

**RESOLUTION NO. 05-7**

**RESOLUTION OF CONSIDERATION TO ALTER THE RATE AND METHOD OF  
APPORTIONMENT OF SPECIAL TAXES**

**FORT ORD REUSE AUTHORITY  
BASEWIDE COMMUNITY FACILITIES DISTRICT**

**WHEREAS**, on January 18, 2002, the Board of Directors of the Fort Ord Reuse Authority (the "Authority") adopted Resolution No. 02-1 forming the Fort Ord Reuse Authority Basewide Community Facilities District (the "District"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"); and

**WHEREAS**, since the date of formation of the District, Authority Staff have received (i) request from the President of the California State University, Monterey Bay, that certain housing units intended for employees of the University be subject to reduced special tax levies under the Rate and Method of Apportionment of Special Taxes for the District (the "RMA"), and (ii) requests from the development community that the RMA be altered to allow credits for special taxes otherwise due in respect of public facilities eligible for funding by the District that are otherwise constructed by or on behalf of a property owner and dedicated to a public agency prior to the levy of special taxes under the RMA on property owned by the respective property owner; and

**WHEREAS**, the Board of Directors of the Authority now desires to commence proceedings under the Act to alter the RMA as generally described above and more particularly set forth in Exhibit A to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Fort Ord Reuse Authority as follows:

1. The Board of Directors of the Fort Ord Reuse Authority (the "Board of Directors") hereby finds and determines that public convenience and necessity require that the rate and method of apportionment of the special tax authorized to be levied within the District (referred to herein as the "RMA") be altered.

2. The name of the District is "Fort Ord Reuse Authority Basewide Community Facilities District."

3. The territory included in the District is as shown on the map of the District recorded in Book 4 of Maps of Assessment and Community Facilities Districts at Page 46, in the office of the County Recorder for the County of Monterey, State of California, which map is the final boundary map of the District.

4. The RMA is proposed to be altered as set forth in Exhibit A attached hereto which Exhibit is, by this reference, incorporated herein. The RMA, as so altered, is in sufficient detail to allow any landowner within the District to estimate the maximum amount of special taxes such owner will have to pay.

5. Friday, July 8, 2005 at 4:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of the Board of Directors, FORA Conference Facility (also known as the Monterey Bridge Center), 201 13<sup>th</sup> Street, Building 2925, Marina, California, be, and the same are hereby appointed and fixed as the time and place when and where the Board of Directors, as legislative body for the District, will conduct a public hearing on the proposed alteration of the RMA.

6. The Clerk of the Board is hereby directed to cause a notice of the public hearing, in a form prepared by Bond Counsel, to be published one time in a newspaper published in the area of the District. The publication of the notice shall be completed at least seven days before the date set for the public hearing.

7. This Resolution shall take effect from and after its adoption.

**PASSED AND ADOPTED** at a meeting of the Board of Directors of the Fort Ord Reuse

Authority this 13th day of May 2005, by the following vote:

**AYES: 12: Board Members Albert, Pendergrass, Costello, Calcagno, Smith,  
Morrison, Mettee-McCutchon, Russell, Rubio, McCloud, Mancini, and Potter**


**NOES: -0-**

**ABSTAIN: -0-**

**ABSENT: 1: Board Member Sanchez**

I, ILA METTEE-MCCUTCHON, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered in the minutes hereof in Item 6a, page 2 of the duly approved minutes dated May 13, 2005.

DATED: 6/6/05

By: 

ILA METTEE-MCCUTCHON,  
Chair, Board of Directors  
Fort Ord Reuse Authority

06006.02:J8137  
5/31/05

## CERTIFICATE OF AUTHORITY

I hereby certify that the attached Fort Ord Reuse Authority ("FORA") Resolution No. 05-7 is a true, accurate, and complete copy of the original, which was adopted unanimously by the FORA Board of Directors on May 13, 2005, where I served as witness to the proceedings. The original resolution is kept in the FORA Resolution Book, which is located in the FORA office at 100 12<sup>th</sup> Street, Building 2880, Marina, California 93933.

Date: 6/7/05

By: Linda L. Stiehl  
Linda L. Stiehl  
Clerk to the Board  
Fort Ord Reuse Authority