

RESOLUTION NUMBER 4800

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF SPECIAL TAXES WITHIN SAID DISTRICT, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

The City Council of the City of Perris, California (the "City Council"), in its capacity as the legislative body (the "Legislative Body") of the Community Facilities District No. 2014-1 (Avelina) of the City of Perris (the "District"), does hereby resolve as follows:

WHEREAS, the Legislative Body called and duly held an election in Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 ("Improvement Areas") of the District pursuant to Resolution Number 4799 (the "Resolution Calling Election") for the purpose of presenting to the qualified electors within Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3, of the District, propositions for the levy of special taxes ("Proposition A", "Proposition B", and Proposition "C", respectively) in accordance with the respective method set forth in Exhibit "A" to Resolution Number 4797 (the "Resolution of Formation") and the issuance of bonded indebtedness; and

WHEREAS, the landowners of record within Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District as of the close of the public hearing held on January 13, 2015, 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 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 January 13, 2015; and

WHEREAS, there has been presented to this Legislative Body 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".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES RESOLVE AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The canvass of the votes cast in the District at the special election held in Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 on

January 13, 2015, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. Propositions A, B, and C presented to the qualified electors of the District for receipt by the Election Official on January 13, 2015, have each received a unanimous vote of the qualified electors voting at said elections, and Propositions A, B and C have carried. The Legislative Body is hereby authorized to take the necessary steps to levy the special taxes authorized by Proposition A, Proposition B, and Proposition C on the Property within Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3, respectively, 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 Board hereby establishes the following accountability measures pertaining to the levy of the CFD of the Special Taxes described in Section 3 above:

A. Such Special Taxes shall be levied for the specific purposes set forth in the Propositions described in Section 3 hereof.

B. The proceeds of the levy of such Special Taxes shall be applied only to the specific purposes set forth in the Propositions described in Section 3 hereof.

C. The CFD shall establish an account or accounts into which the proceeds of such Special Taxes shall be deposited.

D. The City Manager, or his or her designee, acting for and on behalf of the CFD, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

Section 5. The City Clerk is hereby directed to enter the title of this Resolution on the minutes of the Legislative Body and to indicate the official declaration of the result of such special election.

Section 6. This Resolution shall take effect immediately upon its adoption.

Section 7. 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 13th day of January, 2015.

DARYL R. BUSCH,
MAYOR OF THE CITY OF PERRIS

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 4800 was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 13th day of January, 2015, and that it was so adopted by the following vote:

AYES: BURKE, RABB, RODRIGUEZ, ROGERS, BUSCH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

By: _____
NANCY SALAZAR, CITY CLERK

EXHIBIT A

CITY OF PERRIS, CALIFORNIA

**COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA)
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 the Community Facilities District No. 2014-1 (Avelina) 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 January 13, 2015, held in

IMPROVEMENT AREA NO. 1
COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA)
OF THE CITY OF PERRIS

IMPROVEMENT AREA NO. 2
COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA)
OF THE CITY OF PERRIS

IMPROVEMENT AREA NO. 3
COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA)
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 each Improvement Area of the District 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 13th day of January, 2015.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2014-1 (AVELINA) OF
THE CITY OF PERRIS

By: _____
Nancy Salazar, City Clerk

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2014-1
(AVELINA) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
January 13, 2015**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Community Facilities District No. 2014-1 (Avelina) Improvement Area No. 1 of the City of Perris, Special Election January 13, 2015				<u>0</u>

PROPOSITION A SUBMITTED TO VOTE OF VOTERS (IMPROVEMENT AREA NO. 1):

Dated: January 13, 2015

City Clerk and Election Officer

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2014-1
(AVELINA) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
January 13, 2015**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Community Facilities District No. 2014-1 (Avelina) Improvement Area No. 2 of the City of Perris, Special Election January 13, 2015				<u>0</u>

PROPOSITION B SUBMITTED TO VOTE OF VOTERS (IMPROVEMENT AREA NO. 2):

Dated: January 13, 2015

City Clerk and Election Officer

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2014-1
(AVELINA) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
January 13, 2015**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Community Facilities District No. 2014-1 (Avelina) Improvement Area No. 3 of the City of Perris, Special Election January 13, 2015				<u>0</u>

PROPOSITION C SUBMITTED TO VOTE OF VOTERS (IMPROVEMENT AREA NO. 3):

Dated: January 13, 2015

City Clerk and Election Officer