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RESOLUTION NO. R-67-16

**A RESOLUTION OF THE CITY COUNCIL OF COLTON, CALIFORNIA
AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY
FACILITIES DISTRICT NO. 89-2 FOR FISCAL YEAR 2016/2017.**

WHEREAS, the CITY COUNCIL of the CITY OF COLTON, CALIFORNIA previously undertook proceedings to form a community facilities district (this Community Facilities District is designated as COMMUNITY FACILITIES DISTRICT NO. 89-2 and is referred to herein as the "District"), and conducted an election and received a favorable vote from the qualified electors authorizing the levy of a special tax in the 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 (the "Act"); and

WHEREAS, the Act authorized the City Council to levy the special taxes at the rate and apportion them in the manner as approved by the qualified electors and further authorized the City Council to thereafter provide, by resolution, for the levy of the special tax in the current tax year or future tax years at the same rate or at a lower rate than the rate provided by the ordinance; and

WHEREAS, the City Council desires to authorize the levy of the special tax by resolution for the current and all future tax years.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY
THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:**

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

SECTION 2. That the City Council does, by the passage of this resolution, authorize the levy of special taxes at the rate and formula as set forth in Exhibit "A" attached hereto, referenced and so incorporated.

1 **SECTION 3.** That the City Council is hereby further authorized, by Resolution, to
2
3 determine the specific special tax rate and amount to be levied for the then current tax year or
4 future tax years, except that the special tax rate to be levied shall not exceed that as set forth in
5 Exhibit "A", but the special tax may be levied at a lower rate.

6 **SECTION 4.** The proceeds of the above authorized and levied special tax may only
7
8 be used to pay, in whole or in part, the costs of the following:

- 9 A. Payment of principal of and interest on any outstanding authorized bonded
10 indebtedness;
11
12 B. Necessary replenishment of bond reserve funds or other reserve funds;
13
14 C. Payment of costs and expenses of authorized public facilities and services;
15
16 D. Repayment of advances and loans, as appropriate; and
17
18 E. Payment of District administrative costs.

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

21 **SECTION 5.** The above authorized special tax shall be collected in the same manner
22 as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the
23 same procedure, sale and lien priority in case of delinquency as is provided for ad valorem
24 taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs
25 incurred in collecting any such special tax.

26 **SECTION 6.** The above authorized special tax shall be secured by the lien imposed
27 pursuant to Sections 3114.5 and 3115.5 of the Streets and Highways Code of the State of
28 California, which lien shall be a continuing lien and shall secure each levy of the special tax.
29

1 The lien of the special tax shall continue in force and effect until the special tax obligation is
2 prepaid, permanently satisfied and canceled in accordance with Section 53344 of them
3 Government Code of the State of California or until the special tax ceases to be levied by the
4 Legislative body of the local Agency in the manner provided in Section 53330.5 of said
5 Government Code.
6

7 **SECTION 7.** This Resolution shall take effect upon its adoption under the specific
8 authorization of Government Code Section 53340 and as the levy of taxes for the usual and
9 current expenses of the District as provided by Government Code Section 36937 (d).
10

11 **SECTION 8.** The City Clerk shall sign this Resolution and shall cause the same to be
12 published within fifteen (15) days after its passage at least once in a newspaper of general
13 circulation published and circulated in this City.
14

15 **PASSED, APPROVED AND ADOPTED** this 5th July day of 2016.

16
17 
18 RICHARD A. DELAROSA
19 Mayor

20 ATTEST:

21 
22 CAROLINA R. PADILLA
23 City Clerk
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Exhibit A

