

3 **RESOLUTION NO. CFD 2013-05**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 89-1 (MOUNTAIN COVE) OF**
5 **THE COUNTY OF RIVERSIDE AUTHORIZING THE LEVY**
6 **AND ENROLLMENT OF A SPECIAL TAX**
7 **FOR FISCAL YEAR 2013-2014**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and
9 the "County") by the adoption of Resolution No. 89-229 on, June 6, 1989 established Community
10 Facilities District No. 89-1 (Mountain Cove) of the County of Riverside, California (the "CFD"), as
11 modified by the change proceedings approved by the Board, acting *ex-officio* as the Legislative Body of
12 the CFD (the "Legislative Body"), approved on December 19, 2000 by adoption of Resolution No. CFD
13 2000-14, pursuant to the Mello-Roos Community Facilities District Act of 1982, as amended, Chapter 2.5
14 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code
15 (the "Act"); and

16 **WHEREAS**, pursuant to the provisions of the Act, proceedings to amend the Rate and Method of
17 Apportionment of Special Tax (respectively, the "Rate and Method" and the "Special Tax") for the CFD
18 were concluded by the Board's adoption of Ordinance No. 680.2 on August 9, 2005, that amended
19 Ordinance No. 680.1, adopted January 9, 2002 and Ordinance No. 680, adopted July 25, 1989
20 (collectively, the "Ordinance"); and

21 **WHEREAS**, the Legislative Body adopted Resolution No. 91-257 on May 14, 1991 to provide for
22 the sale and issuance of \$14,000,000 in Special Tax Improvement Bonds (the "Series 1991 Bonds"); and

23 **WHEREAS**, the Legislative Body by the adoption of Resolution No. CFD 2001-01 on January
24 23, 2001 authorized the sale and issuance of \$12,000,000 of Special Tax Refunding Bonds (the "Series
25 2001 Refunding Bonds") to refund the Series 1991 Bonds; and

26 **WHEREAS**, the Legislative Body by the adoption of Resolution No. CFD 2006-01 on August 29,
27 2006 authorized the sale and issuance of \$12,000,000 of Special Tax Refunding Bonds (the "Series 2006
28 Refunding Bonds") to refund the Series 1991 Bonds; and

WHEREAS, all conditions precedent to the levy of the Special Tax in accordance with the
Ordinance have been satisfied;

FORM APPROVED COUNTY COUNSEL
BY: *Blaise G. Gardner* 7/19/13
DATE: A. GARDNER

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1 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
2 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body
3 for Community Facilities District No. 89-1 (Mountain Cove) of the County of Riverside, in regular
4 session assembled on July 16, 2013, as follows:

5 **Section 1.** Each of the above recitals is true and correct.

6 **Section 2.** Pursuant to the provisions of Resolution No. CFD 2006-01 and the Ordinance, the
7 Special Tax is to be levied up to an aggregate amount of \$900,000 for Fiscal Year 2013-2014 that is to be
8 apportioned among the parcels which comprise the CFD consistent with the Rate and Method as set forth
9 on a magnetic tape to be provided by Albert A. Webb Associates to the Auditor-Controller of the County
10 of Riverside (the "Auditor-Controller").

11 **Section 3.** The amount of Special Tax to be levied for fiscal year 2013-2014 does not exceed
12 the amount authorized by the Ordinance and approved by the qualified electors of the CFD.

13 **Section 4.** The proceeds of the Special Tax levy shall be used to pay, in whole or in part, the
14 costs of the following:

- 15 A. Payment of principal and interest on the outstanding Series 2006 Refunding Bonds;
16 B. Replenishment of the required bond reserve fund, if any, or other reserve funds, if
17 necessary.
18 C. Payment of the administrative expenses of the CFD, as provided in the Act, Resolution
19 Nos. 89-229, CFD 2000-14, CFD 2001-01 and CFD 2006-01 the Ordinance, and the Fiscal
20 Agent Agreement pursuant to which the Series 2006 Refunding Bonds were issued.

21 The proceeds of the Special Tax levy shall be used as set forth above, and shall not be used for any
22 other purpose.

23 **Section 5.** The Auditor-Controller is hereby directed to enter the levy of the Special Tax for
24 fiscal year 2013-2014 as apportioned pursuant to the Rate and Method on all taxable parcels within the
25 CFD in accordance with this Resolution in a space marked "CFD 89-1 (Mountain Cove)" on the
26 equalized secured tax roll for fiscal year 2013-2014.

27 **Section 6.** The Auditor-Controller shall, at the close of the tax collection period, promptly
28 render to the CFD a detailed report showing the amount of Special Tax, penalties, interest and fees

1 collected, and from which parcels each was collected. Any expenses to be paid to the Auditor-Controller
2 for carrying out the foregoing responsibilities shall be collected in accordance with a contract entered into
3 between the CFD and the Auditor-Controller, pursuant to Section 29304 of the California Government
4 Code.

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1 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the
2 CFD on July 16, 2013.

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JOHN BENOIT, CHAIRMAN
Board of Supervisors, acting *ex officio* as the
Legislative Body of the CFD

ATTEST:
KECIA HARPER-IHEM, Clerk to the Legislative
Body of the CFD

Deputy
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