REGULAR MEETING

#### BOARD OF DIRECTORS

COUNTY SANITATION DISTRICT NO. 14

# To be held at the ANTELOPE VALLEY TRANSIT AUTHORITY 42210 6th Street West, Lancaster, California

#### THE DISTRICT MAY TAKE ACTION ON ANY AGENDA ITEM LISTED BELOW

THURSDAY	September 12, 2024	
Governing Body	Director	Alternate
LANCASTER	PARRIS (Chairperson)	CRIST (Chair pro tem)
PALMDALE	BISHOP	LOA
LOS ANGELES COUNTY	HORVATH	BARGER

- 1. Pledge of Allegiance
- 2. Director Compensation
- 3. Public Comment
- 4. Approve Minutes of Adjourned Regular Meeting Held July 11, 2024
- 5. Approve May and June 2024 Expenses in Amount of \$5,074,655

Summary: Local District expenses represent costs that are the sole responsibility of the individual District. Allocated expenses represent the District's proportionate share of expenses made by District No. 2, the Administrative District, on its behalf pursuant to the Joint Administration Agreement. This Agreement provides for the joint administration and technical support for all of the signatory Districts along with the methodology for determining the proportionate costs for each District. A listing of Districts' payments and previously approved budgets can be found on the Districts' website at <a href="mailto:lacsd.org/financial-documents">lacsd.org/financial-documents</a>. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

Local District Expenses:

Operations & Maintenance Capital Legal	\$2,524,235 1,792,086 (563)
Allocated Expenses: Joint Administration Technical Support	390,778 356,650
Legal Total Expenses	$\frac{11,468}{\$5,074,655}$

- 6. Re: Annexation No. 445 to District
  - (a) Adopted Resolution for Making Application to Local Agency Formation Commission (LAFCO) for Annexation; Review, Consider and Find Adequate <u>California Environmental Quality Act (CEQA) Document</u>; and Consent to Waiver of Protest Proceedings
  - (b) Adopt Joint Resolution with County of Los Angeles, Antelope Valley Cemetery District, Antelope Valley Mosquito & Vector Control District, Antelope Valley Resource Conservation District, and Antelope Valley East Kern Water Agency Approving and Accepting Negotiated Exchange of Property Tax Revenues Resulting from Annexation

Summary: Annexation No. 445 consists of two proposed warehouses in unincorporated Los Angeles County. Each annexation to the District's service area requires adoption of two resolutions by the Board. The first resolution authorizes submittal of the annexation application to LAFCO, approves the CEQA document, and consents to a waiver of the LAFCO protest hearing. The second resolution is a joint resolution with agencies that already provide services to the proposed annexation territory agreeing to the amount of property tax revenue that will be apportioned to the District in accordance with the Revenue and Taxation Code. A data sheet, map, and Notice of Finding are attached. A link to the CEQA document is provided above.

7. Adopt Joint Resolution Approving and Accepting Negotiated Exchange of Property Tax Revenues Resulting from Annexation 40-167 (4-223) Local Agency Formation Commission Designation 2024-06 to Los Angeles County Waterworks District No. 40, Antelope Valley (Waterworks District) Affecting County of Los Angeles, Antelope Valley Cemetery District, Antelope Valley Mosquito and Vector Control District, Antelope Valley Resource Conservation District, City of Lancaster, Antelope Valley-East Kern Water Agency, and County Sanitation District No. 14

#### 7. Contd.

Summary: The Waterworks District is proposing to annex territory located within the District's service area. The Revenue and Taxation Code requires that the District and other agencies that are already providing service to the territory, and are receiving property tax revenue, adopt a joint resolution approving the amount of property tax revenue to be apportioned to the agency providing the new service. The apportionment is determined by the Los Angeles County Auditor-Controller. A map provided by the Los Angeles County Department of Public Works showing the proposed annexation is attached. Staff has determined that adoption of the joint resolution does not constitute a "Project" under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15378.

- 8. Approve and Order Executed Documents as Follows:
  - (a) <u>Lease Agreement</u> (Lease) with Pacifico Power Lancaster 01 LLC (Pacifico) for Solar and Energy Storage Project at Lancaster Water Reclamation Plant (WRP)

Summary: In February 2024, the District entered into an Energy Services Agreement (ESA) with Pacifico to design, finance, build, operate, and maintain a 7-megawatt photovoltaic solar system with battery storage. The District will pay a fixed rate of approximately \$0.074/kW-hr for electricity generated by the system throughout a term of 25 years with an optional 5-year extension. The potential savings over the term is estimated at \$8,000,000. The Lease term is coincident with the ESA and requires annual rent payments of \$1. The Lease grants Pacifico the exclusive use of 25 acres for construction and operation of the system and non-exclusive use of 17 acres for electrical appurtenances and access routes at the Lancaster WRP. Staff has determined that the Project is exempt or otherwise not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15303. This item is consistent with the Districts' Guiding Principle to maximize use of our assets and resources (recycled water, recyclables, and energy).

(b) <u>Third Amendment to Lease and Recycled Water Agreement</u> (Amendment) with High Desert Dairy-Van Dam, LLC, (Van Dam) for Agricultural Reuse of Recycled Water on District Property at Lancaster Water Reclamation Plant (WRP) Eastern Agricultural Site (EAS)

Summary: The District currently leases approximately 2,880 acres of the EAS to Van Dam containing 18 center pivot irrigation systems for the cultivation of fodder crops using recycled water from the Lancaster WRP to ensure beneficial reuse of all recycled water not used for municipal reuse purposes. The pivots were installed by the District between 2005 and 2010, and Van Dam has been maintaining and repairing them pursuant to the terms of the lease, which expires on December 31, 2028. At the June 2024 meeting, the Board authorized issuance of a rent credit to Van Dam in the amount of \$420,000, which is a reasonable cost, to replace three pivots that collapsed and were no longer cost effective to repair. Additionally, the Board directed staff to implement a phased program of pivot replacement through 2028 to ensure that critical recycled water management operations are not interrupted in the future. The proposed Amendment provides Van Dam a \$420,000 credit against 2025 rent for replacing three pivots in August 2024 and will provide Van Dam a credit equal to rent due, which is approximately the cost of replacement escalated by inflation, in 2026, 2027, and 2028, to replace three additional pivots in 2025, 2026 and 2027, respectively. Additionally, in 2028, Van Dam will be reimbursed to replace up to three pivots at the District's discretion. Staff has determined that approval of the Amendment is exempt or otherwise not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21084 and Title 14 of the California Code of Regulation ("CEQA Guidelines") Section 15301. This item is consistent with the Districts' Guiding Principle to protect financial and facility assets through prudent investment and maintenance programs.

(c) <u>Wastewater Disposal Agreement in Exchange for Use of Facilities</u> (Agreement) with Antelope Valley Fairgrounds Association (Association)

Summary: The Association operates the Antelope Valley Fair & Event Center in Lancaster and is developing improvements called the Multi-Agency Regional Resilience Center (MARRC) to provide emergency services to the Antelope Valley in the event of a natural disaster. The existing fair and event center and the proposed MARRC facilities (Expanded Fairgrounds) will also be used to hold public events. The District Board proposed the District provide wastewater services to the Expanded Fairgrounds in exchange for District use of facilities. The Agreement requires the Association to provide District access to the facilities at an equivalent value to the annual service charge and capital facilities fees that would otherwise be due to provide wastewater service for the Expanded Fairgrounds. One event the District intends to hold at the Expanded Fairgrounds is an annual Earth Day or environmental education event in association with other local government and water agencies. Staff has determined that the approval of the agreements does not constitute a "Project" under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15378. This item is consistent with the Districts' Guiding Principle to provide reliable and responsible services with safety first.

DIST. 14 -2- SEPTEMBER 12, 2024

9. Adopt Resolution Approving *Joint Community Facilities Agreement* (Agreement) with California Municipal Finance Authority (Authority) and City Ventures Homebuilding, LLC, a California Corporation (Developer)

Summary: In order to fund obligations to District No. 14 associated with the Avanti North development, the Developer has proposed establishing a Community Facilities District (CFD) through the Authority pursuant to the Mello-Roos Community Facilities Act of 1982 (Mello-Roos Act). In accordance with the Mello-Roos Act, the Authority is the agency forming the CFD. In order to receive bond proceeds, the District must be party to the Agreement. The District will have no obligations for issuing any CFD bonds or for repaying any bonds that might be issued. The proposed Resolution, a copy of which is attached, authorizes the Chief Engineer and General Manager to execute the Agreement. Staff has determined that the Resolution and Agreement do not constitute a "Project" under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15378. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

Adjourn

Prior to or during the meeting session, the Chief Engineer and General Manager may update the Directors on various matters concerning the Districts that may be of current interest to the Directors. **Status Report:** 

