

**SUBMITTAL TO THE BOARD OF SUPERVISORS,
COMMUNITY FACILITIES DISTRICT'S LEGISLATIVE BODY
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

155



FROM: County Executive Office

SUBMITTAL DATE:
June 12, 2007

SUBJECT: Resolution No. CFD 2007-06 Certifying the Results of the Election.

RECOMMENDED MOTION: That the Legislative Body of Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside adopt Resolution No. CFD 2007-06 Certifying Election Results and instructing the Clerk of the Legislative body to cause the recordation of a notice of special tax lien.

BACKGROUND: The Board of Supervisors adopted Resolution No. 2007-286 on June 12, 2007 and the Legislative Body adopted Resolution No. CFD 2007-05, both of which called an election of the qualified electors of proposed Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside (the "CFD") for June 18, 2007, to consider the following proposition: should the CFD be able to incur bonded indebtedness in an aggregate principal amount of \$60,000,000 and be able to levy a special tax within its boundaries consistent with the terms of the Rate and Method of Apportionment, and should the CFD establish an annual appropriations limit equal to \$60,000,000.

Ballots were received from the qualified electors by the Clerk of the Board on or before June 18, 2007 and, pursuant to Section 53326(d) of the Government Code, the Clerk of the Board has declared the election closed and has submitted to the Clerk of the Legislative Body a certification stating that the proposition was passed by 2/3's or more of the votes cast.

FORM APPROVED
COUNTY COUNSEL

JUN 13 2007

June 14 2007
Dale A. Gardner

Jerry Norris, Principal Management Analyst

BY FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	06/07

SOURCE OF FUNDS: Bond Proceeds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature BY:
Dean Deines

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:
Per Exec. Ofc.:

3 **RESOLUTION NO. CFD 2007-06**

4 **A RESOLUTION OF THE LEGISLATIVE BODY OF**
5 **COMMUNITY FACILITIES DISTRICT NO. 07-2 (CLINTON**
6 **KEITH) OF THE COUNTY OF RIVERSIDE DECLARING**
7 **THE RESULTS OF A SPECIAL ELECTION AND**
8 **DIRECTING THE RECORDING OF A NOTICE OF**
9 **SPECIAL TAX LIEN**

10 **WHEREAS**, on June 12, 2007, the Board of Supervisors (the "Board of Supervisors") of the
11 County of Riverside (the "County"), pursuant to the Mello-Roos Community Facilities Act of 1982
12 (the "Act"), commencing with Section 53311 of the California Government Code (the "Government
13 Code"), adopted Resolution No. CFD 2007-05 (the "Resolution Calling Election"), calling a special
14 election for Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside (the
15 "District") for June 18, 2007, on the proposition to incur bonded indebtedness in a maximum amount
16 of \$60,000,000, to levy a special tax within the District and to establish an appropriations limit for
17 the District;

18 **WHEREAS**, pursuant to the terms of the Resolution Calling Election and the provisions of
19 the Act, said special election was held on June 18, 2007;

20 **WHEREAS**, pursuant to the Act, the Board of Supervisors is the *ex officio* legislative body
21 (the "Legislative Body") of the District;

22 **WHEREAS**, there has been presented to the Legislative Body the certificate of the Clerk to
23 the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative Body (the "Certification of
24 Returns"), a copy of which is attached hereto as Exhibit A, which states the results of the canvass of
25 the election returns for the special election that was held on June 18, 2007; and

26 **WHEREAS**, the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the
27 Legislative Body, has certified in the Certification of Returns that the proposition to incur bonded
28 indebtedness in a maximum amount of \$60,000,000, to levy a special tax within the District and to
establish an appropriations limit for the District was approved by more than two-thirds of the votes
cast at said special election;

1 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
2 **RIVERSIDE ACTING *EX OFFICIO* AS THE LEGISLATIVE BODY OF COMMUNITY**
3 **FACILITIES DISTRICT NO. 07-2 (CLINTON KEITH) OF THE COUNTY OF**
4 **RIVERSIDE**, in regular session assembled on June 19, 2007, does hereby resolve, find, determine
5 and order as follows:

6 **Section 1.** The Legislative Body has received, reviewed and hereby accepts the Certification
7 of Returns.

