



COMMUNITY FACILITIES DISTRICT NO. 3 MEETING

July 16, 2009

(Meeting to Follow the Regular Board of Education Meeting)

I. CALL TO ORDER

Roll Call

Mrs. Marge Mendoza-Ware (President)	_____
Mr. Mel Albiso (Vice President)	_____
Mr. David R. Zamora (Clerk)	_____
Mr. Robert D. Armenta, Jr.	_____
Mrs. Patt Haro	_____
Mr. Frank A. Ibarra	_____
Mr. Kent Taylor	_____
Mr. James A. Downs	_____
Mr. Jerry Almendarez	_____
Mr. Mike Snellings	_____
Mr. Jaime R. Ayala	_____
Mrs. Mollie Gainey-Stanley	_____
Mrs. Bertha Arreguín	_____
Mrs. Jennifer Jaime	_____
Mrs. Alice Grundman	_____
Mr. Todd Beal	_____
Mrs. Ingrid Munsterman	_____
Ms. Julia Nichols	_____
Ms. Sosan Schaller	_____
Dr. Patrick Traynor	_____
Ms. Katie Orloff	_____
Miss Jennifer Rodriguez	_____

II. ACTION SESSION

1. Adoption of Resolution 09-03 CFD-3, Establishing the Annual Special Tax Levy for Fiscal Year 2009-20 for Community Facilities District No. 3

III. ADJOURNMENT

BOARD AGENDA

REGULAR MEETING
July 16, 2009

ACTION ITEM

- TO:** Community Facilities District No. 3 Board
- PRESENTED BY:** Jaime R. Ayala, Assistant Superintendent, Business Services Division
- SUBJECT:** Adoption of Resolution 09-30 CFD-3, *Establishing the Annual Special Tax Levy for Fiscal Year 2009-10 for Community Facilities District No. 3.*
- GOAL:** Facilities/Support Services/Budget Planning
- STRATEGIC PLAN:** Strategy #4 - Facilities
- BACKGROUND:** The District, by Ordinance No. 06-18, as authorized by Section 53345.3 of the Government Code of the State of California, has authorized the levy of special taxes to pay for public facilities and services, including costs and expenses related thereto, that benefit the District. Attached are the following documents:
- Resolution 09-30 CFD-3 – Establishing the Annual Special Tax Levy for Fiscal Year 2009-10 for Community Facilities District No.3
 - Boundary Map
 - Exhibit “A” Rates of the special tax to be levied for fiscal year 2009-10 (Special Tax Rates do not exceed the rates authorized by the Ordinance and are not in excess of the rates approved by the qualified electors of the District).
- The deadline for this information to reach the San Bernardino County Office of Assessor is August 9, 2009.
- BUDGET IMPLICATIONS:** No impact on the General fund. Special taxes are deposited in CFD-3 to pay debt service on the bonds issued.
- RECOMMENDATION:** That the Board adopt Resolution 09-30 CFD-3, establishing the annual special tax levy for fiscal year 2009-10 for the Community Facilities District No. 3.
- ACTION:** On motion of Board Member _____ and _____, the Board adopted Resolution 09-30 CFD-3, establishing the annual special tax levy for fiscal year 2009-10 for the Community Facilities District No. 3.

CFD3-1

RESOLUTION NO 09-30 CFD-3

RESOLUTION OF THE BOARD OF EDUCATION OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3 OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT (BONITA RIDGE) AUTHORIZING AND PROVIDING FOR THE LEVYING OF SPECIAL TAXES WITHIN SAID DISTRICT

WHEREAS, on August 17, 2006, the Board of Education of the Colton Joint Unified School District (the "Board of Education") adopted Resolution Nos. 06-11 and 06-12 stating its intention to form Community Facilities District No. 3 of the Colton Joint Unified School District (Bonita Ridge) ("Community Facilities District No. 3" or the "District") therein and incur bonded indebtedness in an aggregate principal amount not to exceed \$7,000,000, all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") and levy special taxes for the purpose of financing the construction, purchase, modification, expansion, improvement or rehabilitation of school facilities (the "Facilities"), and including all incidental expenses related thereto, which include the cost of engineering, planning and designing the facilities, the costs of forming the District, issuing bonds and levying and collecting a special tax within the District (the "Incidental Expenses"); and

