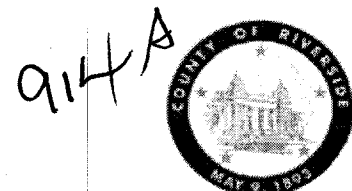


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Treasurer-Tax Collector

**SUBMITTAL DATE:**  
May 25, 2010

**SUBJECT:** Resolution No. 2010-095 - Authorizing Mt. San Jacinto Community College to Form One or More School Facilities Improvement Districts Under the Education Code

**RECOMMENDED MOTION:** That your Honorable Board approve and adopt Resolution No. 2010-095, to make provisions of the Education Code that authorize the formation of School Facilities Improvement Districts applicable to the Mt. San Jacinto Community College District.

**BACKGROUND:** Mt. San Jacinto Community College District (District) encompasses 1,700 square miles in central and southwestern Riverside County. The District Board of Trustees wants to form one or more School Facilities Improvement Districts (SFID) within its boundaries. The formation of an SFID provides a mechanism for the District to issue and sell voter-approved bonds secured by taxes levied on real property located within the boundaries of the SFID. The SFID provisions of the Education Code (Code) provide for the formation of an SFID, (which usually consists of a portion of the territory within the school district or community college district), the holding of a bond election within the boundaries of the SFID, and the issuance of general obligation bonds by the school or community college district on behalf of the SFID. The proceeds of the voter-approved bonds would then be available to finance capital improvements.

(Continued on page 2)

Don Kent, Treasurer - Tax Collector

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 5/17/10 DATE  
DALE A. GARDNER

Departmental Concurrence

<b>FINANCIAL DATA</b>	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:	n/a

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

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY:   
Christopher M. Hans

**County Executive Office Signature**

Dept't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.:** | **District:** 1, 3, 5 | **Agenda Number:**

**3.73**

Date: May 25, 2010  
From: Treasurer-Tax Collector  
Subject: Resolution No. 2010-095  
Page 2

Pursuant to Section 15303 of the Code, the formation of an SFID can only take place if the County Board of Supervisors first adopts a resolution making the Code's SFID provisions applicable to the school or community college district. The District Board of Trustees has asked this Board to adopt Resolution No. 2010-095 to make the Code's SFID provisions applicable to the District so that the District can proceed with the formation of one or more SFIDs within the District's boundaries.

Resolution No. 2010-095 makes the Codes' SFID provisions applicable to the District and allows the District to proceed with the formation of one or more SFIDs. Although the adoption of Resolution No. 2010-095 would allow the District to form one or more SFIDs, the adoption of Resolution No. 2010-095 does not authorize the issuance or sale of any bonds. The District will not issue any bonds for any SFID without first obtaining voter-approval.

The Office of County Counsel has reviewed Resolution No. 2010-095 and has approved it as to form.

**RESOLUTION NO. 2010-095**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, TO MAKE OPERATIVE TO MT. SAN JACINTO COMMUNITY COLLEGE DISTRICT PROVISIONS OF THE CALIFORNIA EDUCATION CODE PERMITTING FORMATION OF SCHOOL FACILITIES IMPROVEMENT DISTRICTS**

**WHEREAS**, a school or community college district may form a school facilities improvement district within its boundaries for the authorization and issuance of bonds pursuant to and subject to the requirements of Chapter 2 (commencing with Section 15300) of Part 10 of Division 1 of Title 1 of the California Education Code (the "Law"); and

**WHEREAS**, the Mt. San Jacinto Community College District (the "Community College District"), located within the County of Riverside (the "County"), desires to form a school facilities improvement district in the general area of the San Gorgonio pass and nearby communities (the "School Facilities Improvement District") for the purpose of financing the construction, reconstruction, improvement, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and the acquisition or lease of real property for such school facilities, for the benefit of the area of land to be included within the School Facilities Improvement District; and

**WHEREAS**, California Education Code Section 15303 provides that the Law shall not be operative in any county until the board of supervisors of the county by resolution adopted by a majority vote makes said chapter applicable therein; and

**WHEREAS**, this Board of Supervisors of the County has determined that it is desirable and in the interests of the Community College District to permit the formation of the School Facilities Improvement District, upon appropriate action by the Board of Trustees of the Community College District pursuant to the Law;

FORM APPROVED COUNTY COUNSEL  
BY *Dale A. Gardner* 5/17/10  
DALE A. GARDNER DATE

1                   **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
2 **RIVERSIDE**, in regular session assembled on June 8, 2010, does hereby resolve, find, determine  
3 and order as follows:

4                   **Section 1.** All of the above recitals are true and correct.

5                   **Section 2.** Pursuant to Section 15303 of the California Education Code, Chapter 2  
6 (commencing with Section 15300) of Part 10 of Division 1 of Title 1 of the California Education  
7 Code of the State of California is hereby made operative to allow the formation of the School  
8 Facilities Improvement District by the Community College District.

