

ORDINANCE NO. 2021-___

**AN ORDINANCE AMENDING ORDINANCE NO. 2017-231 AND
LEVYING SPECIAL TAXES TO BE COLLECTED DURING FISCAL
YEAR 2021-22 TO PAY THE MAINTENANCE AND SERVICING OF
LANDSCAPING, LIGHTING, WATER QUALITY IMPROVEMENTS,
GRAFFITI, STREETS, STREET SWEEPING, PARKS AND TRAIL
MAINTENANCE, A RESERVE FUND FOR CAPITAL REPLACEMENT,
AND ADMINISTRATIVE EXPENSES WITH RESPECT TO CITY OF
MENIFEE COMMUNITY FACILITIES DISTRICT NO. 2017-1
(MAINTENANCE SERVICES)**

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), the City Council (the "City Council") of the City of Menifee (the "City") adopted Resolution No. 17-654 establishing Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee, County of Riverside, State of California (the "CFD No. 2017-1") for the purpose of levying special taxes on parcels of taxable property therein for the purpose of providing certain services (the "Services"), which are necessary to meet increased demands placed upon the City and are described in Exhibit A attached hereto; and

WHEREAS, on December 20, 2017, the City Council adopted Ordinance No. 2017-231 entitled, "An Ordinance Levying Special Taxes to be Collected During Fiscal Year 2018-19 to pay the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of Menifee Community Facilities District No. 2017-1 (Maintenance Services) ("Ordinance No. 2017-231"), pursuant to which the City Council levied special taxes within the CFD No. 2017-1; and

WHEREAS, the City Council has determined that it is necessary and in the public interest that pursuant to Sections 53340 and 53358 of the Government Code special taxes be levied on parcels of taxable property in CFD No. 2017-1 for Fiscal Year 2021-22 and subsequent fiscal years for the purposes of paying for the Services provided by CFD No. 2017-1.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENIFEE, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES) OF THE CITY OF MENIFEE, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Findings. It is necessary that the City Council of the City of Menifee levy special taxes pursuant to Sections 53340 of the Government Code to provide and finance the costs of certain types of services, and related costs within the CFD No. 2017-1, including (i) the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, and trail maintenance, (ii) a reserve fund for capital replacement, and (iii) administrative expenses, all as more completely described in Exhibit "A" to Resolution No. 17-654, attached hereto as Exhibit A and by this reference made a part hereof.

Section 3. Amendment to Exhibit B of Ordinance No. 2017-231. Exhibit B of Ordinance No. 2017-231 is hereby amended by deleting it in its entirety and replacing it with Revised Exhibit B attached hereto.

Section 4. Amendment to Section 2 of Ordinance No. 2017-231. Section 2 of Ordinance No. 2017-231 is hereby amended by deleting it in its entirety and replacing it with the following:

Section 2. Levy of Special Taxes. Special taxes shall be and are hereby levied for the Fiscal Year 2018-19, and each fiscal year thereafter, on all parcels of real property within the CFD No. 2017-1 which are subject to taxation, which are identified in Revised Exhibit B attached hereto, and in the amount set forth for each such parcel in

said Revised Exhibit B. Pursuant to Section 53340 of the Government Code, such special taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes.

Section 5. Transmittal to County. The City Clerk shall immediately following adoption of this Ordinance transmit a copy hereof to the Board of Supervisors and County Auditor of the County of Riverside together with a request that the special taxes as levied hereby be collected on the tax bills for the parcels identified in Exhibit "B" hereto, along with the ordinary ad valorem property taxes to be levied on and collected from the owners of said parcels.

Section 6. Severability. If for any reason any portion of this Ordinance is found to be invalid, or if the special taxes found inapplicable to any particular parcel within the CFD No. 2017-1, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the CFD No. 2017-1 shall not be affected.

Section 7. Authorization to Publish Ordinance. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall, within fifteen (15) days of its adoption, cause it or a summary of it to be published at least once in a newspaper of general circulation published and circulated in the City and in the CFD No. 2017-1.