City of Colton	
2016/17 Budget Worksheet Community Facilities District 89-2R	
Levy Components	2016/2017
PRINCIPAL AND INTEREST	
Principal	\$240,000.00
Interest	33,682.50
TOTAL	\$273,682.50
ADMINISTRATION COSTS	
City Staff and Expenses	\$7,000.00
County Auditor and Assessor Fees	109.80
Registrar/Transfer/Paying Agent Fees	2,500.00
Consulting Services and Expenses	5,887.50
Delinquency Management Allowance	235.39
TOTAL	\$15,732.69
Total Principal, Interest and Admin Costs	\$289,415.19
ADJUSTMENTS APPLIED TO LEVY	
Facilities Cost Reimbursement to City	\$0.00
Replenishment/ (Credit)	(\$2,135.39)
TOTAL	(\$2,135.39)
TOTAL CHARGE	
Special Tax Requirement	\$287,279.80
Applied Charge at Projected Rate	\$287,279.64
Difference (due to rounding)	\$0.16
SPECIAL TAX RATES *	
Developed Residential Units	357
Maximum Special Tax Rate per unit	\$1,673.42
Projected Special Tax Rate per unit for 2016/17	\$716.68
Developed Commercial Acreage	8.48
Maximum Special Tax Rate per acre	\$5,856.96
Projected Special Tax Rate per acre for 2016/17	\$2,508.38
Undeveloped Acreage	5.06
Maximum Special Tax Rate per acre	\$4,685.57
Projected Special Tax Rate per acre for 2016/17	\$2,006.69

* The projected special tax rate is based on the proposed budget shown and reflects a 0.00% change over the prior year's levy.

CITY OF COLTON
COMMUNITY FACILITIES DISTRICT NO. 89-2R
FISCAL YEAR 2016/17 FINANCIAL ANALYSIS

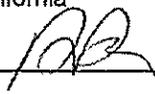
	Balances as of April 30, 2016	Balances as of April 30, 2015
Credit Calculation		
Administrative Expense Fund ⁽¹⁾	\$477,958.20	\$460,551.10
Special Taxes Received after 4/30/2016	0.00	4,367.00
Special Tax Revenues Held at the City	0.00	0.00
Bond Fund (#6711618201) ⁽²⁾	0.00	0.04
Improvement Fund (#6711618203) ⁽²⁾	0.98	0.98
Less: September 2016 Debt Service	(248,366.25)	(244,601.25)
Reserve Fund (#6711618202) ⁽²⁾	275,329.99	275,110.70
Less: Reserve Requirement	(274,762.50)	(274,762.50)
Less: Prior Year Administration	(15,547.30)	(16,947.30)
Subtotal	\$214,613.12	\$203,718.77
Less: Funds held for Current delinquencies	(\$2,435.88)	(\$2,029.90)
Less: Funds held for Future Credit	(212,177.24)	(201,688.87)
Subtotal - Funds Held for Contingency	(\$214,613.12)	(\$203,718.77)
Total Adjustments Credit/(Addition) to FY 2016/17 Levy	\$0.00	\$0.00

FUND BALANCES

	Balances as of April 30, 2016	Balances as of April 30, 2015
District Funds		
Administrative Expense Fund ⁽¹⁾	\$477,958.20	\$460,551.10
Bond Fund (#6711618201) ⁽²⁾	0.00	0.04
Reserve Fund (#6711618202) ⁽²⁾	275,329.99	275,110.70
Improvement Fund (#6711618203) ⁽²⁾	0.98	0.98
Total District Funds	\$753,289.17	\$735,662.82

⁽¹⁾ City Held Funds

⁽²⁾ Source: Union Bank of California

Approved by: _____ 

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF COLTON)

4 CERTIFICATION

5 I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby
6 certify that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-67-16**,
7 duly adopted by the City Council of said City, and approved by the Mayor of said City, at its
8 Regular Meeting of said City Council held on the **5th day of July, 2016**, and that it was
9 adopted by the following vote, to wit:

10 AYES: COUNCILMEMBER Toro, Jorrin, Navarro, González, Bennett,
11 and Mayor DeLaRosa
12 NOES: COUNCILMEMBER None
13 ABSTAIN: COUNCILMEMBER None
14 ABSENT: COUNCILMEMBER Suchil
15

16 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
17 of the City of Colton, California, this _____ day of _____, 20__.

18
19
20
21 _____
22 CAROLINA R. PADILLA
23 City Clerk
24 City of Colton

25 (SEAL)
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