dead, dying or hazardous trees; the removal or disposal of trimmings, rubbish, debris, illegal dumping and other waste; the cleaning and servicing of public restrooms; the cleaning, sandblasting, and painting of walls and other Improvements for sanitation or to remove graffiti; fire prevention and suppression services; safety and security services; gate opening and closing services; law enforcement services; and services to prevent homeless encampments. Maintenance includes operations and/or replacement costs, and the creation and funding of reserve funds, as permitted by law.

“Servicing,” as used herein, means the furnishing of electric current, gas, or other form of energy for any public lighting facilities or for the lighting or operation of any other Improvements; and water or other utilities for uses including, but not limited to, the irrigation of any landscaping, the operation of any fountains, or the Maintenance of any other Improvements.

“Services,” also includes the performance by employees of functions, operations, maintenance, and repair activities, as provided by law. It is expected that the Services will be provided by the Authority, either with its own employees or by contract with third parties, or any combination thereof.

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

PUENTE HILLS HABITAT PRESERVATION AUTHORITY Community Facilities District No. 2024-01 (Puente Hills Preserve Protection)

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 applicable to the land in the Community Facilities District No. 2024-01 (the "CFD") of the Puente Hills Habitat Preservation Authority (the "Authority") shall be levied and collected according to the tax liability determined by the Authority through the application of the appropriate amount or rate described herein.

A. DEFINITIONS

"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 actual or estimated costs incurred by the Authority to determine, levy, and collect the Special Taxes, including the proportionate amount of the salaries and benefits of Authority employees whose duties are directly related to administration of the CFD and the fees of Special Tax levy administrator, other consultants, legal counsel, the costs of collecting installments of the Special Taxes upon the County tax rolls and any other incidental costs as determined by the Authority.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.

"Authority" the Puente Hills Habitat Preservation Authority.

"Base Year" means the Fiscal Year ending June 30, 2026.

"Board" means the Board of Directors of the Puente Hills Habitat Preservation Authority.

"Building Square Feet" or "BSQFT" means all the square footage within the perimeter of a residential structure or a commercial structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Building Square Feet shall be made by reference to the Assessor's Lien Roll Data. If the Assessor's Lien Roll Data does indicate Building Square Feet, building permit(s) issued for such structure, or other records shall be used, as determined by the CFD Administrator.

"CFD" or "CFD No. 2024-01" means the Puente Hills Habitat Preservation Authority Community Facilities District No. 2024-01 (Puente Hills Preserve Protection).

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

“County” means the County of Los Angeles, California.

“Developed Property” means real property with improvements for residential, commercial, or other purposes which is assigned improved value by the County Assessor as of July 1 of the current Fiscal Year.

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

“Land Use Classification” means any of the classes listed in section B(1).

“Maximum Special Tax” means the greatest amount of Special Tax, determined in accordance with Sections B and C below that can be levied in the CFD in any Fiscal Year on any Assessor’s Parcel.

“Public Property” means any property within the boundaries of the CFD that is either (i) owned by the federal government, the State of California, the County, another public agency, or a private nonprofit organization that owns and is responsible for conservation of open space areas or (ii) encumbered by an easement owned by any such public agency or private organization which easement makes the development of such property impractical. Notwithstanding the foregoing, a leasehold or other possessory interest in any such property which is subject to taxation pursuant to Section 53340.1 of the Act shall not constitute “Public Property.”

“RMA” means this Rate and Method of Apportionment of Special Tax.

“Services” means the services authorized to be funded by the CFD as described in the Resolution of Intention for the CFD.

“Special Tax” means the Special Tax to be levied, in each Fiscal Year, on Taxable Property, pursuant to Sections B through G below.

“Special Tax Requirement” means the amount required in any Fiscal Year for the CFD to 1) provided the Services; 2) pay for reasonable Administrative Expenses; 3) pay any amounts required to establish or replenish any reserve funds; and 4) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year.

“State” means the State of California.

“Taxable Property” means all Parcels within the boundaries of the CFD that are not Tax-Exempt Property.

“Tax-Exempt Property” means any Parcel within the CFD which is not Developed Property or Undeveloped Property and includes Public Property and Welfare Exempt Property.

“Undeveloped Property” means real property without improvements which is designated as vacant by the County Assessor as of July 1 of the current Fiscal Year.

“Welfare Exempt Property” means, in any Fiscal Year, all Parcels within the boundaries of the CFD that (a) have been granted a welfare exemption by the County under subdivision (g) of Section 214 of the Revenue and Taxation Code indicated in the Assessor’s Data finalized as of January 1 of the previous Fiscal Year, and (b) are exempt from the Special Tax pursuant to Section 53340(c) of the Act.

