

MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING

DATE: May 3, 2023
TO: Board of Directors
FROM: Rafael Payan, General Manager
SUBJECT: Approval of Resolution #2023-02, Ordering Levy of Special Taxes for Fiscal Year 2023-24 for Community Facilities District No. 2016-01 (Parks, Open Space and Coastal Preservation), and Resolution #2023-03, Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments, and Property-related Fees and Charges

SUMMARY:

To collect revenue from the District's Community Facilities District (CFD), the Board must annually levy the special taxes, under the Mello-Roos Community Facilities Act of 1982.

FISCAL IMPACT:

Approval of the assessment district levy will result in estimated revenue to the District of approximately \$1,360,999 for FY 2023-24.

FUNDING SOURCE:

Not applicable.

FUNDING BALANCE:

Not applicable.

DISCUSSION:

In 2004, the District developed a proposal for funding the acquisition, maintenance, preservation and improvement of parks, open spaces, recreational facilities and other similar public resources within the District. This benefit assessment, the "Parks, Open Space and Coastal Preservation Assessment District," was approved by 55.4% of ballots received and this Board levied the first assessment in August 2004 effective in fiscal year 2004-05.

The Assessment District measure had a 15 year sunset, and in anticipation of its upcoming expiration after the 2018-19 fiscal year, in 2016 the District proposed a special tax called "Community Facilities District No. 2016-01 (Parks, Open Space and Coastal Preservation)", (the "CFD"), to replace it. The proposed CFD was placed on the ballot as "Measure E" as part of the November 8, 2016 election. This measure passed with 71.88% support.

On February 8, 2017, the Board approved Ordinance 5, directing the levy of the CFD beginning in fiscal year 2019-20.

The CFD can be levied annually and can be increased by the change in the San Francisco Area Consumer Price Index, not to exceed 2% per year for facilities (CFD-Facilities) and 3% per year for services (CFD-Services).

The tax rates for fiscal year 2022-23 were \$27.07 per single-family equivalent unit for Tax Zone A and \$13.54 per single-family equivalent unit for Tax Zone B. The change in the CPI in December of last year was 4.88%. Therefore, the maximum of 2% was applied to the part of the rate for Facilities, and the maximum of 3% was applied to the part of the rate for Services, resulting in an overall maximum rate of \$27.80 per single-family equivalent unit for Tax Zone A and \$13.90 per single-family equivalent unit for Tax Zone B. The total amount of revenues that would be generated by the assessments in fiscal year 2023-24 is estimated to be approximately \$1,360,099.

RECOMMENDED ACTION:

It is recommended that the Board approve the resolution to levy the CFD special tax for fiscal year 2023-24 (**ATTACHMENT 1**) and to direct additional actions related to the levy of the special tax, and to approve the accompanying resolution certifying compliance with state law (**ATTACHMENT 2**), which is required by the County before they will add the levies to the annual property tax bills.

ATTACHMENTS:

1. [Resolution #2023-02, Ordering Levy of Special Taxes for Fiscal Year 2023–24 for Community Facilities District No. 2016-01 \(Parks, Open Space and Coastal Preservation\)](#)
2. [Resolution #2023-03, Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments, and Property-Related Fees and Charges](#)