

BOWIE, ARNESON, WILES & GIANNONE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW

ALEXANDER BOWIE*
JOAN C. ARNESON
WENDY H. WILES*
PATRICIA B. GIANNONE
ROBERT E. ANSLOW
BRIAN W. SMITH
JEFFREY A. HOSKINSON
MEGAN V. WATT
DANIELE D. LE
LAWRENCE K. CHAN
TYLER B. DOCKINS

4920 CAMPUS DRIVE
NEWPORT BEACH, CALIFORNIA 92660
(949) 851-1300

(800) 649-0997
FAX (949) 851-2014

REF. OUR FILE
3003 D 1.1

*A PROFESSIONAL CORPORATION

CAPISTRANO UNIFIED SCHOOL DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2005-1

CALENDAR OF EVENTS FOR SUPPLEMENTAL SPECIAL TAX REVISION
PROCEEDINGS FOR CONSIDERATION OF REDUCING
SPECIAL TAXES OF
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (WHISPERING HILLS)
UNDER MELLO-ROOS COMMUNITY
FACILITIES ACT OF 1982

COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS)

Date

Action

March 8, 2011

Board Meeting.

Board, acting as the Legislative Body of CFD No. 2005-1 adopts Resolution to initiate the Supplemental S/T Revision Proceedings for Consideration of Reducing the Special Taxes of CFD No. 2005-1 and calls a Public Hearing for April 11, 2011.

[GOVERNMENT CODE § 53331].

March 28, 2011

Agenda deadline for April 11, 2011, Board meeting.

April 4, 2011

Last day for publication of Notice of Public Hearing for Consideration of Reducing Rate and Method of Apportionment and Reducing the Levy of Special Taxes in the *Orange County Register*.

[GOVERNMENT CODE §53322, 53335].

BOWIE, ARNESON, WILES & GIANNONE

CALENDAR OF EVENTS FOR CONSIDERATION OF REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS)

Date

Action

April 11, 2011

Public Hearing and Board Meeting.

Board, acting as the Legislative Body of CFD No. 2005-1 holds Public Hearing and adopts Resolution Continuing the Public Hearing relative to the Supplemental S/T Revision Proceedings to May 9, 2011.

[GOVERNMENT CODE § 53336].

April 12, 2011

Post Notice of Continued Public Hearing at the District's normal posting locations freely accessible to the public.

[GOVERNMENT CODE § 54955.1].

Mail Notice of Continued Public Hearing to each Landowner Voter regarding proposed amendment to CFD No. 2005-1.

[GOVERNMENT CODE § 53322.4].

April 25, 2011

Agenda deadline for May 9, 2011, Board Meeting.

April 27, 2011

Board meets in Closed Session to perform review of the following:

- Calendar of Events for Supplemental Special Tax Revision Proceedings;
- Settlement Agreement;
- First Amended Joint Community Facilities Agreement; and
- First Amended Mitigation Agreement (collectively, "Agreements").

May 2, 2011

Last day for publication of Notice of Continued Public Hearing for Consideration of Reducing Rate and Method of Apportionment and Reducing the Levy of Special Taxes in the *Orange County Register*.

[GOVERNMENT CODE §53322, 53335].

BOWIE, ARNESON, WILES & GIANNONE

CALENDAR OF EVENTS FOR CONSIDERATION OF REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS)

Date

Action

May 9, 2011

Public Hearing and Board Meeting.

Board of the Capistrano Unified School District approves and authorizes execution of the Agreements.

Board, acting as the Legislative Body of CFD No. 2005-1 approves and authorizes execution of:

- First Amended Mitigation Agreement, and
- First Amended Joint Community Facilities Agreement.

Subsequent to the City of Capistrano's authorization and execution of the First Amended Joint Community Facilities Agreement, the above Agreements will be executed by the Capistrano Unified School District and CFD No. 2005-1, as applicable (see item for May 18, 2011, below).

Board, acting as the Legislative Body of CFD No. 2005-1 holds Public Hearing and adopts Resolution Continuing the Public Hearing relative to the Supplemental S/T Revision Proceedings to June 13, 2011.

[GOVERNMENT CODE § 53336].

May 10, 2011

Post Notice of Continued Public Hearing at the District's normal posting locations freely accessible to the public.

[GOVERNMENT CODE § 54955.1].

May 17, 2011

City Council Meeting of the City of San Juan Capistrano.

The City of San Juan Capistrano approves, authorizes, and executes the First Amended Joint Community Facilities Agreement.