**Public Comment:** 

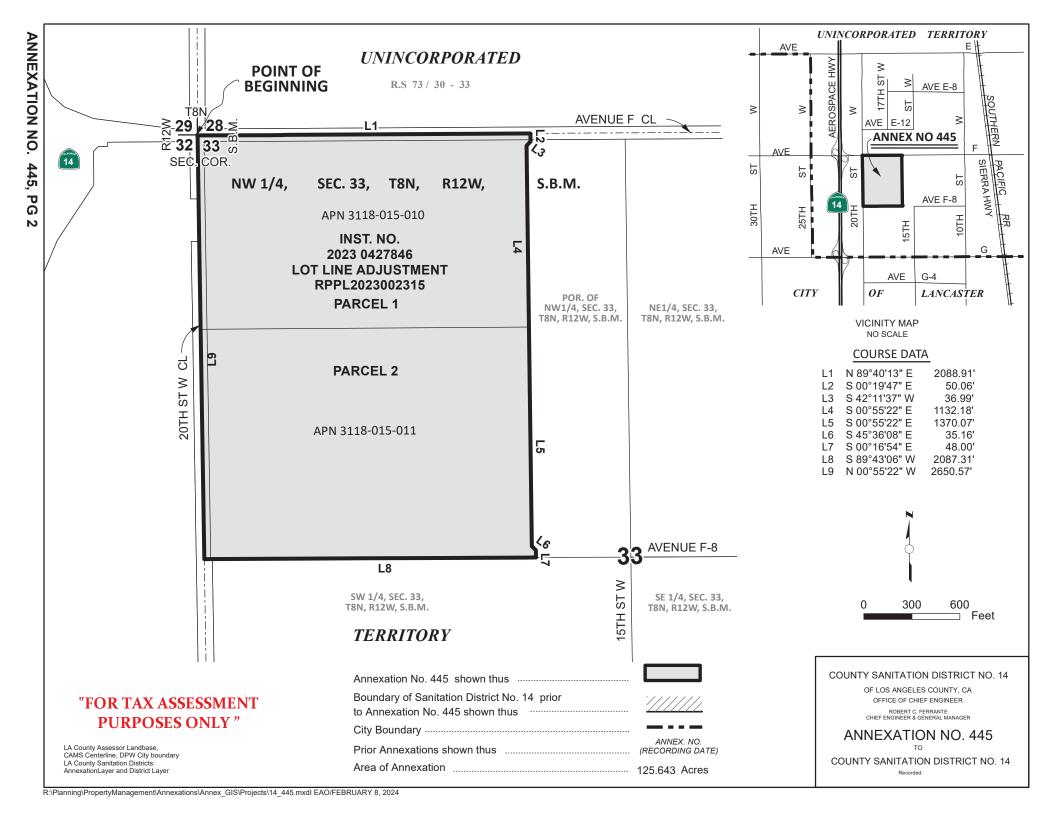
Members of the public may address the Board of Directors on any item shown on the agenda or matter under the Board's authority. A "Request to Address Board of Directors" form is available. In compliance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the Secretary to the Boards' Office (562) 908-4288, extension 1100. Notification of 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 35.101 et seq. ADA Title II).

Links to supporting documents are available online at the time of posting. Agendas and supporting documents or other writings that will be distributed to Board members in connection with matters subject to **Document Requests:** 

discussion or consideration at this meeting that are not exempt from disclosure under the Public Records Act are available for inspection following the posting of this agenda at the office of the Secretary to the Boards of Directors located at the Districts' Joint Administration Building, 1955 Workman Mill Road, Whittier,

California, 90601, or at the time of the meeting at the address posted on this agenda.

DIST. 14 -3-**SEPTEMBER 12, 2024** 



#### **COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY**

#### PROPOSED ANNEXATION NO. 445

AGENDA DATE: Resolution Making Application to LAFCO...... September 12, 2024

LOCATION: Located on the southeast corner of Avenue F and 20th Street West, all within

Unincorporated Los Angeles County, as shown on the attached map.

**PROCESSING** District \$ 2,000.00 FEES:

> 14,000.00 Local Agency Formation Commission

2,000.00 State Board of Equalization

\$ 18,000.00 Total:

**DESCRIPTION &** REMARKS:

The annexation consists of two proposed warehouses.

# NOTICE OF FINDING/CERTIFICATE OF FILING

ANNEXATION NO. 445 TO COUNTY SANITATION DISTRICT NO. 14

The annexation consists of two proposed warehouses.

۱.	BASI	ED UPON REVIEW AND STUDY, I FIND AND CERTIFY THAT:
		The annexation <b>is exempt</b> from the provisions of the California Environmental Quality Act, pursuant to the State CEQA Guidelines,
		Section: Reason:
	X	The Mitigated Negative Declaration is adequate for consideration of the annexation.
		The Environmental Impact Report is acceptable for consideration of the annexation.
	ISSUEI	O BY:
	X	Los Angeles County Department of Regional Planning
		City of
2.	Sanitat	bject annexation has been set for consideration before the Board of Directors of County ion District No. 14 at their meeting to be held on September 12, 2024, at the time and place as ed for the meeting of said date.
3.	Genera 4998)	oject annexation and all related documents are on file in the office of the Chief Engineer and I Manager, Los Angeles County Sanitation Districts, 1955 Workman Mill Road, (P.O. Box Whittier, California and may be examined by any interested person for further particulars. one: (562) 908-4288, extension 2708.
		Am f ff

Stan Pegadiotes
Division Engineer

Facilities Planning Department

# JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES ACTING IN BEHALF OF

Los Angeles County General Fund

Los Angeles County Library

Los Angeles County Road District #5

Los Angeles County Consolidated Fire Protection District

# THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY, AND THE GOVERNING BODIES OF

Antelope Valley Cemetery District

Antelope Valley Mosquito & Vector Control District

Antelope Valley Resource Conservation District

Antelope Valley - East Kern Water Agency

# APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 14

#### "ANNEXATION NO. 445"

WHEREAS, pursuant to Section 99 and 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change which will result in a special district providing a new service, the governing bodies of all local agencies that receive an apportionment of the property tax from the area must determine the amount of property tax revenues from the annual tax increment to be exchanged between the affected agencies and approve and accept the negotiated exchange of property tax revenues by resolution; and

WHEREAS, the governing bodies of the agencies signatory hereto have made determinations of the amount of property tax revenues from the annual tax increments to be exchanged as a result of the annexation to County Sanitation District No. 14 entitled *Annexation No. 445*;

#### NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The negotiated exchange of property tax revenues resulting from the annexation of territory to County Sanitation District No. 14 in the annexation entitled Annexation No. 445 is approved and accepted.
- 2. For each fiscal year commencing on July 1, 2022, or after the effective date of this jurisdictional change, whichever is later, the County Auditor shall transfer to County Sanitation District No. 14 a total of 0.3134074 percent of the annual tax increment attributable to the land area encompassed within Annexation *No. 445 as* shown on the attached Worksheet.
- 3. No additional transfer of property tax revenues shall be made from any other tax agencies to County Sanitation District No. 14 as a result of annexation entitled Annexation *No. 445*.

- 4. No transfer of property tax increments from properties within a community redevelopment project, which are legally committed to a Community Redevelopment Agency, shall be made during the period that such tax increment is legally committed for repayment of the redevelopment project costs.
- 5. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

The foregoing resolution was adopted by the Board of Supervisors of the County of Los Angeles, the Board of Directors of County Sanitation District No. 14 of Los Angeles County, and the governing bodies of Antelope Valley Cemetery District, Antelope Valley Mosquito & Vector Control District, Antelope Valley Resource Conservation District, and Antelope Valley - East Kern Water Agency, signatory hereto.

	COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY
	Chairperson, Board of Directors
ATTEST:	
Secretary	Date

(SIGNED IN COUNTERPART)

PREPARED 05/03/2023 PAGE

CO.SANITATION DIST.NO 14 DEBT S. 066.45 04815 07/01/2023

ANNEXATION TO: ACCOUNT NUMBER:

TRA: 0481 EFFECTIVE DATE: 07/0 ANNEXATION NUMBER: 445

PROJECT NAME: A-14-445

DISTRICT SHARE:

