

SWEETWATER UNION HIGH SCHOOL DISTRICT

RESOLUTION NO. 4376

**RESOLUTION ESTABLISHING THE ANNUAL)
SPECIAL TAX LEVY FOR FISCAL YEAR)
2015-2016 FOR COMMUNITY FACILITIES)
DISTRICT NOS. 1-6, 8, 9A, 9B & 10-18)**

ON THE MOTION of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, the Board of Trustees of the Sweetwater Union High School District, County of San Diego, State of California, (hereinafter referred to as the "Legislative Body") of Community Facilities District Nos. 1, 2, 3, 4, 5, 6, 8, 9A, 9B, 10, 11, 12, 13, 14, 15, 16, 17, and 18 (collectively, the "Districts"), has initiated proceedings, held public hearings, conducted elections and received favorable votes from the qualified electors relating to the levy of special taxes in Community Facilities District Nos. 1, 2, 3, 4, 5, 6, 8, 9A, 9B, 10, 11, 12, 13, 14, 15, 16, 17, and 18, 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; and

WHEREAS, this Legislative Body, by Ordinances applicable to each of the Districts as authorized by Section 53340 of the Government Code of the State of California (the "Ordinance"), has authorized the levy of special taxes to pay for public facilities and financing thereof, including costs and expenses related thereto, that benefit the Districts; and

WHEREAS, the Legislative Body desires to establish the maximum "Special Tax Rate" for each of the Districts for the next fiscal year; and

WHEREAS, this Legislative Body desires to set the actual amount of the "Special Tax" to be levied at a rate that is equal to approximately 98.04% of each parcel's applicable maximum Special Tax Rate as enacted by the above-referenced Ordinances; and

WHEREAS, based on the preliminary data regarding assessed values of property in the Sweetwater Union High School District provided by the County of San Diego, this Legislative Body estimates that the expected rate be levied on taxable property in the Sweetwater Union High School District as a result of the issuance of the Sweetwater Union High School District general obligation bonds as authorized under the General Obligation Bonds 2000 Election (the "General Obligation Bonds") will not exceed \$0.032 per \$100 of assessed value (the "Approximation Rate"); and

WHEREAS, this Legislative Body is also desirous to reduce the amount of the actual Special Tax to be levied in Community Facilities District Nos. 1, 2, 3, 4, 5, 6, 8, 9A, 9B, 10, 11, 12, 13, 14, 15, 16, and 18 on each parcel subject to the Special Tax to off-set in whole or in part the approximate increase in the ad valorem tax to be levied on such parcel, resulting from the issuance of the General Obligation Bonds.

NOW, THEREFORE, it is Determined and Resolved as Follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the maximum Special Tax Rates of the Special Taxes to be established for the next fiscal year (2015-2016) for each of the referenced Districts and which are applicable to those properties for which fiscal year 2015-2016 represents, the first year in which such properties are classified as Developed Property (aka "Category 1 Property"), are hereby determined and established as the Special Tax Rates set forth in Exhibit "A" attached hereto and incorporated herein by this reference (which rates are herein referred to as the Special Tax Rates). The maximum Special Tax Rates for properties classified as Developed Property in previous fiscal years are subject to an annual increase in the maximum Special Tax Rate of two percent.

SECTION 3. The maximum Special Tax Rates do not exceed the rates authorized by the Ordinances and are not in excess of the rates approved by the qualified electors of the Districts.

SECTION 4. The proceeds of the Special Taxes shall be used to pay, in whole or in part, the costs of the following, in order of priority:

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

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

SECTION 5. Special District Financing & Administration, the designated Special Tax Consultant of the Districts, is hereby directed to prepare and submit to the County Auditor on or before the 10th day of August of each tax year the following:

- A. A certified list of all parcels subject to the special tax of each District with appropriate County Assessor parcel number.
- B. The amount of the special tax to be levied on each parcel for the applicable tax year.

SECTION 6. The "Superintendent" or its designee is hereby authorized to adjust the Approximation Rate if data regarding the Approximation Rate referred to in the Recitals hereof is received from the County of San Diego prior to the completion of the certified list prepared pursuant to Section 5 of this resolution.

