

ORDINANCE NO 2014-07

**AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA,
ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF
JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO 2014-001
(HARVEST) AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN**

RECITALS:

WHEREAS, the City Council of the City of Jurupa Valley (the “City Council”), has previously adopted Resolution No. 2014-09, entitled “Resolution of the City Council of the City of Jurupa Valley Declaring its Intention to Establish City of Jurupa Valley Community Facilities District No. 2014-001 (Harvest) and to Authorize the Levy of a Special Tax therein to Finance Certain Services” (the “Resolution of Intention”), stating its intention to conduct proceedings to form City of Jurupa Valley Community Facilities District No. 2014-001 (Harvest) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code (the “Act”) to finance certain services (the “Services”) including incidental expenses, to serve the CFD; and

WHEREAS, the Resolution of Intention set May 15, 2014, or as soon thereafter as practical, as the date of a public hearing on all matters pertaining to the formation of the CFD, the extent of the CFD, the furnishing of Services to serve the CFD, and the proposed rate and method of apportionment of the special tax within the CFD (the “Rate and Method”); and

WHEREAS, a notice of public hearing was published and mailed to all landowners proposed to be included in the CFD in accordance with the Act; and

WHEREAS, at the public hearing, evidence was presented to the City Council on such matter before it, including a special report (the “Report”) describing the services necessary to adequately meet the needs of the CFD and the estimated costs of financing such Services as required by Section 53321.5 of the Act; and

WHEREAS, at the public hearing, all persons desiring to be heard on all matters pertaining to the formation of the CFD, the extent of the CFD, the furnishing of Services to serve the CFD, and the Rate and Method were heard and a full and fair hearing was held; and

WHEREAS, subsequent to the public hearing, the City Council adopted a resolution entitled “Resolution of Formation of the City Council of the City of Jurupa Valley to Establish City of Jurupa Valley Community Facilities District No. 2014-001 (Harvest), to Establish an Appropriations Limit therefor, to Authorize the Levy of a Special Tax therein, and to Submit the Establishment of an Appropriations Limit and the Levy of a Special Tax to the Qualified Electors thereof” (the “Resolution of Formation”) which established the CFD and authorized the levy of a special tax within the CFD; and

WHEREAS, subsequent to the public hearing, the City Council also adopted a resolution entitled “Resolution of the City Council of the City of Jurupa Valley Calling a Special Election and Submitting to the Qualified Electors of City of Jurupa Valley Community Facilities District No. 2014-001 (Harvest) Propositions Regarding the Establishment of an Appropriations Limit and the Annual Levy of a Special Tax Within the Community Facilities District” (the “Resolution Calling Election”) which called a special election of the qualified electors within the CFD; and

WHEREAS, pursuant to the terms of the Resolution Calling Election, an election was held in which qualified electors of the CFD approved the establishment of an appropriations limit for the CFD and the levy of a special tax (the “Special Tax”) within the CFD; and

WHEREAS, on May 15, 2014, the City Council adopted a resolution entitled “Resolution of the City Council of the City of Jurupa Valley Declaring the Results of a Special Election in the City of Jurupa Valley Community Facilities District No. 2014-001 (Harvest) and Directing the Recording of a Notice of Special Tax Lien” (the “Resolution Declaring Results of Election”) which certified the results of the May 15, 2014 election conducted by the City Clerk, which results showed that more than two-thirds of the votes cast in the CFD were in favor of the proposition to levy the Special Tax and the proposition to establish an appropriations limit for the CFD; and

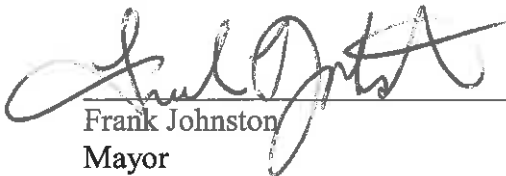
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES HEREBY ORDAIN AS FOLLOWS:

1. Recitals. The above recitals are all true and correct.
2. Authorization of the Levy of a Special Tax. By the passage of this Ordinance, the City Council authorizes the levy of the Special Tax in the CFD in accordance with the Rate and Method set forth in the Exhibit “B” to the Resolution of Formation, which is on file in the office of the City Clerk and incorporated by reference herein.
3. Annual Rate Determination. The City Council is hereby further authorized to determine on or before August 10 each year, or such other date as is established by law or by the County Auditor-Controller of the County of Riverside, the specific Special Tax to be levied on each parcel of land in the CFD, except that special taxes to be levied shall not exceed the maximum rates set forth in the Rate and Method, but the special tax may be levied at a lower rate.
4. Exempt Property. Except as provided in Section 53340.1 of the Act and except for properties that a local agency is a landowner of within the meaning of subdivision (f) of Section 53317 of the Act, pursuant to Section 53340 of the Act, properties of entities of the state, federal and local governments shall be exempt from the levy of the Special Tax.