0.006006203

ACCOUNT #	TAXING AGENCY	CURRENT TAX SHARE	PERCENT	PROPOSED DIST SHARE	ALLOCATED SHARE	ADJUSTMENTS	NET SHARE
001.05	LOS ANGELES COUNTY GENERAL	0.263384880	26.3394 %	0.006006203	0.001581954	-0.001619132	0.261765748
001.20	L.A. COUNTY ACCUM CAP OUTLAY	0.000140208	0.0140 %	0.006006203	0.000000842	0.00000000	0.000140208
003.01	L A COUNTY LIBRARY	0.030062405	3.0062 %	0.006006203	0.000180560	-0.000180560	0.029881845
005.25	ROAD DIST # 5	0.007733586	0.7733 %	0.006006203	0.000046449	-0.000046449	0.007687137
007.30	CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.185810671	18.5810 %	0.006006203	0.001116016	-0.001116016	0.184694655
007.31	L A C FIRE-FFW	0.006049862	0.6049 %	0.006006203	0.000036336	0.000000000	0.006049862
053.30	ANTELOPE VY CEMETERY DISTRICT	0.001728826	0.1728 %	0.006006203	0.000010383	-0.000010383	0.001718443
061.05	ANTELOPE VLY MOSQ & VECTOR CONTR	0.002172516	0.2172 %	0.006006203	0.000013048	-0.000013048	0.002159468
068.05	ANTELOPE VY RESOURCE CONSER DIST	0.001162106	0.1162 %	0.006006203	0.000006979	-0.000006979	0.001155127
300.10	ANTELOPE VYEAST KERN WATER AGY	0.023560221	2.3560 %	0.006006203	0.000141507	-0.000141507	0.023418714
400.00	EDUCATIONAL REV AUGMENTATION FD	0.046624678	4.6624 %	0.006006203	0.000280037	EXEMPT	0.046624678
400.01	EDUCATIONAL AUG FD IMPOUND	0.128570214	12.8570 %	0.006006203	0.000772218	EXEMPT	0.128570214
400.15	COUNTY SCHOOL SERVICES	0.001739312	0.1739 %	0.006006203	0.000010446	EXEMPT	0.001739312
400.21	CHILDREN'S INSTIL TUITION FUND	0.003451924	0.3451 %	0.006006203	0.000020732	EXEMPT	0.003451924
529.01	LANCASTER SCHOOL DISTRICT	0.073282725	7.3282 %	0.006006203	0.000440150	EXEMPT	0.073282725
529.06	CO.SCH.SERV.FD LANCASTER	0.010843803	1.0843 %	0.006006203	0.000065130	EXEMPT	0.010843803
529.07	DEV CTR HDCPD MINOR LANCASTER	0.001051426	0.1051 %	0.006006203	0.000006315	EXEMPT	0.001051426
717.02	ANTELOPE VALLEY UNION HIGH SCH.	0.120044361	12.0044 %	0.006006203	0.000721010	EXEMPT	0.120044361
717.06	CO.SCH.SERV.FD ANTELOPE VALLEY	0.000441076	0.0441 %	0.006006203	0.000002649	EXEMPT	0.000441076

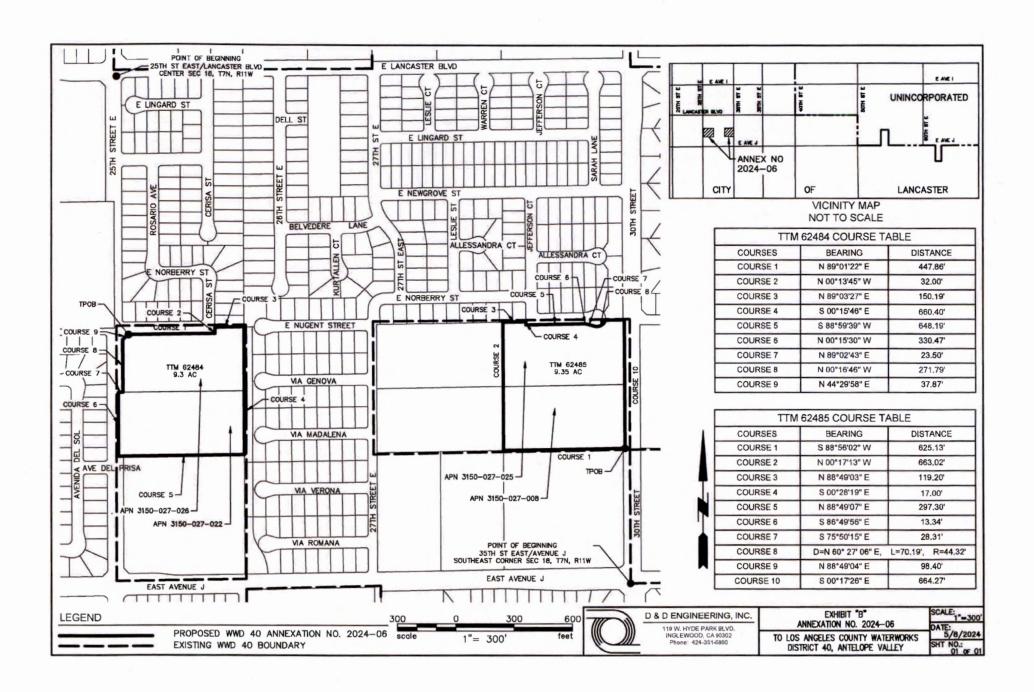
# PROPERTY TAX TRANSFER RESOLUTION WORKSHEET FISCAL YEAR 2022-2023

ANNEXATION NUMBER: 445

PROJECT NAME: A-14-445

TRA: 04815

ACCOUNT #	TAXING AGENCY	CURRENT TAX SHARE	PERCENT	PROPOSED DIST SHARE	ALLOCATED SHARE	ADJUSTMENTS	NET SHARE
717.07	ANTELOPE VY.UN.HIELEM SCH FD.	0.058812067	5.8812 %	0.006006203	0.000353237	EXEMPT	0.058812067
792.04	ANTELOPE VY.JT. COMMUNITY COLL.	0.033333133	3.3333 %	0.006006203	0.000200205	EXEMPT	0.033333133
***066.45	CO.SANITATION DIST.NO 14 DEBT S.	0.000000000	0.0000 %	0.006006203	0.00000000	0.00000000	0.003134074
	TOTAL:	1.000000000	100.0000 %		0.006006203	-0.003134074	1.000000000



JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, ACTING ON BEHALF OF THE COUNTY AND OTHER
COUNTY ENTITIES, THE BOARD OF DIRECTORS OF THE
ANTELOPE VALLEY CEMETERY DISTRICT, THE BOARD OF TRUSTEES OF
THE ANTELOPE VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT, THE
BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 14 OF
LOS ANGELES COUNTY, THE BOARD OF DIRECTORS OF THE ANTELOPE
VALLEY RESOURCE CONSERVATION DISTRICT, THE CITY COUNCIL OF THE
CITY OF LANCASTER, AND THE BOARD OF DIRECTORS OF THE ANTELOPE
VALLEY-EAST KERN WATER AGENCY APPROVING AND ACCEPTING THE
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM
ANNEXATION OF PROPERTY DESIGNATED AS ANNEXATION 40-167 (4-223),
LOCAL AGENCY FORMATION COMMISSION DESIGNATION 2024-06, TO THE LOS
ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, in the case of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area may negotiate an exchange of property tax revenue generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting as the governing body of the County of Los Angeles; the Los Angeles County Waterworks District No. 40, Antelope Valley; the Los Angeles County Library; and the Consolidated Fire Protection District of Los Angeles County; together with the Board of Directors of the Antelope Valley Cemetery District, the Board of Trustees of the Antelope Valley Mosquito and Vector Control District, the Board of Directors of County Sanitation District No. 14; the Board of Directors of the Antelope Valley Resource Conservation District, the City Council of the City of Lancaster, and the Board of Directors of the Antelope Valley-East Kern Water Agency have determined the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Annexation 40-167 (4-223) to the Los Angeles County Waterworks District No. 40, Antelope Valley, is as set forth:

//

//

11

#### NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. The County of Los Angeles; the Los Angeles County Waterworks District No. 40, Antelope Valley; the Los Angeles County Library; the Consolidated Fire Protection District of Los Angeles County; the Antelope Valley Cemetery District; the Antelope Valley Mosquito and Vector Control District; Los Angeles County Sanitation District No. 14; the Antelope Valley Resource Conservation District; the City of Lancaster and the Antelope Valley-East Kern Water Agency have determined the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Annexation 40-167 (4-223) is approved and accepted.
- 2. For fiscal years commencing on or after July 1, 2024, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Annexation 40-167 (4-223) shall be allocated to the affected agencies as indicated in the enclosed worksheets (Exhibits C to F).
- 3. No transfer of property tax revenues other than those specified in paragraph 2 shall be made as a result of Annexation 40-167 (4-223).
- 4. If at any time after the effective date of this Joint Resolution, the calculations used herein to determine initial property tax transfers, or the data used to perform those calculations, are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

//
//
//
//
//
//
//

11

PASSED, APPROVED, AND ADOPTED this the following vote:	day of	, 2024, by
	a a	
AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
a a constant of the constant o	Chairperson, Board County Sanitation D of Los Angeles	istrict No. 14
ATTEST:		
Secretary		

## **EXHIBIT 'A'**

## ANNEXATION No. 2024-06 TO LOS ANGELES **COUNTY WATERWORKS DISTRICT 40,** ANTELOPE VALLEY

#### GEOGRAPHIC DESCRIPTION

TTM 62484

THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE CENTER OF SECTION 18, TOWNSHIP 7N, RANGE 11W, F.D.; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SOUTH 1/4 OF SECTION 18, T7N, R11W. F.D A DISTANCE OF 1323.22 FEET TO THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING NUMBERED COURSES:

- LEAVING THE SAID LINE NORTH 89°01'22" EAST, 447.86 FEET;
- 2) NORTH 00"13"45" WEST, 32.00 FEET;
- NORTH 89'03'27" EAST, 150.19 FEET; 3)
- SOUTH 00"5'46" EAST, 660.40 FEET;
- SOUTH 88°59'39" WEST, 648.19 FEET;
- NORTH 00"15'30" WEST, 330.47 FEET;
- 7) NORTH 89°02'43" EAST, 23.50 FEET;
- 8) NORTH 00°16'46" WEST, 271.79 FEET;
- NORTH 44'29'58" EAST, 37.87 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 404,886 SQUARE FEET, OR 9.3 ACRES, MORE OR LESS.

