

ORDINANCE NO. _____

An ordinance levying special taxes within City of Los Angeles Community Facilities District No. 11 (Ponte Vista).

WHEREAS, on October 28, 2020, the Los Angeles City Council (the City Council), pursuant to the Mello-Roos Community Facilities Act of 1982 (the Act), adopted a resolution entitled “Resolution of the Council of the City of Los Angeles of Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes” stating its intention to establish City of Los Angeles Community Facilities District No. 11 (Ponte Vista) (the Community Facilities District) and to finance certain public facilities (the Facilities);

WHEREAS, on December 1, 2020, the City Council held a noticed public hearing on the establishment of the Community Facilities District, as required by the Act;

WHEREAS, subsequent to the close of the public hearing, the City Council adopted ordinances entitled “An Ordinance of Formation of City of Los Angeles Community Facilities District No. 11 (Ponte Vista), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District” (the Ordinance of Formation), “An Ordinance Deeming it Necessary to Incur Bonded Indebtedness within City of Los Angeles Community Facilities District No. 11 (Ponte Vista),” and “An Ordinance Calling Special Election for City of Los Angeles Community Facilities District No. 11 (Ponte Vista),” which ordinances established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of incurring indebtedness, levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively;

WHEREAS, on February 3, 2021, an election was held in which the qualified electors of the Community Facilities District approved the proposition by more than the two-thirds vote required by the Act; and

WHEREAS, the City of Los Angeles is authorized to undertake all of the above pursuant to its Charter and the Constitution and other applicable laws of the State of California;

NOW THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section. 1. The City Council hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the

Ordinance of Formation (the "Rate and Method of Apportionment"). The special taxes are hereby levied commencing in fiscal year 2021-22 and in each fiscal year thereafter until the last fiscal year in which the special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

Sec. 2. The City Council may, in accordance with Subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the special tax in future tax years at the same rate or at a lower rate than the rate provided by this ordinance. In no event shall the special tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified in the Rate and Method of Apportionment.

Sec. 3. The special tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method of Apportionment.

Sec. 4. The proceeds of the special tax shall only be used to pay, in whole or in part, the cost of providing the Facilities and incidental expenses pursuant to the Act.

Sec. 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

Sec. 6. 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 Community Facilities 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 Community Facilities District shall not be affected.

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By Charles Hong
CHARLES HONG
Deputy City Attorney

Date January 28, 2021

File No. 13-1646-S7

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____