

ORDINANCE NO. 2022-

**AN ORDINANCE OF THE CITY OF MENIFEE, CALIFORNIA, AMENDING
ORDINANCE NO. 2017-231 AND LEVYING SPECIAL TAXES TO BE
COLLECTED DURING FISCAL YEAR 2022-23 TO PAY THE ANNUAL COSTS
AND EXPENSES OF CITY OF MENIFEE COMMUNITY FACILITIES DISTRICT
NO. 2017-1 (MAINTENANCE SERVICES)(ANNEXATION NO. 15)**

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), on December 6, 2017, the City Council (the "City Council") of the City of Menifee (the "City") adopted Resolution No. 17-658 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 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. 2017-1 (Maintenance Services)" ("Ordinance No. 2017-231"), pursuant to which the City Council levied special taxes with the CFD No. 2017-1; and

WHEREAS, on August 3, 2022, the City Council adopted Resolution No. 22-1184 entitled "A Resolution of the City Council of the City of Menifee Declaring Its Intention to Annex Territory to Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee, Adopting a Map of the Area to be Proposed to be Annexed (Annexation No. 15) and Authorizing the Levy of a Special Taxes Therein" (the "Resolution of Intention") declaring its intention to annex certain territory to the CFD No. 2017-1 and to levy special taxes within that territory to provide the Services as described in the Resolution of Intention and setting a special public hearing on the proposed annexation for September 21, 2022; and

WHEREAS, notice was published as required by the Act relative to the intention of the City Council to annex certain territory to the CFD No. 2017-1, to levy special taxes therein to provide the Services, and to set the time and place of said public hearing; and

WHEREAS, on September 21, 2022, at the time and place specified in said published notice, the City Council opened and held a public hearing as required by the Act relative to the annexation of territory in to the CFD No. 2017-1, the levy of the special taxes therein, and the provision of Services by the CFD No. 2017-1; and

WHEREAS, at said public hearing all persons desiring to be heard on all matters pertaining to the annexation of territory to the CFD No. 2017-1, the levy of the special taxes therein, and the provision of Services therein were heard, and a full and fair hearing was held; and

WHEREAS, subsequent to said public hearing, the City Council adopted Resolution No. 22-1215 entitled "A Resolution of the City Council of the City of Menifee Calling an Election to Submit to the Qualified Electors the Question of Levying a Special Tax Within the Area Proposed to be Annexed to Community Facilities District No. 2017-1 (Maintenance Services) (Annexation No. 15)" (the "Resolution Calling the Election") on September 21, 2022, wherein the City Council submitted the question of levying

a special tax in territory proposed to be annexed to the CFD No. 2017-1 at the rate and according to the method of apportionment described therein; and

WHEREAS, at said special election on September 21, 2022, the qualified electors of the territory proposed to be annexed to the CFD No. 2017-1 approved said propositions as described in the Resolution Calling the Special Election by more than the two-thirds vote required by the Act; and

WHEREAS, subsequent to said special election, the City Council adopted Resolution No. 22-1216 entitled "A Resolution of the City Council of the City of Menifee Declaring the Results of the Special Election Held on September 21, 2022, and Ordering the Annexation of Territory to Community Facilities District No. 2017-1 (Maintenance Services) (Annexation No. 15)" wherein the City Council determined that the territory proposed to be annexed was added to the CFD No. 2017-1 (such territory being referred to herein as "Annexation No. 15").

NOW, THEREFORE, the City Council of the City of Menifee, California does ordain as follows:

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

Section 2. 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 3. 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 2022-23, and each Fiscal Year thereafter, on all parcels of real property within the Community Facilities District 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 said Section 53340, 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 4. Future Annexations. The annexation of additional territory into the CFD No. 2017-1 was contemplated as part of the adoption of Resolution No. 17-654. The boundaries of the territory within which any property may annex to the CFD No. 2017-1 are more particularly described and shown on that certain map entitled "Boundaries – Potential Annexation Area Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee, County of Riverside, State of California," as recorded on November 7, 2017 in Book 81 of Maps of Assessment and Community Facilities District, at Page 70, and as Document No. 2017-0465707 in the official records of the County of Riverside. Following a public hearing and the adoption of resolutions required by the Act for any additional annexations of property within said potential annexation area, Revised Exhibit B of Ordinance No. 2017-231 shall be further amended to include any additional territory annexed to the CFD No. 2017-1. The City Council hereby authorizes and directs the officers, employees, and agents of the City to take all actions and do

all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Section 4 of this Ordinance to further amend Revised Exhibit B of Ordinance No. 2017-231.

