

BOWIE, ARNESON, WILES & GIANNONE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW

ALEXANDER BOWIE*
JOAN C. ARNESON
WENDY H. WILES*
PATRICIA B. GIANNONE
ROBERT E. ANSLOW
BRIAN W. SMITH
JEFFREY A. HOSKINSON
JEFFREY W. FREY
MATTHEW T. NICHOLS
TYLER E. MENDEZ
MARGOT E. H. STEVENS

4920 CAMPUS DRIVE
NEWPORT BEACH, CALIFORNIA 92660
(949) 851-1300

(800) 649-0997
FAX (949) 851-2014

REF. OUR FILE
17112

*A PROFESSIONAL CORPORATION

CONCEPTUAL
CALENDAR OF EVENTS
FOR FORMATION OF A COMMUNITY FACILITIES DISTRICT
AND AUTHORIZATION OF SPECIAL TAXES
FOR SWEETWATER UNION HIGH SCHOOL DISTRICT
PER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982

Dates

Activities

A Deposit and Reimbursement Agreement is executed between the Developer and SUHSD whereby the Developer will advance SUHSD's costs and by which it may be reimbursed on a non-interest bearing basis from Bond Proceeds.

A Mitigation Agreement is executed by the "Developer" and the Board of Trustees of the Sweetwater Union High School District ("SUHSD") which includes a description of the School Facilities and services to be funded.

SUHSD receives a Petition from the Developer requesting the formation of a Community Facilities District ("CFD") consistent with the provisions of the Mitigation Agreement.

The property to be included in the proposed CFD is identified and property ownership is confirmed from current title report.

The CFD Boundary Map is prepared by SUHSD's consultant.

The proposed Rate and Method of Apportionment of Special Taxes ("RMA") for the proposed CFD is prepared by SUHSD and Special District Financing & Administration, consistent with terms of the Mitigation Agreement.

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<u>Dates</u>	<u>Activities</u>
<i>Two weeks before Board Meeting or Date Specified by SUHSD</i>	Agenda deadline for SUHSD Board meeting.
<i>Board Meeting (Initiation)</i>	<u>SUHSD Board Meeting</u> The Board adopts the Resolution of Intention to Form the proposed CFD and calls for a Public Hearing ¹ on the formation of the proposed CFD and authorization of the Special Taxes per the proposed RMA. (§ 53321) ² The Board adopts a Resolution Declaring Intention to Incur Bonded Indebtedness and calls for a concurrent Public Hearing. (§ 53345) The Board adopts a Resolution Approving a CFD Boundary Map for the proposed CFD (§ 53321(a) and Streets and Highways Code §§ 3110 <i>et seq.</i>)
<i>Day after Board meeting (following adoption of Resolution of Intention)</i>	A letter request is sent to the San Diego County Registrar of Voters requesting a review of the number of registered voters (if any) included within the proposed CFD. A copy of the Resolution of Intention to Form the proposed CFD is filed with the applicable “City” or if the proposed CFD is within an unincorporated area, the County of San Diego (“County”). (§ 53315.6)
<i>Within 2 days after Board meeting</i>	SUHSD executes and files a Notice of Exemption (CEQA) as to formation of the proposed CFD with the County Clerk and posts the Notice at SUHSD’s normal posting location(s). Statute of limitations for CEQA challenges expires 35 days after filing. (Public Resource Code § 21167)
<i>Two weeks prior to Board meeting or Date Specified by SUHSD</i>	Agenda Deadline Date for the Board meeting for the proposed CFD Public Hearings.

¹ The Public Hearing date should be set at least 30 days and less than 60 days after Board meeting.

² All section references are to the California Government Code unless otherwise noted.

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Within 15 days of the adoption of the Resolution of Intention and no later than 15 days prior to the Public Hearing

Submit request for the publication of the Notice of Public Hearings in a newspaper of general circulation within SUHSD. Publication to occur no less than 7 days prior to the Public Hearings date.

