

ORDINANCE NO. 10679 (N.S.)

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, ACTING AS LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) OF THE COUNTY OF SAN DIEGO, AMENDING ORDINANCE NO. 10602 (N.S.)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1: Findings

1. In 2019, the Board of Supervisors (the "Board") of the County of San Diego (the "County") conducted proceedings in accordance with the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code (the "Act"), for the establishment of Community Facilities District No. 2019-01 (Meadowood Maintenance) of the County of San Diego, State of California (the "District" or "Community Facilities District").
2. On April 10, 2019, the Board established the District pursuant to its Resolution No. 19-041 (the "Resolution of Formation"), which specified a rate and method of apportionment for the special taxes to be levied on property within the district (the "Original RMA") and a boundary map showing the location of the tax zones referenced in the Original RMA (the "Original Boundary Map").
3. On the same date and in accordance with the Act, the County duly held an election within the District whereby the levy of special taxes by the District in accordance with the Original RMA, among other things, was duly approved by at least two-thirds of the votes cast by the qualified electors of the District.
4. On May 1, 2019, the Board adopted Ordinance No. 10602 authorizing the levy of the special taxes approved at the April 10, 2019 special election within the District.
5. Subsequent to the adoption of Ordinance No. 10602 (N.S.), on May 1, 2019, the Board, acting as legislative body of the District, adopted its Resolution No. 20-051 (the "Resolution of Consideration") pursuant to which the Board determined that public convenience and necessity require that the Original RMA and Original Boundary Map, described in Ordinance No. 10602 (N.S.), should be changed and replaced by an amended and restated rate and method of apportionment of special tax, appended as Exhibit "A" of the Resolution of Consideration ("the Amended and Restated RMA") and an amended boundary map, appended as Exhibit "B" of the Resolution of Consideration ("the Amended Boundary Map"), to accommodate changes in the development plans for the District.
6. On June 24, 2020, the Board, acting as legislative body of the District, held a public hearing regarding the proposed changes to the rate and method of apportionment of special tax and boundary map for the District described in the Resolution of Consideration in accordance with Article 3 of the Act (including, but not limited to Section 53336 therein).

7. At the conclusion of such public hearing the Board adopted, on June 24, 2020 a resolution entitled "Resolution of the Board of Supervisors of the County of San Diego Calling a Special Election and Submitting to the Voters of County of San Diego Community Facilities District No. 2019-01 (Meadowood Maintenance) Propositions Regarding Changes to the Rate and Method of Apportionment and Boundary Map" (the "Resolution Calling Election"), calling for a special election of the qualified electors within the District.
8. Pursuant to the terms of the Resolution Calling Election, a special election was held on June 24, 2020, the Clerk of the Board canvassed the election results and certified that more than two-thirds of the votes cast were in favor of Proposition A to change and replace the Original RMA and the Original Boundary Map with the Amended and Restated RMA and the Amended Boundary Map.
9. On June 24, 2020, the Board adopted a resolution entitled "Resolution of the Board of Supervisors of the County of San Diego, California, Declaring the Results of the Special Election for County of San Diego Community Facilities District No. 2019-01 (Meadowood Maintenance) on the Propositions with Respect to Changing the Rate and Method of Apportionment of Special Tax and the Boundary Map for County of San Diego Community Facilities District No. 2019-01 (Meadowood Maintenance) Special Taxes, and Directing the Recording of an Amended Notice of Special Tax Lien" (the "Resolution of Change"), which declared that the Original RMA and Original Boundary Map have been changed and replaced by the Amended and Restated RMA and Amended Boundary Map.
10. The Board desires to amend Ordinance No. 10602 (N.S.) to authorize the levy of a special tax within the District in accordance with the Amended and Restated RMA and the Amended Boundary Map, commencing with Fiscal Year 2020-21 and for each Fiscal Year thereafter for the purposes set forth in the Resolution of Change.

Section 2: Ordinance: Amending Ordinance No. 10602 (N.S.) as to the Authorization of the Levy of a Special Tax within the District.

1. The Board of Supervisors hereby amends and restates Section 1 and Section 2 of Ordinance No. 10602 (N.S.) in their entirety to read as follows:

"1. Pursuant to Government Code Sections 53328 and 53340, and in accordance with the Amended and Restated Rate and Method of Apportionment of Special Tax and Amended Boundary Map as shown in Exhibits "A" and "B" to the Resolution of Consideration adopted by the County Board (the "Board") of the County of San Diego (the "County") on May 6, 2020 and the Resolution of Change adopted by the Board on June 24, 2020 (the "Resolutions"), a special tax is hereby levied on all taxable parcels within the County's Community Facilities District No. 2019-01, for all fiscal years, commencing fiscal year 2020-2021, in the amount of the maximum authorized tax; provided, that the amount of special tax levied in each year may be adjusted annually as provided in Section 3 of this Ordinance, subject to the maximum authorized special tax limit."

"2. The County Administrator of the County is authorized and directed, with the aid of the appropriate officers and agents of the County, to determine each year, without further action of the Board, the Calculation of Special Taxes as provided in Exhibit "A",

the Amended and Restated Rate and Method of Apportionment of Special Tax, of the Resolutions, to prepare the annual special tax roll in the amounts specified in said Exhibit "A" and, without further action of the Board, to provide all necessary and appropriate information to the San Diego County Auditor in proper form, and in proper time, necessary to effect the correct and timeline billing and collection of the special tax on the secured property tax roll of the County; provided, that as provided in the Resolutions and Section 53340 of the California Government Code, the Board has reserved the right to utilize any method of collecting the special tax which it shall, from time to time, determine to be in the best interests of the County, including but not limited to, direct billing by the County to the property owners and supplemental billing."


I HEREBY CERTIFY that the foregoing ordinance was first read at a regular meeting of the Board of the County of San Diego on the 24th day of June, 2020, and was passed and adopted at a regular meeting of the Board on the 8th day of July, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

APPROVED AS TO LEGAL AND LEGALITY:

Thomas L. Bosworth
Sr. Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 8th day of July 2020.



GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 8th day of July 2020.

ANDREW POTTER
Clerk of the Board of Supervisors

By



Joana Santiago, Deputy



Ordinance No.: 10679 (N.S.)
Meeting Date: 07/08/2020 (02)