

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

424



FROM: COUNTY EXECUTIVE OFFICE

SUBMITTAL DATE:
April 29, 2008

SUBJECT: Community Facilities District No. 07-1 (Newport/I215 Interchange), Resolution No. CFD 2008-05 Certifying the Results of the Election.

RECOMMENDED MOTION: That the Legislative Body of Community Facilities District No. 07-1 (Newport/I215 Interchange) of the County of Riverside adopt Resolution No. CFD 2008-05 Certifying Election Results.

BACKGROUND: On January 8, 2008, the Board of Supervisors adopted Resolution No. 2008-034 establishing Community Facilities District No. 07-1 of the County of Riverside ("CFD 07-1"), and setting an election for the property owners to vote on whether to approve the formation, and the Legislative Body adopted Resolution No. CFD 2008-01, determining the need for CFD 07-1 to designate two Improvement Areas within its boundaries and to incur bonded indebtedness.

The election was conducted by the Registrar of Voters, and all ballots received from the qualified electors by the conclusion of the election were counted and presented to the Board acting in their capacity as the Legislative Body by a certificate signed and dated by the Registrar, pursuant to Section 53326(d) of the Government Code.

Jerry Norris, Principal Management Analyst

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:	2007-08

SOURCE OF FUNDS: N / A	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

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER
DATE: 4/22/08
Departmental Certification

Policy
 Policy
 Consent
 Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 8.1 & 9.1 of 1/8/08 | **District:** 3 | **Agenda Number:**

8.1

BARBARA DUNMORE
Registrar of Voters



2724 Gateway Drive
Riverside, CA 92507-0918
(951) 486-7200 • FAX (951) 486-7272
www.voteinfo.net

**REGISTRAR OF VOTERS
COUNTY OF RIVERSIDE**

**CERTIFICATE OF REGISTRAR OF VOTERS
TO THE RESULTS OF THE CANVASS OF ELECTION RETURNS**

State of California)
) ss.
County of Riverside)

I, BARBARA DUNMORE, Registrar of Voters of said County, do hereby certify that, I did canvass the returns of the votes cast on April 29, 2008, by mailed ballot to the designated landowners within the Community Facilities District 07-1, Improvement Area 2, of the County of Riverside. Ballots were returned to me on or prior to April 29, 2008, and the election was then closed, as permitted by Government Code § 53326(d).

I further certify that the following shows the true totals of all votes cast for and against each measure.

Total number of ballots received:			<u>4</u>	
Value of votes cast – Proposition A:	<u>361</u>	Yes	<u>0</u>	No
Value of votes cast – Proposition B:	<u>361</u>	Yes	<u>0</u>	No
Value of votes cast – Proposition C:	<u>361</u>	Yes	<u>0</u>	No

Dated this 29th day of April 2008.



Barbara Dunmore

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Registrar of Voters

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TO THE RESULTS OF THE CANVASS OF ELECTION RETURNS**

State of California)
) ss.
County of Riverside)

I, BARBARA DUNMORE, Registrar of Voters of said County, do hereby certify that, I did canvass the returns of the votes cast on April 29, 2008, by mailed ballot to the designated landowners within the Community Facilities District 07-1, Improvement Area 1, of the County of Riverside. Ballots were returned to me on or prior to April 29, 2008, and the election was then closed, as permitted by Government Code § 53326(d).

I further certify that the following shows the true totals of all votes cast for and against each measure.

Total number of ballots received:			<u>0</u>	
Value of votes cast – Proposition A:	<u>0</u>	Yes	<u>0</u>	No
Value of votes cast – Proposition B:	<u>0</u>	Yes	<u>0</u>	No
Value of votes cast – Proposition C:	<u>0</u>	Yes	<u>0</u>	No

Dated this 29th day of April 2008.



