

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

267



FROM: Treasurer-Tax Collector

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Resolution No. 2010-095 - Authorizing Mt. San Jacinto Community College to Form One or More School Facilities Improvement Districts Under the Education Code

RECOMMENDED MOTION: That your Honorable Board approve and adopt Resolution No. 2010-095, to Make Provisions of the Education Code that Authorize the Formation of School Facilities Improvement Districts Applicable to the Mt. San Jacinto Community College District.

BACKGROUND: Mt. San Jacinto Community College District (District) encompasses 1,700 square miles in central and southwestern Riverside County. The District Board of Trustees wants to form one or more School Facilities Improvement Districts (SFID) within its boundaries. The formation of an SFID provides a mechanism for the District to issue and sell voter-approved bonds secured by taxes levied on real property located within the boundaries of the SFID. The SFID provisions of the Education Code (Code) provide for the formation of an SFID, (which usually consists of a portion of the territory within the school district or community college district), the holding of a bond election within the boundaries of the SFID, and the issuance of general obligation bonds by the school or community college district on behalf of the SFID. The proceeds of the voter-approved bonds would then be available to finance capital improvements.

(Continued on page 2)

Jon Christensen, Asst. Treasurer-Tax Collector
[Signature] for Don Kent
Don Kent, Treasurer - Tax Collector

FORM APPROVED COUNTY COUNSEL

BY: *[Signature]* 3/3/10

DALE A. GARDNER DATE

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	n/a
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	n/a
	Annual Net County Cost:	\$ 0	For Fiscal Year:	n/a

SOURCE OF FUNDS: n/a	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
BY: *[Signature]*
Christopher M. Hans

County Executive Office Signature

Dept't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | **District:** 1, 3, 5 | **Agenda Number:**

3.67

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Page 2

Pursuant to Section 15303 of the Code, the formation of an SFID can only take place if the County Board of Supervisors first adopts a resolution making the Code's SFID provisions applicable to the school or community college district. The District Board of Trustees has asked this Board to adopt Resolution No. 2010-095 to make the Code's SFID provisions applicable to the District so that the District can proceed with the formation of one or more SFIDs within the District's boundaries.

Resolution No. 2010-095 makes the Codes' SFID provisions applicable to the District and allows the District to proceed with the formation of one or more SFIDs. Although the adoption of Resolution No. 2010-095 would allow the District to form one or more SFIDs, the adoption of Resolution No. 2010-095 does not authorize the issuance or sale of any bonds. The District will not issue any bonds for any SFID without first obtaining voter-approval.

The Office of County Counsel has reviewed Resolution No. 2010-095 and has approved it as to form.

2 **RESOLUTION NO. 2010-095**

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS**
5 **OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA,**
6 **TO MAKE APPLICABLE TO THE**
7 **MT. SAN JACINTO COMMUNITY COLLEGE DISTRICT**
8 **PROVISIONS OF THE CALIFORNIA**
9 **EDUCATION CODE PERMITTING FORMATION OF**
10 **SCHOOL FACILITIES IMPROVEMENT DISTRICTS**

11 WHEREAS, a school district or community college district may form a School Facilities
12 Improvement District within its boundaries for the authorization and issuance of bonds pursuant to
13 and subject to the requirements of Chapter 2 (commencing with Section 15300) of Part 10 of
14 Division 1 of Title 1 of the California Education Code (the "Law"); and

15 WHEREAS, Education Code Section 15303 provides that the Law shall not be operative in
16 any County until the Board of Supervisors of the County by Resolution adopted by a majority vote
17 makes such Chapter 2 applicable in the County or to one or more school districts or community
18 college districts; and

19 WHEREAS, the Mt. San Jacinto Community College District ("District") has requested that
20 this Board make the Law operative for the District in order that one or more school facilities
21 improvement districts may be formed within a portion of the District and the voters within each such
22 area may be asked to authorize the issuance of general obligations bonds to pay for certain school
23 facilities improvements serving such area; and

24 WHEREAS, this Board of Supervisors of the County of Riverside (the "County") has
determined that it is desirable and in the interests of the District to permit the formation of one or
more such school facilities improvement districts, upon appropriate action by the Board of Trustees
of the District pursuant to the Law, under the terms and conditions set forth below.

FORM APPROVED COUNTY COUNSEL
BY *[Signature]* DATE 3/3/10
DAVE A. GARNER

1 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
2 COUNTY OF RIVERSIDE THAT:

3 Section 1. Recitals. All of the above recitals are true and correct.

4 Section 2. Law Operative for Mt. San Jacinto Community College District. Pursuant to
5 Section 15303 of the California Education Code, Chapter 2 (commencing with Section 15300) of
6 Part 10 of Division 1 of Title 1 of the California Education Code is hereby made operative within the
7 boundaries of the Mt. San Jacinto Community College District to allow the formation of one or more
8 school facilities improvement districts within the Mt. San Jacinto Community College District for the
9 issuance of bonds by the District for the benefit of the land within each school facilities improvement
10 district.
11

12 Section 3. Cost Reimbursement. The District shall reimburse the County for any and all
13 costs incurred by the County as a result of the formation and implementation of the proposed school
14 facilities improvement districts and any and all actions of the District that cause the County to
15 expend resources with respect thereto.

16 Section 4. Effective Date. This Resolution shall be effective upon its adoption.
17
18
19

20 _____
Marion Ashley, Chairman
Board of Supervisors, County of Riverside

21 ATTEST:

22 Kecia Harper-Ihem, Clerk of the Board
23 of Supervisors
24

25 _____
Deputy
26
27
28

1 **CLERK'S CERTIFICATE**

2 I, Kecia Harper-Ihem, Clerk to the Board of Supervisors of Riverside County, California,
3 hereby certify that the above and foregoing Resolution was duly and regularly adopted by said
4 Board at a regular meeting thereof held on the ____ day of _____, 2010 and passed by the
5 following vote of said Board.

6 Ayes:

7 Noes:

8 Abstain:

9 Absent:

10 IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of
11 _____, 2010.

12 _____
13 Clerk to the Board of Supervisors of Riverside
14 County, California