Section 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect thirty (30) days from the date of its adoption.

Section 7. Notice of Adoption. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, cause this Ordinance to be published in a manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933 (c).

This Ordinance was introduced and read on the 5th day of OCTOBER and **APPROVED AND ADOPTED** this 19th day of OCTOBER, 2022.

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney

EXHIBIT A

DESCRIPTION OF SERVICES

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 (and 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 include 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 are 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 2022-23

(Effective as of October 5, 2022)

ASSESSOR'S PARCEL NUMBERS

| Annexation | Owner | Assessor's Parcel Numbers |
|--------------------|--|---|
| Original Formation | Stark Meniffee Land, LLC | See Next Page |
| | Stark Meniffee Land, LLC & Meniffee Multifamily, LLC | |
| | Several | |
| 1 | MLC Holdings | 360-210-001 |
| 2 | Woodside O5S | See Next Page |
| 3 | To Be Determined | |
| 4 | Lennar Homes of California, Inc. | See Next Page |
| 5 | Forester Real Estate Group Inc. | 372-040-043, -044 |
| 6 | Meritage Homes of California, Inc. | 372-160-006, -007, -008, -013 and 372-190-003 |
| 7 | RCFC Investments, LLC | 339-020-004, -005, -006, -007, -008, -040, -041, -042, -043 and 339-030-022 |
| 8 | Pulte Home Company, LLC and Diamond Brother Five Partnership, LP | 340-050-034 and 340-050-032 |
| 9 | D.R.Horton Los Angeles Holding Company, Inc. | See Next Page |
| 10 | Briggs & 74, LLC | 327-320-028 |
| 11 | To Be Determined | |
| 12 | BLC Fleming, LLC | 333-020-011 and 333-020-019 |
| 13 | FPG Sun Meniffee 80 LLC | 360-150-019 |
| 14 | FPG Tricon Meniffee Property LLC | 372-050-037, -038, -039, -040, -041, -042 |
| 15 | Boulders Meniffee LLC | 339-200-080 |
| 16 | Jefferson Meniffee LLC | 364-070-051 |

REVISED EXHIBIT B (cont.)

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

ORIGINAL FORMATION

ASSESSOR'S PARCEL NUMBERS

| APN | APN | APN | APN | APN |
|------------|------------|------------|------------|------------|
| 360850024 | 360861031 | 360862008 | 360862050 | 360870030 |
| 360850029 | 360861032 | 360862009 | 360862051 | 360870031 |
| 360850030 | 360861033 | 360862010 | 360862052 | 360870032 |
| 360850031 | 360861034 | 360862011 | 360862053 | 360870033 |
| 360850032 | 360861035 | 360862012 | 360862054 | 360870034 |
| 360860001 | 360861036 | 360862013 | 360862055 | 360870035 |
| 360860017 | 360861038 | 360862014 | 360862056 | 360870036 |
| 360860026 | 360861039 | 360862016 | 360862057 | 360870037 |
| 360860027 | 360861040 | 360862017 | 360862058 | 360870038 |
| 360860028 | 360861041 | 360862018 | 360862059 | 360870039 |
| 360860041 | 360861042 | 360862019 | 360870001 | 360870040 |
| 360861001 | 360861043 | 360862020 | 360870002 | 360870041 |
| 360861002 | 360861044 | 360862021 | 360870003 | 360870042 |
| 360861003 | 360861045 | 360862022 | 360870004 | 360870043 |
| 360861004 | 360861046 | 360862023 | 360870005 | 360870044 |
| 360861005 | 360861047 | 360862024 | 360870006 | 360870045 |
| 360861006 | 360861048 | 360862025 | 360870007 | 360870046 |
| 360861007 | 360861049 | 360862026 | 360870008 | 360870047 |
| 360861008 | 360861050 | 360862027 | 360870009 | 360870048 |
| 360861009 | 360861051 | 360862028 | 360870010 | 360870049 |
| 360861010 | 360861053 | 360862029 | 360870011 | 360870050 |
| 360861012 | 360861054 | 360862031 | 360870012 | 360870051 |
| 360861013 | 360861055 | 360862032 | 360870013 | 360870052 |
| 360861014 | 360861056 | 360862033 | 360870014 | 360870053 |
| 360861015 | 360861057 | 360862034 | 360870015 | 360870054 |