Barbara Dunmore

BARBARA DUNMORE
Registrar of Voters

2
3 **RESOLUTION NO. CFD 2008-05**

4 **RESOLUTION OF THE LEGISLATIVE BODY OF**
5 **COMMUNITY FACILITIES DISTRICT NO. 07-1 (NEWPORT/I-215 INTERCHANGE)**
6 **OF THE COUNTY OF RIVERSIDE CERTIFYING ELECTION RESULTS**

7 WHEREAS, the Board of Supervisors of the County of Riverside acting in such capacity and in
8 its capacity as the legislative body (the "Legislative Body") of Community Facilities District No. 07-1
9 (Newport/I-215 Interchange) of the County of Riverside (the "District") called and duly held elections
10 on April 29, 2008 within Improvement Area No. 1 and Improvement Area No. 2 of the District pursuant
11 to Resolution Nos. 2008-034 and CFD 2008-01 for the purpose of presenting to the qualified electors
12 within each Improvement Area of the District Propositions A, B and C, attached hereto as Exhibit A;
13 and

14 WHEREAS, there has been filed with the Clerk to the Legislative Body by the Registrar of
15 Voters of the County of Riverside a certificate canvassing the results of the election within Improvement
16 Area No. 1 and a certificate canvassing the results within Improvement Area No. 2;

17 NOW, THEREFORE, THE LEGISLATIVE BODY OF COMMUNITY FACILITIES
18 DISTRICT NO. 07-1 (NEWPORT/I-215 INTERCHANGE) OF THE COUNTY OF RIVERSIDE
19 HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

20 SECTION 1. Each of the above recitals is true and correct and is adopted by the Legislative
21 Body.

22 SECTION 2. Propositions A, B and C presented to the qualified electors of Improvement Area
23 No. 1 of the District on April 29, 2008 were not approved by more than two-thirds of the votes cast at
24 the election within Improvement Area No. 1, and Propositions A, B and C have not carried.
25 Propositions A, B and C presented to the qualified electors of Improvement Area No. 2 of the District on
26 April 29, 2008 were approved by more than two-thirds of the votes cast at the election within
27 Improvement Area No. 2, and Propositions A, B and C each has carried. The Legislative Body is hereby
28 authorized to levy on the land within Improvement Area No. 2 the special tax applicable to

1 Improvement Area No. 2 described in Proposition B presented to the qualified electors of Improvement
2 Area No. 2 for the purposes described therein and to take the necessary steps to levy such special tax as
3 authorized by Proposition B. The Legislative Body is authorized to issue bonds of the District in an
4 amount not to exceed \$60,000,000 as specified in Proposition A approved by the voters in Improvement
5 Area No. 2. An appropriations limit for the District has been established in the amount set forth in
6 Proposition C approved by the voters in Improvement Area No. 2.

7 SECTION 3. The Clerk to the Legislative Body is hereby directed to record in the Office of the
8 County Recorder within fifteen days of the date hereof a notice of special tax lien with respect to
9 Improvement Area No. 2 which Bond Counsel to the District shall prepare in the form required by
10 Streets and Highways Code Section 3114.5.

11 SECTION 4. This Resolution shall be effective upon its adoption.
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14 _____
15 Roy Wilson, Chairman
16 Legislative Body of Community Facilities District No. 07-1
(Newport/I-215 Interchange) of the County of Riverside

17 ATTEST:
18 Nancy Romero, Clerk to the Legislative
19 Body of Community Facilities District
20 No. 07-1 (Newport/I-215 Interchange)
21 of the County of Riverside

22 _____
23 Deputy

24 FORM APPROVED COUNTY COUNSEL
25 BY: Nancy Romero 5/12/08
26 DALE A. GARDNER DATE

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

4 I, Nancy Romero, Clerk to the Legislative Body of Community Facilities District No. 07-1
5 (Newport/I-215 Interchange) of the County of Riverside, hereby certify that the above and foregoing
6 Resolution was duly and regularly adopted by said Board at a regular meeting thereof held on the ___
7 day of _____, 2008 and passed by the following vote of said Legislative Body.

