RESOLUTION CC 2025-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF ANNEXATION NO. 38 OF CITY OF COVINA COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SERVICES) PROPOSITIONS REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 38 TO FINANCE PUBLIC SERVICES, AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

WHEREAS, pursuant to Section 53339.7 of the California Government Code the City Council (hereafter referred to as the "City Council") of the City of Covina (the "City") has adopted the resolution authorizing the annexation of territory to City of Covina Community Facilities District No. 2007-1 (Public Services), County of Los Angeles, State of California ("CFD No. 2007-1"); and

WHEREAS, by that resolution, the City Council called a special election on the propositions to be submitted to the voters of the territory proposed to be annexed to CFD No. 2007-1 ("Annexation No. 38") with respect to the levy of special taxes therein for the financing of public services within CFD No. 2007-1; and

WHEREAS, pursuant to Section 53326 of the California Government Code, it is necessary that the City Council submit to the voters of Annexation No. 38 the annual levy of special taxes on taxable property within Annexation No. 38; and

WHEREAS, pursuant to Section 53325.7 of the California Government Code and the provisions of said Code, the City Council may also submit to the voters of Annexation No. 38 a proposition for the establishment of an appropriations limit for Annexation No. 38; and

WHEREAS, twelve (12) or more registered voters have not resided within the territory of Annexation No. 38 for each of the ninety (90) days preceding July 15, 2025.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Findings. The City Council finds that: (i) the foregoing recitals are true and correct; (ii) 12 persons have not been registered to vote within the territory to be annexed to CFD No. 2007-1 for each of the 90 days preceding the close of the public hearing on July 15, 2025; (iii) pursuant to Section 53326 of the California Government Code, as a result of the findings set forth in clause (ii) above, the vote in the special election called by this resolution shall be by the landowners of the territory to be annexed to CFD No. 2007-1, whose property would be subject to the special taxes if they were levied at the time of the election, and each landowner shall have one vote for each acre, or portion thereof, which he or she owns within Annexation No. 38 which would be subject to the proposed special taxes if they were levied at the time of the election; (iv) the owners of all of the land in Annexation No. 38 by written consent (a) waived the time limits set forth in Section 53326 of the California Government Code

for holding the election called by this resolution and the election on the propositions (b) consented to the holding of the election on July 15, 2025, (c) waived notice and mailed notice of the time and date of the election, (d) waived an impartial analysis by the City Attorney of the ballot propositions pursuant to Section 9280 of the California Elections Code and arguments and rebuttals pursuant to Sections 9281 to 9287, inclusive, and 9295 of that Code, and mailing of a statement pursuant to Section 9401 of that Code, and (e) waived a synopsis of the measures to be included in the official ballot for said elections pursuant to Section 12111 of that Code; and (v) the City Clerk (hereafter referred to as the "City Clerk") has consented to the holding of the election on July 15, 2025.

SECTION 2. Call of Election. The City Council hereby calls and schedules an election for July 15, 2025, on the proposition of the annual levy of special taxes on taxable property within Annexation No. 38 to CFD No. 2007-1 to finance public services within the CFD No. 2007-1, and on the proposition of the establishment of an appropriations limit for Annexation No. 38 to CFD No. 2007-1.

SECTION 3. Propositions. The propositions to be submitted to the voters of Annexation No. 38 at such special election shall be as follows:

Proposition A: Shall special taxes be levied annually on taxable property within the territory to be annexed into the City of Covina Community Facilities District No. 2007-1 (Public Services), County of Los Angeles, State of California ("Annexation No. 38"); and collected so long as the special taxes are needed to pay for police services, fire protection and suppression services, paramedic services, and park maintenance at the special tax rates and pursuant to the method of apportioning the special taxes set forth in Exhibit "B" to the Resolution of Intention, Resolution No. 07-6578, adopted by the City Council of the City of Covina on May 1, 2007, and as amended by Resolution No. 09-6743?

*Proposition B***:** Shall an appropriations limit, as defined by subdivision (h) of Section 8 of Article XIIIB of the California Constitution, be established for Annexation No. 38 to the City of Covina Community Facilities District No. 2007-1 (Public Services), County of Los Angeles, State of California, in the amount of $100,000 per annum?

The First Amended Rate and Method of Apportionment is attached as Exhibit A.

SECTION 4. Conduct of Election. Except as otherwise provided in Section 5 hereof, the special election shall be conducted by the City Clerk in accordance with the provisions of the California Elections Code governing mail ballot elections of cities, and in particular the provisions of Division 4 (commencing with Section 4000), of that Code, insofar as they may be applicable.

SECTION 5. Election Procedures. The procedures to be followed in conducting the special election on (i) the proposition with respect to the levy of special taxes on taxable property within Annexation No. 38 to CFD No. 2007-1 to pay for public services, and (ii) the proposition with respect to the establishment of an appropriations limit for Annexation No. 38 to CFD No. 2007-1 in the amount of $100,000 per annum shall be as follows:

(a)   Pursuant to Section 53326 of the California Government Code, ballots for the special election shall be distributed to the qualified electors by the City Clerk by mail or by personal service.

(b)   Pursuant to applicable sections of the California Elections Code governing the conduct of mail ballot elections of cities, and in particular Division 4 (commencing with Section 4000) of that Code with respect to election conducted by mail, the City Clerk, or designated official, shall mail or deliver to each qualified elector an official ballot in the appropriate form, and shall also mail or deliver to all such qualified electors a ballot pamphlet, instructions to voter, and a return identification envelope addressed to the City Clerk for the return of voted official ballots.

(c)   The official ballot to be mailed or delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter.

(d)   The return identification envelope mailed or delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the following: (i) the name of the landowner, (ii) the address of the landowner, (iii) a declaration under penalty of perjury stating that the voter is the landowner or the authorized representative of the landowner entitled to vote the enclosed ballot and is the person whose name appears on the identification envelope, (iv) the printed name and signature of the voter, (v) the address of the voter, (vi) the date of signing and place of execution of the declaration, and (vii) a notice that the envelope contains an official ballot and is to be opened only by the City Clerk.

(e)   The information to voter form to be delivered by the City Clerk to the landowner-voter shall inform them that the official ballot shall be returned to the City Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 7:30 p.m. on the 15th day of July, 2025; provided that if all qualified electors have voted, the election shall be closed with the concurrence of the City Clerk.

(f)   Upon receipt of the return identification envelope, which are returned prior to the voting deadline on the date of the election, the City Clerk shall canvass the votes cast in the election, and shall file a statement with the City Council as to the results of such canvass and the election on each proposition set forth in the official ballot.

SECTION 6.   The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

APPROVED and **PASSED** this 15th day of July, 2025.

<div align="center">City of Covina, California</div>

BY: _____

            VICTOR LINARES, Mayor

ATTEST:

_____

FABIAN VELEZ, Chief Deputy City Clerk

<div align="center">

<u>CERTIFICATION</u>

</div>

I, Fabian Velez, Chief Deputy City Clerk of the City of Covina, do hereby certify that Resolution CC 2025-82 was duly adopted by the City Council of the City of Covina at a regular meeting held on the 15th day of July, 2025, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Dated:

_____

            FABIAN VELEZ, Chief Deputy City Clerk

EXHIBIT A

FIRST AMENDED RATE AND METHOD OF APPORTIONMENT

(Please see Exhibit A to Resolution CC 2025-81, Attachment B, in this same packet)