

3 **RESOLUTION NO. CFD 2013-10**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 07-1 (NEWPORT/I-215**
5 **INTERCHANGE) OF THE 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. 2008-034 on January 8, 2008, established Community
10 Facilities District No. 07-1 (Newport/I215 Interchange) of the County of Riverside, California (the
11 "CFD"), pursuant to the Mello-Roos Community Facilities District Act of 1982, as amended, Chapter 2.5
12 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code
13 (the "Act"); and

14 **WHEREAS**, pursuant to the provisions of the Act, proceedings to establish the Rate and Method
15 of Apportionment of Special Tax (respectively, the "Rate and Method" and the "Special Tax") for the
16 CFD were concluded by the Board's adoption of Ordinance No. 879 on October 7, 2008 (the
17 "Ordinance"); and

18 **WHEREAS**, the Board, acting *ex-officio* as the Legislative Body of the CFD (the "Legislative
19 Body"), by adoption of Resolution No. CFD 2008-01 on January 8, 2008 authorized the sale and issuance
20 of bonds in an amount not to exceed \$60,000,000 of Special Tax Improvement Bonds (the "Improvement
21 Bonds"); and

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

24 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
25 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body
26 for Community Facilities District No. 07-1 (Newport/I215 Interchange) of the County of Riverside, in
27 regular session assembled on July 16, 2013, as follows:

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

Section 2. Pursuant to the provisions of Resolution No. CFD 2008-01, and the Ordinance, the

FORM APPROVED COUNTY COUNSEL
BY DALE A. GARDNER 7/19/13 DATE

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1 Special Tax is to be levied up to an aggregate amount of \$100,000 for Fiscal Year 2013-2014 that is to be
2 apportioned among the parcels which comprise the CFD consistent with the Rate and Method as set forth
3 on a magnetic tape to be provided by Albert A. Webb Associates to the Auditor-Controller of the County
4 of Riverside (the "Auditor-Controller").

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

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

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

- 10 a. Payment of the administrative expenses of the CFD, as provided in the Act, Resolution
11 Nos. 2008-034 and CFD 2008-01, and the Ordinance.
12 b. Special Tax payments may be applied to the cost of facilities thereby reducing the
13 amount of construction funds required to be financed for each phase of improvements;

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

- 15 a. Payment of principal and interest on the Improvement Bonds when issued;
16 b. Replenishment of the required bond reserve fund, or other reserve funds, if necessary.
17 c. Payment of the administrative expenses of the CFD, as provided in the Act, Resolution
18 Nos. 2008-034 and CFD 2008-01, and the Ordinance.
19 d. Special Tax payments may be applied to the cost of facilities thereby reducing the
20 amount of construction funds required to be financed for each phase of improvements.

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 07-1 (Newport/I215 Interchange)" on
26 the 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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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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