Section 8. Effective Date. This Ordinance shall take effect and shall be in force thirty (30) days after the date of its adoption, at which time Revised Exhibit B will replace Exhibit B of Ordinance No. 2017-231 and Section 2 of Ordinance No. 2017-231 will be amended as described herein.

This Ordinance was introduced at a regular meeting held on the 16th date of June and **PASSED AND ADOPTED** by the City Council of the City of Menifee at a regular meeting held on this 7^h day of July, 2021 by the following vote:

ATTEST:

Sarah Manwaring, City Clerk

APPROVED:

Bill Zimmerman, Mayor

APPROVED AS TO FORM:

Jeffrey T. Melching, City Attorney

EXHIBIT A

DESCRIPTION OF SERVICES (EXHIBIT A TO RESOLUTION NO. 17-654)

The services which may be funded with proceeds of the special tax of CFD No. 2017-1, as provided by Section 53313 of the Act, will include all costs attributable to maintaining, servicing, cleaning, repairing and/or replacing landscaped areas (may include reserves for replacement) in public street right-of-ways, public landscaping, public open spaces and other similar landscaped areas officially dedicated for public use. These services including the following:

(a) maintenance and lighting of parks, parkways, streets, roads and open space, which maintenance and lighting services may include, without limitation, furnishing of electrical power to street lights and traffic signals; repair and replacement of damaged or inoperative light bulbs, fixtures and standards; maintenance (including irrigation and replacement) of landscaping vegetation situated on or adjacent to parks, parkways, streets, roads and open space; maintenance and repair of irrigation facilities; maintenance of public signage; graffiti removal from and maintenance and repair of public structures situated on parks, parkways, streets, roads and open space; maintenance and repair of playground or recreation program equipment or facilities situated on any park; and

(b) maintenance and operation of water quality improvements which include storm drainage and flood protection facilities, including, without limitation, drainage inlets, catch basin inserts, infiltration basins, flood control channels, fossil fuel filters, and similar facilities. Maintenance services may include but is not limited to the repair, removal or replacement of all or part of any of the water quality improvements, fossil fuel filters within the public right-of-way including the removal of petroleum hydrocarbons and other pollutants from water runoff, or appurtenant facilities, clearing of inlets and outlets; erosion repairs; and cleanup to improvements, and other items necessary for the maintenance, servicing; or both of the water quality basin improvements within flood control channel improvements; and

(c) public street sweeping, on the segments of the arterials within the boundaries of CFD No. 2017-1; as well as local roads within residential subdivisions located within CFD No. 2017-1; and any portions adjacent to the properties within CFD No. 2017-1.

In addition to payment of the cost and expense of the forgoing services, proceeds of the special tax may be expended to pay "Administrative Expenses," as said term is defined in Exhibit B to this resolution of intention.

The above services shall be limited to those provided within the boundaries of CFD No. 2017-1 or for the benefit of the properties within the boundaries of CFD No. 2017-1, as the boundary is expanded from time to time by anticipated annexations, and said services may be financed by proceeds of the special tax of CFD No. 2017-1 only to the extent that they are in addition to those provided in the territory of CFD No. 2017-1 before CFD No. 2017-1 was created.

REVISED EXHIBIT B**COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)
SPECIAL TAX FISCAL YEAR 2021-22**

District	Name	County Fund No.	Levied Parcels	Preliminary FY 2021-22 Levy
CFD 2017-1	Zone 1	68-0167	659	\$216,058.33
CFD 2017-1	Zone 2	68-0259	42	\$23,487.41
CFD 2017-1	Zone 3	68-0260	69	\$48,518.04
CFD 2017-1	Zone 4	68-0261	124	\$112,747.84