| APN | APN | APN | APN | APN |
|-----------|-----------|-----------|-----------|-----------|
| 360861016 | 360861058 | 360862035 | 360870016 | 360870055 |
| 360861017 | 360861059 | 360862036 | 360870017 | 360870056 |
| 360861018 | 360861060 | 360862037 | 360870018 | 360870057 |
| 360861019 | 360861061 | 360862038 | 360870019 | 360870058 |
| 360861020 | 360861062 | 360862039 | 360870020 | 360870059 |
| 360861021 | 360861063 | 360862040 | 360870021 | 360870060 |
| 360861022 | 360861064 | 360862041 | 360870022 | 360870061 |
| 360861023 | 360862001 | 360862042 | 360870023 | 360870062 |
| 360861025 | 360862002 | 360862043 | 360870024 | 360870063 |
| 360861026 | 360862003 | 360862044 | 360870025 | 360870064 |
| 360861027 | 360862004 | 360862046 | 360870026 | 360870065 |
| 360861028 | 360862005 | 360862047 | 360870027 | 360870066 |
| 360861029 | 360862006 | 360862048 | 360870028 | 360880001 |
| 360861030 | 360862007 | 360862049 | 360870029 | 360880002 |
| 360880003 | 360880042 | 360971003 | 360972002 | 360980014 |
| 360880004 | 360880043 | 360971004 | 360972003 | 360980015 |
| 360880005 | 360880044 | 360971005 | 360972004 | 360980016 |
| 360880006 | 360880045 | 360971006 | 360972005 | 360980017 |
| 360880007 | 360880046 | 360971007 | 360972006 | 360980018 |
| 360880008 | 360880047 | 360971008 | 360973001 | 360980019 |
| 360880009 | 360880048 | 360971009 | 360973002 | 360980020 |
| 360880010 | 360880049 | 360971010 | 360973003 | 360980021 |
| 360880011 | 360880050 | 360971011 | 360973004 | 360980022 |
| 360880012 | 360880051 | 360971012 | 360973005 | 360980023 |
| 360880013 | 360880052 | 360971013 | 360973006 | 360980024 |
| 360880014 | 360880053 | 360971014 | 360973007 | 360980025 |
| 360880015 | 360880054 | 360971015 | 360973008 | 360980026 |
| 360880016 | 360880055 | 360971016 | 360973009 | 360980027 |
| 360880017 | 360880056 | 360971017 | 360973010 | 360980028 |

| APN | APN | APN | APN | APN |
|-----------|-----------|-----------|-----------|-----------|
| 360880018 | 360880057 | 360971018 | 360973011 | 360980029 |
| 360880019 | 360880058 | 360971019 | 360973012 | 360980030 |
| 360880020 | 360880059 | 360971020 | 360974001 | 360980031 |
| 360880021 | 360970001 | 360971021 | 360974002 | 360980032 |
| 360880022 | 360970002 | 360971022 | 360974003 | 360980033 |
| 360880023 | 360970003 | 360971023 | 360974004 | 360980034 |
| 360880024 | 360970004 | 360971024 | 360974005 | 360980035 |
| 360880025 | 360970005 | 360971025 | 360974006 | 360980036 |
| 360880026 | 360970006 | 360971026 | 360974007 | 360980037 |
| 360880027 | 360970007 | 360971027 | 360974008 | 360980038 |
| 360880028 | 360970008 | 360971028 | 360974009 | 360981001 |
| 360880029 | 360970009 | 360971029 | 360980001 | 360981002 |
| 360880030 | 360970010 | 360971030 | 360980002 | 360981003 |
| 360880031 | 360970011 | 360971031 | 360980003 | 360981004 |
| 360880032 | 360970012 | 360971032 | 360980004 | 360982001 |
| 360880033 | 360970013 | 360971033 | 360980005 | 360982002 |
| 360880034 | 360970014 | 360971034 | 360980006 | 360982003 |
| 360880035 | 360970015 | 360971035 | 360980007 | 360982004 |
| 360880036 | 360970016 | 360971036 | 360980008 | 360982005 |
| 360880037 | 360970017 | 360971037 | 360980009 | 360982006 |
| 360880038 | 360970018 | 360971038 | 360980010 | 360982007 |
| 360880039 | 360970019 | 360971039 | 360980011 | 360982008 |
| 360880040 | 360971001 | 360971040 | 360980012 | 360982009 |
| 360880041 | 360971002 | 360972001 | 360980013 | 360982010 |
| 360982011 | 364411001 | 364420019 | 364422018 | 364430013 |
| 360982012 | 364411002 | 364420020 | 364422019 | 364430014 |
| 360983001 | 364411003 | 364420021 | 364422020 | 364430015 |
| 360983002 | 364411004 | 364420022 | 364422021 | 364430016 |
| 360983003 | 364411005 | 364420023 | 364422022 | 364431001 |

