

ORDINANCE NO. 1164

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA ACTING AS THE LEGISLATIVE BODY OF CITY OF COACHELLA COMMUNITY FACILITIES DISTRICT NO. 2005-1 (LAW ENFORCEMENT, FIRE AND PARAMEDIC SERVICES) AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN ANNEXATION AREA NO. 31 ANNEXED TO SAID DISTRICT (2nd Reading)

WHEREAS, on May 13, 2020, the City Council (the “Council”) of the City of Coachella, California (the “City”), adopted Resolution No. 2020-29 stating its intention to annex certain properties, consisting of Parcel 2 of Lot Line Adjustment 2018-02 (“Annexation Area No. 31”), into City of Coachella Community Facilities District No. 2005-1 (Law Enforcement, Fire and Paramedic Services) (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the “Act”); and

WHEREAS, notice was published as required by law relative to the intention of the Council to annex Annexation Area No. 31 into the District; and

WHEREAS, on June 10, 2020 this Council held a noticed public hearing as required by law relative to the determination to proceed with the annexation of Annexation Area No. 31 into the District and the rate and method of apportionment and manner of collection of the special tax to be levied within Annexation Area No. 31 to finance certain public services; and

WHEREAS, the City Council continued the public hearing to June 24, 2020 and at this hearing all persons desiring to be heard on all matters pertaining to the annexation of Annexation Area No. 31 were heard and a full and fair hearing was held; and

WHEREAS, the Council subsequent to said hearing adopted Resolution No. 2020-36 determining the validity of prior proceedings relative to the annexation of Annexation Area No. 31 into the District and authorized the levy of a special tax within Annexation Area No. 31; and

WHEREAS, the Council subsequent to said hearing adopted Resolution No. 2020-37 which called an election within Annexation Area No. 31 for June 24, 2020 on the proposition of levying a special tax; and

WHEREAS, on June 24, 2020 an election was held within Annexation Area No. 31 in which the eligible electors approved by more than two-thirds vote the proposition of levying a special tax;

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF COACHELLA AS FOLLOWS:

Section 1. A special tax is levied within the boundaries of Annexation Area No. 31 pursuant to the formula set forth in Exhibit “A” attached hereto and incorporated by reference in an amount necessary to finance a portion of the cost of providing law enforcement, fire and

paramedic services that are in addition to those provided in the territory within Annexation Area No. 31 into the District.

Section 2. This legislative body is hereby further authorized each year, by resolution adopted as provided in section 53340 of the Act, to determine the specific special tax rate and amount to be levied for the next fiscal year, except that the special tax rate to be levied shall not exceed the maximum rate set forth in Exhibit “A.”

Section 3. All of the collections of the special tax shall be used as provided for in the Act and Resolution No. 2020-36 of the Council.

Section 4. The above authorized special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency and provided for ad valorem taxes, and subject to any subsequent Agreement for CFD In Lieu Payments or comparable Agreement between the City of Coachella and the landowner, subject to approval by the City Council.

Section 5. The Mayor shall sign this ordinance and the City Clerk shall attest to such signature. The City Clerk is directed to cause the title and summary or text of the this ordinance, together with the vote thereon, to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation published and circulated within the territorial jurisdiction of the City, and to post at the main office of the City a certified copy of the full text of the adopted ordinance along with the names of the Council Members voting for and against the ordinance.

Section 6. This ordinance relating to the levy of the special tax takes effect and shall be in force from and after 30 days from the date of final passage. A copy of this ordinance shall be transmitted to the Clerk of the Board of Supervisors of Riverside County, the Assessor and the Treasurer-Tax Collector of Riverside County.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Coachella on this 8th day of July 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Hernandez, Mayor

ATTEST:

Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:

Carlos L. Campos, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) SS
CITY OF COACHELLA)

I, Angela M. Zepeda, City Clerk of the City of Coachella do hereby certify that the foregoing is a true and correct copy of an ordinance, being Ordinance No. 1164 duly passed and adopted at regular meeting of the City Council of the City of Coachella, California held on the 8th day of July 2020.

By: _____
Angela M. Zepeda, City Clerk

EXHIBIT A

RATE AND METHOD OF APPORTIONMENT

NOTICE OF ADOPTION OF ORDINANCE NO. 1164

NOTICE IS HEREBY GIVEN that on June 24, 2020, at the Council Chambers of the City of Coachella, 1515 Sixth Street, Coachella, California 92236, the City Council of the City of Coachella, in its capacity as the legislative body of the City of Coachella Community Facilities District No. 2005-1 (Law Enforcement, Fire and Paramedic Services), held a public hearing and adopted Ordinance No. 1164. A summary of Ordinance No. 1164 follows and is marked as Exhibit "A". At said time and place the testimony of all interested persons or taxpayers for or against said ordinance was heard.

Ordinance No. 1164 was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

By: Andrea Carranza, Deputy City Clerk
City of Coachella

Dated: _____, 2020

EXHIBIT “A”

**BEFORE THE CITY COUNCIL OF THE CITY OF COACHELLA IN ITS
CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF COACHELLA
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (LAW ENFORCEMENT, FIRE
AND PARAMEDIC SERVICES)**

IN THE MATTER OF Authorizing) **ORDINANCE NO. 1164 SUMMARY**
the Levy of a Special Tax Within)
Annexation Area No. 31 Annexed)
to City of Coachella Community)
Facilities District No. 2005-1 (Law)
Enforcement, Fire and Paramedic)
Services))

The ordinance authorizes the levy of an annual special tax within Annexation Area No. 31 annexed to City of Coachella Community Facilities District No. 2005-1 (Law Enforcement, Fire and Paramedic Services) (the “District”), collected in the same manner as ordinary ad valorem taxes, in an amount necessary to finance a portion of the cost of providing law enforcement, fire and paramedic services that are in addition to those provided in the territory within Annexation Area No. 31 prior to the annexation of Annexation Area No. 31, to the District, which is necessary to meet increased demands placed upon the City as a result of development or rehabilitation occurring within Annexation Area No. 31.

By: Angela M. Zepeda, City Clerk
City of Coachella

Dated: _____, 2020