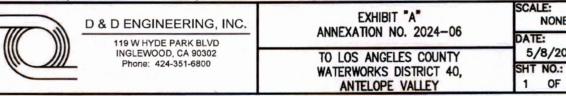
#### TTM 62485

THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

POINT OF BEGINNING AT THE SOUTH EAST CORNER OF SECTION 18, TOWNSHIP 7N, RANGE 11W, F.D.; THENCE NORTHERLY ALONG THE EAST LINE OF SAID EAST 1/4 OF SECTION 18, T7N, R11W, F.D A DISTANCE OF 659.66 FEET TO THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING NUMBERED COURSES:

- LEAVING THE SAID LINE SOUTH 88°56'02" WEST, 625.13 FEET;
- 2) NORTH 0017'13" WEST, 663.02 FEET;
- NORTH 88'49'03" EAST, 119.20 FEET; 3)
- SOUTH 00'28'19" EAST, 17.00 FEET;
- NORTH 88'49'07" EAST, 297.30 FEET;
- SOUTH 86'49'56" EAST, 13.34 FEET;
- SOUTH 75°50'15" EAST, 28.31 FEET;
- NORTH 60°27'06" EAST, 70.19 FEET, 44.32 FOOT RADIUS;
- NORTH 88°49'04" EAST, 98.40 FEET;
- 10) SOUTH 0017'26" EAST, 664.27 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 408,043 SQUARE FEET, OR 9.35 ACRES, MORE OR LESS.



SCALE:

NONE

5/8/2024

OF 1

**Annexation To:** 

Waterworks District # 40 ANTELOPE VALLEY GENERAL FUND

Account No.

047.04

TRA: **Effective Date:**  05711 7/1/2024

**Annexation Number:** 

40-167

Waterworks District # 40 GENERAL FUND

0.005013235

Based on their 2023-24 Tax Sharing Ratios

Accnt No. Taxing Agency	(1) Current Tax Share	(2) = (1) / Total  Percent	(3) Proposed Dist Share	(4) = (2) * (3) Alloc of Dist Share	(5) Allocation Adjustments	(6) = (1) + (5) New Net Share
1.05 LOS ANGELES COUNTY GENERAL	0.245309221	24.5309%	0.005013235	0.001229694	-0.002100211	0.243209010
1.20 L.A. COUNTY ACCUM CAP OUTLAY	0.000112814	0.0113%	0.005013235	0.00000576	-0.000986134	-0.000873320
3.01 L A COUNTY LIBRARY	0.023060321	2.3060%	0.005013235	0.000115617	-0.000992313	0.022068008
7.30 CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.173526804	17.3527%	0.005013235	0.000869941	-0.000908943	0.172617861
7.31 L A C FIRE-FFW	0.006085884	0.6086%	0.005013235	0.000030520	-0.000041974	0.006043910
53.30 ANTELOPE VY CEMETERY DISTRICT	0.001345367	0.1345%	0.005013235	0.000006755	-0.000110295	0.001235072
61.05 ANTELOPE VLY MOSQ & VECTOR CONTR	0.001689836	0.1690%	0.005013235	0.000008482	-0.000343369	0.001346467
66.45 CO SANIT DIST NO 14 OPERATING	0.027075402	2.7075%	0.005013235	0.000135746	-0.001110777	0.025964625
68.05 ANTELOPE VY RESOURCE CONSER DIST	0.000935183	0.0935%	0.005013235	0.000004699	-0.000755617	0.000179566
186.01 CITY-LANCASTER FOXFIELD RP	0.063663627	6.3664%	0.005013235	0.000319171	-0.000656375	0.063007252
300.10 ANTELOPE VYEAST KERN WATER AGY	0.018959357	1.8959%	0.005013235	0.000095058	-0.000432262	0.018527095
400.00 EDUCATIONAL REV AUGMENTATION FD	0.065863278	6.5863%	0.005013235	0.000330188	Exempt	0.065863278
400.01 EDUCATIONAL AUG FD IMPOUND	0.130825866	13.0826%	0.005013235	0.000655860	Exempt	0.130825866
400.15 COUNTY SCHOOL SERVICES	0.001399666	0.1400%	0.005013235	0.000007016	Exempt	0.001399666
400.21 CHILDREN'S INSTIL TUITION FUND	0.002777854	0.2778%	0.005013235	0.000013926	Exempt	0.002777854
464.01 EASTSIDE UNION SCHOOL DISTRICT	0.054909473	5.4909%	0.005013235	0.000275274	Exempt	0.054909473
464.06 CO.SCH.SERV.FD EASTSIDE UNION	0.010518859	1.0519%	0.005013235	0.000052733	Exempt	0.010518859
464.07 DEV CTR HDCPD MINOR EASTSIDE UN	0.000833673	0.0834%	0.005013235	0.000004179	Exempt	0.000833673
717.02 ANTELOPE VALLEY UNION HIGH SCH.	0.096601814	9.6602%	0.005013235	0.000484287	Exempt	0.096601814
717.06 CO.SCH.SERV.FD ANTELOPE VALLEY	0.000354947	0.0355%	0.005013235	0.000001779	Exempt	0.000354947
717.07 ANTELOPE VY.UN.HIELEM SCH FD.	0.047327064	4.7327%	0.005013235	0.000237261	Exempt	0.047327064
792.04 ANTELOPE VY.JT. COMMUNITY COLL.	0.026823690	2.6824%	0.005013235	0.000134473	Exempt	0.026823690
047.04 Waterworks Dist # 40 ANTELOPE VALLEY	0.00000000	0.0000%	0.005013235	0.00000000	0.000000000	0.008438270
Total	1.000000000	100.0000%		0.005013235	-0.008438270	1.000000000

<sup>(1)</sup> Current share as reflected in the Auditor's ATI distribution in AF 49. Must total 1.000000000.

<sup>(2)</sup> Must total 100%.

<sup>(3)</sup> Weighted average waterworks district share as verified by Auditor.

<sup>(4)</sup> Must total share reflected in Column (3). 3/3/16 - truncated by 9 places after the decimal per LACO Auditor-Controller.

<sup>(5)</sup> Reflects exemption for school entities and County general fund obligation for debt service and FFW.

<sup>(6)</sup> Final share distributions to be reflected in tax transfer resolution.

Annexation To:

Waterworks District # 40 ACO FUND

Account No.

051.75 05711

TRA: Effective Date: 05711 7/1/2024

Annexation Number:

40-167

Waterworks District # 40, ACO FUND
Based on their 2023-24 Tax Sharing Ratios

0.004665271

Accent No. Taxing Agency	(1) Current Tax Share	(2) = (1) / Total Percent	(3) Proposed Dist Share	(4) = (2) * (3) Alloc of Dist Share	(5) Allocation Adjustments	(6) = (1) + (5) New Net Share
1.05 LOS ANGELES COUNTY GENERAL	0.245309221	24.5309%	0.004665271	0.001144334	-0.001954431	0.243354790
1.20 L.A. COUNTY ACCUM CAP OUTLAY	0.000112814	0.0113%	0.004665271	0.00000537	-0.000917690	-0.000804876
3.01 L A COUNTY LIBRARY	0.023060321	2.3060%	0.004665271	0.000107593	-0.000923440	0.022136881
7.30 CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.173526804	17.3527%	0.004665271	0.000809560	-0.000845857	0.172680947
7.31 L A C FIRE-FFW	0.006085884	0.6086%	0.004665271	0.000028403	-0.000039063	0.006046821
53.30 ANTELOPE VY CEMETERY DISTRICT	0.001345367	0.1345%	0.004665271	0.000006287	-0.000102642	0.001242725
61.05 ANTELOPE VLY MOSQ & VECTOR CONTR	0.001689836	0.1690%	0.004665271	0.000007894	-0.000319537	0.001370299
66.45 CO SANIT DIST NO 14 OPERATING	0.027075402	2.7075%	0.004665271	0.000126325	-0.001033682	0.026041720
68.05 ANTELOPE VY RESOURCE CONSER DIST	0.000935183	0.0935%	0.004665271	0.000004373	-0.000703172	0.000232011
186.01 CITY-LANCASTER FOXFIELD RP	0.063663627	6.3664%	0.004665271	0.000297019	-0.000610818	0.063052809
300.10 ANTELOPE VYEAST KERN WATER AGY	0.018959357	1.8959%	0.004665271	0.000088461	-0.000402260	0.018557097
400.00 EDUCATIONAL REV AUGMENTATION FD	0.065863278	6.5863%	0.004665271	0.000307270	Exempt	0.065863278
400.01 EDUCATIONAL AUG FD IMPOUND	0.130825866	13.0826%	0.004665271	0.000610338	Exempt	0.130825866
400.15 COUNTY SCHOOL SERVICES	0.001399666	0.1400%	0.004665271	0.000006529	Exempt	0.001399666
400.21 CHILDREN'S INSTIL TUITION FUND	0.002777854	0.2778%	0.004665271	0.000012959	Exempt	0.002777854
464.01 EASTSIDE UNION SCHOOL DISTRICT	0.054909473	5.4909%	0.004665271	0.000256167	Exempt	0.054909473
464.06 CO.SCH.SERV.FD EASTSIDE UNION	0.010518859	1.0519%	0.004665271	0.000049073	Exempt	0.010518859
464.07 DEV CTR HDCPD MINOR EASTSIDE UN	0.000833673	0.0834%	0.004665271	0.00003889	Exempt	0.000833673
717.02 ANTELOPE VALLEY UNION HIGH SCH.	0.096601814	9.6602%	0.004665271	0.000450673	Exempt	0.096601814
717.06 CO.SCH.SERV.FD ANTELOPE VALLEY	0.000354947	0.0355%	0.004665271	0.000001655	Exempt	0.000354947
717.07 ANTELOPE VY.UN.HIELEM SCH FD.	0.047327064	4.7327%	0.004665271	0.000220793	Exempt	0.047327064

