

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, LEVYING A SPECIAL TAX FOR THE
PROPERTY TAX YEAR 2015-2016 AND FUTURE TAX
YEARS WITHIN AND RELATING TO COMMUNITY
FACILITIES DISTRICT NO. 15

WHEREAS, on December 3, 2015, the Council adopted Council Resolution No. 2015 - 215, a resolution of the Council of the City of Fresno of formation of Community Facilities District No, 15 ("CFD No. 15"), authorizing the levy of a special tax therein, pursuant to the Fresno Special Tax Financing Law, Chapter 8, Article 1, Division 3 of the Fresno Municipal Code ("City Law"); and

WHEREAS, on December 17, 2015, by Council Resolution No. 2015 – 243, the Council called a special election on the proposition on levying a special tax and set February 19, 2016, as Election Day; and

WHEREAS, on February 19, 2016, an election was held within CFD No. 15 and, as required by City Law to pass, more than two-thirds of the votes cast, approved the propositions.

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

1. Pursuant to City Law, and in accordance with the Rate and Method of the Apportionment of Special Tax as shown in Exhibit C to the Formation Resolution, a special tax is hereby authorized and levied on all taxable parcels within CFD No. 15 for the 2015 – 2016 fiscal year and for each future fiscal year at the same rate or at a lower rate than the maximum rate of tax provided in Exhibit C to the Formation Resolution. By a resolution of this Council, the tax rate may be adjusted annually, subject to such maximum rate

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Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:



Ordinance No.

of tax. The special taxes levied in any fiscal year on any parcel with CFD No. 15 shall not exceed the maximum tax specified in Exhibit C to the Formation Resolution.

2. The Public Works Director or his designee is authorized and directed, with the aid of the appropriate officers and agents of the City, to determine each year, the Special Tax Requirement (as that term is defined in Exhibit "C" of the Formation Resolution), to prepare the annual special tax roll in the amount of Special Tax Requirement in accordance with said Exhibit "C" and, without further action of this Council, to provide all necessary and appropriate information to the Fresno County Auditor in the form, and within the time, necessary to effect the correct and timely billing and collection of the special tax on the secured property tax roll of the County. The special tax shall be levied and collected in the same manner, shall be subject to the same penalties and the same lien priority, and the same procedure and sale for delinquency, as for ad valorem taxes. Notwithstanding the foregoing, as set forth in the Formation Resolution and City Law, this Council reserves the right to use any method of collecting the special tax, which the Council, from time to time, may determine to be in the best interests of the City including, without limitation, direct billing by the City to the property owners and supplemental billing. The Public Works Director or his designee is further authorized and directed to furnish the notices of special tax required by City Law.
3. The appropriate officers and agents of the City are further authorized and directed to adjust the special tax roll before the final posting of the special taxes to the Fresno County tax roll each fiscal year, as necessary to achieve a correct match of the special tax levy with the County Assessor's parcel numbers finally used by the County in sending out property tax bills.
4. If a court of competent jurisdiction finds any part of this Ordinance to be invalid or the special tax to be inapplicable to or unreasonable for any particular parcel, the balance of this Ordinance and the application of the

special tax to the remaining parcels shall not be affected and shall remain in full force and effect.

5. This Ordinance shall take effect and be in force immediately upon the date of final passage, as a tax measure, pursuant to City Charter Section 610.

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor Approval: _____, 2016

Mayor Approval/No Return: _____, 2016

Mayor Veto: _____, 2016

Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Raj Singh Badhesha, Deputy