8 Ayes:

9 Noes:

10 Abstain:

11 Absent:

12 IN WITNESS WHEREOF, I have hereunto set my hand and seal this ___ day of _____, 2008.

13 _____
14 Clerk to the Legislative Body of Community Facilities
15 District No. 07-1 (Newport/I-215 Interchange) of the
16 County of Riverside

1 **EXHIBIT A**

2 **SAMPLE**

3 **BALLOT PROPOSITIONS**

4 **COMMUNITY FACILITIES DISTRICT NO. 07-1**
5 **(NEWPORT/I-215 INTERCHANGE) OF THE COUNTY OF RIVERSIDE**
6 **IMPROVEMENT AREA NO. 1**

7 **SPECIAL TAX AND SPECIAL BOND ELECTION**

8 **April 29, 2008**

9 This ballot represents _____ votes.

10 To vote, stamp a cross (+) in the voting square after the word "YES" or after the
11 word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and
12 make the ballot void.

13 If you wrongly mark, tear or deface this ballot, return it to the Registrar of Voters of
14 the County of Riverside or her designee and obtain another.

15 PROPOSITION A: Shall Community Facilities District No.
16 07-1 (Newport/I-215 Interchange) of the County of Riverside
17 (the "District") incur an indebtedness and issue bonds in the
18 maximum principal amount of \$60,000,000, with interest at a
rate or rates not to exceed the maximum interest rate permitted
by law, to finance the Facilities and the Incidental Expenses
described in Resolution No. 2008-034 of the Board of
Supervisors of the County of Riverside establishing the
District?

YES _____

NO _____

19 PROPOSITION B: Shall a special tax with a rate and method
20 of apportionment as provided in Resolution No. 2008-034 of
21 the Board of Supervisors of the County of Riverside be levied
22 within Improvement Area No. 1 of the District to pay for the
23 Facilities, Incidental Expenses and other purposes described in
Resolution No. 2008-034 establishing the District and
Improvement Area Nos. 1 and 2 therein, including the payment
of the principal of and interest on bonds issued to finance the
Facilities and Incidental Expenses?

YES _____

NO _____

24 PROPOSITION C: For each year commencing with Fiscal
25 Year 2008-2009, shall the appropriations limit, as defined by
26 subdivision (h) of Section 8 of Article XIII B of the California
27 Constitution, for the District be an amount equal to
\$10,000,000?

YES _____

NO _____

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SAMPLE

BALLOT PROPOSITIONS

**COMMUNITY FACILITIES DISTRICT NO. 07-1
(NEWPORT/I-215 INTERCHANGE) OF THE COUNTY OF RIVERSIDE
IMPROVEMENT AREA NO. 2**

SPECIAL TAX AND SPECIAL BOND ELECTION

April 29, 2008

This ballot represents _____ votes.

To vote, stamp a cross (+) in the voting square after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the Registrar of Voters of the County of Riverside or her designee and obtain another.

PROPOSITION A: Shall Community Facilities District No. 07-1 (Newport/I-215 Interchange) of the County of Riverside (the "District") incur an indebtedness and issue bonds in the maximum principal amount of \$60,000,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Facilities and the Incidental Expenses described in Resolution No. 2008-034 of the Board of Supervisors of the County of Riverside establishing the District?

YES _____

NO _____

PROPOSITION B: Shall a special tax with a rate and method of apportionment as provided in Resolution No. 2008-034 of the Board of Supervisors of the County of Riverside be levied within Improvement Area No. 2 of the District to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. 2008-034 establishing the District and Improvement Area Nos. 1 and 2 therein, including the payment of the principal of and interest on bonds issued to finance the Facilities and Incidental Expenses?

YES _____

NO _____

PROPOSITION C: For each year commencing with Fiscal Year 2008-2009, shall the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for the District be an amount equal to \$10,000,000?

YES _____

NO _____