B. PROPERTY CATEGORIES AND MAXIMUM SPECIAL TAX RATES

1. **Classification of Parcels.** Each Fiscal Year, using the Definitions above and the Parcel records of the County Assessor’s Secured Tax Roll of July 1, the Authority shall cause each Parcel of land in the CFD to be classified as Taxable Property and Tax-Exempt Property. Taxable Property shall be further classified as Developed Property or Undeveloped Property.
2. **Assignment of Maximum Special Tax.** Each Fiscal Year, the Base Year Maximum Tax shown below shall be escalated as specified in Section C, Annual Adjustment of Maximum Special Tax, to determine the Maximum Special Tax for the upcoming Fiscal Year for each Land Use Classification.

Land Use Classification	Base Year Maximum Tax
Developed Property	\$0.0100 per Building Square Foot
Undeveloped Property	\$0.0000
Tax-Exempt Property	Exempt

3. **Conversion of a Tax-Exempt Property to a Taxable Property.** If a Tax-Exempt Property is not needed for public use and is converted to private use, it shall become subject to the Special Tax.

C. ANNUAL ADJUSTMENT OF MAXIMUM SPECIAL TAX

Beginning Fiscal Year 2026-27 and each Fiscal Year thereafter, the Maximum Special Tax shall be adjusted by three (3) percent for inflation.

D. DETERMINATION OF THE ANNUAL SPECIAL TAX

Commencing with Fiscal Year 2025-26, and for each subsequent Fiscal Year, the Board shall determine the Special Tax Requirement and shall levy the Annual Special Tax on each Assessor's Parcel of Taxable Property at one hundred percent of the applicable Maximum Special Tax to fund the Special Tax Requirement.

Subject to the preceding, the amount of Annual Special Tax levied upon any Taxable Property in any Fiscal Year shall not exceed the Maximum Special Tax for such Fiscal Year as computed herein.

The Board shall not levy a Special Tax on a Tax-Exempt Property.

E. PREPAYMENT OF THE SPECIAL TAX

Prepayment of the Special Tax is not authorized.

F. COLLECTION OF THE SPECIAL TAX

The Special Tax shall be collected each year in the same manner and at the same time as ad valorem property taxes are collected and shall be subject to the same penalties, interest, and lien priorities in the case of delinquency as is provided for ad valorem taxes. The Authority shall cause the actions required above to be done for each Fiscal Year in a timely manner to assure that the schedule of the Special Taxes to be collected are received by the County Auditor for inclusion with billings for such ad valorem taxes for the applicable Fiscal Year. However, the CFD Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the Authority or as otherwise determined appropriate by the CFD Administrator.

G. DURATION OF THE SPECIAL TAX

Assessor's Parcels in the CFD shall remain subject to the Special Tax perpetually until ended by voters. If the Special Tax ceases to be levied, the Authority or its designee shall direct the County Recorder to record a Notice of Cessation of Special Tax. Such notice will state that the obligation to pay the Special Tax has ceased and that the lien imposed by the Notice of Special Tax Lien is extinguished.

H. CITIZEN'S OVERSIGHT AND ACCOUNTABILITY PROVISIONS

The proceeds of the Special Tax shall only be used as described in the Description of Services to be Funded by the CFD. The proceeds of the Special Tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the Authority. No later than October 31 of the following Fiscal Year for which the Special Tax is in effect, the Authority shall prepare a report, for review and approval of the Board, detailing the amount of funds collected and expended, and the status of any project authorized to be funded by the Special Tax.

In addition, a citizens advisory committee may report annually to the Board and the public regarding the expenditure of such funds to show that the Special Tax proceeds are spent for their authorized purposes.

I. APPEALS AND INTERPRETATION PROCEDURE

Any property owner within the CFD who believes that the portion of the Special Tax levied on the subject property is in error, may file a written appeal no later than June 30 of the Fiscal Year in which the levy occurred, with the Executive Director or his or her designee, appealing the levy of the Special Tax on the subject property. The Executive Director or his or her designee will promptly review the appeal, and, if necessary, meet with the applicant, and decide the merits of the appeal. If the findings of the Executive Officer or his or her designee verify that the Special Tax levied should be modified, the Special Tax levy for future Fiscal Years shall be corrected, and a credit against future Special Taxes shall be arranged, if applicable. Any overcharges shall be corrected solely by means of adjustments to future Special Tax levies; no cash refunds shall be made. Any dispute over the decision of the Executive Officer or his or her designee shall be referred to the Board and the decision of the Board shall be final.

Interpretation may be made by resolution of the Board for purposes of clarifying any vagueness or uncertainty as it relates to the application of the Special Tax rate, or application of the method of apportionment, or classification of properties or any definition applicable to the CFD.