WHEREAS, on September 21, 2006, the Board of Education adopted Resolution Nos. 06-15 and 06-16 which established Community Facilities District No. 3, authorized the levy of a special tax within Community Facilities District No. 3 and called an election within the District for September 21, 2006 on the propositions of levying a special tax, authorizing the issuance of bonds and establishing an appropriations limit; and

WHEREAS, on September 21, 2006, an election was held within the District at which the qualified electors within the District approved by more than a two-thirds vote the propositions of levying a special tax, authorizing the issuance of bonds and establishing an appropriations limit as set forth in Resolution No. 06-15 and Resolution No. 06-16; and

WHEREAS, on September 21, 2006, the Board of Education adopted Resolution No. 06-17 which certified the results of the September 21, 2006 election within the District conducted by the Clerk of the Board of Education of the School District, which results showed that more than two-thirds of the votes cast were in favor of the propositions to levy the special tax, issuing bonds and establishing an appropriations limit;

WHEREAS, following the election, the Board of Education, acting as the legislative body of the District, adopted Ordinance No. 06-18 on October 5, 2006 ("Ordinance") which provided for the levying and collection of special taxes within the District, as provided in the Act and in accordance with the rate and method of apportionment set forth in Attachment "B" to Resolution No. 06-15 (the "Rate and Method"); and

WHEREAS, it is now necessary and appropriate that the Board of Education levy and collect the special taxes for Fiscal Year 2009/2010, by the adoption of a resolution as specified by the Act and Ordinance;

NOW, THEREFORE, the Board of Education of the Colton Joint Unified School District acting as the legislative body of Community Facilities District No. 3 of the Colton Joint Unified School District (Bonita Ridge), does hereby resolve, order and determine as follows:

Section 1. In accordance with the Act and Ordinance, there is hereby levied upon all properties within the District which are not otherwise exempt from taxation under the Act or Ordinance the special taxes for Fiscal Year 2009/2010 set forth in the Ordinance at the tax rates as set forth therein and in Exhibit "A" hereto, as may be amended without further action of the Board to reflect updated information on assessor's parcel numbers from the County of San Bernardino. The Assistant Superintendent of Business Services is hereby authorized and directed to establish the final rates to be levied, which final rates shall not exceed the maximum rates set forth in the Rate and Method.

Section 2. The above-authorized special taxes shall be collected in the same manner as ad valorem property taxes on the secured roll by the Treasurer-Tax Collector of the County of San Bernardino and shall be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for such ad valorem taxes.

Section 3. The Clerk and Assistant Superintendent of Business Services, are hereby authorized to transmit a certified copy of this Resolution to the San Bernardino County Auditor-Controller, together with other supporting documentation as may be required in order to place said special taxes on the secured property tax roll for Fiscal Year 2009/2010 and to perform all other acts which are required by the Act, Ordinance or by-law in order to accomplish the purpose of this Resolution.

PASSED AND ADOPTED by the Board of Education of the Colton Joint Unified School District this 16th day of July, 2009, by the following vote:

AYES: _____

ABSENT: _____

NAYS: _____

ABSTAIN: _____

President of the Board of Education

ATTEST:

Clerk of the Board of Education

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

I, _____, Secretary of the Board of Education of the Colton Joint Unified School District, County of San Bernardino, State of California, do hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original Resolution is on file in the office of said Board.

Date

Secretary of the Board of Education

TR 14244 2/7

SHEET 2 OF 7

TRACT MAP NO. 14244

IN THE CITY OF FONTANA
 COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF PARCEL 'A' PER CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 05-005, RECORDED APRIL 26, 2005 AS INSTRUMENT NO. 2005-0290381, OFFICIAL RECORDS, RECORDS OF SAN BERNARDINO COUNTY, WITHIN EAST HALF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 6 WEST, S.B.M.

R.C.E. 24725
 2004



VAN DEL AND ASSOCIATES, INC.

