

ORDINANCE NO. 05035

AN ORDINANCE OF THE EAST GARRISON PUBLIC FINANCING AUTHORITY,
COUNTY OF MONTEREY, STATE OF CALIFORNIA,
LEVYING A SPECIAL TAX FOR FISCAL YEAR 2007-2008 AND
FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(EAST GARRISON PROJECT)

COUNTY COUNSEL SUMMARY

This ordinance levies a special tax for FY 2007-08 and following fiscal years solely within and relating to Community Facilities District No. 2006-1 (East Garrison Project)

The Board of Directors of the East Garrison Public Financing Authority hereby ordains as follows:

SECTION 1. Pursuant to Government Code Sections 53328 and 53340, and in accordance with the Rate and Method of Apportionment of Special Tax (the "Rate and Method of Apportionment") as set forth in Exhibit C to the Resolution of Formation of Community Facilities District No. 2006-1 (East Garrison Project), adopted by the Board of Directors of the East Garrison Public Financing Authority (this "Board") on June 20, 2006 (the "Resolution"), a Facilities Special Tax and a Services Special Tax are hereby levied on all taxable parcels within the East Garrison Public Financing Authority Community Facilities District No. 2006-1 (East Garrison Project) ("CFD No. 2006-1") for the 2007-2008 fiscal year and for all subsequent fiscal years in the amount of the maximum authorized tax, provided that these amounts may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of this Board.

SECTION 2. The Auditor of the East Garrison Public Financing Authority (the "Authority"), is authorized and directed, with the aid of the appropriate officers and consultants of the Authority, to determine each year, without further action of this Board, the Facilities Special Tax and the Services Special Tax (as those terms are defined in the Rate and Method of Apportionment), to prepare the annual Special Tax roll in the respective amounts of the Facilities Special Tax and the Services Special Tax in accordance with the Rate and Method of Apportionment and, without further action of this Board, to provide all necessary and appropriate information to the Monterey County Treasurer-Tax Collector in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the Facilities Special Tax and the Services Special Tax on the secured property tax roll of the County of Monterey (the "County"); provided that, as provided in the Resolution and Government Code Section 53340, this Board reserves the right 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 Authority, including but not limited to, direct billing by the Authority to the property owners and supplemental billing.

SECTION 3. The appropriate officers and consultants of the Authority are authorized to make adjustments to the Facilities Special Tax and/or the Services Special Tax roll prior to the final posting of either such Special Taxes to the secured property tax roll of the County each fiscal year, as may be necessary to achieve a correct match of the Special Tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.

SECTION 4. If for any cause any portion of this ordinance is found to be invalid, or if either the Facilities Special Tax or the Services Special Tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of any portion of the Special Tax not found inapplicable to the remaining parcels, shall not be affected.

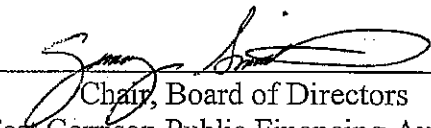
SECTION 5. This ordinance shall take effect and be in force immediately as a tax measure.

PASSED AND ADOPTED this ¹⁷~~22~~ day of ^{June}~~July~~, 2006.

AYES: Supervisors Armenta, Calcagno, Lindley, Potter and Smith

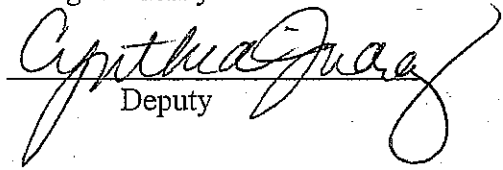
NOES: None

ABSENT None



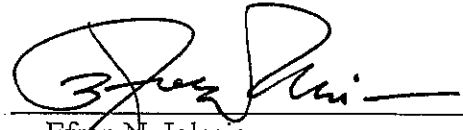
Chair, Board of Directors
East Garrison Public Financing Authority

ATTEST:
Secretary, East Garrison Public
Financing Authority

By: 

Deputy

APPROVED AS TO FORM:
COUNTY COUNSEL

By: 

Efrén N. Iglesia
Senior Deputy County Counsel

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**Board of Directors of the
East Garrison Public Financing Authority
County of Monterey, State of California**

Consider adoption of an Ordinance Levying a)
Special Tax for FY 2007-08 and Following)
Fiscal Years Solely Within and Relating to)
Community Facilities District No. 2006-1)
(East Garrison Project).)

Upon motion of Director Potter, seconded by Director Lindley, and carried by those members present, the Board of Directors of the East Garrison Public Finance Authority hereby adopts an Ordinance Levying a Special Tax for FY 2007-08 and Following Fiscal Years Solely Within and Relating to Community Facilities District No. 2006-1 (East Garrison Project).

PASSED AND ADOPTED on this 27th day of June 2006, by the following vote, to-wit:

AYES: Directors: Armenta, Calcagno, Lindley, Smith and Potter.

NOES:


ABSENT:

I, Lew C. Bauman, Secretary of the East Garrison Public Financing Authority, County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the Minute Book 73, on June 27, 2006.

Dated:

Lew C. Bauman, Secretary, East Garrison Public
Financing Authority, County of Monterey, State of
California.

By



Darlene Drain, Deputy