



Dr. Kirk Nicholas
Superintendent

Governing Board Members
Mr. David Pombo, President – Mr. Matthew D. Balzarini, Clerk
Mr. Colin Clements – Ms. Anne Goodrich – Ms. Sharon Lampel

Special Meeting Agenda

District Office – Board Room
111 S. De Anza Blvd., Mountain House, CA 95391
November 6, 2017
6:15 P.M. – Special Meeting

- I. Call to order at _____ A.M.
- II. Pledge of Allegiance – Mr. David Pombo, Board President
- III. Roll Call: Matthew Balzarini ____; Colin Clements ____; Anne Goodrich ____; Sharon Lampel ____; David Pombo ____; Student Board Member: Simran Gunsi ____.
- IV. Approval and/or Corrections to the Agenda:
MOTION BY:_____; SECOND BY:_____; AYES:_____; NOES:_____; ABSENT:_____.
- V. Receiving of Public Comments: (The Board shall give members of the public an opportunity to address the Board either before or during the Board’s consideration of each agenda item (Gove. Code Section 54954.3). At a time so designated on the agenda, members of the public also may bring before the Board, matters that are not listed on the agenda of a regular meeting. The Board may refer such a matter to the Superintendent or designee or take it under advisement, but shall not take action at that time. The Board may place the matter on the agenda of a subsequent meeting for discussion or action. Presentations by the public shall be held to a reasonable length, normally not to exceed three (3) minutes).
- VI. Action Items:
 - A. Consider/Approval of Governing Board Resolution #17-18-03 of Intention to Annex Territory to Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House Facilities) and to Authorize the Levy of Special Taxes Therein..... P. 2
MOTION BY:_____; SECOND BY:_____; AYES:_____; NOES:_____; ABSENT:_____.
- VII. Adjournment of the Special Meeting of the Lammersville Unified School District, November 6, 2017 at _____ P.M. MOTION BY:_____; SECOND BY:_____; AYES:_____; NOES:_____; ABSENT:_____.

AMERICAN WITH DISABILITIES COMPLIANCE NOTICE: In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board of Trustees meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact Mrs. Noel Balzarini at (209) 836-7400. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodation, auxiliary aids or services. DOCUMENT AVAILABILITY: Documents provided to a majority of the Governing Board regarding an open session item on this agenda, including documents distributed to the Board less than 72 hours in advance of a board meeting are available for public inspection at the front desk of the District offices located at 111 S. De Anza Blvd., Mountain House, CA 95391 during normal business hours.



LAMMERSVILLE
Unified School District

Dr. Kirk Nicholas
Superintendent

Governing Board Members

Mr. David Pombo, President – Mr. Matthew D. Balzarini, Clerk
Mr. Colin Clements – Ms. Anne Goodrich – Ms. Sharon Lampel

Date: November 6, 2017
To: Governing Board
From: Dr. Kirk Nicholas, Superintendent
Re: Action Item A. – Governing Board Resolution #17-18-03 Declaring the Intention to Annex Territory to Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities) and to Authorize the Levy of Special Taxes

Background:

The Governing Board of the Lammersville Joint Unified School District (the “District”) previously conducted proceedings under the Mello-Roos Community Facilities Act of 1982 (the “Act”) to form:

- Lammersville School District Community Facilities District No. 2002 (Mountain House) (the “CFD”)
- Improvement Area No. 1 of the Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities) (“Improvement Area No. 1”)
- Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities) (Future Annexation Area) (the “Future Annexation Area”)

At the time that the District established the CFD, Improvement Area No. 1 and Future Annexation Area, the Governing Board authorized the levy of special taxes upon the land within Improvement Area No. 1 and the issuance of bonds secured by those special taxes for financing certain public improvements (the “Authorized Facilities”) in the aggregate principal amount of \$130,000,000.

The CFD and Improvement Area No. 1 initially included Neighborhood C. By establishing the Future Annexation Area, the District enabled certain property owners in Neighborhood D to add their properties to Improvement Area No. 1 or the CFD without extensive hearings or proceedings by the Governing Board. In mid-2017, properties owned by CalAtlantic Group, Inc., Mountain House Developers, LLC and Shea Homes Limited Partnership annexed into Improvement Area No. 1.

Also, in mid-2017, the District issued on behalf of the CFD an initial series of special tax bonds in the initial principal amount of \$34,150,000 to pay a portion of the costs of acquiring and constructing Hansen Elementary School in Neighborhood C.

The District wishes to finance other Authorized Facilities to serve the residents in the CFD, including an elementary school in Neighborhood D. For that purpose, staff has proposed that the Governing Board adopt a resolution of intention to annex into Improvement Area No. 1 properties owned by K. Hovnanian, Meritage Homes and Shea Homes Limited Partnership (the “Annexation Properties”).

Action Required:

Recommend approval of (A) Governing Board Resolution #17-18-03 authorizing the issuance of the 2017 Bonds and related actions and approving related documents and (B) Governing Board Resolution #17-18-03 determining that the Annexed Properties are annexed to Improvement Area No. 1.

If the Governing Board adopts the Resolution of Intention, the next steps include the following:

- Public hearing on the proposed annexation on December 6, 2017.
- Election of the owners of the Annexation Properties on December 6, 2017.