May 18, 2011

Landowner, Whispering Hills, Capistrano Unified School District, and CFD No. 2005-1 execute the above Agreements, as applicable.

BOWIE, ARNESON, WILES & GIANNONE

CALENDAR OF EVENTS FOR CONSIDERATION OF REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS)

<u>Date</u>	<u>Action</u>
May 19, 2011	Waiver and Consent forms are mailed to each Landowner Voter in CFD No. 2005-1. [GOVERNMENT CODE §§ 53326, 53327(b)]. Mail Notice of Continued Public Hearing to each Landowner Voter regarding proposed amendment to CFD No. 2005-1. [GOVERNMENT CODE § 53322.4].
May 26, 2011	Proof of landownership and executed Waiver and Consent forms are provided from Landowner Voter within CFD No. 2005-1. [GOVERNMENT CODE § 53326].
May 27, 2011	Agenda deadline for June 13, 2011, Board Meeting.
May 31, 2011	David Taussig & Associates (“DTA”) verifies Landowners, current APNs, and acreage per APN. File First Amended CFD Report with the Board. [GOVERNMENT CODE § 53321.5].
June 6, 2011	Last day for publication of Notice of Continued Public Hearing for Consideration of Reducing Rate and Method of Apportionment and Reducing the Levy of Special Taxes in the <i>Orange County Register</i> . [GOVERNMENT CODE §§53322, 53335].
June 13, 2011	<u>Public Hearing and Board Meeting.</u> Board, acting as the legislative body of CFD 2005-1, conducts public hearing relative to the Supplemental S/T Revision Proceedings. [GOVERNMENT CODE § 53336]. Assuming the owners of one-half or more of the area of the land in CFD No. 2005-1 do not file special tax written protests, the Board, acting as the Legislative Body of CFD No. 2005-1 takes the following actions: [GOVERNMENT CODE § 53336, 53337].

BOWIE, ARNESON, WILES & GIANNONE

CALENDAR OF EVENTS FOR CONSIDERATION OF REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS)

Date

Action

Adopts Resolution determining no majority protest and calls an election regarding changing the rate and method of apportionment, reducing the levy of special taxes and submitting such changes to the qualified voter(s) of CFD No. 2005-1.

[GOVERNMENT CODE §§ 53326, 53338].

Special Tax Election is conducted and Special Election Official declares the results.

[GOVERNMENT CODE §§ 53326, 53327].

Board, acting as the Legislative Body of CFD No. 2005-1 adopts Resolution Canvassing Election Results.

[GOVERNMENT CODE §§ 53328, 53338(b)].

Board, acting as the Legislative Body of CFD No. 2005-1 adopts Resolution to amend the rate and method of apportionment in accordance with the Supplemental S/T Revision Proceedings.

[GOVERNMENT CODE § 53338(b)].

Board, acting as the Legislative Body of CFD No. 2005-1 conducts first reading of Ordinance Changing the Rate or Method of Apportionment and Reducing the Levy of Special Taxes.

[GOVERNMENT CODE § 36900, *et seq.*].

June 15, 2011

File Notice of Amended Special Tax Lien with County Recorder.

[GOVERNMENT CODE § 53328.3 and STREETS AND HIGHWAYS CODE § 3114.5(b)].

June 27, 2011

Agenda deadline for July 11, 2011, Board meeting.

On or before July 6, 2011

Post copy of proposed Ordinance in Administrative Office of School District at least five (5) days prior to Board meeting date.

[Government Code Sections 36933(c)(1)].

BOWIE, ARNESON, WILES & GIANNONE

CALENDAR OF EVENTS FOR CONSIDERATION OF REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES
DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS)

<u>Date</u>	<u>Action</u>
July 11, 2011	<u>Board Meeting.</u> Board, acting as the Legislative Body of CFD No. 2005-1 Conducts Second reading of Ordinance and adopts the Ordinance. [GOVERNMENT CODE § 36900, <i>et seq.</i>].
July 13, 2011	Last date to commence any action or proceeding to void or set aside the change to the Rate and Method of Apportionment and the reduction of the levy of Special Taxes. [GOVERNMENT CODE § 53359].
July 26, 2011	Deadline to publish and post summary of adopted Ordinance. [GOVERNMENT CODE § 36933(c)(1)].
August 11, 2011	Ordinance becomes effective. [GOVERNMENT CODE § 36937].
August 11, 2011	Effective Date of the Agreements.