DONALD R. GORDEN
 MAY

SURVEYOR'S NOTES

- INDICATES FOUND MONUMENT AS SHOWN.
 - RECORD LOCATION, FOUND NOTHING, RE-ESTABLISHED AT THE 232/16-20 AND PER LLA 04-023, 1" IRON PIPE TAGGED "RCE 24725". LEAD AND TACK TAGGED "RCE 24725" OR A 6" SPIKE AND WASHER STAMPED "RCE 24725" TO BE SET UNLESS OTHERWISE NOTED.
 - △ INDICATES 1" IRON PIPE TAGGED RCE 24725 TO BE SET FLUSH, UNLESS OTHERWISE NOTED.
 - ① INDICATES FOUND 1" I.P. TAGGED LS 4279 PER TR. 13613 M.B. 204/19-22 AND PER CERTIFICATE OF CORRECTION RECORDED APRIL 21, 1986 AS INSTRUMENT NO. 89-142837.
 - ② INDICATES FOUND 1" I.P. TAGGED RCE 14375 PER TR. 14243-2 M.B. 232/16-20
 - SET 1" I.P. TAGGED "RCE 24725" FLUSH AT ALL REAR LOT CORNERS.
 - SET LEAD & TAG "RCE 24725" ON TOP OF CURB FOR REFERENCE TO LOT CORNERS ADJACENT TO STREETS, ON LOT LINE PROLONGATION, EXCEPT AT CORNER CUTBACKS AND STREET CURVE ALIGNMENT POINTS.
 - ALL EXISTING EASEMENTS SHOWN ARE LOCATED BY BEST AVAILABLE RECORD AND NOT BY ANY SURVEY TO DATE.
 - < > INDICATES RECORD DATA PER TRACT MAP NO. 13613 M.B. 204/19-22.
 - () INDICATES RECORD DATA PER TRACT NO. 13612 M.B. 204/12-1B.
 - [] INDICATES RECORD DATA PER TRACT NO. 14243-2 M.B. 232/16-20.
 - { } INDICATES RECORD DATA PER RS 46/83-86.
 - • INDICATES RECORD DATA PER RECORD OF SURVEY RS 26/56.
 - - INDICATES RECORD DATA PER TRACT NO. 13610 M.B. 204/36-38.
- P.U.E. INDICATES PUBLIC UTILITY EASEMENT.

NOTE:
 ALL PERMETER BEARINGS AND DISTANCES MATCH RECORD DATA PER TRACT NO. 13613, M.B. 204/19-22 AND TRACT 14243-2, M.B. 232/16-20. THIS TRACT MAP IS A CORRECTED VERSION OF THE ORIGINAL RECORDS AND PURSUANT TO CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 05-005, RECORDED APRIL 26, 2005 AS INSTRUMENT NO. 2005-0290381 OF OFFICIAL RECORDS.

THE BASIS OF BEARINGS IS BASED UPON THE BEARING OF N89°34'47"W FOR THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 36 TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO COUNTY MAPS, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY.

NOTE: SEE SHEET 3 FOR LINE, CURVE AND RADIAL LINE TABLES

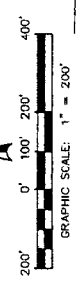
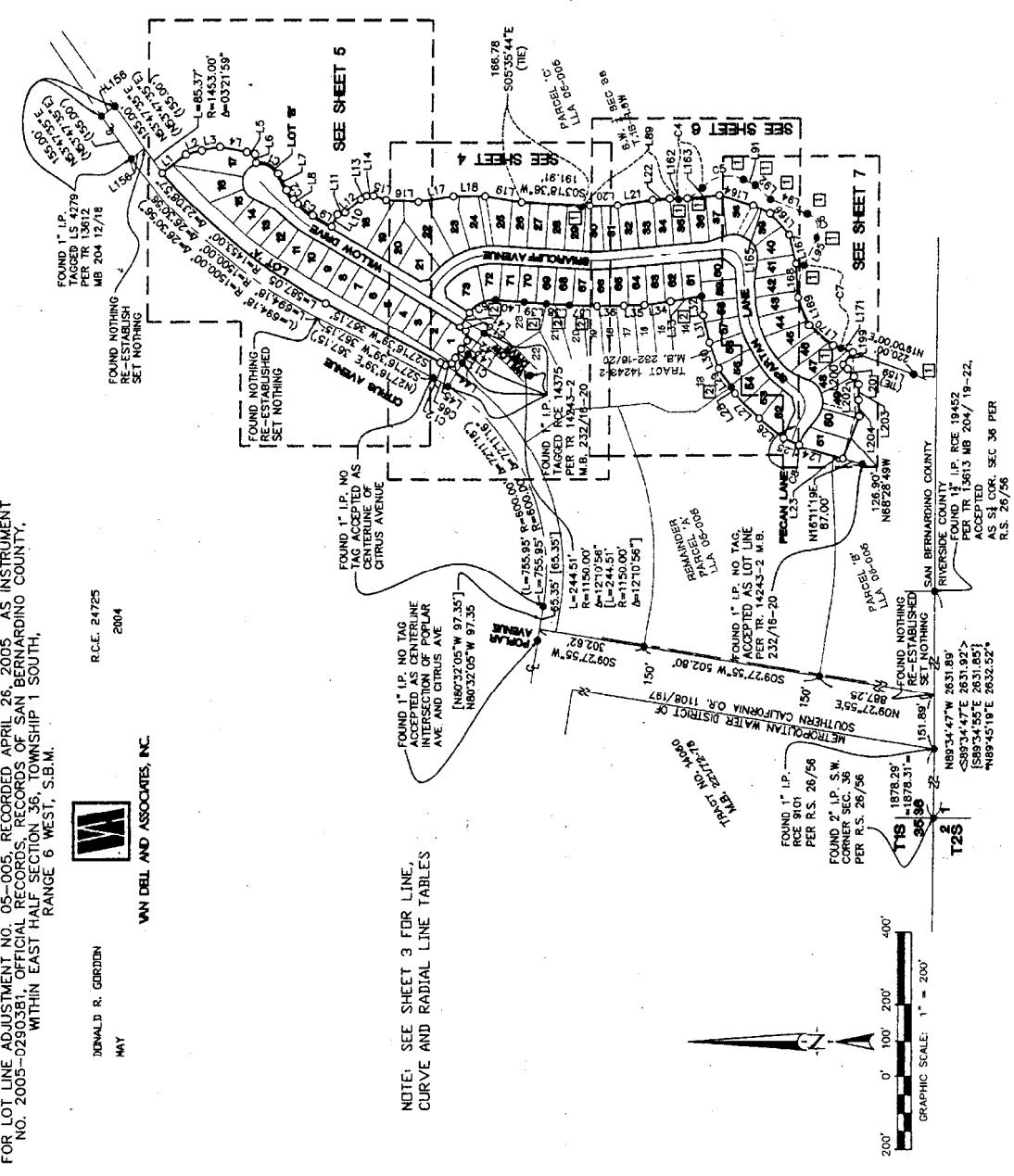


