

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2015-2 (MAINTENANCE SERVICES) OF THE CITY OF LAKE ELSINORE, ADOPTING A MAP OF THE AREA TO BE PROPOSED (ANNEXATION NO. 3) AND AUTHORIZING THE LEVY OF A SPECIAL TAXES THEREIN

Whereas, on September 22, 2015, the City Council (Council) of the City of Lake Elsinore (City) approved Resolution No. 2015-078 establishing Community Facilities District No. 2015-2 (Maintenance Services) of the City, County of Riverside, State of California, defined the "CFD No. 2015-2," for the purpose of levying special taxes on parcels of taxable property therein for the purpose of providing certain services which are necessary to meet increased demands placed upon the City; and,

Whereas, the Council has received a written instrument from the landowner in the CFD No. 2015-2 to initiate and conduct proceedings pursuant to the Act, to annex territory to CFD No. 2015-2 and consenting to the shortening of election time requirements, waiving analysis and arguments, and waiving all notice requirements relating to the conduct of the election; and,

Whereas, the Council has been advised that certain property owners have requested that the area shown in Exhibit D be annexed territory to the boundaries of CFD No. 2015-2, that a Rate and Method of apportionment of the special tax to be levied therein be established.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, ACTING EX OFFICIO AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT 2015-2 (MAINTENANCE SERVICES) OF THE CITY OF LAKE ELSINORE, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Intent to Annex. The Council hereby declares that it proposes and intends to conduct proceedings pursuant to Article 3.5 for the annexation to the Community Facilities District of the territory described in Exhibit "A" attached hereto. The Council determines that the public convenience and necessity require that such territory be annexed to the Community Facilities District.

Section 2. Name of the Community Facilities District. The name of the existing community facilities district is known as "Community Facilities District No. 2015-2 (Maintenance Services)."

Section 3. Description of Territory Proposed to be Annexed, Annexation Map. The territory proposed to be annexed are included within the boundaries within which property may annex to CFD No. 2015-2 and are more particularly described and shown on that certain map entitled "Boundaries – Potential Annexation Area Community Facilities District No. 2015-2 (Maintenance Services) of the City of Lake Elsinore, County of Riverside, State of California," as recorded on August 19, 2015 in Book 78 of Maps of Assessment and Community Facilities District, Page 74, and as Instrument No. 2015-0369598 in the official records of the County of Riverside. The territory proposed to be annexed to the CFD No. 2015-2 is described in Exhibit A attached hereto and by this reference made a part hereof. Such territory is also shown and described on the map thereof entitled "Annexation Map No. 3, Community Facilities District No. 2015-2 (Maintenance Services), City of Lake Elsinore, County of Riverside, State of California," which is on file with the City Clerk (the "Annexation Map") and attached hereto as Exhibit D.

Section 4. Description of Authorized Services. The services proposed to be financed by CFD No. 2015-2 (Services) are described in Exhibit “B” attached hereto. The cost of providing the Services includes “incidental expenses,” which include costs associated of CFD No. 2015-2, determination of the amount of special taxes, collection or payment of special taxes, or costs otherwise incurred in order to carry out the authorized purposes of CFD No. 2015-2. The Services authorized to be financed by CFD No. 2015-2 are in addition to those currently provided in the territory of CFD No. 2015-2 and do not supplant services already available within that territory.

Section 5. Levy of Special Taxes. Except where funds are otherwise available, a special tax sufficient to pay the costs of the Services (including incidental expenses), secured by recordation of a continuing lien against all nonexempt real property in CFD No. 2015-2, will be levied annually within CFD No. 2015-2. The Rate and Method of Apportionment, and manner of collection of the special tax are specified in Exhibit “C.”

Section 6. Adoption of Annexation Map. Pursuant to Section 3110.5 of the Streets and Highways Code, the Council adopts the Annexation Map as the map of the area proposed to be annexed to the CFD No. 2015-2. Pursuant to Section 3111 of said Code, the City Clerk shall file the original of the Annexation map in his office and shall file a copy of the Annexation Map with the County Recorder of the County of Riverside no later than 15 days prior to the date of the Public Hearing (Hearing) specified in Section 7 hereof.

Section 7. Public Hearing. The Council hereby fixes 7:00 p.m., or as soon thereafter as practicable, on Tuesday, April 11, 2017, in the City Cultural Center located at 183 N Main Street, Lake Elsinore, California 92530, as the time and place when and where the Council will conduct a Hearing on the proposed annexation of the said territory to the CFD No. 2015-2.

Section 8. Notice of Public Hearing. The City Clerk is hereby directed to publish, or cause to be published, a notice of said Hearing, in substantially the form attached hereto as Exhibit F, one time in a newspaper of general circulation published in the area of CFD No. 2015-2. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said hearing. Said notice shall contain the information prescribed by Section 53322 of the Act.

Section 9. Mailing Ballots. In anticipation of its action on Tuesday, April 11, 2017, to call the election on the annexation for the same date, pursuant to waiver of election time limits from the landowners, the Council hereby authorizes the City Clerk to mail to each landowner in the territory proposed to be annexed to the CFD No. 2015-2 a ballot in substantially the form set forth in Exhibit “G” hereto. A copy of the waiver and consent form signed by the property owner is attached hereto as Exhibit “E” and incorporated herein by this reference.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Lake Elsinore, California, this 28th day of February, 2017.

Robert E. Magee, Mayor

ATTEST:

Susan M. Domen, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2017-____ was adopted by the City Council of the City of Lake Elsinore, California, at the Regular meeting of February 28, 2017, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Susan M. Domen, MMC
City Clerk