**ORIGINAL FORMATION
ASSESSOR'S PARCEL NUMBERS**

APN	APN	APN	APN	APN
360850015	360850018	360850022	360850024	360850029
360850030	360850031	360850032	360860012	360860026
360860027	360860028	360860046	360860047	360861001
360861002	360861003	360861004	360861005	360861006
360861007	360861008	360861009	360861010	360861012
360861013	360861014	360861015	360861016	360861017
360861018	360861019	360861020	360861021	360861022
360861023	360861025	360861026	360861027	360861028
360861029	360861030	360861031	360861032	360861033
360861034	360861035	360861036	360861038	360861039
360861040	360861041	360861042	360861043	360861044
360861045	360861046	360861047	360861048	360861049
360861050	360861051	360861053	360861054	360861055
360861056	360861057	360861058	360861059	360861060
360861061	360861062	360861063	360861064	360861066
360861067	360861068	360861069	360861070	360861071
360861072	360861073	360861074	360861075	360861076
360861077	360862001	360862002	360862003	360862004
360862005	360862006	360862007	360862008	360862009
360862010	360862011	360862012	360862013	360862014
360862016	360862017	360862018	360862019	360862020
360862021	360862022	360862023	360862024	360862025
360862026	360862027	360862028	360862029	360862031
360862032	360862033	360862034	360862035	360862036
360862037	360862038	360862039	360862040	360862041
360862042	360862043	360862044	360862046	360862047

REVISED EXHIBIT B (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)**

APN	APN	APN	APN	APN
360862048	360862049	360862050	360862051	360862052
360862053	360862054	360862055	360862056	360862057
360862058	360862059	360862061	360862062	360862063
360862064	360862065	360862066	360862067	360862068
360862069	360862070	360862071	360862072	360862073
360862074	360863001	360863002	360863003	360863004
360863005	360863006	360863007	360863008	360863009
360863010	360863011	360863012	360863014	360863015
360863016	360863017	360863018	360863019	360863020
360863021	360863022	360863023	360863024	360863025
360863026	360863027	360863029	360863030	360863031
360863032	360863033	360863034	360863035	360863036
360863037	360863038	360863039	360863040	360863041
360863042	360863044	360863045	360863046	360863047
360863048	360863049	360863050	360863051	360863052
360863053	360863054	360863055	360864001	360864002
360864003	360864004	360864005	360864006	360864007
360864008	360864009	360864010	360864011	360864012
360864013	360864014	360864015	360864016	360864017
360864018	360864019	360864020	360864021	360864022
360864023	360864024	360870001	360870002	360870003
360870004	360870005	360870006	360870007	360870008
360870009	360870010	360870011	360870012	360870013
360870014	360870015	360870016	360870017	360870018
360870019	360870020	360870021	360870022	360870023
360870024	360870025	360870026	360870027	360870028
360870029	360870030	360870031	360870032	360870033
360870034	360870035	360870036	360870037	360870038
360870039	360870040	360870041	360870042	360870043
360870044	360870045	360870046	360870047	360870048
360870049	360870050	360870051	360870052	360870053
360870054	360870055	360870056	360870057	360870058
360870059	360870060	360870061	360870062	360870063
360870064	360870065	360870066	360880001	360880002
360880003	360880004	360880005	360880006	360880007
360880008	360880009	360880010	360880011	360880012

REVISED EXHIBIT B (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)**

APN	APN	APN	APN	APN
360880013	360880014	360880015	360880016	360880017
360880018	360880019	360880020	360880021	360880022
360880023	360880024	360880025	360880026	360880027
360880028	360880029	360880030	360880031	360880032
360880033	360880034	360880035	360880036	360880037
360880038	360880039	360880040	360880041	360880042
360880043	360880044	360880045	360880046	360880047
360880048	360880049	360880050	360880051	360880052
360880053	360880054	360880055	360880056	360880057
360880058	360880059	360880060	360880062	360970001
360970002	360970003	360970004	360970005	360970006
360970007	360970008	360970009	360970010	360970011
360970012	360970013	360970014	360970015	360970016
360970017	360970018	360970019	360971001	360971002
360971003	360971004	360971005	360971006	360971007
360971008	360971009	360971010	360971011	360971012
360971013	360971014	360971015	360971016	360971017
360971018	360971019	360971020	360971021	360971022
360971023	360971024	360971025	360971026	360971027
360971028	360971029	360971030	360971031	360971032
360971033	360971034	360971035	360971036	360971037
360971038	360971039	360971040	360972001	360972002
360972003	360972004	360972005	360972006	360973001
360973002	360973003	360973004	360973005	360973006
360973007	360973008	360973009	360973010	360973011
360973012	360974001	360974002	360974003	360974004
360974005	360974006	360974007	360974008	360974009
360980001	360980002	360980003	360980004	360980005
360980006	360980007	360980008	360980009	360980010
360980011	360980012	360980013	360980014	360980015
360980016	360980017	360980018	360980019	360980020
360980021	360980022	360980023	360980024	360980025
360980026	360980027	360980028	360980029	360980030
360980031	360980032	360980033	360980034	360980035
360980036	360980037	360980038	360981001	360981002
360981003	360981004	360981005	360982001	360982002

