

RESOLUTION NO. 99-388

**RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT  
AND TO LEVY A SPECIAL TAX IN  
STONERIDGE COMMUNITY FACILITIES DISTRICT NO. 1 SERVICES DISTRICT**

The City Council of the City of Roseville (the "City") resolves:

1. Reference is made to Resolutions No. 99-257 and No. 99-258 of this City Council adopted July 7, 1999 for the preliminary scope of the project and financing contemplated by these proceedings.

2. This City Council has conducted the public hearing set by Resolution No. 99-258, which was continued to this date, and determines that a majority protest under Section 53324 of the Government Code was not made at the hearing.

3. There is hereby formed a community facilities district by the City of Roseville under the terms of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Division 2 of Title 5 of the California Government Code, commencing with Section 53311 (the "Act").

4. The name of the community facilities district is "Stoneridge Community Facilities District No. 1 Services District, City of Roseville, Placer County, California" (the "District").

5. The types of services proposed to be provided within the District are set forth on Exhibit A attached to this Resolution.

6. The office of the Director of Finance of the City of Roseville, 311 Vernon Street, Roseville, California 95678 (916-774-5319) is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, estimating future special tax levies and for establishing procedures to promptly respond to inquiries regarding estimates of future special tax levies. The City may contract with private consultants to provide this service in lieu of the Director of Finance.

7. Except where funds are otherwise available, a special tax sufficient to pay for all such services will be annually levied within the District. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property within the District, and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the special tax lien is canceled in accordance with law or until collection of the special tax by the legislative body of the City ceases. The rate and method of apportionment of the special tax is set forth in Exhibit B attached to this Resolution.

8. The boundaries of the District shown on proposed boundary map on file with the City Clerk, which was approved by our Resolution No. 99-257 adopted July 7, 1999 have been amended. The amended boundary of the District has been approved by our Resolution No. 99\_\_\_\_\_ adopted September 1, 1999 which has been ordered in such Resolution to be filed for record in the Office of the County Recorder of the County of Placer for placement in the Maps of Assessment and Community Facilities Districts.

9. Advances of funds or contributions of work in kind from any lawful source, specifically including owners of property within the District, may be reimbursed from special tax revenue to the extent of the lesser of the value or cost of the contribution, but any agreement to do so shall not constitute a debt or liability of the City.

10. The special tax will be collected and enforced as a separate line item on the regular property tax bill. However, this City Council reserves the right, under Section 53340, 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 City, including, but not limited to, direct billing by the City to the property owners and supplemental billing. In particular, the City may bill the 1999-2000 special taxes directly, and not post those taxes to the regular, secured property tax roll. The procedure for collection in any case when the City chooses to collect the special tax through direct billing shall be as follows:

After levy by the City Council, whether pursuant to authorizing ordinance or annual resolution, the City Director of Finance shall prepare and send to the property owners by first class U.S. Mail, at their addresses as shown on the last equalized assessment roll, a tax bill substantially in the form shown in Exhibit C, hereto, which shall specify the amount due, give instructions for payment to the City Director of Finance, state (as is hereby authorized and provided) that the first installment of the special tax (50% of the annual special tax shall be payable in each installment) shall be delinquent if not received by the City Director of Finance by the close of business on the next succeeding December 10, and the second installment shall be delinquent if not paid by the City Director of Finance by the close of business on the next succeeding April 10, shall specify (as is hereby authorized and provided) that all delinquencies shall incur an immediate 10% penalty, and an additional 1½% penalty on the first day of each month beginning with the next succeeding July 1, and shall specify (as is hereby authorized and provided) that delinquencies are subject to judicial foreclosure under the procedure set forth in §53356.1 and following of the Government Code.

The City Council, as an alternative enforcement mechanism, may by resolution elect to place delinquent special taxes on the next secured property tax roll. In such event, attorneys' fees and costs to date in any foreclosure action, and penalties on the delinquency through the following December 1, may be included in the amount to be placed on the roll. Both remedies may be pursued simultaneously, but if the property owner pays the regular property tax bill for the subsequent year, including the delinquent special tax posted to that bill, the foreclosure action may thereafter be pursued solely for attorneys' fees and costs incurred subsequent to the posting of the delinquent special tax on the secured roll.

11. This City Council hereby establishes the annual appropriations limit of the District at an amount equal to the maximum annual special tax for the 2000-2001 fiscal year.

12. Based upon the Certificate of Counsel heretofore filed with this City Council, the qualified electors for the election to be held in these proceedings shall be the landowners owning land within the District. The City Council will conduct the election by mailed ballot and hereby designates the City Clerk as the official to conduct the mailed-ballot election.

13. This City Council now finds and determines that all proceedings up to and including the adoption of this Resolution were and are valid and in conformity with the requirements of the Act. This determination and finding is final and conclusive in accordance with Government Code Section 53325.1.

\* \* \* \* \*

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Roseville, California, at a regularly scheduled meeting thereof, held on the 1st day of September, 1999 by the following vote of the City Council:

AYES: Councilmembers

NOES: Councilmembers

ABSTAIN: Councilmembers

ABSENT: Councilmembers

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Mayor

ATTEST:

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City Clerk of the City of Roseville

EXHIBIT A -List of Authorized Services  
EXHIBIT B - Rate and Method of Apportionment  
EXHIBIT C - Form of Special Tax Bill

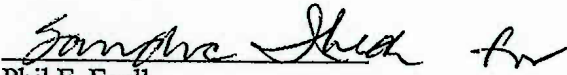


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Council Communication  
August 20, 1999

- Ordinance of the City Council of the City of Roseville Levying a Special Tax Within Stoneridge Community Facilities District No. 1 Services District – This Ordinance adopts the special tax on all taxable parcels within Stoneridge Community Facilities District No. 1 Services District for the 1999-2000 tax year and for subsequent years of the authority to levy this special tax.

Respectfully submitted:

  
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Phil E. Ezell,  
Finance Director/Treasurer

Approved:

  
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Allen E. Johnson,  
City Manager

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