| APN | APN | APN | APN | APN |
|-----------|-----------|-----------|-----------|-----------|
| 360983004 | 364411006 | 364420024 | 364423001 | 364431002 |
| 360983005 | 364411007 | 364421001 | 364423002 | 364431003 |
| 360983006 | 364411008 | 364421002 | 364423003 | 364431004 |
| 360983007 | 364411009 | 364421003 | 364423004 | 364431005 |
| 360983008 | 364411010 | 364421004 | 364423005 | 364431006 |
| 360983009 | 364411011 | 364421005 | 364423006 | 364431007 |
| 360983010 | 364411012 | 364421006 | 364423007 | 364431008 |
| 360983011 | 364411013 | 364421007 | 364423008 | 364431009 |
| 360983012 | 364411014 | 364421008 | 364423009 | 364431010 |
| 364410001 | 364411015 | 364421009 | 364423010 | 364431011 |
| 364410002 | 364411016 | 364421010 | 364423011 | 364431012 |
| 364410003 | 364411017 | 364421011 | 364424001 | 364431013 |
| 364410004 | 364411018 | 364422001 | 364424002 | 364431014 |
| 364410005 | 364420003 | 364422002 | 364424003 | 364431015 |
| 364410006 | 364420004 | 364422003 | 364424004 | 364431016 |
| 364410007 | 364420005 | 364422004 | 364424005 | 364431017 |
| 364410008 | 364420006 | 364422005 | 364424006 | 364432001 |
| 364410009 | 364420007 | 364422006 | 364430001 | 364432002 |
| 364410010 | 364420008 | 364422007 | 364430002 | 364432003 |
| 364410011 | 364420009 | 364422008 | 364430003 | 364432004 |
| 364410012 | 364420010 | 364422009 | 364430004 | 364432005 |
| 364410013 | 364420011 | 364422010 | 364430005 | 364432006 |
| 364410014 | 364420012 | 364422011 | 364430006 | 364432007 |
| 364410015 | 364420013 | 364422012 | 364430007 | 364432008 |
| 364410016 | 364420014 | 364422013 | 364430008 | 364433001 |
| 364410017 | 364420015 | 364422014 | 364430009 | 364433002 |
| 364410018 | 364420016 | 364422015 | 364430010 | 364433003 |
| 364410019 | 364420017 | 364422016 | 364430011 | 364433004 |
| 364410020 | 364420018 | 364422017 | 364430012 | |

ANNEXATION NO. 2
ASSESSOR'S PARCEL NUMBERS

| Assessor's Parcel Numbers | | | | | | | | |
|----------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 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 | 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. 4
ASSESSOR'S PARCEL NUMBERS

| Assessor's Parcel Numbers | | | | | | |
|----------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| 333070069 | 333070070 | 333070071 | 333070075 | 333070080 | 333070081 | 333070082 |

ANNEXATION NO. 9
ASSESSOR'S PARCEL NUMBERS

| Assessor's Parcel Numbers | | | | | | | | |
|----------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 331080005 | 331080006 | 331080007 | 331080008 | 331080009 | 331080010 | 331080011 | 331080012 | 331080018 |
| 331080019 | 331080020 | 331080021 | 331080024 | 331080025 | 331080027 | 331080028 | | |