


MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: July 29, 2020

SUBJECT: **Agenda Item VII: Public hearing regarding the establishment of Community Facilities District No. 2020-1 (Local Fire Prevention, Water Quality and Open Space Measure)**

Staff Recommendation: That the Governing Board hold a public hearing on the establishment of Community Facilities District No. 2020-1 (Local Fire Prevention, Water Quality and Open Space Measure) and the proposed rate, method of apportionment, and manner of collection of special tax at 10:00 a.m. or as soon thereafter as practicable, on Wednesday, July 29, 2020.

Background: On June 24, 2020 the Governing Board approved a resolution declaring intention to establish Community Facilities District No. 2020-1 (the "CFD"). On July 29, 2020 the Governing Board approved a resolution modifying resolution declaring intention to establish Community Facilities District No. 2020-1 (the "Resolution") in order to add a low-income exemption.

The low income exemption would apply to developed parcels owned and occupied by a person or persons whose combined family income is at or below 50% of the median family income for the Los Angeles-Long Beach-Glendale, CA United States Department of Housing and Urban Development Metro Fair Market Rents Area shall be exempt from the special tax. Property owners seeking a low-income exemption must submit an application and provide the required verification documentation by June 1 prior to the tax year. The qualifying low-income ranges are from \$39,450 per year for a one person household up to \$56,300 per year for a four person household.

The proposed boundaries for the CFD are within the Santa Monica Mountains Conservancy Zone in the City of Los Angeles and generally within the Santa Monica Mountains west of Griffith Park and east of Interstate 405 (the "East Santa Monica Mountains / Hollywood Hills Area"). The proposed boundary map has been recorded with the Los Angeles County Recorder, is on file with the Board Clerk, and is attached to the Resolution of Formation as Exhibit A.

Notice of this hearing, including a summary of the Resolution, was published in the Los Angeles Daily News on July 16, 2020 in accordance with all applicable requirements of Government Code Section 53322.

The Resolution includes the levy of a special tax within the CFD to finance the costs of acquisition, maintenance, improvement, servicing, protection, and preservation of open space, parklands, wildlife corridors, natural or other lands and facilities owned or managed or maintained by the MRCA within the CFD, and the reduction of the risk of wildfires ("the Services and Facilities"), including incidental expenses of the CFD. Exhibit C to the Resolution, titled "Amended Rate and Method of Apportionment of Special Tax," includes a description of the rates, method of apportionment, and manner of collection of the special tax. The maximum annual tax per developed parcel is proposed to be \$68.00 for a period not to exceed 10 years.

Pursuant to Government Code Section 53321.5, a report of the proposed Services and Facilities ("Special Tax Report") has been prepared and filed with the Board Clerk. The Special Tax Report presents 1) a description of the Services and Facilities by type which will be required to adequately meet the needs of the CFD; and 2) an estimate of the fair and reasonable cost of the Services and Facilities and the cost of incidental expenses in connection therewith. The Special Tax Report has been made part of the record of the public hearing specified in Section 6 of the Resolution.

Pursuant to Government Code Section 53323, at the public hearing, the Governing Board must hear testimony of all interested persons or taxpayers for or against the establishment of the CFD, the extent of the CFD or the furnishing of the specified types of public facilities. At the hearing, protests against the establishment of the CFD, the extent of the CFD, or the furnishing of the specified types of public facilities or services within the CFD may be made orally or in writing by any interested person. However, any protests pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. Any written protest not personally presented by the author of that protest at the hearing must be filed with the Clerk of the Governing Board. The Governing Board may waive any irregularities in the form or content of any written protest and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn in writing at any time before the conclusion of the hearing.

Pursuant to Government Code Section 53324, if 50 percent or more of the registered voters residing within the territory proposed to be included in the CFD, or the owners of one-half ($\frac{1}{2}$) or more of the area of the land in the territory proposed to be included in the CFD and not exempt from the special tax, file written protests against the establishment of the CFD, and such protests are not withdrawn so as to reduce the value of the protests to less than such a majority, no further proceedings to establish the CFD or to levy such

special tax shall be taken for a period of one (1) year from the date of the public hearing, except that if the majority protests of the registered voters or the landowners are only against providing a specified type or types of any of the Services and Facilities proposed for the CFD, those protested Services and Facilities must be eliminated from the resolution of formation of the CFD. If the Governing Board proceeds with formation of the CFD, by adopting a resolution of formation, the special tax may be submitted to a vote of the registered voters within the proposed CFD in the next general election scheduled for November 3, 2020. Each voter shall have one vote. In order for the special tax to pass, at least two-thirds of the votes cast on the proposition must be in favor of levying the special tax.