

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, TO DISSOLVE WILMAR COMMUNITY FACILITIES DISTRICT NO. 4

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Findings and Purpose.

Wilmar Community Facilities No. 4 is hereby dissolved based on the foregoing:

WHEREAS, in 1997, the Board of Supervisors for the County of Sonoma (County), initiated proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (“Mello-Roos Act”), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 35111 of the California Government code, to form a community facilities district, which was designated as Wilmar Community Facilities District No. 4 (“Wilmar CFD # 4.”).

WHEREAS, on January 28, 1997, the Board adopted Resolution No. 97-0083, Noticing the Board’s Intention to Establish a Community Facilities District and to authorize the levy of a special tax to finance enhanced levels of fire protection and suppression services in County Service Area 40 FS-Wilmar through the Wilmar Volunteer Fire Company.

WHEREAS, on March 4, 1997, the Board adopted Resolution No. 97-0267 (Resolution of Formation), determining the establishment of Wilmar CFD No. 4, authorizing the levy of a special tax within the District; approving an initial appropriations limit for the Wilmar CFD No. 4, and calling a special election for the purpose of submitting the levy of the special tax, and the establishment of an initial appropriations limit to a vote of the qualified electors within Wilmar CFD No. 4.;

WHEREAS, on June 3, 1997, a special election was held for Wilmar CFD No. 4, which was approved by greater than 2/3 of the voters voting in the election;

WHEREAS, the Notice of Special Tax Lien for Wilmar CFD No. 4 was unrecorded in the Office of the County Recorder;

WHEREAS, on April 5, 2023, the portion of County Service Area 40 (CSA 40) that provided the enhanced fire protection services and whose boundaries were coterminous with the Wilmar CFD No. 4 was approved for reorganization into the Gold Ridge Fire Protection District by Sonoma County Local Agency Formation Commission (LAFCO) Resolution 2768, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 560000 of Title 5 of the Government Code, and;

WHEREAS, on June 21, 2023, LAFCO recorded the Certificate of Completion, finalizing the annexation of the CSA 40 territory whose boundaries were conterminous with the Wilmar CFD No. 4 into the Gold Ridge Fire Protection District;

WHEREAS, on September 19, 2023, LAFCO recorded a Corrected Certificate of Completion to solely remedy a clerical error in the parcel listing, which did not change the terms of the reorganization or the date the Reorganization was completed;

WHEREAS, the enhanced fire protection and suppression services as set forth in the Resolution of Formation are no longer provided, and the Gold Ridge Fire Protection District has requested that the County dissolve Wilmar CFD No. 4;

WHEREAS, the County may dissolve the Wilmar CFD No. 4, pursuant to Government Code section 53338.5, upon making a finding that the CFD is not obligated to pay any outstanding debt, and no longer authorized to levy any special tax and;

WHEREAS, by Resolution #24- _____, the Board has determined that Wilmar CFD No. 4 is not obligated to pay any outstanding debt and has no authorization to levy any further special tax, and;

WHEREAS, it is hereby declared that any ordinance providing the Wilmar CFD No. 4 authority to levy special taxes is hereby repealed;

WHEREAS, upon dissolution of Wilmar CFD No. 4, the Board has directed the Clerk of the Board to cause recordation of an addendum to the Notice of Special Tax lien and Cessation of Special Tax for Wilmar CFD No. 4.

Section II. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section III. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 12 day of March, 2024, and finally passed and adopted this 26 day of March, 2024, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Coursey: Gore: Hopkins: Rabbitt:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

M. Christina Rivera,
Clerk of the Board of Supervisors