

ORDINANCE NO. 3125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DISSOLVING CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 11 (ESPERANZA I).

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), previously established City of Ontario Community Facilities District No. 11 (Esperanza I) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, the qualified electors of the Community Facilities District authorized the levy of special taxes (the "Special Taxes") within the Community Facilities District to finance certain public facilities (the "Facilities") and certain public services (the "Services"); and

WHEREAS, pursuant to the Act, a Notice of Special Tax Lien with respect to the Community Facilities District was recorded in the Office of the County Recorder of the County of San Bernardino on October 18, 2007, as Instrument No. 2007-0586188 (the "Notice of Special Tax Lien"); and

WHEREAS, no debt has been incurred by the Community Facilities District; and

WHEREAS, the owners of 100% of the land in the Community Facilities District not exempt from the Special Taxes (the "Landowners") have each submitted a written request that the Facilities and Services not be financed with the Special Taxes and that the Community Facilities District be dissolved pursuant to Section 53338.5 of the Act; and

WHEREAS, such written requests of the Landowners have been granted and the City Council has determined that no Facilities are to be financed by the Community Facilities District; and

WHEREAS, such written requests of the Landowners have been granted and the City Council has determined that no Services are to be financed by the Community Facilities District; and

WHEREAS, as no Facilities and no Services are to be financed, the Community Facilities District has no authorization to levy the Special Taxes; and

WHEREAS, the City Council desires to dissolve the Community Facilities District pursuant to Section 53338.5 of the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct, and the City Council so finds and determines.

SECTION 2. The City Council hereby finds and determines that the Community Facilities District is not obligated to pay any outstanding debt.

SECTION 3. The City Council hereby finds and determines that the Community Facilities District has no authorization to levy the Special Taxes.

SECTION 4. The Community Facilities District is hereby dissolved.

SECTION 5. The City Clerk of the City is hereby directed to cause to be recorded with the County Recorder of the County of San Bernardino an addendum to the Notice of Special Tax Lien, which shall state that the Community Facilities District and all associated liens, if any, have been dissolved.

SECTION 6. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Ordinance and not inconsistent with the provisions hereof.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

The City Clerk of the City of Ontario shall certify as to the adoption of this Ordinance.

PASSED, APPROVED, AND ADOPTED this 15th day of January 2019.



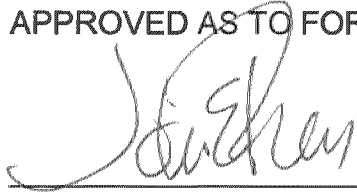
PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3125 was duly introduced at a regular meeting of the City Council of the City of Ontario held December 18, 2018 and adopted at the regular meeting held January 15, 2019 by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, WAPNER, BOWMAN,
DORST-PORADA AND VALENCIA

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE


SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3125 duly passed and adopted by the Ontario City Council at their regular meeting held January 15, 2019 and that Summaries of the Ordinance were published on December 26, 2018 and January 22, 2019, in the Inland Valley Daily Bulletin newspaper.


SHEILA MAUTZ, CITY CLERK

(SEAL)