2.6824%

0.0000%

100.0000%

0.004665271

0.004665271

0.000125139

0.000000000

0.004665271

Exempt

0.000000000

-0.007852592

0.026823690

0.007852592

1.000000000

Total

792.04 ANTELOPE VY.JT. COMMUNITY COLL.

051.75 Waterworks Dist # 40 ACO FUND

0.026823690

0.000000000

1.000000000

<sup>(1)</sup> Current share as reflected in the Auditor's ATI distribution in AF 49. Must total 1.000000000.

<sup>(2)</sup> Must total 100%.

<sup>(3)</sup> Weighted average waterworks district share as verified by Auditor.

<sup>(4)</sup> Must total share reflected in Column (3). 3/3/16 - truncated by 9 places after the decimal per LACO Auditor-Controller.

<sup>(5)</sup> Reflects exemption for school entities and County general fund obligation for debt service and FFW.

<sup>(6)</sup> Final share distributions to be reflected in tax transfer resolution.

Annexation To:

Waterworks District # 40 ANTELOPE VALLEY GENERAL FUND

(2) = (1) / Total

(4) - (2) \* (2)

0.005013235

(E)

-0.008438858

(6) = (1) + (5)

1.000000000

Account No. TRA:

047.04 05870

Effective Date: Annexation Number: 7/1/2024 40-167

Waterworks District # 40 GENERAL FUND Based on their 2023-24 Tax Sharing Ratios 0.005013235

111

Accnt No. Taxing Agency	(1) Current Tax Share	(2) = (1) / Total  Percent	(3) Proposed Dist Share	(4) = (2) * (3) Alloc of Dist Share	(5) Allocation Adjustments	(6) = (1) + (5) New Net Share
1.05 LOS ANGELES COUNTY GENERAL	0.245569615	24.5570%	0.005013235	0.001231001	-0.002101932	0.243467683
1.20 L.A. COUNTY ACCUM CAP OUTLAY	0.000112884	0.0113%	0.005013235	0.00000576	-0.000986620	-0.000873736
3.01 L A COUNTY LIBRARY	0.023074676	2.3075%	0.005013235	0.000115689	-0.000992803	0.022081873
7.30 CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.173609386	17.3609%	0.005013235	0.000870355	-0.000909387	0.172699999
7.31 L A C FIRE-FFW	0.006090809	0.6091%	0.005013235	0.000030545	-0.000042005	0.006048804
53.30 ANTELOPE VY CEMETERY DISTRICT	0.001346200	0.1346%	0.005013235	0.000006759	-0.000110351	0.001235849
61.05 ANTELOPE VLY MOSQ & VECTOR CONTR	0.001690858	0.1691%	0.005013235	0.000008487	-0.000343376	0.001347482
66.45 CO SANIT DIST NO 14 OPERATING	0.026580530	2.6581%	0.005013235	0.000133265	-0.001108160	0.025472370
68.05 ANTELOPE VY RESOURCE CONSER DIST	0.000935660	0.0936%	0.005013235	0.000004701	-0.000755666	0.000179994
186.01 CITY-LANCASTER FOXFIELD RP	0.063636425	6.3636%	0.005013235	0.000319035	-0.000656244	0.062980181
300.10 ANTELOPE VYEAST KERN WATER AGY	0.018968627	1.8969%	0.005013235	0.000095105	-0.000432314	0.018536313
400.00 EDUCATIONAL REV AUGMENTATION FD	0.065863278	6.5863%	0.005013235	0.000330188	Exempt	0.065863278
400.01 EDUCATIONAL AUG FD IMPOUND	0.130825866	13.0826%	0.005013235	0.000655860	Exempt	0.130825866
400.15 COUNTY SCHOOL SERVICES	0.001400525	0.1401%	0.005013235	0.000007021	Exempt	0.001400525
400.21 CHILDREN'S INSTIL TUITION FUND	0.002779558	0.2780%	0.005013235	0.000013934	Exempt	0.002779558
464.01 EASTSIDE UNION SCHOOL DISTRICT	0.054943149	5.4943%	0.005013235	0.000275442	Exempt	0.054943149
464.06 CO.SCH.SERV.FD EASTSIDE UNION	0.010525309	1.0525%	0.005013235	0.000052765	Exempt	0.010525309
464.07 DEV CTR HDCPD MINOR EASTSIDE UN	0.000834184	0.0834%	0.005013235	0.000004181	Exempt	0.000834184
717.02 ANTELOPE VALLEY UNION HIGH SCH.	0.096661062	9.6661%	0.005013235	0.000484584	Exempt	0.096661062
717.06 CO.SCH.SERV.FD ANTELOPE VALLEY	0.000355165	0.0355%	0.005013235	0.000001780	Exempt	0.000355165
717.07 ANTELOPE VY.UN.HIELEM SCH FD.	0.047356090	4.7356%	0.005013235	0.000237407	Exempt	0.047356090
792.04 ANTELOPE VY.JT. COMMUNITY COLL.	0.026840144	2.6840%	0.005013235	0.000134555	Exempt	0.026840144
047.04 Waterworks Dist # 40 ANTELOPE VALLEY	0.000000000	0.0000%	0.005013235	0.000000000	0.000000000	0.008438858

100.0000%

Total

1.000000000

<sup>(1)</sup> Current share as reflected in the Auditor's ATI distribution in AF 49. Must total 1.000000000.

<sup>(2)</sup> Must total 100%.

<sup>(3)</sup> Weighted average waterworks district share as verified by Auditor.

<sup>(4)</sup> Must total share reflected in Column (3). 3/3/16 - truncated by 9 places after the decimal per LACO Auditor-Controller.

<sup>(5)</sup> Reflects exemption for school entities and County general fund obligation for debt service and FFW.

<sup>(6)</sup> Final share distributions to be reflected in tax transfer resolution.

**Annexation To:** 

Waterworks District # 40 ACO FUND

Account No.

051.75

TRA: **Effective Date:**  05870 7/1/2024

**Annexation Number:** 

40-167

Waterworks District # 40, ACO FUND

0.004665271

Based on their 2023-24 Tax Sharing Ratios

Accnt No. Taxing Agency	(1) Current Tax Share	(2) = (1) / Total  Percent	(3) Proposed Dist Share	(4) = (2) * (3) Alloc of Dist Share	(5) Allocation Adjustments	(6) = (1) + (5) New Net Share
1.05 LOS ANGELES COUNTY GENERAL	0.245569615	24.5570%	0.004665271	0.001145549	-0.001956031	0.243613584
1.20 L.A. COUNTY ACCUM CAP OUTLAY	0.000112884	0.0113%	0.004665271	0.00000537	-0.000918142	-0.000805258
3.01 L A COUNTY LIBRARY	0.023074676	2.3075%	0.004665271	0.000107660	-0.000923896	0.022150780
7.30 CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.173609386	17.3609%	0.004665271	0.000809945	-0.000846270	0.172763116
7.31 L A C FIRE-FFW	0.006090809	0.6091%	0.004665271	0.000028426	-0.000039093	0.006051716
53.30 ANTELOPE VY CEMETERY DISTRICT	0.001346200	0.1346%	0,004665271	0.000006291	-0.000102694	0.001243506
61.05 ANTELOPE VLY MOSQ & VECTOR CONTR	0.001690858	0.1691%	0.004665271	0.000007899	-0.000319545	0.001371313
66.45 CO SANIT DIST NO 14 OPERATING	0.026580530	2.6581%	0.004665271	0.000124016	-0.001031246	0.025549284
68.05 ANTELOPE VY RESOURCE CONSER DIST	0.000935660	0.0936%	0.004665271	0.000004376	-0.000703218	0.000232442
186.01 CITY-LANCASTER FOXFIELD RP	0.063636425	6.3636%	0.004665271	0.000296892	-0.000610695	0.063025730
300.10 ANTELOPE VYEAST KERN WATER AGY	0.018968627	1.8969%	0.004665271	0.000088504	-0.000402307	0.018566320
400.00 EDUCATIONAL REV AUGMENTATION FD	0.065863278	6.5863%	0.004665271	0.000307270	Exempt	0.065863278
400.01 EDUCATIONAL AUG FD IMPOUND	0.130825866	13.0826%	0.004665271	0.000610338	Exempt	0.130825866
400.15 COUNTY SCHOOL SERVICES	0.001400525	0.1401%	0.004665271	0.000006533	Exempt	0.001400525
400.21 CHILDREN'S INSTIL TUITION FUND	0.002779558	0.2780%	0.004665271	0.000012967	Exempt	0.002779558
464.01 EASTSIDE UNION SCHOOL DISTRICT	0.054943149	5.4943%	0.004665271	0.000256324	Exempt	0.054943149
464.06 CO.SCH.SERV.FD EASTSIDE UNION	0.010525309	1.0525%	0.004665271	0.000049103	Exempt	0.010525309
464.07 DEV CTR HDCPD MINOR EASTSIDE UN	0.000834184	0.0834%	0.004665271	0.00003891	Exempt	0.000834184
717.02 ANTELOPE VALLEY UNION HIGH SCH.	0.096661062	9.6661%	0.004665271	0.000450950	Exempt	0.096661062
717.06 CO.SCH.SERV.FD ANTELOPE VALLEY	0.000355165	0.0355%	0.004665271	0.000001656	Exempt	0.000355165
717.07 ANTELOPE VY.UN.HIELEM SCH FD.	0.047356090	4.7356%	0.004665271	0.000220928	Exempt	0.047356090
792.04 ANTELOPE VY.JT. COMMUNITY COLL.	0.026840144	2.6840%	0.004665271	0.000125216	Exempt	0.026840144
051.75 Waterworks Dist # 40 ACO FUND	0.000000000	0.0000%	0.004665271	0.000000000	0.000000000	0.007853137
Total	1.00000000	100.0000%		0.004665271	-0.007853137	1.000000000

