

ORDINANCE NO. 2592

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
OXNARD, CALIFORNIA, AMENDING ORDINANCE NO. 2542
AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN
COMMUNITY FACILITIES DISTRICT NO. 2 (WESTPORT AT
MANDALAY BAY) OF THE CITY OF OXNARD

WHEREAS, On October 24, 2000, the City Council of the City of Oxnard adopted Ordinance No. 2542 authorizing the levy of a special tax at the rate and formula set forth in Attachment A to Resolution No. 11,825 for Community Facilities District No. 2 (Westport at Mandalay Bay) (the "District"); and

WHEREAS, on December 11, 2001, the City Council adopted Resolution No. 12,068 to hold a public hearing on January 29, 2002 to consider the adoption of a Revised Rate and Method of Apportionment of the Special Tax to be levied in the District (the "Revised Rate and Method") and also to consider "storm drain filtration maintenance" as an additional Service to those Services set forth in Resolution No. 11,825; and

WHEREAS, on January 29, 2002, the public hearing was held and after the public hearing the City Council adopted Resolution No. 12,082 calling an election on the Revised Rate and Method and the additional Service; and

WHEREAS, on January 29, 2002, an election was held within Community Facilities District No. 2 at which the qualified electors approved by more than a two-thirds vote the propositions of approving the Revised Rate and Method and the addition of storm drain filtration maintenance, as set forth in Resolution No. 12,082; and

WHEREAS, on January 29, 2002, the City Council adopted Resolution No. 12,084 which certified the results of the January 29, 2002 election conducted by the City Clerk, which results showed that more than two-thirds of the votes cast were in favor of the propositions to approve the Revised Rate and Method and the additional Service;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2 DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the first Whereas clause of Ordinance No. 2542 is hereby amended by adding after the word "reference" the following: "(c) storm drain filtration maintenance" and by adding after "Resolution No. 11,815" in the second to last line "and Resolution No. 12,082 adopted on January 29, 2002".

SECTION 3. That Section 2 of Ordinance No. 2542 is hereby amended to read as follows: "By the passage of Ordinance 2592 amending Ordinance No. 2542, the City Council authorizes the levy of a special tax at the rate and formula set forth in Attachment A to Resolution No. 12,082, which Resolution No. 12,082 is incorporated herein by reference."

SECTION 4. That Section 5 of the Ordinance is hereby amended to read as follows: "All of the collections of the special tax shall be used only as provided for in the Act, Resolution No. 11,815 and Resolution No. 12,082. The special tax shall be levied only so long as needed to accomplish the purposes described in said Resolutions."

SECTION 5. The Mayor of the City Council, acting on behalf of Community Facilities District No. 2 shall sign this Ordinance and the City Clerk shall attest to the Mayor's signature and then cause the same to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation published and circulated in the District, or by posting in three public places in the District, or published in a newspaper of general circulation printed and published in the City of Oxnard and circulated in the District. Ordinance No. 2592 was first read on January 29, 2002 and finally adopted on February 5, 2002.


APPROVED AND ADOPTED this 5th day of February, 2002 by the following vote:

AYES: Councilmembers Holden, Lopez, Maulhardt, Pinkard and Zaragoza.

NOES: None.

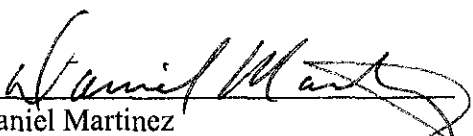
ABSENT: None.

ABSTAIN: None.



Dr. Manuel M. Lopez
Mayor of the City of Oxnard acting as the legislative
body of Community Facilities District No. 2
(Westport at Mandalay Bay) of the City of Oxnard

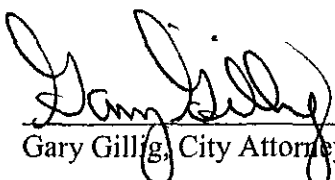
ATTEST:



Daniel Martinez
City Clerk on behalf of the City of Oxnard

(SEAL)

APPROVED AS TO FORM:



Gary Gillig, City Attorney