

SWEETWATER UNION HIGH SCHOOL DISTRICT

RESOLUTION NO. 4464

**RESOLUTION AMENDING THE
SPECIAL TAX LEVY FOR FISCAL YEAR
2016–2017 FOR COMMUNITY FACILITIES
DISTRICT NOS. 1 THROUGH 6, 8, 9A,
9B and 10 THROUGH 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 “Board” and the “Legislative Body”) of Community Facilities District Nos. 1 through 6, 8, 9A, 9B and 10 through 18 (collectively, the “CFDs”) initiated proceedings, held public hearings, conducted elections and received favorable votes from the qualified electors relating to the levy of “Special Taxes” in the CFDs (collectively, “Formation Documents”), all as authorized pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, 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 CFDs as authorized by Section 53340 of the Government Code (“Ordinances”), has levied Special Taxes of the CFDs for fiscal year 2016–2017 to pay for the public facilities and financing thereof, including costs and expenses relating thereto and costs of administration of the CFDs; and

WHEREAS, on August 8, 2016, the Legislative Body adopted Resolution No. 4439, entitled, “Resolution Establishing the Annual Special Tax Levy for Fiscal Year 2016–2017 for Community Facilities District No. 1–6, 8, 9A, 9B & 10–18,” which established the “Maximum Initial Year Special Tax Rate” for each of the CFDs for the fiscal year 2016–2017; and

WHEREAS, an administrative entry as to the Maximum Initial Year Special Tax Rates for the CFDs for fiscal year 2016–2017 provided for in Resolution No. 4439 needs to be revised consistent with the Formation Documents; and

WHEREAS, the Legislative Body wishes to make such administrative revision and affirm the levy of the applicable Maximum Initial Year Special Tax Rates for the CFDs by amending Resolution No. 4439 as provided in this Resolution.

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 Initial Year Special Tax Rates of the Special Taxes established for fiscal year 2016–2017 for the CFDs applicable to those properties for which fiscal year 2016–2017 represents (as shown on Exhibit “A” attached hereto), the first year in which such designated properties are classified as Developed Property (also known as “Category 1 Property”), are hereby determined and established as the Maximum Initial Year Special Tax Rates as set forth in Exhibit “A” attached hereto and incorporated herein by this reference. 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 (2%) as shown on Exhibit “A” attached hereto.

SECTION 3. The Maximum Initial Year Special Tax Rates and the Maximum Special Tax Rates applicable to Development Property do not exceed the rates authorized by the Ordinances and are not in excess of the rates approved by the qualified electors of the CFDs.

SECTION 4. Except as modified by Section 2 above, Resolution No. 4439 is not otherwise amended. Resolution No. 4439 is available at the District Office of the Sweetwater Union High School District (“District”), located at 1130 Fifth Avenue, Chula Vista, CA 91911, and incorporated herein by this reference.

SECTION 5. Resolution No. 4439 is hereby amended as provided herein, as to the Maximum Initial Year Special Taxes and Maximum Special Tax Rates applicable to Developer Property for fiscal year 2016–2017 for the CFDs. The District’s staff and consultants are directed to take all actions necessary to accomplish the matters described in this Resolution and all prior actions related to the levy of the Maximum Special Taxes of the CFDs for fiscal year 2016-2017 are hereby ratified.

PASSED AND ADOPTED by the Board of Trustees of the Sweetwater Union High School District, County of San Diego, State of California, this 24th day of October, 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

STATE OF CALIFORNIA)
) SS
COUNTY OF SAN DIEGO)

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 Resolution No. 4464 adopted by the Board at a regular meeting thereof, acting as the Legislative Body of the Districts, at the time and by the vote therein stated, which original Resolution No. 4464 is on file in the office of said board.

Deanne Vicedo, Clerk

October 24, 2016
Date