Clerk of the Board of SUHSD endorses and the Boundary Map of the proposed CFD and the Boundary Map is recorded with the County Recorder. (Streets and Highways Code §§ 3111, 3112)

Notice of the Public Hearings and the Landowner Waiver and Consent Forms are mailed to the Developer as the sole owner of the property within the proposed CFD. (§ 53322.4)

At least 7 days prior to Public Hearing

Deadline for the publication of the Notice of Public Hearings for formation of proposed CFD and authorization of Special Taxes for proposed CFD in a newspaper of general circulation within SUHSD. (§ 53322). SUHSD posts the Notice of Public Hearings.

Proof of land ownership and executed Waiver and Consent documents are received from the Developer as the sole landowner of the property subject to the proposed Special Taxes within the proposed CFD.

Prior to Public Hearing

Deadline to complete and file the “CFD Report” with SUHSD. (§ 53321.5)

Deadline for the County Registrar of Voters to confirm the number of registered voters (if any) within proposed CFD.

Board meeting (Public Hearing and CFD Formation)

SUHSD Board Meeting and Public Hearing

As the property proposed to be included in the proposed CFD was requested by Developer, as the sole landowner, no protests to the formation of the proposed CFD are anticipated.

Board holds the Public Hearings and determines that no Majority Protests to the formation of the proposed CFD has occurred.

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Board adopts the Resolution of Formation to establish the proposed CFD and to levy the Special Taxes (§ 53325.1); calls an Election for submitting to the Developer, as the sole landowner of the proposed CFD, the question of whether to levy any Special Taxes, including an appropriations limit.³

Based on the anticipated receipt of the executed Waiver and Consent documents from Developer, SUHSD’s designated “Election Official” concurs as to holding election on a shortened time frame, if election occurs less than 125 days after Resolution of Formation was adopted (“Walk-In Election”). (§ 53326(a))

The Board adopts the Resolution Determining Necessity to Incur Bonded Indebtedness and calling the Special Tax and Bond Authorization Elections as a “Consolidated Special Election.” (§ 53352).

The Consolidated Special Election may be conducted as a Walk-In Election or called for a later date.

The Consolidated Special Election is conducted by the Board, acting as the Legislative Body of the newly formed CFD. (§ 53350)

After the Consolidated Special Election is accomplished, the CFD Election Official of the newly formed CFD certifies the Election Results.

The Board, acting as the Legislative Body of the newly formed CFD, adopts a Resolution Canvassing Election Results if the Consolidated Special Election is held as a Walk-In Election following the formation of the newly formed CFD. (§ 53328)

The First Reading of Ordinance Authorizing Levy of Special Tax is conducted if the Special Election is held as a Walk-In Election. (§§ 53316, 36900 *et seq.*)

³ The election measure may be combined into a single ballot measure.

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<u>Dates</u>	<u>Activities</u>
<i>Two weeks before Board meeting</i>	Agenda Deadline for Board Meeting
<i>Within 15 days after the Election</i>	File Notice of Special Tax Lien with County Recorder. (§ 53328.3; Streets and Highways Code § 3114.5(b))
<i>At least 5 days in advance of second reading</i>	Post a copy of the proposed Ordinance at SUHSD's administrative office (normal posting location).
<i>Legislative Body Board meeting</i>	<u>SUHSD Board Meeting Acting as the Legislative Body of the Newly Formed CFD</u> The Board, acting as the Legislative Body of the newly formed CFD, conducts the Second Reading of Ordinance Authorizing the Levy of the Special Tax and adopts the Ordinance.
<i>Within 15 days of adoption of Ordinance</i>	Publish and post the Notice of Adoption and Summary of adopted Ordinance (§ 36933)
<i>30 days after adoption of Ordinance</i>	Special Tax Ordinance becomes effective. (§ 36937)
<i>60 days after formation</i>	Statute of limitations expires to challenge special tax levy approved by 2/3 of the voters.(§ 53341)