REVISED EXHIBIT B (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)**

APN	APN	APN	APN	APN
360982003	360982004	360982005	360982006	360982007
360982008	360982009	360982010	360982011	360982012
360983001	360983002	360983003	360983004	360983005
360983006	360983007	360983008	360983009	360983010
360983011	360983012	364410001	364410002	364410003
364410004	364410005	364410006	364410007	364410008
364410009	364410010	364410011	364410012	364410013
364410014	364410015	364410016	364410017	364410018
364410019	364410020	364411001	364411002	364411003
364411004	364411005	364411006	364411007	364411008
364411009	364411010	364411011	364411012	364411013
364411014	364411015	364411016	364411017	364411018
364420003	364420004	364420005	364420006	364420007
364420008	364420009	364420010	364420011	364420012
364420013	364420014	364420015	364420016	364420017
364420018	364420019	364420020	364420021	364420022
364420023	364420024	364421001	364421002	364421003
364421004	364421005	364421006	364421007	364421008
364421009	364421010	364421011	364422001	364422002
364422003	364422004	364422005	364422006	364422007
364422008	364422009	364422010	364422011	364422012
364422013	364422014	364422015	364422016	364422017
364422018	364422019	364422020	364422021	364422022
364423001	364423002	364423003	364423004	364423005
364423006	364423007	364423008	364423009	364423010
364423011	364424001	364424002	364424003	364424004
364424005	364424006	364424007	364430001	364430002
364430003	364430004	364430005	364430006	364430007
364430008	364430009	364430010	364430011	364430012
364430013	364430014	364430015	364430016	364431001
364431002	364431003	364431004	364431005	364431006
364431007	364431008	364431009	364431010	364431011
364431012	364431013	364431014	364431015	364431016
364431017	364431018	364431019	364432001	364432002
364432003	364432004	364432005	364432006	364432007
364432008	364432009	364433001	364433002	364433003

REVISED EXHIBIT B (Continued)

COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)

APN	APN	APN	APN	APN
364433004				

**ANNEXATION NO. 1
ASSESSOR'S PARCEL NUMBERS**

APN	APN	APN	APN	APN
360211001	360211002	360211003	360211004	360211005
360211006	360211007	360211008	360211009	360211010
360211011	360211012	360211013	360211014	360211015
360211016	360211017	360211018	360211019	360211020
360211021	360211022	360211023	360211024	360211025
360211026	360211027	360211028	360211029	360211030
360211031	360211032	360211033	360211034	360211035
360211036	360211037	360211038	360211039	360211040
360211041	360211042	360211043	360211044	360211045
360211046	360211047	360211048	360211049	360211050
360211051	360211052	360211053	360211054	360211055
360211056	360211057	360211058	360211059	360211060
360211061	360211062	360211063	360211064	360211065
360211066	360211067	360211068	360211069	360211070

**ANNEXATION NO. 2
ASSESSOR'S PARCEL NUMBERS**

APN	APN	APN	APN	APN
339020039	339362020	339362021	339362022	339362023
339362024	339362025	339362026	339362027	339500001
339500002	339500003	339500004	339500005	339500006
339500007	339500008	339500009	339500010	339500011
339500012	339500013	339500014	339500015	339500016
339500017	339500018	339500019	339500020	339500021
339500022	339500023	339500024	339500025	339500026
339500027	339500028	339501001	339501002	339501003
339501004	339501005	339502001	339502002	339502003
339502004	339502005	339502006	339510001	339510002
339510003	339510004	339510005	339510006	339510007
339510008	339510009	339510010	339510011	339510012

