

**CITY OF SUISUN CITY
NOTICE OF ADOPTION OF ORDINANCE 803**

NOTICE IS HEREBY GIVEN that under the provisions of Government Code Section 36933, Ordinance No. 803 was adopted by the City Council of the City of Suisun City at a regular meeting held on Tuesday, August 15, 2023. The following is the full text of said Ordinance.

ORDINANCE NO. 803

**AN ORDINANCE OF THE CITY COUNCIL OF CITY OF SUISUN CITY,
AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES
DISTRICT NO. 5 (PUBLIC SAFETY, MAINTENANCE & DREDGING SERVICES)**

WHEREAS, this City Council of the City of Suisun City (the “City Council”) on June 20, 2023, adopted Resolution No. 2023-77 entitled “A Resolution of the City Council of City of Suisun City, Declaring its Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes” (the “Resolution of Intention”) has conducted proceedings (the “Proceedings”) to establish the City of Suisun City Community Facilities District No. 5 (Public Safety, Maintenance & Dredging Services) (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”) provide for the costs of operating and maintaining Public Safety, Maintenance & Dredging Services and appurtenant facilities (the “Services”) as provided in the Act; and

WHEREAS, the Resolution of Intention called for a public hearing to be held on August 8, 2023, and as part of the Proceedings, the City Council held a public hearing under the Act relative to the determination to proceed with the formation of the District and the rate and method of apportionment of the special tax (the “Special Tax”) to be levied within the District to finance the Services and at such hearing all persons desiring to be heard on all matters pertaining to the formation of the District and the levy of the Special Tax were heard, substantial evidence was presented and considered by this City Council and a full and fair hearing was held; and

WHEREAS, upon the conclusion of the hearing, this City Council adopted a resolution entitled “A Resolution of the City Council of City of Suisun City, Establishing the Formation of a Community Facilities District” (the “Resolution of Formation”), whereby the City Council (i) established the District, (ii) authorized the levy of the Special Tax within the District, and (iii) preliminarily established an appropriations limit for the District, all pursuant to the Act; and

WHEREAS, on August 8, 2023, a special election was held among the landowner voters within the District at which the landowner voters approved the proposition relating to the levy of Special Taxes within the District and the establishment of an appropriations limit for the District by the two-thirds vote required by the Act, which approval has been confirmed by resolution of this City Council; and

WHEREAS, the City Council ordered the recordation with the County Recorder of the County of Solano of a Notice of Special Tax Lien (the “Notice”).

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

SECTION ONE: The foregoing recitals are true and correct.

SECTION TWO: By the passage of this Ordinance, the City Council hereby authorizes and levies the Special Tax within the District 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 is hereby levied commencing in fiscal year 2023/24 and in each fiscal year thereafter to pay for the Services for the District and all costs of administering the District, as contemplated by the Resolution of Formation and the Proceedings.

SECTION THREE: The City Council is hereby further authorized each year, by resolution adopted as provided in Section 53340 of the Act, to determine the specific Special Tax to be levied for the next ensuing fiscal year for each parcel of real property within the District, in the manner and as provided in the Resolution of Formation.

SECTION FOUR: 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 FIVE: 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 of Suisun City in administering the District, and the costs of collecting and administering the Special Tax.

SECTION SIX: 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 Director of Finance of the City of Suisun City is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of Solano 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 Solano 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 of Suisun City.

SECTION SEVEN: 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, 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 shall not be affected.

SECTION EIGHT: 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.

SECTION NINE: This Ordinance shall take effect 30 days from the date of final passage.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Suisun City, California, on this 15th day of August 2023.

Ayes: Councilmembers: Dawson / Osum / Pal /Washington / Mayor Hernandez
Noes: Councilmembers: None
Absent: Councilmembers: None

Donna Pock, Deputy City Clerk
Dated August 22, 2023
Published; August 25, 2023