

## ORDINANCE NO. 2012-022

Adopted by the Sacramento City Council

June 26, 2012

### LEVYING A SPECIAL TAX FOR FISCAL YEAR 2012-2013 AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO COMMUNITY FACILITIES DISTRICT NO. 2012-01 (CLEAN ENERGY) CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

#### BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- SECTION 1. Pursuant to California Government Code section 53328.1(b) and Council Resolution No. 2012-204 (the "**Resolution of Formation**"), adopted June 19, 2012, and relating to "Community Facilities District No. 2012-01 (Clean Energy), City of Sacramento, County of Sacramento, State of California" (the "**District**"), a special tax is hereby levied on each taxable parcel within the District for the 2012-2013 fiscal year and for each subsequent fiscal year, in each case in the amount of the special tax specified for the fiscal year in the Unanimous Approval Agreement (the "**Agreement**") pertaining to the parcel.
- SECTION 2. The City Treasurer is authorized and directed, with the aid of the appropriate officers and agents of the City, to do the following:
- (a) determine each year, without further action of the Council, the appropriate amount of special tax to be levied on each parcel in the District;
  - (b) prepare the annual special-tax roll for the parcels in the District in accordance with the Resolution of Formation and this ordinance; and
  - (c) provide all necessary and appropriate information to the Sacramento County Auditor-Controller Division, in proper form and in proper time, to effect the correct and timely billing and collection of the special tax on the secured property-tax roll of the County, except that, as stated in the Resolution of Formation and in California Government Code section 53340(e), the Council hereby reserves the right to enforce the collection of delinquent special taxes through judicial foreclosure, including the City's assigning to a trustee the ability to pursue judicial foreclosure in the City's name for the benefit of the holders of any debt (as defined in the Act) secured in whole or in part by the special tax revenues.
- SECTION 3. The appropriate officers and agents of the City are authorized, if needed to match the special-tax levy with the assessor's parcel numbers the County uses in sending out property-tax bills, to make adjustments to the special-tax roll before the final posting of the special taxes to the tax roll each fiscal year.

- SECTION 4. When the special tax is collected on the secured property-tax roll of the County, the County may, before remitting the special-tax collections to the City, deduct from the amounts collected its reasonable and agreed charges for collecting the special tax.
- SECTION 5. If a court with jurisdiction finds, for any reason, that any portion of this ordinance is invalid or that the special tax does not apply to any particular parcel, the balance of this ordinance, and the application of the special tax to all other parcels, will not be affected.
- SECTION 6. Upon completion of the payment of the entire special-tax obligation for a parcel within the District, as specified in the Agreement pertaining to that parcel, the appropriate officers of the City are authorized and directed, with the aid of the appropriate agents of the City and without further action of this Council, to record a Notice of Cessation of Special Tax for such parcel in accordance with California Government Code section 53330.5.
- SECTION 7. In accordance with section 32(c) of the Sacramento City Charter, after the Council passes this ordinance for publication the City Clerk shall have the title of this ordinance, and only the title, published at least once in a newspaper of general circulation that is published in the City and designated by the Council as the official newspaper of the City, with the publication to occur at least three days before the Council adopts this ordinance. The Council hereby finds that the title of this ordinance was published in the *Daily Journal*, a newspaper of general circulation published in the City of Sacramento, on June 22, 2012.

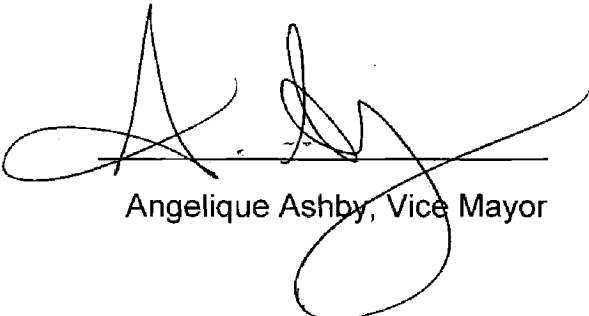
Adopted by the City of Sacramento City Council on June 26, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: Councilmember D Fong.



Angelique Ashby, Vice Mayor

Attest:



Shirley Concolino, City Clerk

Passed for Publication: June 19, 2012

Published: June 22, 2012

Effective: July 26, 2012