Reference is hereby made to the Rate and Method for a description of other properties or entities that are expressly exempted from the levy of the Special Tax.

5. Use of Collections. All of the collections of the Special Tax shall be used only as provided by the Act and in the Resolution of Formation. The Special Tax shall be levied only so long as needed for the purposes as described in the Resolution of Formation.
6. Collection. The Special tax shall be collected in the same manner as ordinary ad valorem taxes and shall be subject to the same penalties and the same procedure, sale and lien in any case of delinquency as applicable for ad valorem property taxes; provided, however, that the Special Tax may be collected by direct billing by the City of the property owners in the CFD or in such other manner as may be provided by the City Council. In addition, the provisions of Section 53356.1 of the Act shall apply to any delinquent Special Tax payments.
7. Authorization. The specific authorization for adoption of the Ordinance is Section 53340 of the Act.
8. Severability. If for any reason any portion of the Ordinance is found to be invalid, or if the Special Tax is found inapplicable for any particular parcel within the CFD, by a court of competent jurisdiction, the balance of this Ordinance, and the application of the Special Tax to the remaining parcels within the CFD shall not be affected.
9. Certification. The City Clerk shall certify the passage of this Ordinance and cause it to be published or posted in accordance with law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Jurupa Valley on this 5th day of June, 2014.



Frank Johnston
Mayor

ATTEST:



Victoria Wasko, CMC
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF JURUPA VALLEY)

I, Victoria Wasko, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council held on the 15th day of May, 2014 and thereafter at a regular meeting held on the 5th day of June, 2014, it was duly passed and adopted by the following vote of the City Council:


AYES: GOODLAND, HANCOCK, JOHNSTON, LAURITZEN, ROUGHTON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 5th day of June, 2014


Victoria Wasko, CMC, City Clerk
City of Jurupa Valley

oath of Publication

(2015.5 C.C.P.)

County of Riverside State of California

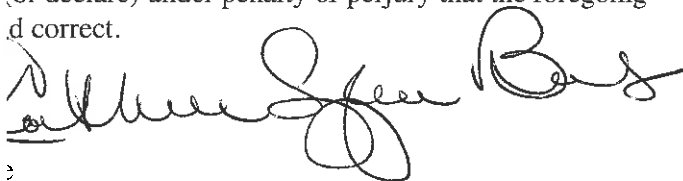
I, Marine Sy-pin-Barnes, being first duly sworn, deposes and says: That at and on all said times mentioned herein, she was a citizen of the United States, of the age of eighteen years, and a resident of said County, and was at and on all said times the principal clerk of the printer and publisher of the Riverside County Record-News, a newspaper of general circulation, authorized by court decree, printed and published weekly in said County, State of California, that said Riverside County Record-News is at all times herein mentioned, a newspaper of general circulation as defined in section 4460 of the Political Code, and, as provided by law, is published for the dissemination of local and telegraphic news of a general character, having a bona fide subscription list of subscribers, and is not devoted to nor published for the interest, promotion or instruction of a particular class, profession, trade, calling, or nomination; that at all said time said newspaper has been established and published in said County and State at regular intervals for one year preceding the date of publication of the notice hereinafter recited; that said notice was set in type not smaller than nonpareil and was printed with words printed in black face type not smaller than nonpareil and expressing in general terms the purport and character of the notice intended to be given; that the

RIVERSIDE COUNTY RECORD NEWSPAPER

the annexed is a printed copy, published and printed in said newspaper in at least 1 weekly issues, as follows:

May 22, 2014

(I do so) under penalty of perjury that the foregoing is true and correct.



May 22, 2014
Riverside, California

CITY OF JURUPA VALLEY
Office of the City Clerk
NOTICE OF PROPOSED ORDINANCES

NOTICE IS HEREBY GIVEN that on May 15, 2014, the City Council of the City of Jurupa Valley, California, introduced the following ordinance(s):

1. Ordinance No. 2014-06 – AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO 2013-001 (BELLEGRAVE) AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN

Summary: The proposed ordinance will authorize the levy of a Special Tax in the CFD in accordance with the Rate and Method set forth in the Resolution of Formation, which is on file in the office of the City Clerk. The Mello-Roos Community Facilities Act of 1982 provides authority for the initiation of the establishment of community facilities districts upon receipt by the City of a petition requesting institution of proceedings by owners of not less than 10% of the area of land proposed to be included within the district. The City has received the signed petitions from all land owners. There are no persons living within the boundary or registered to vote other than the landowners of the proposed District.

2. Ordinance No. 2014-07 – AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO 2014-001 (HARVEST) AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN

Summary: The proposed ordinance will authorize the levy of a Special Tax in the CFD in accordance with the Rate and Method set forth in the Resolution of Formation, which is on file in the office of the City Clerk. The Mello-Roos Community Facilities Act of 1982 provides authority for the initiation of the establishment of community facilities districts upon receipt by the City of a petition requesting institution of proceedings by owners of not less than 10% of the area of land proposed to be included within the district. The City has received the signed petitions from all land owners. There are no persons living within the boundary or registered to vote other than the landowners of the proposed District.

The proposed ordinances will be considered for adoption by the City Council at their June 5, 2014 meeting.

The full text of each ordinance is available for review in the City Clerk's Office, 8304 Limonite Avenue, Suite M, Jurupa Valley, California (951) 332-6464.
Victoria Wasko, CMC
City Clerk

Published: May 22, 2014 rcr0388

Affidavit of Publication

(2015.5 C.C.P.)

County of Riverside

State of California

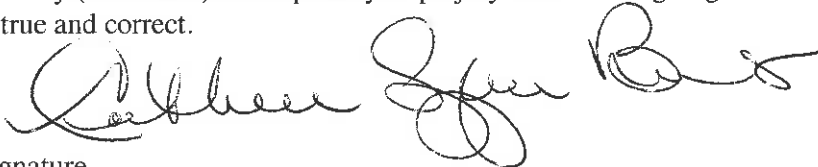
Catherine Sypin-Barnes, being first duly sworn, deposes and says: That at all times hereinafter, mentioned that she was a citizen of the United States, over the age of eighteen years, and a resident of said County, and was at and during all said times the principal clerk of the printer and publisher of The Riverside County Record-News, a newspaper of general circulation, adjudicated by court decree, printed and published weekly in said County of Riverside, State of California, that said Riverside County Record-News is and was at all times herein mentioned, a newspaper of general circulation as that term is defined in section 4460 of the Political Code, and, as provided by that section, is published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not devoted to nor published for the interest, entertainment or instruction of a particular class, profession, trade, calling, race or denominations; that at all said time said newspaper has been established, printed and published in said County and State at regular intervals for more than one year preceding the date of publication of the notice hereinafter mentioned; that said notice was set in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport and character of the notice intended to be given; that the

RIVERSIDE COUNTY RECORD NEWSPAPER

of which the annexed is a printed copy, published and printed in said newspaper in at least 1 weekly issues, as follows:

June 12, 2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature

Dated: June 12, 2014
at Riverside, California

CITY OF JURUPA VALLEY
Office of the City Clerk
NOTICE OF NEW ORDINANCES

NOTICE IS HEREBY GIVEN that on June 5, 2014, the City Council of the City of Jurupa Valley, California, adopted the following ordinances by the following vote to wit:

1. Ordinance No. 2014-06 – AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO 2013-001 (BELLEGRAVE) AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN

Summary: The proposed ordinance would authorize the levy of a Special Tax in the CFD in accordance with the Rate and Method set forth in the Resolution of Formation, which is on file in the office of the City Clerk. The Mello-Roos Community Facilities Act of 1982 provides authority for the initiation of the establishment of community facilities districts upon receipt by the City of a petition requesting institution of proceedings by owners of not less than 10% of the area of land proposed to be included within the district. The City has received the signed petitions from all land owners. There are no persons living within the boundary or registered to vote other than the landowners of the proposed District.

AYES: GOODLAND, HANCOCK, JOHNSTON, LAURITZEN, ROUGHTON

NOES: NONE

ABSENT: NONE

2. Ordinance No. 2014-07 – AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF JURUPA VALLEY COMMUNITY FACILITIES DISTRICT NO 2014-001 (HARVEST) AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN

Summary: The proposed ordinance would authorize the levy of a Special Tax in the CFD in accordance with the Rate and Method set forth in the Resolution of Formation, which is on file in the office of the City Clerk. The Mello-Roos Community Facilities Act of 1982 provides authority for the initiation of the establishment of community facilities districts upon receipt by the City of a petition requesting institution of proceedings by owners of not less than 10% of the area of land proposed to be included within the district. The City has received the signed petitions from all land owners. There are no persons living within the boundary or registered to vote other than the landowners of the proposed District.

AYES: GOODLAND, HANCOCK, JOHNSTON, LAURITZEN, ROUGHTON

NOES: NONE

ABSENT: NONE

The full text of each ordinance is available for review in the City Clerk's Office, 8304 Limonite Avenue, Suite M, Jurupa Valley, California (951) 332-6464.

Victoria Wasko, CMC
City Clerk

Published: June 12, 2014 0470