SECTION 7. The Special Taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as is provided for ad valorem taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting the special taxes.

SECTION 8. Special Taxes collected shall be deposited in to the appropriate District funds, including any bond fund and reserve fund.

SECTION 9. The Clerk is directed to file a certified copy of this Resolution with the County Auditor on or before the 10th day of August of this year.

PASSED AND ADOPTED by the Board of Trustees of the Sweetwater Union High School District, County of San Diego, State of California, this 13th day of July, 2015, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

[illegible]

Resolution No. 4376

July 13, 2015

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I, Deanne Vicedo, Clerk of the Governing Board of the Sweetwater Union High School District of San Diego County, State of California, do hereby certify that the foregoing is a true copy of a resolution adopted by the 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.

Deanne Vicedo, Clerk

Date

EXHIBIT "A"

Sweetwater Union High School District Annual Adjustment for the Base Tax Fiscal Year 2015-16 *

<u>CFD / Land Use Category</u>	<u>Maximum Base Tax FY 2014-15</u>	<u>ENR Adjustment for FY 2015-16 (or 2% Minimum)</u>	<u>Maximum Base Tax FY 2015-16 **</u>
CFD No. 1	\$679.47 /du	2.0%	\$693.06 /du
CFD No. 2	\$689.92 /du	2.0%	\$703.72 /du
CFD No. 3	\$0.491 /sf	2.0%	\$0.501 /sf
CFD No. 4	\$0.486 /sf	2.0%	\$0.496 /sf
CFD No. 5	\$0.522 /sf	2.0%	\$0.532 /sf
Community Facilities District No. 6			
Residential	\$0.5220 /sf	2.0%	\$0.5324 /sf
Age-Restricted	\$0.5220 /sf	2.0%	\$0.5324 /sf
CFD No. 8	\$0.3350 /sf	2.0%	\$0.3420 /sf
Community Facilities District No. 9A			
1	\$898.69 /du	2.0%	\$916.67 /du
2	\$726.06 /du	2.0%	\$740.58 /du
3	\$673.60 /du	2.0%	\$687.07 /du
4	\$638.06 /du	2.0%	\$650.82 /du
5	\$580.51 /du	2.0%	\$592.12 /du
6	\$548.36 /du	2.0%	\$559.32 /du
7 ^(a)	\$504.35 /du	2.0%	\$514.44 /du
8 ^(a)	\$468.81 /du	2.0%	\$478.19 /du
9 ^(a)	\$418.04 /du	2.0%	\$426.40 /du
10 ^(a)	\$365.57 /du	2.0%	\$372.88 /du
7 ^(b)	\$622.82 /du	2.0%	\$635.28 /du
8 ^(b)	\$587.28 /du	2.0%	\$599.03 /du
9 ^(b)	\$536.51 /du	2.0%	\$547.24 /du
10 ^(b)	\$484.04 /du	2.0%	\$493.72 /du
11	\$604.21 /du	2.0%	\$616.29 /du
12	\$101.55 /du	2.0%	\$103.58 /du

(a) Maximum Tax Rate applicable to first 886 multi-family units classified as Developed Property.

(b) Maximum Tax Rate applicable to multi-family units in excess of 886 classified as Developed Property.

Community Facilities District No. 9B			
1	\$431.58 /du	2.0%	\$440.21 /du
2	\$348.65 /du	2.0%	\$355.62 /du
3	\$323.26 /du	2.0%	\$329.72 /du
4	\$306.33 /du	2.0%	\$312.46 /du
5	\$292.79 /du	2.0%	\$298.65 /du
6	\$275.87 /du	2.0%	\$281.39 /du
7 ^(a)	\$253.87 /du	2.0%	\$258.95 /du
8 ^(a)	\$235.25 /du	2.0%	\$239.96 /du
9 ^(a)	\$209.86 /du	2.0%	\$214.06 /du
10 ^(a)	\$184.48 /du	2.0%	\$188.17 /du
7 ^(b)	\$308.03 /du	2.0%	\$314.19 /du
8 ^(b)	\$289.41 /du	2.0%	\$295.20 /du
9 ^(b)	\$258.95 /du	2.0%	\$264.12 /du
10 ^(b)	\$238.64 /du	2.0%	\$243.41 /du
11	\$277.56 /du	2.0%	\$283.11 /du
12	\$45.70 /du	2.0%	\$46.61 /du

(a) Maximum Tax Rate applicable to first 886 multi-family units classified as Developed Property.

