

ORDINANCE NO. 2021-___

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-208 AND
LEVYING SPECIAL TAXES TO BE COLLECTED DURING FISCAL
YEAR 2021-22 TO PAY THE ANNUAL COSTS OF THE MAINTENANCE
AND SERVICING OF STREET LIGHTS, PARKS, PARKWAYS,
STREETS, ROADS, AND OPEN SPACE, THE OPERATION AND
MAINTENANCE OF STORM DRAINAGE SYSTEMS, A RESERVE
FUND FOR CAPITAL REPLACEMENT, AND ADMINISTRATIVE
EXPENSES WITH RESPECT TO CITY OF MENIFEE COMMUNITY
FACILITIES DISTRICT NO. 2012-2 (HIDDEN HILLS)**

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), on June 19, 2012, the City Council (the "City Council") of the City of Menifee (the "City") adopted Resolution No.12-279 establishing Community Facilities District No. 2012-2 (Hidden Hills) of the City of Menifee, County of Riverside, State of California (the "CFD No. 2012-2") 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 June 19, 2012, the City Council adopted Ordinance No. 2012-208 entitled, "An Ordinance Levying Special Taxes to be Collected During Fiscal Year 2013-14 to Pay the Annual Costs of the Maintenance and Servicing of Street Lights, Parks, Parkways, Streets, Roads, and Open Space, the Operation and Maintenance of Storm Drainage Systems, a Reserve Fund for Capital Replacement, and Administrative Expenses with Respect to City of Menifee Community Facilities District No. 2012-2 (Hidden Hills)" ("Ordinance No. 2012-208"), pursuant to which the City Council levied special taxes within the CFD No. 2012-2; 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. 2012-2 for Fiscal Year 2021-22 and subsequent fiscal years for the purposes of paying for the Services provided by CFD No. 2012-2.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENIFEE, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2012-2 (HIDDEN HILLS) 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. 2012-2, including (i) the maintenance and servicing of street lights, parks, parkways, streets, roads, and open space, (ii) the operation and maintenance of storm drainage systems, (iii) a reserve fund for capital replacement, and (iv) administrative expenses, all as more completely described in Exhibit "A" to Resolution No. 12-268, attached hereto as Exhibit A and by this reference made a part hereof.

Section 3. Amendment to Exhibit B of Ordinance No. 2012-208. Exhibit B of Ordinance No. 2012-208 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. 2012-208. Section 2 of Ordinance No. 2012-208 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 2013-14, and each fiscal year thereafter, on all parcels of real property within the CFD No. 2012-2 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 Revised 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. 2012-2, 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. 2012-2 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. 2012-2.

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. 2012-208 and Section 2 of Ordinance No. 2012-208 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.

ATTEST:

APPROVED:

Sarah Manwaring, City Clerk

Bill Zimmerman, Mayor

APPROVED AS TO FORM:

Jeffrey T. Melching, City Attorney

EXHIBIT A

DESCRIPTION OF SERVICES (EXHIBIT A TO RESOLUTION NO. 11-268)

Landscaping: The maintenance of landscape which includes, but is not limited to, all landscaping materials such as turf, ground cover, shrub, trees, plants, irrigation and drainage systems, electricity, repair/replacement and inspection.

Park, Open Space and Trails: The maintenance of parks, open space areas, and trails which includes, but is not limited to, trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control, and other abatements.

Incidentals: The Incidental Expenses to be paid from the special taxes include: building of a reserve fund for capital replacement, and Administrative Expenses, including but not limited to: the determination of the amount of special taxes to be levied and collected to provide such services and costs otherwise incurred in order to carry out the authorized purposes of the CFD.

REVISED EXHIBIT B**COMMUNITY FACILITIES DISTRICT NO. 2012-2 (HIDDEN HILLS)
SPECIAL TAX FISCAL YEAR 2021-22**

| District | Name | County Fund No. | Levied Parcels | Preliminary FY 2021-22 Levy |
|-----------------|-----------------|----------------------------|---------------------------|--|
| CFD 2012-2 | Hidden Hills | 68-3933 | 365 | \$197,019.73 |