EXHIBIT A

FISCAL YEAR 2009/2010 SPECIAL TAX LEVY

V. Fiscal Year 2009/2010 Levy Summary

The Special Tax rates of CFD No. 3 needed to meet the Minimum Annual Special Tax Requirement for Fiscal Year 2009/2010 are shown in the table below. The Special Tax roll, which lists the actual Special Tax levied against each Assessor's Parcel, is included as Exhibit C. For a more detailed explanation of the methodology used to apportion the Minimum Annual Special Tax Requirement among Developed Property and Undeveloped Property, please see the RMA.

**Annual Special Tax Rates
For Fiscal Year 2009/2010**

Tax Class	Building Square Footage	Number of Units/Acres	Average Annual Special Tax Rate	Total Annual Special Taxes
1	< 1,700	5 Units	\$1,116.80 per Unit	\$5,584.00
2	1,700 - 2,100	23 Units	\$1,251.42 per Unit	\$28,782.66
3	2,101 - 2,600	26 Units	\$1,464.00 per Unit	\$38,064.00
4	2,601 - 2,900	18 Units	\$1,619.88 per Unit	\$29,157.84
5	2,901 - 3,000	19 Units	\$1,712.00 per Unit	\$32,528.00
6	> 3,000	18 Units	\$1,782.84 per Unit	\$32,091.12
<i>Developed Property</i>		<i>109 Units</i>	<i>NA</i>	<i>\$166,207.62</i>
<i>Undeveloped Property</i>		<i>9.9445 Acres</i>	<i>\$0.00 per Acre</i>	<i>\$0.00</i>
Total				\$166,207.62

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C. Special Tax Fund

Each Fiscal Year, CFD No. 3 will levy, collect, and expend Annual Special Taxes in an amount necessary to pay interest and principal to bondholders, cover Administrative Expenses, and fund school facilities necessary to serve students generated from residential units constructed within the boundaries of CFD No. 3. The table below presents a detailed listing of the Annual Special Taxes collected and expended by CFD No. 3 from date of initial deposit through May 1, 2009.

Balance as of date of initial deposit		\$0.00
Previously Accrued	\$75,499.19	
Previously Expended	\$0.00	
Balance as of May 1, 2008		\$75,499.19
Accruals		\$57,291.94
Special Tax Receipts	\$57,291.94	
Expenditures		(\$21,345.17)
Administrative Expenses	(\$21,345.17)	
Balance as of May 1, 2009		\$111,445.96