

RESOLUTION NUMBER 4233

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NOS. 1-S, 88-1, 88-3, 90-1, 90-2, 91-1, 93-1R, 93-2, 2001-1 IA 1, 2001-1 IA 2, 2001-1 IA 3, 2001-1 IA 4, 2001-1 IA 5, 2001-1 IA 6, 2001-1 IA 7, 2001-2, 2001-3, 2002-1, 2003-1, 2004-1, 2004-2, 2004-3 IA 1, 2004-3 IA 2, 2004-5, 2005-1 IA 3, 2005-1 IA 4, 2005-2, 2005-4, 2006-1, 2006-3, 2007-2 ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2009/2010

WHEREAS, the City Council of the City of Perris, California (hereinafter referred to as the "legislative body"), has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a Community Facilities District, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (these Community Facilities Districts shall hereinafter be referred to as "Districts"); and

WHEREAS, this legislative body, by Ordinance as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said Community Facilities Districts, and this legislative body is desirous to establish the specific rate of the special tax to be collected for the next fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, California, as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the specific rate of the special tax to be collected to pay for the costs and expenses for the next fiscal year 2009/2010 for the referenced Districts are hereby determined and established as set forth in the attached, referenced and incorporated Exhibits "A – EE".

Section 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the Districts and are exempt from the requirements of Section XIII D of the California State Constitution (Proposition 218).

Section 4. That the proceeds of the special tax shall be used to pay, in whole or in part, the costs of the following:

- A. Payment of principal of and interest on any outstanding authorized bonded indebtedness;
- B. Necessary replenishment of bond reserve funds or other reserve fund
- C. Payment of costs and expenses of authorized public facilities and services;
- D. Repayment of advances and loans, if appropriate; and
- E. Payment of District administrative costs.

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

Section 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

Section 6. Monies above collected shall be paid into the Community Facilities Districts' funds, including any bond fund and reserve fund.

Section 7. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, reference is made to the attached Exhibits "A - EE."

Section 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this Agency a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

ADOPTED, SIGNED and APPROVED this 30th day of June, 2009.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4233 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30th day of June, 2009, and that it was so adopted by the following called vote:

AYES:	COUNCILMEMBERS:	Rogers, Yarbrough, Landers, Evans, Busch
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

City Clerk, Judy L. Haughney