(6) - (1) + (5)

<sup>(1)</sup> Current share as reflected in the Auditor's ATI distribution in AF 49. Must total 1.000000000.

<sup>(2)</sup> Must total 100%.

<sup>(3)</sup> Weighted average waterworks district share as verified by Auditor.

<sup>(4)</sup> Must total share reflected in Column (3). 3/3/16 - truncated by 9 places after the decimal per LACO Auditor-Controller.

<sup>(5)</sup> Reflects exemption for school entities and County general fund obligation for debt service and FFW.

<sup>(6)</sup> Final share distributions to be reflected in tax transfer resolution.

#### **RESOLUTION NO.** 09-2024

RESOLUTION OF THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY APPROVING A JOINT COMMUNITY FACILITIES AGREEMENT WITH CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR CALIFORNIA MUNICIPAL FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2024-8 (CITY OF LANCASTER – AVANTI NORTH)

WHEREAS, the California Municipal Finance Authority (the "Authority") is initiating proceedings to establish a community facilities district to be designated as the "California Municipal Finance Authority Community Facilities District No. 2024-8 (City of Lancaster – Avanti North)" (the "Community Facilities District"), pursuant to Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982" (the "Act"), for the formation of the Community Facilities District, for the purpose, among others, of financing through the sale of bonds or the levy of special taxes to pay for the design, construction, and acquisition of certain public facilities which are necessary to meet increased demands placed upon the City of Lancaster and County Sanitation District No. 14 of Los Angeles County (the "Sanitation District") as a result of the development of the property within the Community Facilities District; and

**WHEREAS**, the Community Facilities District is proposed to encompass the property in Tentative Tract Map No. 73507, consisting of Assessor Parcel Number 3204-002-126, which is located within the boundaries of the Sanitation District and is being developed into single family residences by City Ventures Homebuilding, LLC (the "Developer"); and

WHEREAS, pursuant to Sections 53316.2 through 53316.6 of the Act, a community facilities district may finance facilities to be owned or operated by an entity other than the agency that created the district pursuant to a joint community facilities agreement if the legislative body of each entity adopts a resolution declaring that such a joint agreement would be beneficial to the residents of that entity; and

WHEREAS, there has been presented to the Board of Directors of the Sanitation District (the "Board") a form of joint community facilities agreement to now be entered into by the Sanitation District; and

WHEREAS, the Board has determined that the proposed joint community facilities agreement will be beneficial to the residents of the Sanitation District.

**NOW, THEREFORE,** the Board of Directors of County Sanitation District No. 14 of Los Angeles County does hereby resolve, determine, and order as follows:

**SECTION 1.** The Board hereby determines that the joint community facilities agreement, attached hereto as Exhibit A and incorporated hereby, by and between the Authority, the Sanitation District, and Developer (the "Agreement") will be beneficial to the residents of the Sanitation District.

SECTION 2. The Agreement is approved in the form submitted to the Board at the meeting at which this Resolution is adopted and the Chief Engineer and General Manager (the "Authorized Officer") is authorized to execute and deliver the Agreement on behalf of the Sanitation District. The Authorized Officer is authorized to consent to any such modifications of the Agreement as may be necessary to effectuate its purposes.

**SECTION 3.** The Secretary to the Board shall deliver an executed copy of the Agreement to the Authority.

		Board of Directors of County Sanitation District, 2024 by the following vote:
AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
		Chairperson, Board of Directors
ATTEST:		
Secretary to the Board	of Directors	

# **EXHIBIT A**

## JOINT COMMUNITY FACILITIES AGREEMENT

(ATTACHED)

#### JOINT COMMUNITY FACILITIES AGREEMENT

## by and among

## CALIFORNIA MUNICIPAL FINANCE AUTHORITY

and

## COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY

and

CITY VENTURES HOMEBUILDING, LLC

Dated as of \_\_\_\_\_ 1, 2024

California Municipal Finance Authority Community Facilities District No. 2024-8 (City of Lancaster – Avanti North) THIS JOINT COMMUNITY FACILITIES AGREEMENT (this "Facilities Agreement"), dated as of \_\_\_\_\_\_\_\_ 1, 2024, is by and among the CALIFORNIA MUNICIPAL FINANCE AUTHORITY, a joint exercise of powers authority organized and existing under the laws of the State of California (the "Authority"), the COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY, a county sanitation district organized and existing under the laws of the State of California (the "Sanitation District"), and CITY VENTURES HOMEBUILDING, LLC, a corporation organized and existing under the laws of the State of California (the "Developer").

#### WITNESSETH:

**WHEREAS**, Developer owns property which consists of approved Tentative Tract Map No. 73507, consisting of Assessor Parcel Number 3204-002-126 planned for 873 single family detached homes (together, the "Property"); and

**WHEREAS**, Developer has submitted applications requesting that the Board of the Authority institute proceedings under the Mello-Roos Community Facilities Act of 1982 (the "Act") to establish a community facilities district encompassing the Property, as depicted on the boundary map attached hereto as Exhibit C and incorporated herein; and

WHEREAS, pursuant to the Act, the Board of the Authority has instituted proceedings to establish California Municipal Finance Authority Community Facilities District No. 2024-8 (City of Lancaster – Avanti North) (the "Community Facilities District") within the boundaries of the Property and designate five improvement areas therein (each an "Improvement Area"), to authorize the levy of special taxes within each of the Improvement Areas (the "Special Taxes"), and the issuance of bonds (the "Bonds") secured by the Special Taxes levied within each respective Improvement Area, the proceeds of which are to be used to finance certain public facilities authorized to be financed through the Community Facilities District; and

WHEREAS, the facilities proposed to be financed by the Community Facilities District include certain facilities to be owned and operated by the Sanitation District (the "Sanitation District Facilities") and certain facilities to be owned and operated by the City of Lancaster and certain other public agencies (the "Other Agency Facilities"); and

WHEREAS, Section 53316.2 of the Act provides that a community facilities district may finance facilities to be owned or operated by a public agency other than the agency that created the community facilities district only pursuant to a joint community facilities agreement or a joint exercise of powers agreement adopted pursuant to said Section; and

WHEREAS, Section 53316.2 of the Act further provides that at any time prior to the adoption of the resolution of formation creating a community facilities district or a resolution of change to alter a district, or a resolution or resolutions authorizing issuance of bonds pursuant to Section 53356 of the Act, the legislative bodies of two or more local agencies may enter into a joint community facilities agreement pursuant to said Section and Sections 53316.4 and 53316.6 of the Act to exercise any power authorized by the Act with respect to the community facilities district being created if the legislative body of each entity adopts a resolution declaring that such a joint agreement would be beneficial to the residents of that entity; and

**WHEREAS**, the Board of the Authority and the Board of Directors of the Sanitation District have each adopted such a resolution; and

**WHEREAS**, development of the Property will require the payment to the Sanitation District of certain sewerage system connection fees (the "Connection Fees"); and

WHEREAS, the Authority, the Sanitation District, and the Developer desire to enter into this Facilities Agreement in accordance with Sections 53316.2, 53316.4 and 53316.6 of the Act in order to provide for the financing of the Sanitation District Facilities through the issuance of one or more series of Bonds by the Community Facilities District.