8 **Section 2.** The Legislative Body hereby finds and declares that the ballot proposition
9 submitted to the qualified electors of the District pursuant to the Resolution Calling Election has
10 been passed and approved by such electors in accordance with Section 53355, Section 53328(a) and
11 Section 53325.7 of the Government Code.

12 **Section 3.** The Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the
13 Legislative Body, is hereby directed to execute and cause to be recorded in the office of the County
14 Recorder of the County a notice of special tax lien with respect to the District in the form required by
15 California Streets and Highways Code Section 3114.5, said recording to occur no later than fifteen
16 days following adoption by the Legislative Body of this Resolution.

17 **Section 4.** The officers of the County, acting *ex officio* on behalf of the District, are, and
18 each of them is, hereby authorized and directed to do any and all things, and to execute and deliver
19 any and all documents which said officers may deem necessary or advisable in order to accomplish
20 the purposes of this Resolution and not inconsistent with the provisions hereof.

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ADOPTED, SIGNED AND APPROVED this 19th day of June, 2007, by the Board of Supervisors of the County of Riverside, acting *ex officio* as the Legislative Body of Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside.

Chairman of the Board of Supervisors, *ex officio* the Chairman of the Legislative Body

ATTEST:
Nancy Romero
Clerk to the Board of Supervisors,
ex officio the Clerk to the Legislative Body

By: _____
Deputy

FORM APPROVED
COUNTY COUNSEL
JUN 13 2007
BY *Dale A. Gardner*
Dale A. Gardner

1 STATE OF CALIFORNIA)
2 COUNTY OF RIVERSIDE) ss.

3
4 I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California,
5 acting *ex officio* as the Clerk to the Legislative Body for Community Facilities Districts for the
6 County of Riverside, do hereby certify that the foregoing Resolution No. CFD 2007-06 was duly
7 adopted by the Board of Supervisors of said County, acting *ex officio* as the Legislative Body of
8 Community Facilities Districts for the County of Riverside, at a meeting of said Board held on the
9 19th day of June, 2007, and that it was so adopted by the following vote:

- 10 AYES:
- 11 NOES:
- 12 ABSTAIN:
- 13 ABSENT:

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15 Deputy
16 Clerk to the Board of Supervisors of the
17 County of Riverside, *ex officio* the Clerk to
18 the Legislative Bod
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1 STATE OF CALIFORNIA)
2 COUNTY OF RIVERSIDE) ss.

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4 I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California,
5 acting *ex officio* as the Clerk to the Legislative Body for Community Facilities Districts for the
6 County of Riverside, do hereby certify that the above and foregoing is a full, true and correct copy of
7 Resolution No. CFD 2007-06 of the Board of Supervisors of said County, acting *ex officio* as the
8 legislative body of Community Facilities District No. 07-2 (Clinton Keith) of the County of
9 Riverside, and that the same has not been amended or repealed.

10 Dated: _____

11 _____, Deputy
12 Clerk to the Board of Supervisors of the
13 County of Riverside, *ex officio* the Clerk to
14 the Legislative Body

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EXHIBIT A
CERTIFICATION OF RETURNS
COMMUNITY FACILITIES DISTRICT NO. 07-2
(CLINTON KEITH)
OF THE COUNTY OF RIVERSIDE

I hereby certify that on June 18, 2007, I canvassed the returns of the special election held on June 18, 2007, for Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside, that the total number of ballots cast in said Community Facilities District and the total number of votes cast for and against the proposition are as follows and that the totals as shown for and against the proposition are true and correct:

<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>Votes For</u>	<u>Votes Against</u>
912			

PROPOSITION: Shall Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside be authorized to incur bonded indebtedness in a maximum amount of \$60,000,000 and levy a special tax in accordance with the Amended and Restated Rate and Method of Apportionment attached as an exhibit to Resolution No. 2007-286 in order to finance a portion of certain public facilities and shall an annual appropriations limit of \$60,000,000 be established, as specified in Resolution Nos. 2007-286 and CFD 2007-04 adopted by the Board of Supervisors of Riverside County on June 12, 2007?

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of June, 2007.

_____, Deputy
Clerk to the Board of Supervisors of the
County of Riverside, *ex officio* the Clerk to
the Legislative Body