Petitions executed by the owners of the Annexation Properties related to the proposed annexation are on file with the Clerk of the Governing Board

Department:

Office of the Superintendent

Financial Impact:

Annexing the Annexation Properties to Improvement Area No. 1 will provide additional funding for the Authorized Facilities, including a new elementary school in Neighborhood D.

Supporting Documents:

- Governing Board Resolution #17-18-03 (Annexation)
- Petitions by owners of Annexation Properties (Filed with the Clerk on 11/6/17)

RESOLUTION NO. 17-18-03

A RESOLUTION OF INTENTION TO ANNEX TERRITORY TO LAMMERSVILLE JOINT UNIFIED SCHOOL DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2014-1 (MOUNTAIN HOUSE SCHOOL FACILITIES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

WHEREAS, this Governing Board (the "Governing Board") of the Lammersville Joint Unified School District (the "School District") has conducted proceedings to establish Community Facilities District No. 2014-1 (Mountain House School Facilities) (the "CFD") and an improvement area within the CFD designated "Improvement Area No. 1 of the Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities) ("Improvement Area No. 1") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, constituting Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"); and

WHEREAS, under the Act, this Governing Board, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD and Improvement Area No. 1, and now desires to undertake proceedings to annex territory to the CFD and Improvement Area No. 1.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. **Findings.** This Governing Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD and Improvement Area No. 1.

2. **Territory Described.** The name of the existing CFD is "Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities)." The name of Improvement Area No. 1 is "Improvement Area No. 1 of the Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities)."

The territory included in the existing CFD and Improvement Area No. 1 is set forth in (i) the map of the CFD and Improvement Area No. 1 heretofore recorded as Document No. 2014-047627 in the office of the County Recorder for the County of San Joaquin, State of California on May 14, 2014, in Book 6 at Page 51 of Maps of Assessment and Community Facilities Districts and (ii) the Annexation Map No. 1 (Annexation Nos. 1-3) ("Annexation Map No. 1"), reference to which maps is hereby made.

The territory now proposed to be annexed to the CFD and Improvement Area No. 1 is as shown on the Amended Annexation Map No. 2 for the Annexation No. 4 (Villages D1-D6) (the "Annexation Map") to the CFD and Improvement Area No. 1, on file with the Clerk of the Governing Board, the boundaries of which territory are hereby approved and to which map reference is hereby made for further particulars. The Clerk of the Governing Board is hereby directed to cause to be recorded such Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of San Joaquin within fifteen days of the date of adoption of this resolution. The Clerk of the Governing Board is further hereby directed to cause to be recorded Annexation Map No. 1, showing the territory to be annexed, in the office of the

County Recorder of the County of San Joaquin within fifteen days of the date of adoption of this resolution.

3. **The Facilities.** The types of public facilities financed by the CFD and Improvement Area No. 1 and pursuant to the Act consist of those facilities (the "Facilities") described in Exhibit A to the Governing Board's Resolution No. 13-14-19, which was adopted on June 18, 2014 (the "Resolution of Formation"). It is presently intended that the Facilities will be shared, without preference or priority, between the existing territory in Improvement Area No. 1 and the territory proposed to be annexed to Improvement Area No. 1.

4. **Special Tax.** Except to the extent that funds are otherwise available to the CFD from Improvement Area No. 1 to pay for the Facilities, a special tax sufficient to pay the costs thereof is intended to be levied annually within Improvement Area No. 1, and collected in the same manner as ordinary *ad valorem* property taxes.

The existing rate and method of apportionment of special tax (the "Rate and Method") among the parcels of real property within the existing territory of Improvement Area No. 1, as described in Exhibit B to the Resolution of Formation, will not be altered in connection with the proposed annexation.

The proposed rate and method of apportionment of the special tax among the parcels of real property within Improvement Area No. 1, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to Improvement Area No. 1 to estimate the maximum amount such owner will have to pay, are described in the Rate and Method.

5. **Hearing.** Wednesday, December 6, 2017 at 7:00 p.m. or as soon as possible thereafter, in this Governing Board's Board Room, 111 S. De Anza Blvd., Mountain House, California, be, and the same are hereby appointed and fixed as the time and place when and where this Governing Board, as legislative body for the CFD, will conduct a public hearing on the matters described in this Resolution.

6. **Notice.** The Clerk of the Governing Board is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD, including the area to be annexed to the CFD. The publication of said notice shall be completed at least seven days before the date herein set for said hearing. Such notice shall be substantially in the form specified in Section 53339.4 of the Act, with a summary form specifically authorized.

7. **Effective Date.** This Resolution shall take effect upon its adoption.

* * * * *

PASSED AND ADOPTED at a special meeting of the Governing Board of Lammersville Joint Unified School District on the 6th day of November, 2017, by the following roll call vote:

Governing Board: Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

Roll Call Matthew Balzarini _____; Colin Clements _____; Anne Goodrich _____;

Sharon Lampel _____; David Pombo _____

ATTEST ON THIS DAY BY THE PRESIDENT AND CLERK (OR SECRETARY) OF THE BOARD:

President
Governing Board
Lammersville Joint Unified School District

Clerk
Governing Board
Lammersville Joint Unified School District

