

3 **RESOLUTION NO. CFD 2013-09**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 05-8 (SCOTT ROAD) OF THE**
5 **COUNTY OF RIVERSIDE AUTHORIZING**
6 **THE LEVY 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. 2006-092 on April 4, 2006, established Community
10 Facilities District No. 05-8 (Scott Road) of the County of Riverside, California (the "CFD"), pursuant to
11 the Mello-Roos Community Facilities District Act of 1982, as amended, Chapter 2.5 (commencing with
12 Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code (the "Act"); and

13 **WHEREAS**, pursuant to the provisions of the Act, proceedings to establish the Rate and Method
14 of Apportionment of Special Tax (respectively, the "Rate and Method" and the "Special Tax") for the
15 CFD were concluded by the Board's adoption of Ordinance No. 852 on April 25, 2006 (the "Ordinance");
16 and

17 **WHEREAS**, the Board, acting *ex-officio* as the Legislative Body of the CFD (the "Legislative
18 Body"), by adoption of Resolution No. CFD 2006-02 on April 4, 2006 authorized the sale and issuance of
19 three series of bonds in an amount not to exceed \$100,000,000 of Special Tax Improvement Bonds (the
20 "Improvement Bonds"); and

21 **WHEREAS**, the Legislative Body by the adoption of Resolution No. CFD 2013-01 on January
22 29, 2013 authorized the sale and issuance of \$16,875,000 of Special Tax Refunding Bonds (the "Series
23 2013 Refunding Bonds") to refund the Improvement Bonds; and

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

26 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
27 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body
28 for Community Facilities District No. 05-8 (Scott Road) of the County of Riverside, in regular session
assembled on July 16, 2013, as follows:

FORM APPROVED COUNTY COUNSEL
BY *Alexander* 7/19/13
DATE

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

2 **Section 2.** Pursuant to the provisions of Resolution No. CFD 2013-01, and the Ordinance, the
3 Special Tax is to be levied up to an aggregate amount of \$1,100,000 for Fiscal Year 2013-2014 that is to
4 be apportioned among the parcels which comprise the CFD consistent with the Rate and Method as set
5 forth on a magnetic tape to be provided by Albert A. Webb Associates to the Auditor-Controller of the
6 County of Riverside (the "Auditor-Controller").

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

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

11 **A.** Prior to the issuance of bonds for an improvement phase:

- 12 1. Payment of the administrative expenses of the CFD, as provided in the Act,
13 Resolution Nos. 2006-092 and CFD 2013-01, and the Ordinance.
14 2. Special Tax payments may be applied to the cost of facilities thereby reducing the
15 amount of construction funds required to be financed for each phase of improvements;

16 **B.** Subsequent to the issuance of bonds for an improvement phase:

- 17 1. Payment of principal and interest on the Improvement Bonds when issued;
18 2. Replenishment of the required bond reserve fund, or other reserve funds, if
19 necessary.
20 3. Payment of the administrative expenses of the CFD, as provided in the Act,
21 Resolution Nos. 2006-092 and CFD 2013-01, and the Ordinance.
22 4. Special Tax payments may be applied to the cost of facilities thereby reducing the
23 amount of construction funds required to be financed for each phase of improvements.

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

26 **Section 5.** The Auditor-Controller is hereby directed to enter the levy of the Special Tax for
27 fiscal year 2013-2014 as apportioned pursuant to the Rate and Method on all taxable parcels within the
28 CFD in accordance with this Resolution in a space marked "CFD 05-8 (Scott Road)" on the equalized

1 secured tax roll for fiscal year 2013-2014.

2 **Section 6.** The Auditor-Controller shall, at the close of the tax collection period, promptly
3 render to the CFD a detailed report showing the amount of Special Tax, penalties, interest and fees
4 collected, and from which parcels each was collected. Any expenses to be paid to the Auditor-Controller
5 for carrying out the foregoing responsibilities shall be collected in accordance with a contract entered into
6 between the CFD and the Auditor-Controller, pursuant to Section 29304 of the California Government
7 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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6 JOHN BENOIT, CHAIRMAN
7 Board of Supervisors, acting *ex officio* as the
8 Legislative Body of the CFD

9 ATTEST:

10 KECIA HARPER-IHEM, Clerk to the Legislative
11 Body of the CFD

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13 Deputy

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