

RESOLUTION NO. 01-07-19

**RESOLUTION OF THE BOARD OF EDUCATION
OF THE NEWPORT-MESA UNIFIED SCHOOL DISTRICT
ACTING AS THE LEGISLATIVE BODY OF
COMMUNITY FACILITIES DISTRICT NO. 90-1 OF THE
NEWPORT-MESA UNIFIED SCHOOL DISTRICT RELATIVE TO
THE LEVY OF SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 90-1**

WHEREAS, the Governing Board (the “Board”) of the Newport-Mesa Unified School District (the “District”) has established a community facilities district known as the Newport-Mesa Unified School District Community Facilities District No. 90-1 (the “Community Facilities District” or “CFD No. 90-1”); and

WHEREAS, Government Code section 53340 provides that the legislative body of a community facilities district may initially levy the special tax at the rate and method of apportionment specified in the resolution of intent to establish the community facilities district by ordinance (the “Ordinance”) and by resolution pursuant to said ordinance for any subsequent tax year; and

WHEREAS, the Board desires to levy the special tax in accordance with Government Code Section 53340(b) and with respect to fiscal year 2019-20 and future tax years at the same rate or at a lower rate than provided by the Ordinance; and

WHEREAS, the Board also desires to levy the special tax in accordance with Government Code section 53340(b) and with respect to fiscal year 2019-20 and the future tax years at the lowest possible rate required to insure payment of applicable debt service, including provisions for administrative costs and expenses, as provided for in the rate and method of apportionment described in the Ordinance.

NOW, THEREFORE, be it resolved by the Board of Education of the Newport-Mesa Unified School District as follows:

Section 1. The Board hereby levies the Special Tax for the Fiscal year 2019-20 pursuant to section 53340(b) of the Government Code at the rates, not to exceed the amounts in the Ordinance with respect to the developed parcels, as set forth in the report on file with the Executive Director, Chief Financial Officer. The Executive Director, Chief Financial Officer of the District is hereby authorized and directed to confirm that the rates as set forth in the Ordinance and the report on file with the Executive Director, Chief Financial Officer represent the maximum Special Tax which may be levied for Fiscal Year 2019-20. The Board hereby further authorizes and directs the Executive Director, Chief Financial Officer to reduce the Special Tax, if necessary, prior to the submission of the request as specified by Section 2.

Section 2. A request for collection of the Special Tax shall be submitted to the Auditor/Controller of Orange County in time to be levied for Fiscal Year 2019-20. The Executive Director, Chief Financial Officer is hereby authorized to transmit the request for collection of the Special Tax to the Auditor/Controller on or before August 10, 2019 or, if necessary, after August 10th but not later than August 19th if the Executive Director, Chief Financial Officer obtains the consent of the Auditor Controller.

ADOPTED, SIGNED, AND APPROVED this 16th day of July, 2019.

BOARD OF EDUCATION OF THE NEWPORT-MESA
UNIFIED SCHOOL DISTRICT ACTING AS THE
LEGISLATIVE BODY OF COMMUNITY FACILITIES
DISTRICT NO. 90-1

By: _____
President

By: _____
Clerk

CLERK'S CERTIFICATE

I, Dana Black, Clerk of the Board of Education of the Newport-Mesa Unified School District, hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted at a regular meeting place thereof on the 16th day of July, 2019, of which meeting all of the members of said Board of Education had due notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

An agenda of said meeting was posted at least 72 hours before said meeting at Costa Mesa, California, a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing resolution is a full, true, and correct copy of the original resolution adopted at said Board meeting and entered in said minutes; and that said resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

Date: July 16, 2019

Clerk of the Board of Education
of the Newport-Mesa Unified School District