

ORDINANCE O2024-XX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY

CITY OF MANTECA

COMMUNITY FACILITIES DISTRICT NO. 2022-1
(MANTECA PUBLIC SAFETY, MAINTENANCE & SERVICES)

ANNEXATION NO. 2
TAX ZONE NO. 3

WHEREAS, the City of Manteca (the “City”) has conducted proceedings pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”) to establish the City of Manteca Community Facilities District No. 2022-1 (Manteca Public Safety, Maintenance & Services) (the “District”) for the purpose of financing the costs of police services, fire protection services, and maintenance of roads, parks, landscapes, streetscapes, and streetlights; and related appurtenances (the “Services”) as provided in the Act; and

WHEREAS, the rate and method of apportionment of special tax for the District (the “Rate and Method”) is set forth in Exhibit B to the City Council Resolution R2022-196 entitled “A Resolution of the City Council of the City of Manteca, State of California, Establishing the Formation of a Community Facilities District and Future Annexation Area” (the “Resolution of Formation”), which was adopted on November 1, 2022; and

WHEREAS, the City has conducted proceedings to annex territory into the District and, with respect to the proceedings, following an election of the qualified electors in the territory proposed for annexation (the “Annexation Territory”), the City Council, on February 20, 2024, adopted a Resolution entitled “A Resolution of the City Council of the City of Manteca, State of California, Declaring the Results of Special Annexation Landowner Election, Determining Validity of Prior Proceedings, and Directing the Recording of the Second Amendment to Notice of Special Tax Lien.”; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

ATTACHMENT 1

SECTION 1: Special Tax Authorized. By the passage of this Ordinance, the City Council hereby authorizes and levies the special tax within the District, including the Annexation Territory, pursuant to the Act, at the rate and in accordance with the rate and method of apportionment of special tax set forth in the Resolution of Formation, which rate and method is by this reference incorporated herein. The special tax has previously been levied in the original territory of the District beginning in Fiscal Year 2022/23 pursuant to Ordinance No. O2022-25 passed and adopted by the City Council on November 15, 2022, and the special tax is hereby levied commencing in fiscal year 2023/24 in the District, including the Annexation Territory, and in each fiscal year thereafter to pay for the Services for the District and all costs of administering the District.

SECTION 2: Special Tax Determination. The City's Finance Director, designee, employee, or consultant of the City is hereby authorized and directed each fiscal year to determine the specific special tax to be levied for the next ensuing fiscal year for each parcel of real property within the District, including the Annexation Territory, in the manner and as provided in the Resolution of Formation.

SECTION 3: Exemptions. Exemptions from the levy of the special tax shall be as provided in the Resolution of Formation and the applicable provisions of the Act. In no event shall the special tax be levied on any parcel within the District in excess of the maximum special tax specified in the Resolution of Formation.

SECTION 4: Use of Special Tax. All of the collections of the special tax shall be used as provided in the Act and in the Resolution of Formation, including, but not limited to, the payment of the costs of the Services, the payment of the costs of the City in administering the District, and the costs of collecting and administering the special tax.

SECTION 5: Collection of Special Tax. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall have the same lien priority and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes; provided, however, that the City Council may provide for other appropriate methods of collection by resolution(s) of the City Council. The Finance Director of the City is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of San Joaquin in order to effect proper billing and collection of the Special Tax, so that the Special Tax shall be included on the secured property tax roll of the County of San Joaquin for Fiscal Year 2023/24 and for each fiscal year thereafter until no longer required to pay for the Services or until otherwise terminated by the City.

SECTION 6: Severability. If for any reason any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the District, including the Annexation Territory, by a court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels within the District, including the Annexation Territory, shall not be affected.

ATTACHMENT 1

SECTION 7: Signature. The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published immediately after its passage at least once in a newspaper of general circulation for the City.

SECTION 8: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Manteca, a municipal corporation

MAYOR: _____
GARY SINGH

ATTEST: _____
CASSANDRA CANDINI-TILTON
CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN JOAQUIN } SS:
CITY OF MANTECA }

I, Cassandra Candini-Tilton, City Clerk of the City of Manteca, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 20th day of February, 2024, and had its second reading and was adopted and passed during the public meeting of the City Council on the 5th day of March, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk