

RESOLUTION NO. 2019-063

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE DECLARING ITS INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 12 (POLICE AND FIRE SERVICES) AND AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, ANNEXATION NO. 3 (FARMSTEAD)

WHEREAS, this City Council (the "Council") of the City of Vacaville (the "City") has conducted proceedings to establish Community Facilities District No. 12 (Police and Fire Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code; and

WHEREAS, under the Act, this Council, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. Findings. This Council hereby finds and determines that public convenience and necessity require that territory be added to the CFD.

Section 2. Territory Described. The name of the existing CFD is "City of Vacaville Community Facilities District No. 12 (Police and Fire Services)." The territory included in the existing CFD is set forth in the map of the CFD heretofore recorded as Instrument No. 2006-83927 in the Solano County Recorder's Office on July 3, 2006, in Book 23 at Page 79 of Maps of Assessment and Community Facilities Districts, to which map reference is hereby made.

The territory now proposed to be annexed to the CFD, which is composed of the development that is generally known as "Farmstead," is as shown on the map for the captioned Annexation No. 3 (the "Annexation Map") to the CFD, on file with the Clerk, the boundaries of which territory are hereby preliminarily approved and to which Annexation Map reference is hereby made for further particulars.

The City Clerk is hereby directed to cause to be recorded such Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of Solano within 15 days of the date of adoption of this resolution.

Section 3. The Services. The types of public services financed by the CFD and pursuant to the Act consist of those municipal services (the "Services") as described in Exhibit A to "A Resolution of Formation of Community Facilities District" with respect to the CFD adopted by the Council as Resolution No. 2006-102 on July 25, 2006 (the "Resolution of Formation"). It is presently intended that the Services will be provided, without preference or priority, to the existing territory in the CFD and the territory proposed to be annexed to the CFD.

Section 4. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes.

The special tax proposed to pay for Services to be supplied within the territory proposed to be annexed will be equal to the special taxes levied to pay for the same Services in the CFD, except that a higher or lower tax may be levied within the territory proposed to be annexed or to be annexed in the future to the extent that the actual cost of providing the Services in that territory is higher or lower than the cost of providing those Services in the CFD.

The existing rate and method of apportionment of special tax (the "Rate and Method") among the parcels of real property within the existing territory of the CFD, as described in Exhibit B to the Resolution of Formation, will not be altered in connection with the proposed annexation.

The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay, are described in the Rate and Method.

Section 5. Hearing. Tuesday, August 27, 2019 at 6:00 p.m. or as soon as possible thereafter, in the City Hall, Council Chambers, 650 Merchant Street, Vacaville, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the matters described in this Resolution.

Section 6. Notice. The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD, including the area to be annexed to the CFD. The publication of said notice shall be completed at least seven days before the date herein set for said hearing. The City Clerk may also cause a copy of such notice and a copy of this Resolution to be mailed to each landowner (and to each registered voter, if any) within the territory proposed to be annexed, which notice and resolution shall be mailed at least fifteen days before the date of said hearing. Such notice shall be substantially in the form specified in Section 53339.4 of the Act, with a summary form specifically authorized.

Section 7. Effective Date. This Resolution shall take effect upon its adoption.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 23rd day of July 2019 by the following vote:

AYES: Council members Beaty, Mashburn, Sullivan, and Mayor Rowlett
NOES: None
ABSENT: Vice Mayor Harris

ATTEST:


Michelle A. Thornbrugh, City Clerk