ASSESSOR'S PARCEL NUMBERS

| APN | APN | APN | APN | APN |
|------------|------------|------------|------------|------------|
| 360700004 | 360700006 | 360700009 | 360700010 | 360700011 |
| 360700012 | 360700013 | 360700014 | 360700015 | 360700016 |
| 360700017 | 360700018 | 360700019 | 360700020 | 360700021 |
| 360700022 | 360700023 | 360700024 | 360700025 | 360700026 |
| 360700027 | 360700028 | 360700029 | 360700030 | 360700034 |
| 360700035 | 360700036 | 360700037 | 360700038 | 360700039 |
| 360700040 | 360710001 | 360710008 | 360710009 | 360710010 |
| 360710011 | 360710020 | 360710021 | 360710023 | 360710024 |
| 360710025 | 360710027 | 360710028 | 360710029 | 360710031 |
| 360710032 | 360710034 | 360710035 | 360710036 | 360710037 |
| 360710039 | 360710040 | 360720001 | 360720002 | 360720003 |
| 360720004 | 360720005 | 360720006 | 360720007 | 360720009 |
| 360720010 | 360720011 | 360720012 | 360720013 | 360720014 |
| 360720015 | 360720016 | 360720017 | 360720018 | 360720019 |
| 360720020 | 360720021 | 360720022 | 360720023 | 360720024 |
| 360720025 | 360720026 | 360720027 | 360720028 | 360720029 |
| 360720030 | 360720031 | 360720032 | 360720033 | 360720034 |
| 360720035 | 360720036 | 360720037 | 360720038 | 360720039 |
| 360720041 | 360720042 | 360720044 | 360720045 | 360720046 |
| 360720047 | 360720048 | 360730001 | 360730002 | 360730003 |
| 360730004 | 360730005 | 360730006 | 360730007 | 360730008 |
| 360730009 | 360730010 | 360730011 | 360730012 | 360730013 |
| 360730014 | 360730015 | 360730016 | 360730017 | 360730018 |
| 360730019 | 360730020 | 360730021 | 360730022 | 360730023 |
| 360730024 | 360730025 | 360730026 | 360731001 | 360731002 |
| 360731003 | 360731004 | 360731005 | 360731006 | 360731007 |
| 360731008 | 360731009 | 360731010 | 360731011 | 360731012 |
| 360731013 | 360731014 | 360731015 | 360731016 | 360731017 |

REVISED EXHIBIT A (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2012-2 (HIDDEN HILLS)**

| APN | APN | APN | APN | APN |
|------------|------------|------------|------------|------------|
| 360731018 | 360731019 | 360731020 | 360731021 | 360731022 |
| 360731023 | 360731024 | 360731025 | 360731026 | 360740001 |
| 360740002 | 360740003 | 360740004 | 360740005 | 360740006 |
| 360740007 | 360740008 | 360740009 | 360740010 | 360740011 |
| 360740012 | 360740013 | 360740014 | 360740015 | 360740016 |
| 360740017 | 360740018 | 360740019 | 360740020 | 360740021 |
| 360741001 | 360741002 | 360741003 | 360741004 | 360741005 |
| 360741006 | 360742001 | 360742002 | 360742003 | 360742004 |
| 360742005 | 360742006 | 360742007 | 360742008 | 360742009 |
| 360742010 | 360742011 | 360742012 | 360742013 | 360742014 |
| 360750001 | 360750002 | 360750003 | 360750004 | 360750005 |
| 360750006 | 360751001 | 360751002 | 360751003 | 360751004 |
| 360751005 | 360751006 | 360751007 | 360751008 | 360751009 |
| 360751010 | 360751011 | 360751012 | 360751013 | 360751014 |
| 360751015 | 360751016 | 360751017 | 360751018 | 360751019 |
| 360751020 | 360751021 | 360751022 | 360751023 | 360751024 |
| 360751025 | 360751026 | 360751027 | 360751028 | 360751029 |
| 360751030 | 360751031 | 360751032 | 360751033 | 360751034 |
| 360751035 | 360751036 | 360751037 | 360751038 | 360751039 |
| 360751040 | 360751041 | 360751042 | 360751043 | 360751044 |
| 360751045 | 360751046 | 360751047 | 360751048 | 360751049 |
| 360751050 | 360751051 | 360751052 | 360760001 | 360760002 |
| 360760003 | 360760004 | 360760005 | 360760006 | 360760007 |
| 360760008 | 360760009 | 360760010 | 360760011 | 360760012 |
| 360760013 | 360760014 | 360760015 | 360760016 | 360760017 |
| 360760018 | 360760019 | 360760020 | 360760021 | 360760022 |
| 360760023 | 360760024 | 360760025 | 360760026 | 360760027 |
| 360770001 | 360770002 | 360770003 | 360770004 | 360770005 |
| 360770006 | 360770007 | 360770008 | 360770009 | 360770010 |
| 360770011 | 360770012 | 360770013 | 360770014 | 360770015 |
| 360770016 | 360770017 | 360770018 | 360770019 | 360770020 |
| 360770021 | 360770022 | 360770023 | 360770024 | 360780001 |
| 360780002 | 360780003 | 360780004 | 360780005 | 360780006 |
| 360780007 | 360780008 | 360780009 | 360780010 | 360780011 |
| 360780012 | 360780013 | 360780014 | 360780015 | 360780016 |
| 360780017 | 360780018 | 360781001 | 360781002 | 360781003 |