9                   **Section 3.** The Clerk of the Board of Supervisors is hereby authorized and directed to  
10 cause a certified copy of this Resolution to be filed with the California Debt and Investment  
11 Advisory Commission pursuant to Education Code Section 15303(b).

12                   **Section 4.** This Resolution shall take effect immediately upon its adoption.

13                   **ADOPTED, SIGNED AND APPROVED** this 8th day of June, 2010, by the Board of  
14 Supervisors of the County of Riverside.

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17                   \_\_\_\_\_ Chairman of the Board of Supervisors

18 ATTEST:  
19 Kecia Harper-Ihem  
20 Clerk to the Board of Supervisors

21 By: \_\_\_\_\_  
22 Deputy

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

4 I, Kecia Harper-Ihem, Clerk to the Board of Supervisors of the County of Riverside,  
5 California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly adopted by the  
6 Board of Supervisors of said County at a meeting of said Board held on the 8th day of June, 2010,  
7 and that it was so adopted by the following vote:

8 AYES:

9 NOES:

10 ABSTAIN:

11 ABSENT:

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\_\_\_\_\_, Deputy  
Clerk to the Board of Supervisors of the  
County of Riverside

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STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )      ss.

I, Kecia Harper-Ihem, Clerk to the Board of Supervisors of the County of Riverside, California, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. \_\_\_\_\_ of the Board of Supervisors of said County, and that the same has not been amended or repealed.

Dated: \_\_\_\_\_

\_\_\_\_\_, Deputy  
Clerk to the Board of Supervisors of the  
County of Riverside

**MT. SAN JACINTO COMMUNITY COLLEGE DISTRICT  
RESOLUTION NO. 2009/10-211**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
MT. SAN JACINTO COMMUNITY COLLEGE DISTRICT  
REQUESTING THE BOARD OF SUPERVISORS OF THE  
COUNTY OF RIVERSIDE TO MAKE OPERATIVE TO  
THE COMMUNITY COLLEGE DISTRICT PROVISIONS  
OF THE CALIFORNIA EDUCATION CODE PERMITTING  
FORMATION OF SCHOOL FACILITIES IMPROVEMENT  
DISTRICTS**

**WHEREAS**, a school or community college district may form a school facilities improvement district within its boundaries for the authorization and issuance of bonds pursuant to and subject to the requirements of Chapter 2 (commencing with Section 15300) of Part 10 of Division 1 of Title 1 of the California Education Code (the "Law"); and

**WHEREAS**, the Mt. San Jacinto Community College District (the "Community College District"), located within the County of Riverside (the "County"), desires to form a school facilities improvement district in the general area of the San Gorgonio pass and nearby communities (the "School Facilities Improvement District") for the purpose of financing the construction, reconstruction, improvement, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and the acquisition or lease of real property for such school facilities, for the benefit of the area of land to be included within the School Facilities Improvement District; and

**WHEREAS**, Education Code Section 15303 provides that the Law shall not be operative in any county until the board of supervisors of the county by resolution adopted by a majority vote makes said chapter applicable therein;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Mt. San Jacinto Community College District as follows:

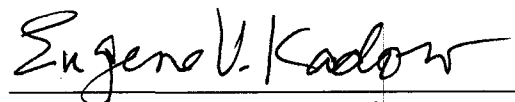
**Section 1.** All of the above recitals are true and correct.

**Section 2.** The Board of Supervisors of the County is hereby requested to make the Law operative to allow the formation of the School Facilities Improvement District by the Community College District.

**Section 3.** This Resolution shall be effective from and after its date of adoption.

**PASSED AND ADOPTED** this day, May 13, 2010, by the following vote:

AYES: 4  
NOES: 1  
ABSTAIN 0  
ABSENT: 0



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President of the Board of Trustees  
Mt. San Jacinto Community College District

Attest:



Clerk of the Board of Trustees



CLERK'S CERTIFICATE

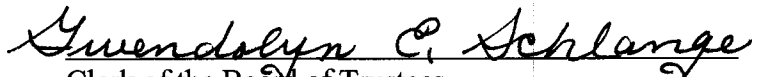
I, Gwendolyn Schlange, Clerk of the Board of Trustees of the Mt. San Jacinto Community College District, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of said Board of Trustees duly and regularly held on May 13, 2010, of which meeting all of the members of said Board of Trustees had due notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES:	4
NOES:	1
ABSENT OR NOT VOTING:	0

An agenda of said meeting was posted at least 72 hours before said meeting at 1499 State Street, San Jacinto, California, a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: May 13, 2010

  
Clerk of the Board of Trustees  
Mt. San Jacinto Community College District