REVISED EXHIBIT B (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)**

APN	APN	APN	APN	APN
339511001	339511002	339511003	339511004	339511005
339511006	339511007	339511008	339511009	339511010
339511011	339511012	339511013	339511014	339511015
339511016	339511017	339511018	339511019	339511020
339511021	339511022	339511023	339511024	339511025
339511026	339511027	339511028	339511029	339511030
339511031	339512001	339512002	339512003	339512004
339512005	339512006	339512007	339512008	339512009
339512010	339512011	339512012	339512013	339512014
339520001	339520002	339520003	339520004	339520005
339520006	339520007	339520008	339520009	339520010
339520011	339520012	339520013	339520014	339520015
339520016	339520017	339520018	339520019	339521001
339521002	339521003	339521004	339521005	339521006
339521007	339521008	339521009	339521010	339521011
339521012	339522001	339522002	339522003	339522004
339522005	339522006	339522007	339522008	339522009
339522010	339522011	339522012	339522013	339522014
339522015	339522016	339522017	339522018	339522019
339522020	339522021	339522022	339522023	339522024
339522025	339522026	339522027	339522028	339522029

**ANNEXATION NO. 3
ASSESSOR'S PARCEL NUMBERS**

APN	APN	APN	APN	APN
333840001	333840002	333840003	333840004	333840005
333840006	333840007	333840008	333840009	333840010
333840011	333840012	333840013	333840014	333840015
333841001	333841002	333841003	333841004	333841005
333841006	333841007	333841008	333841009	333841010
333841011	333841012	333841013	333841014	333841015
333841016	333841017	333841018	333841019	333841020
333841021	333841022	333841023	333841024	333841025
333841026	333841027	333841028	333841029	333841030
333841031	333841032	333841033	333841034	333841035

REVISED EXHIBIT B (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)**

APN	APN	APN	APN	APN
333841036	333841037	333841038	333841039	333841040
333841041	333841042	333841043	333841044	333841045
333841046	333841047	333841048	333841049	333841050
333841051	333841052	333850001	333850002	333850003
333850004	333850005	333850006	333850007	333850008
333850009	333850010	333850011	333850012	333850013
333850014	333850015	333850016	333850017	333850018
333850019	333850020	333850021	333850022	333850023
333851001	333851002	333851003	333851004	333851005
333851006	333851007	333851008	333851009	333851010
333851011	333851012	333851013	333851014	333851015
333851016	333852001	333852002	333852003	333852004
333852005	333852006	333852007	333852008	333852009
333852010	333852011	333852012	333852013	333852014
333852015	333852016	333852017	333852018	333852019
333852020	333852021	333852022	333860001	333860002
333860003	333860004	333860005	333860006	333860007
333860008	333860009	333860010	333860011	333860012
333860013	333860014	333860015	333860016	333860017
333860018	333860019	333860020	333860021	333860022
333870001	333870002	333870003	333870004	333870005
333870006	333870007	333870008	333870009	333870010
333870011	333870012	333870013	333870014	333870015
333870016	333870017	333870018	333870019	333870020
333870021	333870022	333870023	333870024	333870025
333870026	333870027	333870028	333870029	333870030
333870032	333870033	333870034	333870035	333870036
333870037	333870038	333870039	333870040	333870041
333870042	333870043	333870044	333870045	333870046
333870047	333870048	333870049	333870050	333870051
333870052	333870053	333870054	333870055	333870056
333870057	333870058	333870059	333870060	333870061
333880001	333880002	333880003	333880004	333880005
333880006	333880007	333880008	333880009	333880010
333880011	333880012	333880013	333880014	333880015
333880016	333880017	333880018	333880019	333880020

REVISED EXHIBIT B (Continued)

COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)

APN	APN	APN	APN	APN
333881001	333881002	333881003	333881004	333881005
333881006	333881007	333881008	333881009	333881010
333881011	333881012	333881013	333881014	333881015
333881016	333881017	333881018	333881019	333881020
333881021	333881022	333881023	333881024	333881025
333881026	333881027	333881028		