

RESOLUTION NUMBER 3391

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PERRIS VALLEY VISTAS) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF SPECIAL ELECTIONS RELATING TO THE LEVY OF A SPECIAL TAX WITHIN EACH IMPROVEMENT AREA OF 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. 2005-1 (Perris Valley Vistas) of the City of Perris (the "District"), **DOES HEREBY RESOLVE** as follows:

WHEREAS, the Legislative Body called and duly held elections in Improvement Area Nos. 1, 2, 3 and 4 (the "Improvement Areas") of the District pursuant to Resolution No. 3390 (the "Resolution Calling Election") for the purpose of presenting to the qualified electors within the District, a proposition for the levy of a special tax with respect to each of the Improvement Areas of the District ("Proposition A") in accordance with the methods set forth in Exhibits "A" to Resolution No. 3389 (the Resolution of Formation") and the issuance of bonded indebtedness; and

WHEREAS, the landowners of record within each of the Improvement Areas of the District as of the close of the public hearing held on April 12, 2005 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 elections were held on April 12, 2005; 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, BE IT RESOLVED by the City Council of the City of Perris, California, 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 elections held in the Improvement Areas of the District on April 12, 2005, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. Proposition A with respect to each of the Improvement Areas of the District presented to the qualified electors of each of the Improvement Areas the District for receipt by the Election Official on April 12, 2005, has received a unanimous vote of the qualified electors voting at said election, and Proposition A with respect to each Improvement Area has carried. The Legislative Body is hereby authorized to take the necessary steps to levy the special tax authorized by Proposition A on the property within each applicable Improvement Area, and to issue, from time to time as it determines appropriate, bonds for the applicable Improvement Area of the District secured by such special tax.

Section 4. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Legislative Body hereby establishes the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 3 above:

- A. Such Special Tax with respect to each Improvement Area shall be levied for the specific purposes set forth in Proposition A and Section 3 hereof.
- B. The proceeds of the levy of such Special Tax with respect to each Improvement Area shall be applied only to the specific purposes set forth in Section 3 hereof and Proposition A referred to therein.
- C. The District shall establish an account or accounts into which the proceeds of such Special Tax with respect to each Improvement Area shall be deposited.
- D. The City Manager or Finance Director, or his or her designee, acting for and on behalf of the District, 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 12th day of April, 2005.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3391 was duly and regularly adopted by the City Council of the City of Perris, acting as the legislative body of Community Facilities District 2005-1 (Perris Valley Vistas), at a regular meeting thereof held the 12th day of April, 2005, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey

EXHIBIT "A"
(RESOLUTION NUMBER 3391)

CITY OF PERRIS, CALIFORNIA

COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PERRIS VALLEY VISTAS)

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

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

I, MARGARET REY, 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. 2005-1 (Perris Valley Vistas) 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 April 12, 2005, held in

**COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PERRIS VALLEY VISTAS)
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 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 12th day of April, 2005.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2005-1 (PERRIS
VALLEY VISTAS) OF THE CITY OF PERRIS

By: _____
City Clerk, Margaret Rey

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PERRIS VALLEY VISTAS) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION
APRIL 12, 2005**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
Improvement Area No. 1 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris, Special Election April 12, 2005	99	99	—	—

PROPOSITION A SUBMITTED TO VOTE OF VOTERS: Shall Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris incur an indebtedness and be authorized to issue bonds in the maximum aggregate principal amount of \$17,000,000 within Improvement Area No. 1 of such District with interest at a rate or rates established at such time as the bonds are sold in one or more series at fixed or variable interest rates, however not to exceed any applicable statutory rate for such bonds, the proceeds of which will be used to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto and the payment of development fees and other fees of public agencies (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (2) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”), as provided in the Resolution of the City Council of the City of Perris establishing the Community Facilities District No. 2005-1, (Perris Valley Vistas) of the City of Perris (the “Resolution”); and shall a Special Tax be levied within Improvement Area No. 1 of said District to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of acquisition and construction of Facilities and Incidental Expenses as authorized in the Resolution; and shall an appropriations limit be established for Improvement Area No. 1 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population?

Dated: April 12, 2005

City Clerk and Election Officer

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PERRIS VALLEY VISTAS) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION
APRIL 12, 2005**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
Improvement Area No. 2 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris, Special Election April 12, 2005	57	57	—	—

PROPOSITION A SUBMITTED TO VOTE OF VOTERS: Shall Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris incur an indebtedness and be authorized to issue bonds in the maximum aggregate principal amount of \$8,500,000 within Improvement Area No. 2 of such District with interest at a rate or rates established at such time as the bonds are sold in one or more series at fixed or variable interest rates, however not to exceed any applicable statutory rate for such bonds, the proceeds of which will be used to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto and the payment of development fees and other fees of public agencies (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (2) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”), as provided in the Resolution of the City Council of the City of Perris establishing the Community Facilities District No. 2005-1, (Perris Valley Vistas) of the City of Perris (the “Resolution”); and shall a Special Tax be levied within Improvement Area No. 2 of said District to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of acquisition and construction of Facilities and Incidental Expenses as authorized in the Resolution; and shall an appropriations limit be established for Improvement Area No. 2 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population?

Dated: April 12, 2005

City Clerk and Election Officer

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PERRIS VALLEY VISTAS) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION
APRIL 12, 2005**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
Improvement Area No. 3 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris, Special Election April 12, 2005	40	40	—	

PROPOSITION A SUBMITTED TO VOTE OF VOTERS: Shall Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris incur an indebtedness and be authorized to issue bonds in the maximum aggregate principal amount of \$8,000,000 within Improvement Area No. 3 of such District with interest at a rate or rates established at such time as the bonds are sold in one or more series at fixed or variable interest rates, however not to exceed any applicable statutory rate for such bonds, the proceeds of which will be used to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto and the payment of development fees and other fees of public agencies (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (2) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”), as provided in the Resolution of the City Council of the City of Perris establishing the Community Facilities District No. 2005-1, (Perris Valley Vistas) of the City of Perris (the “Resolution”); and shall a Special Tax be levied within Improvement Area No. 3 of said District to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of acquisition and construction of Facilities and Incidental Expenses as authorized in the Resolution; and shall an appropriations limit be established for Improvement Area No. 3 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population?

Dated: April 12, 2005

City Clerk and Election Officer

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PERRIS VALLEY VISTAS) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION
APRIL 12, 2005**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
Improvement Area No. 4 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris, Special Election April 12, 2005	24	24	—	—

PROPOSITION A SUBMITTED TO VOTE OF VOTERS: Shall Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris incur an indebtedness and be authorized to issue bonds in the maximum aggregate principal amount of \$4,000,000 within Improvement Area No. 4 of such District with interest at a rate or rates established at such time as the bonds are sold in one or more series at fixed or variable interest rates, however not to exceed any applicable statutory rate for such bonds, the proceeds of which will be used to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto and the payment of development fees and other fees of public agencies (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (2) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”), as provided in the Resolution of the City Council of the City of Perris establishing the Community Facilities District No. 2005-1, (Perris Valley Vistas) of the City of Perris (the “Resolution”); and shall a Special Tax be levied within Improvement Area No. 4 of said District to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of acquisition and construction of Facilities and Incidental Expenses as authorized in the Resolution; and shall an appropriations limit be established for Improvement Area No. 4 of Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population?

Dated: April 12, 2005

City Clerk and Election Officer