(b) Maximum Tax Rate applicable to multi-family units in excess of 886 classified as Developed Property.

* Please note that all special tax rates are not rounded to decimals shown.

** Please note that the Maximum and Actual Tax Rates shown apply only to those properties for which FY 2015/16 represents the Initial Year the property is classified as developed.

EXHIBIT "A"

Sweetwater Union High School District Annual Adjustment for the Base Tax Fiscal Year 2015-16 *

<u>CFD / Land Use Category</u>	<u>Maximum Base Tax FY 2014-15</u>	<u>ENR Adjustment for FY 2015-16 (or 2% Minimum)</u>	<u>Maximum Base Tax FY 2015-16 **</u>
Community Facilities District No. 10 - Zone "A"			
1	\$0.5690 /sf	2.0%	\$0.5800 /sf
2	\$0.5110 /sf	2.0%	\$0.5210 /sf
3	\$0.3420 /sf	2.0%	\$0.3490 /sf
4	\$0.0950 /sf	2.0%	\$0.0970 /sf
5	\$0.0950 /sf	2.0%	\$0.0970 /sf
Community Facilities District No. 10 - Zone "B"			
1	\$0.389 /sf	2.0%	\$0.397 /sf
2	\$0.350 /sf	2.0%	\$0.357 /sf
3	\$0.234 /sf	2.0%	\$0.238 /sf
4	\$0.064 /sf	2.0%	\$0.066 /sf
5	\$0.064 /sf	2.0%	\$0.066 /sf
Community Facilities District No. 11			
Residential	\$0.4934 /sf	2.0%	\$0.5032 /sf
Age-Restricted	\$0.0829 /sf	2.0%	\$0.0846 /sf
Community Facilities District No. 12			
Residential	\$0.3888 /sf	2.0%	\$0.3966 /sf
Age-Restricted	\$0.0654 /sf	2.0%	\$0.0667 /sf
Community Facilities District No. 13			
Residential	\$0.3877 /sf	2.0%	\$0.3955 /sf
Age-Restricted	\$0.0652 /sf	2.0%	\$0.0665 /sf
Community Facilities District No. 14			
Residential	\$0.4972 /sf	2.0%	\$0.5071 /sf
Age-Restricted	\$0.0835 /sf	2.0%	\$0.0851 /sf
Community Facilities District No. 15			
Residential	\$0.5230 /sf	2.0%	\$0.5335 /sf
Age-Restricted	\$0.0879 /sf	2.0%	\$0.0897 /sf
Community Facilities District No. 16			
Residential	\$0.8143 /sf	2.0%	\$0.8306 /sf
Age-Restricted	\$0.1357 /sf	2.0%	\$0.1384 /sf
Community Facilities District No. 17			
Land Component:			
Residential	\$0.2197 /sf	2.0%	\$0.2284 /sf
Age-Restricted	\$0.0366 /sf	2.0%	\$0.0381 /sf
Other Component:			
Residential	\$0.0366 /sf	2.0%	\$0.3077 /sf
Age-Restricted	\$0.0366 /sf	2.0%	\$0.0513 /sf
Community Facilities District No. 18			
Residential	\$0.5698 /sf	2.0%	\$0.5812 /sf
Age-Restricted	\$0.0829 /sf	2.0%	\$0.0846 /sf

Note: The RMA for CFD 17 identifies two components of the special tax as Land and Other. The Land component escalates at the greater of the Index or 4%, and the Other component escalates at the greater of the Index or 2%.

* Please note that all special tax rates are not rounded to decimals shown.

** Please note that the Maximum and Actual Tax Rates shown apply only to those properties for which FY 2015/16 represents the Initial Year the property is classified as developed.