

RESOLUTION NUMBER 3784

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1-S (SOUTH PERRIS PUBLIC SERVICES) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE DISTRICT, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF THE DISTRICT AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN

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

WHEREAS, the Legislative Body called and duly held an election in the District pursuant to Resolution Number 3783 adopted on October 10, 2006 ("Resolution Forming District and Calling Election") for the purpose of presenting to the qualified electors within the certain territory proposed to be included in the District (the "Property") known and designated as "Community Facilities District No. 1-S South Perris Public Services", a proposition for the levy of a special tax and the establishment of an appropriations limit ("Proposition A") in accordance with the method set forth in Exhibit "A" to Resolution Forming District and Calling Election; and

WHEREAS, the landowners of record within the Property as of the close of the public hearing held on October 10, 2006, 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 Forming District and Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"), the special election was held on October 10, 2006; 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, acting in its capacity as the Legislative Body of Community Facilities District No. 1-S (South Perris Public Services) of the City Of Perris, California, as follows:

Section 1. That the above recitals are all true and correct.

Section 2. The canvass of the votes cast in the Property to be included in the District at the special election held in the District on October 10, 2006, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. Proposition A presented to the qualified electors of the Property for receipt by the Election Official on October 10, 2006, has received a unanimous vote of the qualified electors voting at said election, and Proposition A 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.

Section 4. 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 5. The Legislative Body hereby authorizes the levy of a special tax at the Rate and Method of Apportionment set forth in Exhibit "A" to the Resolution Forming District and Calling Election. The whole of the territory within the Property shall be subject to the special tax consistent with the provisions of the Act, an Ordinance of the City Council adopted hereater (the "Ordinance") and this Resolution. The terms of the Ordinance shall be applicable to the Property.

Section 6. 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 the District 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 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 7. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Riverside a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

Section 8. This Resolution shall take effect immediately upon its adoption.

Section 9. 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 10th day of October, 2006.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3784 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 10th day of October, 2006, and that it was so adopted by the following called vote:

AYES: Landers, Motte, Rogers, Landers, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Judy L. Haughney

EXHIBIT "A"
(RESOLUTION NUMBER 3784)

CITY OF PERRIS, CALIFORNIA
COMMUNITY FACILITIES DISTRICT NO. 1-S
(SOUTH PERRIS PUBLIC SERVICES)
OF THE CITY OF PERRIS, ANNEXATION NO. 9

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, Judy L. Haughney, 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. 1-S (South Perris Public Services) 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 October 10, 2006, held in

COMMUNITY FACILITIES DISTRICT NO. 1-S (SOUTH PERRIS PUBLIC SERVICES)

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots case within the Property to be annexed to 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 10th day of October, 2006.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 1-S (SOUTH
PERRIS PUBLIC SERVICES) OF THE CITY OF
PERRIS

By: _____
City Clerk, Judy L. Haughney

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 1-S
(SOUTH PERRIS PUBLIC SERVICES)**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION
OCTOBER 10, 2006**

	Qualified Landowner <u>Votes</u>	Votes <u>Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Community Facilities District No. 1-S (South Perris Public Services) of the City of Perris, Special Election, October 10, 2006	YH Wilson LLC – 12 votes	12	12	0
	YH De Lines LLC – 18 votes	18	18	0

Shall a Special Tax be levied within Community Facilities District No. 1-S (South Perris Public Services) (the “District”) to pay for the provision of (a) fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto, (b) police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto; (c) park maintenance services, including all furnishings, equipment and supplies related thereto and (d) incidental expenses related thereto, as authorized in the Resolution establishing District and calling a special election, adopted on October 10, 2006, and shall an appropriations limit be established for Community Facilities District No. 1-S (South Perris Public Services) 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?