**NOW, THEREFORE,** for and in consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

Section 1. <u>Issuance of Bonds</u>. It is anticipated that the Community Facilities District will issue Bonds to finance the acquisition, construction, and installation of the Sanitation District Facilities and the Other Agency Facilities. The Board of the Authority, acting as the legislative body of the Community Facilities District, shall, in its sole discretion, determine whether, when, under what conditions, and to what extent Bonds shall be issued to finance the acquisition, construction, and installation of the Sanitation District Facilities or the Other Agency Facilities, or any combination thereof. In no event shall the Sanitation District have any right to compel the Community Facilities District to issue Bonds to finance the acquisition, construction, and installation of Sanitation District Facilities.

The Authority shall consult the Sanitation District prior to the issuance of Bonds to determine if the Sanitation District can comply with federal tax requirements for the Bonds if issued on a tax-exempt basis. If the Sanitation District does not believe it can meet such expectations, the Sanitation District's portion of the Bonds shall be issued on a taxable basis and Sanitation District shall not be required to comply with Section 5 herein.

#### **Section 2. Sanitation District Facilities.**

- (a) The Sanitation District Facilities, including any real or tangible property which is to be purchased, constructed, expanded or rehabilitated, are described in Exhibit A attached hereto.
- (b) It is anticipated that the Community Facilities District will provide Bond proceeds to finance the acquisition, construction, and installation of the Sanitation District Facilities. If the Community Facilities District issues Bonds, a portion of the proceeds of which are to be available to finance the acquisition, construction, and installation of the Sanitation District Facilities, the Authority shall, or shall cause the Community Facilities District to, notify the Sanitation District of the amount of such proceeds available for such purpose within fifteen (15) days of such proceeds becoming so available. The Authority makes no representation that, if proceeds of Bonds are made available to finance the acquisition, construction, and installation of the Sanitation District Facilities, such proceeds will be sufficient to finance the acquisition, construction, and installation of all of the Sanitation District Facilities, and neither the Authority nor the Community Facilities District shall have any liability to the Sanitation District if such

proceeds are insufficient for such purpose. If the Community Facilities District does not issue Bonds to finance the acquisition, construction, and installation of the Sanitation District Facilities, neither the Authority nor the Community Facilities District shall have any obligation to provide any amounts to finance or pay the costs of the acquisition, construction, and installation of the Sanitation District Facilities. Notwithstanding the foregoing, if Bonds are not issued, or are issued in an amount which is insufficient to finance the acquisition, construction, and installation of all of the Sanitation District Facilities, Developer shall remain responsible for the payment of all Connection Fees up to the amount of the Sanitation District Facilities not funded from proceeds of Bonds.

(c) The Sanitation District shall apply proceeds of the Bonds to the payment of costs of construction of any portion of the Sanitation District Facilities only if such portion of the Sanitation District Facilities is constructed under the direction and supervision, or under the authority of, the Sanitation District or is constructed as if it had been constructed under the direction and supervision, or under the authority of, the Sanitation District.

## Section 3. <u>Disbursements</u>.

- (a) Bond proceeds available for the acquisition, construction, and installation of the Sanitation District Facilities shall be deposited in a special fund or account (howsoever the same may be denominated, the "Sanitation District Facilities Account") to be established under the fiscal agent agreement, indenture, or other instrument pursuant to which the Bonds are issued (howsoever the same may be denominated). Moneys on deposit in the Sanitation District Facilities Account shall be invested and disbursed at the direction of the Community Facilities District and may be commingled with funds available for the Other Agency Facilities; provided, however, that such moneys can also be disbursed upon receipt of a written request from the Sanitation District in substantially the form attached hereto as Exhibit B.
- (b) To the extent that moneys are available in the Sanitation District Facilities Account, such fiscal agent agreement, indenture, or other instrument pursuant to which the Bonds are issued shall allow for disbursements to be made therefrom from time to time to pay the costs of the acquisition, construction, and installation of the Sanitation District Facilities upon direction of the Community Facilities District or submission of a written request of the Sanitation District in substantially the form attached hereto as Exhibit B.
- (c) The Community Facilities District shall assist Sanitation District in processing written requests for disbursements from the Sanitation District that conform to the requirements hereof in a timely manner.

# Section 4. <u>Construction</u>, <u>Ownership and Maintenance of Sanitation District</u> Facilities.

(a) The Authority shall have no responsibility for the acquisition, construction, and installation of the Sanitation District Facilities. The Sanitation District Facilities shall be and remain the sole and separate property of the Sanitation District and shall be operated, maintained, and utilized by the Sanitation District. The Authority shall not have any ownership interest in the

Sanitation District Facilities, and the Authority shall have no responsibility for the operation, maintenance, or utilization of the Sanitation District Facilities.

(b) The Sanitation District shall have no responsibility for the acquisition, construction, and installation of the Other Agency Facilities. The Other Agency Facilities financed by the Community Facilities District for a public agency shall be and remain the sole and separate property of such public agency and shall be operated, maintained, and utilized by such public agency. The Sanitation District shall not have any ownership interest in the Other Agency Facilities, and the Sanitation District shall have no responsibility for the operation, maintenance, or utilization of the Other Agency Facilities.

#### Section 5. Tax Matters.

- (a) In connection with the issuance of any Bonds which are federally tax-exempt, a portion of the proceeds of which are to be made available to finance the acquisition, construction, and installation of the Sanitation District Facilities, the Sanitation District agrees to execute and deliver such certifications and agreements as may be reasonably required in order for bond counsel to conclude that interest on such Bonds will be excluded from gross income under Section 103 of the Internal Revenue Code of 1986.
- (b) If the Sanitation District's portion of the Bonds are issued on a tax-exempt basis, after consultation with the Sanitation District as set forth in Section 1 above, the Sanitation District shall assist the Authority in complying with the arbitrage rebate requirements of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations which relate thereto, by keeping accurate records of the investment earnings on any and all investments which the Sanitation District may make with amounts drawn on the Sanitation District Facilities Account.

#### Section 6. Connection Fee Returns and Credits.

(a) Unless the context otherwise requires, the terms defined in this Section shall have the meanings herein specified.

"Available Return Amount" means an amount equal to the remainder of (i) the amount of Bond proceeds deposited in the Sanitation District Facilities Account, less (ii) the amount of \$35,000 (allocated amongst the Improvement Areas in proportion to the number of Subject Units therein), and less (iii) the operational component of the Connection Fee.

"Connection Fee Payor" means an entity that has, prior to the date that proceeds of the Bonds are deposited in the Sanitation District Facilities Account, paid the Connection Fees for a Subject Unit.

"Credit Amount" means an amount equal to the remainder of (i) the Available Return Amount, less (ii) the amount required to be returned by the Sanitation District to Connection Fee Payors pursuant to subsection (b) of this Section.

"Subject Unit Fee Amount" means, as of any date, the amount of Connection Fees applicable to a Subject Unit as of such date.

"Subject Units" means the approximately 873 residential units, consisting of single-family homes, to be constructed on the Property within the boundaries of the Community Facilities District, for which entitlements have been obtained by the Developer or an affiliate thereof; of said 873 units, 188 are located in Improvement Area No. 1, 202 are located in Improvement Area No. 2, 179 are located in Improvement Area No. 3, 151 are located in Improvement Area No. 4, and 153 are located in Improvement Area No. 5.

- (b) If, upon the issuance of Bonds, proceeds thereof are deposited in the Sanitation District Facilities Account as provided in Section 3 hereof, the Sanitation District shall, within forty five (45) days of such deposit, return to each Connection Fee Payor an amount which is equal to the lesser of (i) the total amount of Connection Fees paid by such Connection Fee Payor (less the operational component, if any), and (ii) the Available Return Amount; provided, however, that, if the Available Return Amount is less than the total amount of Connection Fees paid by all such Connection Fee Payors (less the operational component), the amount to be returned to each such Connection Fee Payor shall be determined by allocating the Available Return Amount to such Connection Fees in the order of the dates on which such Connection Fees were paid until the amount so allocated is equal to the Available Return Amount.
- (c) If, upon the deposit of proceeds of Bonds in the Sanitation District Facilities Account as provided in Section 3 hereof, the Available Return Amount is greater than the amount required to be returned by the Sanitation District to Connection Fee Payors pursuant to subsection (b) of this Section, the Developer shall be deemed to have paid Connection Fees that would otherwise subsequently become payable for the number of Subject Units equal to the largest whole number that is not greater than the quotient of (i) the Credit Amount, divided by (ii) the Subject Unit Fee Amount as of the date such proceeds of the Bonds were so deposited. Prior to receipt of any credits, Developer shall provide information regarding the number of Subject Units and other parcel-related information as requested by the District.
- (d) If proceeds of the Bonds are insufficient to finance the full amount of Sanitation District Facilities, the Developer and affiliates shall have no claim for reimbursement from the Sanitation District in excess of the Available Return Amount, regardless of whether the Developer or affiliates remain responsible to pay such Connection Fees in full. If the amount derived from Bond proceeds, including investment earnings thereon, if any, are not sufficient to fund the total cost of the Sanitation District Facilities for the Project, the parties hereto agree that all responsibility and liability for the amount of such shortfall(s) shall be and remain with the Developer.
- Section 7. <u>Indemnification</u>. The Developer agrees to indemnify, defend, and hold the Sanitation District and the Authority, and their respective officers, employees and agents, and each of them, harmless from and against any and all claims, losses, expenses, suits actions, decrees, judgments, awards, attorneys' fees and court costs that the Sanitation District or the Authority, or their respective officers, employees and agents, or any combination thereof, may suffer or that may be sought against or recovered or obtained from the Sanitation District or the Authority, or their respective officers, employees or agents, or any combination thereof, as a result of or by reason of or arising out of, in consequence of or with respect to this Facilities Agreement, the formation of the Community Facilities District, the issuance of the Bonds, or the financing of the Sanitation District Facilities or the Other Agency Facilities. If the Developer

fails to do so, the Sanitation District and the Authority shall each have the right, but not the obligation, to defend the same and charge all of the direct and incidental costs of such defense, including any attorneys' fees or court costs, to and recover the same from the Developer.

