

**ORDINANCE NO. 2023-\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-108 AND  
LEVYING SPECIAL TAXES TO BE COLLECTED DURING FISCAL  
YEAR 2023/2024 TO PAY THE ANNUAL COSTS OF THE  
MAINTENANCE AND SERVICING OF STREETLIGHTS, 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.12-277 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. 2012-108 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. 2012-108"), 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 2023/2024 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 Section 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. 12-277, attached hereto as Exhibit A and by this reference made a part hereof.

**Section 3.**     Amendment to Exhibit A of Ordinance No. 2012-108. Exhibit A of Ordinance No. 2012-108 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. 2012-108. Section 2 of Ordinance No. 2012-108 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 2013/2014, 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. Pursuant to Section 53340 of the Government Code, beginning with the Fiscal Year 2024/2025, special taxes on all parcels of real property within CFD No. 2012-2 which are subject to taxation may be levied by resolution at the same rate or lower rate than the rate provided by this Ordinance.

**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. 2012-108 and Section 2 of Ordinance No. 2012-108 will be amended as described herein.

This Ordinance was introduced at a regular meeting held on the 7th day of June and **PASSED AND ADOPTED** by the City Council of the City of Menifee at a regular meeting held on this 19th day of July, 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stephanie Roseen, Acting City Clerk

\_\_\_\_\_  
Bill Zimmerman, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeffrey T. Melching, City Attorney

## **EXHIBIT A**

### **DESCRIPTION OF SERVICES (EXHIBIT A TO RESOLUTION NO. 12-277)**

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 2023/2024**

<b>District</b>	<b>Name</b>	<b>County Fund No.</b>	<b>Levied Parcels</b>	<b>Preliminary FY 2023-24 Levy</b>
CFD 2012-2	Hidden Hills	68-3933	480	\$287,162.72

**ASSESSOR'S PARCEL NUMBERS**

<b>APN</b>	<b>APN</b>	<b>APN</b>	<b>APN</b>	<b>APN</b>
360700004	360700006	360700009	360700010	360700011
360700012	360700013	360700014	360700015	360700016
360700017	360700018	360700019	360700020	360700021
360700022	360700023	360700024	360700025	360700026
360700027	360700028	360700029	360700030	360710001
360710008	360710009	360710010	360710011	360710020
360710021	360710023	360710024	360710025	360710027
360710028	360710029	360710031	360710032	360710034
360710035	360710036	360710037	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	360730001	360730002
360730003	360730004	360730005	360730006	360730007
360730008	360730009	360730010	360730011	360730012
360730013	360730014	360730015	360730016	360730017
360730018	360730019	360730020	360730021	360730022
360730023	360730024	360731001	360731002	360731003
360731004	360731005	360731006	360731007	360731008
360731009	360731010	360731011	360731012	360731013
360731014	360731015	360731016	360731017	360731018
360731019	360731020	360731021	360731022	360731023
360731024	360731025	360731026	360740001	360740002
360740003	360740004	360740005	360740006	360740007

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

<b>APN</b>	<b>APN</b>	<b>APN</b>	<b>APN</b>	<b>APN</b>
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	360760001	360760002	360760003	360760004
360760005	360760006	360760007	360760008	360760009
360760010	360760011	360760012	360760013	360760014
360760015	360760016	360760017	360760018	360760019
360760020	360760021	360760022	360760023	360760024
360770001	360770002	360770003	360770004	360770005
360770006	360770007	360770008	360770009	360770010
360770011	360770012	360770013	360770014	360770015
360770016	360770017	360770018	360770019	360770020
360770021	360770022	360770023	360780001	360780002
360780003	360780004	360780005	360780006	360780007
360780008	360780009	360780010	360780011	360780012
360780013	360781001	360781002	360781003	360781004
360781005	360781006	360781007	360781008	360781009
360781010	360781011	360781012	360781013	360781014
360782001	360782002	360782003	360782004	360782005
360782006	360783001	360783002	360783003	360783004
360783005	360783006	360783007	360783008	360783009

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

<b>APN</b>	<b>APN</b>	<b>APN</b>	<b>APN</b>	<b>APN</b>
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	360790001	360790002	360790003	360790004
360790005	360790006	360790007	360790008	360790009
360790010	360790011	360790012	360790013	360790014
360790015	360790016	360790017	360790018	360790019
360790020	360790021	360790022	360790023	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	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	360803024	360803025
360803026	360803027	360803028	360803029	360803030
360803031	360803032	360803033	360803034	360803035