REVISED EXHIBIT A (Continued)**COMMUNITY FACILITIES DISTRICT NO. 2012-2 (HIDDEN HILLS)**

| APN | APN | APN | APN | APN |
|------------|------------|------------|------------|------------|
| 360781004 | 360781005 | 360781006 | 360781007 | 360781008 |
| 360781009 | 360781010 | 360781011 | 360781012 | 360781013 |
| 360781014 | 360781015 | 360781016 | 360781017 | 360782001 |
| 360782002 | 360782003 | 360782004 | 360782005 | 360782006 |
| 360783001 | 360783002 | 360783003 | 360783004 | 360783005 |
| 360783006 | 360783007 | 360783008 | 360783009 | 360783010 |
| 360783011 | 360783012 | 360783013 | 360783014 | 360783015 |
| 360783016 | 360783017 | 360783018 | 360783019 | 360783020 |
| 360783021 | 360783022 | 360783023 | 360783024 | 360783025 |
| 360783026 | 360783027 | 360783028 | 360783029 | 360783030 |
| 360783031 | 360783032 | 360783033 | 360783034 | 360783035 |
| 360783036 | 360790001 | 360790002 | 360790003 | 360790004 |
| 360790005 | 360790006 | 360790007 | 360790008 | 360790009 |
| 360790010 | 360790011 | 360790012 | 360790013 | 360790014 |
| 360790015 | 360790016 | 360790017 | 360790018 | 360790019 |
| 360790020 | 360790021 | 360790022 | 360790023 | 360790024 |
| 360791001 | 360791002 | 360791003 | 360791004 | 360791005 |
| 360791006 | 360791007 | 360791008 | 360791009 | 360791010 |
| 360791011 | 360791012 | 360791013 | 360791014 | 360791015 |
| 360791016 | 360792001 | 360792002 | 360792003 | 360792004 |
| 360792005 | 360792006 | 360792007 | 360792008 | 360792009 |
| 360792010 | 360792011 | 360792012 | 360792013 | 360792014 |
| 360792015 | 360792016 | 360792017 | 360792018 | 360792019 |
| 360792020 | 360792021 | 360792022 | 360792023 | 360792024 |
| 360792025 | 360800001 | 360800002 | 360800003 | 360800004 |
| 360800005 | 360800006 | 360800007 | 360800008 | 360800009 |
| 360800010 | 360800011 | 360800012 | 360801001 | 360801002 |
| 360801003 | 360801004 | 360802001 | 360802002 | 360802003 |
| 360802004 | 360802005 | 360802006 | 360802007 | 360802008 |
| 360802009 | 360802010 | 360802011 | 360802012 | 360802013 |
| 360802014 | 360802015 | 360802016 | 360802017 | 360802018 |
| 360802019 | 360802020 | 360803001 | 360803002 | 360803003 |
| 360803004 | 360803005 | 360803006 | 360803007 | 360803008 |
| 360803009 | 360803010 | 360803011 | 360803012 | 360803013 |
| 360803014 | 360803015 | 360803016 | 360803017 | 360803018 |
| 360803019 | 360803020 | 360803021 | 360803022 | 360803023 |

REVISED EXHIBIT A (Continued)

COMMUNITY FACILITIES DISTRICT NO. 2012-2 (HIDDEN HILLS)

| APN | APN | APN | APN | APN |
|------------|------------|------------|------------|------------|
| 360803024 | 360803025 | 360803026 | 360803027 | 360803028 |
| 360803029 | 360803030 | 360803031 | 360803032 | 360803033 |
| 360803034 | 360803035 | 360803036 | 360803037 | |