

RESOLUTION NUMBER 5778

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2021-1 (AVION POINTE/ACACIA) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF SPECIAL TAXES THEREIN, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

WHEREAS, the City Council (the “Council”) of the City of Perris, California (the “City”), in its capacity as the legislative body of Community Facilities District No. 2021-1 (Avion Pointe/Acacia) of the City of Perris (the “District”), called and duly held an election in the District pursuant to Resolution Number 5777 (“the Resolution Calling Election”) for the purpose of presenting to the qualified electors within the District, a proposition for the levy of special taxes (the “Proposition”) in accordance with the respective method set forth in Exhibit “A” to Resolution Number 5776 (the “Resolution of Formation”), the issuance of bonded indebtedness, and establishment of the appropriation limit; and

WHEREAS, the landowners of record within the District, as of the close of the public hearing held on March 30, 2021, unanimously consented to a waiver of the time limits for setting the election and a waiver of any written analysis, arguments or rebuttals as set forth in California Government Code sections 53326 and 53327. Such waivers are set forth in written certificates executed by the landowners which are on file with the City Clerk, as the election official (the “Election Official”) concurring therein; and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the “Act”), the special election was held on March 30, 2021; and

WHEREAS, there has been presented to the Council a Certificate of the Election Official as to the results of the canvass of the election returns (the “Certificate of the Election Official”), a copy of which is attached hereto as Exhibit “A” and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris acting as the Legislative Body of the Community Facilities District No. 2021-1 (Avion Pointe/Acacia) of the City of Perris, as follows:

Section 1. The above recitals are all true and correct.

Section 2. The canvass of the votes cast in the District at the special election held in the District on March 30, 2021, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. The Proposition presented to the qualified electors of the District for receipt by the Election Official on March 30, 2021, has received a unanimous vote of the

qualified electors voting at said election, and the Propositions has carried. The Council is hereby authorized to take the necessary steps to levy the special taxes authorized by the Proposition on the property within the District, and to issue, from time to time as it determines appropriate, bonds for the benefit of the District secured by such special taxes.

Section 4. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Council hereby establishes the following accountability measures pertaining to the levy of the special taxes on the District described in Section 3 above:

(i) Such special taxes shall be levied for the specific purposes set forth in the Proposition described in Section 3 hereof.

(ii) The proceeds of the levy of such special taxes shall be applied only to the specific purposes set forth in the Proposition described in Section 3 hereof.

(iii) The District shall establish an account or accounts into which the proceeds of such special taxes shall be deposited.

(iv) The City Manager or the City Finance Director/Treasurer, or their designee, acting for and on behalf of the District, shall annually file a report with the Council as required pursuant to Government Code Section 50075.3.

Section 5. This Resolution shall take effect immediately upon its adoption.

Section 6. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

ADOPTED, SIGNED and APPROVED this 30th day of March, 2021.

Michael M. Vargas, Mayor

ATTEST:

Nancy Salazar, City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 5778 was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 30th day of March, 2021, and that it was so adopted by the following vote:

AYES: CORONA, RABB, ROGERS, MAGAÑA, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

By: _____
Nancy Salazar, City Clerk

EXHIBIT A

CITY OF PERRIS, CALIFORNIA

**COMMUNITY FACILITIES DISTRICT NO. 2021-1 (AVION POINTE/ACACIA)
OF THE CITY OF PERRIS**

**CERTIFICATE OF THE ELECTION OFFICIAL
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PERRIS)

I, Nancy Salazar, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of Community Facilities District No. 2021-1 (Avion Pointe/Acacia) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on March 30, 2021, held in

**COMMUNITY FACILITIES DISTRICT NO. 2021-1 (AVION POINTE/ACACIA)
OF THE CITY OF PERRIS**

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots cast within the property within Community Facilities District No. 2021-1 (Avion Pointe/Acacia) of the City of Perris for the proposition, and the totals of the respective columns and the totals as shown for the proposition are full, true and correct.

WITNESS my hand and Official Seal this 30th day of March, 2021.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2021-1 (AVION
POINTE/ACACIA) OF THE CITY OF PERRIS

By: _____
Nancy Salazar, City Clerk

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(AVION POINTE/ACACIA) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
March 30, 2021**

| | <u>Qualified Landowner Votes</u> | <u>Votes Cast</u> | <u>YES</u> | <u>NO</u> |
|---|--------------------------------------|-----------------------|------------|-----------|
| City of Perris, Community Facilities District No. 2021-1 (Avion Pointe/Acacia) of the City of Perris, Special Election March 30, 2021 | <u>23</u> | <u>23</u> | <u>23</u> | <u>0</u> |

PROPOSITION A SUBMITTED TO VOTE OF VOTERS: Shall the measure entitled Proposition A authorizing Community Facilities District No. 2021-1 (Avion Pointe/Acacia) of the City of Perris (the “CFD”) to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$5,000,000 at interest rates not to exceed the maximum rate permitted by law to finance the authorized facilities and incidental expenses; levy a special tax of up to \$2,446 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for the CFD, raising approximately \$231,188 annually, plus permitted adjustments, for forty (40) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit for the CFD in an amount of \$5,000,000, all as specified in the City of Perris’ Resolution Nos. 5756 and 5757 adopted on February 9, 2021 and Resolution calling the election adopted on March 30, 2021 be adopted

Dated: March 30, 2021

Nancy Salazar, City Clerk and Election Officer