No indemnification is required to be paid by the Developer for any claim, loss or expense arising from the willful misconduct of the Sanitation District (if indemnification is sought by the Sanitation District) or the Authority (if indemnification is sought by the Authority), or their respective officers, employees or agents (if indemnification is sought thereby).

**Section 8.** Costs and Expenses. The Developer shall, upon demand therefor, pay, or reimburse the Sanitation District for the payment of (a) the fees and expenses of the Sanitation District's attorneys incurred in connection with the discussion, negotiation, structuring and implementation of the matters covered hereby and the drafting, review, and revision of this Facilities Agreement, and (b) the fees and expenses of the Sanitation District's attorneys incurred in connection with the issuance of the Bonds.

Section 9. Nature of Agreement; Allocation of Special Taxes. This Facilities Agreement shall constitute a joint community facilities agreement entered into pursuant to Sections 53316.2, 53316.4 and 53316.6 of the Act. The entire amount of the proceeds of the Special Taxes shall be allocated and distributed to the Authority.

**Section 10.** <u>Third-Party Beneficiary</u>. The Community Facilities District shall be a third-party beneficiary of this Facilities Agreement.

Section 11. <u>Limitation of Rights to Parties</u>. Nothing in this Facilities Agreement expressed or implied is intended or shall be construed to give to any person or entity other than the Authority, the Sanitation District, the Developer, and the Community Facilities District any legal or equitable right, remedy, or claim under or in respect of this Facilities Agreement or any covenant, condition, or provision herein contained, and all such covenants, conditions, and provisions are and shall be held to be for the sole and exclusive benefit of the Authority, the Sanitation District, the Developer, and the Community Facilities District.

**Section 12.** <u>Notices</u>. All written notices to be given hereunder shall be given to the party entitled thereto at its address set forth below, or at such other address as such party may provide to the other parties in writing from time to time, namely:

If to the Authority:

California Municipal Finance Authority 2111 Palomar Airport Road, Suite 320 Carlsbad, California 92011 Attention: BOLD Program

#### If to the Sanitation District:

County Sanitation District No. 14 of Los Angeles County 1955 Workman Mill Road Whittier, California 90601 Attention: Secretary to the Board

## With a copy to:

Best Best & Krieger LLP 3390 University Avenue, 5<sup>th</sup> Floor Riverside, California 92501 Attention: Mrunal Shah

#### If to the Developer:

City Ventures Homebuilding, LLC 3121 Michelson Drive, Suite 150 Irvine, CA 92612 Attention: Mike White

Each such notice, statement, demand, consent, approval, authorization, offer, designation, request or other communication hereunder shall be deemed delivered to the party to whom it is addressed (a) if given by courier or delivery service or if personally served or delivered, upon delivery, (b) if given by registered or certified mail, return receipt requested, deposited with the United States mail postage prepaid, 72 hours after such notice is deposited with the United States mail, or (c) if given by any other means, upon delivery at the address specified in this Section.

Section 13. Governing Law; Venue. This Facilities Agreement and any dispute arising hereunder shall be governed and construed in accordance with the laws of the State of California. Venue of any action brought hereunder will be in the Superior Court of the State within Los Angeles County, California, and the parties consent to the exercise of personal jurisdiction over them by any such courts for purposes of any such action or proceeding. The parties expressly waive any right to transfer venue, including, but not limited to, any right to transfer venue pursuant to California Civil Code Section 394.

**Section 14.** Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Facilities Agreement by any other party hereto, or the failure by a party to exercise its rights upon the default of any other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by such other party with the terms of this Facilities Agreement thereafter.

**Section 15.** <u>Severability</u>. If any part of this Facilities Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Facilities Agreement shall be given effect to the fullest extent reasonably possible.

**Section 16.** <u>Successors</u>. This Facilities Agreement shall be binding upon and inure to the benefit of the successors of the parties hereto.

**Section 17.** Entire Agreement. This Facilities Agreement contains the entire agreement between the parties hereto with respect to the matters provided for herein and supersedes all prior agreements and negotiations between the parties with respect to the subject matter herein.

**Section 18.** <u>Amendment and Assignment</u>. This Facilities Agreement may be amended at any time but only in writing signed by each party hereto. This Facilities Agreement may be assigned, in whole or in part, by Developer or its affiliates which own the Property to the purchaser of any parcel of land within the Property, provided, however, such assignment shall not be effective unless and until the Authority and Sanitation District have been notified, in writing, of such assignment and the assignment specifies whether the Developer or such assignee is authorized to execute disbursement requests and whether the Developer or such assignee is to be reimbursed for Connection Fees which have not been reimbursed at the time of such notice.

**Section 19.** <u>Termination</u>. This Facilities Agreement shall terminate upon the earliest occurrence of the following events: (a) the dissolution of the Community Facilities District pursuant to Section 53338.5 of the Act; or (b) the written agreement of the parties to terminate this Facilities Agreement. Notwithstanding the foregoing, this Facilities Agreement shall remain in full force and effect for as long as any Bonds are outstanding.

**Section 20.** <u>Counterparts</u>. This Facilities Agreement may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

(Signature pages follow)

**IN WITNESS WHEREOF,** the parties hereto have executed this Facilities Agreement as of the date first written above.

# CALIFORNIA MUNICIPAL FINANCE AUTHORITY

By:			
Name:			
Title:			

-Signature Page-Joint Community Facilities Agreement California Municipal Finance Authority Community Facilities District No. 2024-8 (City of Lancaster – Avanti North)

# COUNTY SANITATION DISTRICT OF LOS ANGELES COUNTY

Ву:		
Name:		
Title: _		

-Signature Page-Joint Community Facilities Agreement California Municipal Finance Authority Community Facilities District No. 2024-8 (City of Lancaster – Avanti North)

# CITY VENTURES HOMEBUILDING, LLC

By:	
Name:	
Title:	

-Signature Page-Joint Community Facilities Agreement California Municipal Finance Authority Community Facilities District No. 2024-8 (City of Lancaster – Avanti North)

#### **EXHIBIT A**

## **DESCRIPTION OF SANITATION DISTRICT FACILITIES**

The types of facilities to be owned and operated by the Sanitation District and financed by the Community Facilities District are sewer treatment, collection, transmission and reclamation facilities, including sewer collection lines, wastewater treatment facilities, reclaimed water facilities, treated wastewater facilities and related and appurtenant facilities, and land, rights-of-way and easements necessary for any of such facilities.

## **EXHIBIT B**

## FORM OF SANITATION DISTRICT WRITTEN REQUEST

# WRITTEN REQUEST FOR DISBURSEMENTS FROM SANITATION DISTRICT FACILITIES ACCOUNT

County Sanitation District No. 14 of Los Angeles County (the "Sanitation District"), hereby states and certifies:

norce y states and certifies.	
that certain Indenture of Trust, dated as of the California Municipal Finance Authority (the hereby requested to disburse from the Sanitation to the Indenture, to the payees set forth on Att	onal Association, as trustee (the "Trustee") under1, 20 (the "Indenture"), by and between he "Authority") and the Trustee, the Trustee is a District Facilities Account established pursuant achment 1 attached hereto and by this reference achment 1 opposite each such payee, for payment 1 on said Attachment 1;
defined in that certain Joint Community Faciliti and among the Authority, the County Sanitation	tes a cost of the Sanitation District Facilities (as es Agreement, dated as of
(c) that each such amount has not be Sanitation District Facilities Account; and	een the subject of a prior disbursement from the
requested was constructed under the direction	ation District Facilities for which payment is and supervision, or under the authority of, the had been constructed under the direction and tion District.
	COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY
	By:Authorized Representative
	Authorized Representative

# **ATTACHMENT 1**

Payee Name and Address	Purpose of Obligation	<u>Amount</u>
		\$
		\$
		Total: \$

# **EXHIBIT C**

# **BOUNDARY MAP OF PROPERTY**

[attached]

# PROPOSED BOUNDARIES OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2024-8 (CITY OF LANCASTER - AVANTI NORTH)

CITY OF LANCASTER
LOS ANGELES COUNTY
STATE OF CALIFORNIA

