

RESOLUTION NO. 2017 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY) CERTIFYING THE RESULTS OF THE MARCH 28, 2017 SPECIAL TAX AND BOND ELECTIONS

Whereas, the City Council (the "City Council") of the City of Lake Elsinore (the "City") called and duly held consolidated elections on March 28, 2017 within the boundaries of Improvement Areas JJ and KK of City of Lake Elsinore Community Facilities District No. 2006-1 (Summerly) ("Community Facilities District No. 2006-1" or the "District") pursuant to Resolution Nos. _____ and _____ for the purpose of presenting to the qualified electors within each of Improvement Area JJ and Improvement Area KK of the District (the "Proposed Improvement Areas") the propositions applicable to each Proposed Improvement Area which are attached hereto as Attachments "A" and "B"; and,

Whereas, there has been presented to this City Council certificates of the City Clerk canvassing the results of the elections, copies of which are attached hereto as Attachment "C";

NOW, THEREFORE, THE CITY COUNCIL OF CITY OF LAKE ELSINORE, ACTING AS THE LEGISLATIVE BODY OF CITY OF LAKE ELSINORE COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY) HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

1. Each of the above recitals is true and correct and is adopted by the legislative body of the District.

2. Propositions A, B and C presented to the qualified electors of Improvement Area JJ of the District on March 28, 2017 were approved by more than two-thirds of the votes cast at the election held for Improvement Area JJ and Propositions A, B and C each has carried. The City Council, acting as the legislative body of the District, is hereby authorized to levy on the land within Improvement Area JJ of the District the special tax described in Proposition B for the purposes described therein and to take the necessary steps to levy the special tax authorized by Proposition B and to issue bonds in an amount not to exceed \$7,000,000 specified in Proposition A.

3. Propositions A, B and C presented to the qualified electors of Improvement Area KK of the District on March 28, 2017 were approved by more than two-thirds of the votes cast at the election held for Improvement Area KK and Propositions A, B and C each has carried. The City Council, acting as the legislative body of the District, is hereby authorized to levy on the land within Improvement Area KK of the District the special tax described in Proposition B for the purposes described therein and to take the necessary steps to levy the special tax authorized by Proposition B and to issue bonds in an amount not to exceed \$5,700,000 specified in Proposition A.

4. The City Clerk is hereby directed to record in the Office of the County Recorder within fifteen days of the date hereof a notice of special tax lien for each of Improvement Area JJ and Improvement Area KK of the District which Bond Counsel to the District shall prepare in the form required by Streets and Highways Code Section 3114.5. The City Clerk is further directed to record a notice of cancellation of special tax lien for each of Improvement Area DD and

Improvement Area GG of the District which Bond Counsel to the District shall prepare in accordance with Government Code Section 53330.5.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Lake Elsinore, California, this 28th day of March, 2017.

Robert E. Magee, Mayor

ATTEST:

Susan M. Domen, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2017-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the Regular meeting of March 28, 2017, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Susan M. Domen, MMC
City Clerk

ATTACHMENT "A"

SAMPLE

BALLOT

CITY OF LAKE ELSINORE
COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY)
(IMPROVEMENT AREA JJ)

SPECIAL TAX AND SPECIAL BOND ELECTION

March 28, 2017

This ballot represents ____ votes.

To vote, write or stamp a cross ("+" or "X") in the voting square after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the City Clerk of the City of Lake Elsinore and obtain another.

PROPOSITION A: Shall City of Lake Elsinore Community Facilities District No. 2006-1 (Summerly) (the "District") incur an indebtedness and issue bonds for Improvement Area JJ of the District in the maximum principal amount of \$7,000,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Facilities and the Facilities Incidental Expenses for Improvement Area JJ described in Resolution No. 2017-016 (the "Resolution of Intention"), adopted by the City Council of the City of Lake Elsinore, acting as the legislative body of the District?

YES_____

NO_____

PROPOSITION B: Shall a special tax with a rate and method of apportionment as provided in Attachment "B" to the Resolution of Intention, for Improvement Area JJ of the District, be levied to pay for the Facilities, Facilities Incidental Expenses, the Services and the Services Incidental Expenses (as such terms are defined in the Resolution of Intention) and other purposes described in the Resolution of Intention, including the payment of the principal of and interest on bonds issued to finance the Facilities and Facilities Incidental Expenses for Improvement Area JJ?

YES_____

NO_____

PROPOSITION C: Shall the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for the District be increased by an amount equal to \$2,000,000?

YES_____

NO_____

ATTACHMENT A

ATTACHMENT "B"

SAMPLE

BALLOT

CITY OF LAKE ELSINORE
COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY)
(IMPROVEMENT AREA KK)

SPECIAL TAX AND SPECIAL BOND ELECTION

March 28, 2017

This ballot represents ____ votes.

To vote, write or stamp a cross ("+" or "X") in the voting square after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the City Clerk of the City of Lake Elsinore and obtain another.

PROPOSITION A: Shall City of Lake Elsinore Community Facilities District No. 2006-1 (Summerly) (the "District") incur an indebtedness and issue bonds for Improvement Area KK of the District in the maximum principal amount of \$5,700,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Facilities and the Facilities Incidental Expenses for Improvement Area KK described in Resolution No. 2017-016 (the "Resolution of Intention"), adopted by the City Council of the City of Lake Elsinore, acting as the legislative body of the District?

YES_____

NO_____

PROPOSITION B: Shall a special tax with a rate and method of apportionment as provided in Attachment "C" to the Resolution of Intention, for Improvement Area KK of the District, be levied to pay for the Facilities, Facilities Incidental Expenses, the Services and the Services Incidental Expenses (as such terms are defined in the Resolution of Intention) and other purposes described in the Resolution of Intention, including the payment of the principal of and interest on bonds issued to finance the Facilities and Facilities Incidental Expenses for Improvement Area KK?

YES_____

NO_____

PROPOSITION C: Shall the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for the District be increased by an amount equal to \$1,000,000?

YES_____

NO_____

ATTACHMENT B

ATTACHMENT C

**CERTIFICATE OF CITY CLERK
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

**CITY OF LAKE ELSINORE
COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY)
(IMPROVEMENT AREA JJ)**

I, Susan M. Domen, MMC, City Clerk of City of Lake Elsinore, do hereby certify that I have examined the returns of the Special Tax and Bond Election for Improvement Area JJ of City of Lake Elsinore Community Facilities District No. 2006-1 (Summerly). The election was held in the chambers of the City Council at 183 North Main Street, Lake Elsinore, California, on March 28, 2017. I caused to be delivered a ballot to the authorized representative of each qualified elector. _____ (___) ballots were returned.

I further certify that the results of said election and the number of votes cast for and against Propositions A, B and C are as follows:

PROPOSITION A

YES: _____

NO: _____

TOTAL: _____

PROPOSITION B

YES: _____

NO: _____

TOTAL: _____

PROPOSITION C

YES: _____

NO: _____

TOTAL: _____

Dated this 28th day of March, 2017.

Susan M. Domen, MMC, City Clerk
City of Lake Elsinore

**CERTIFICATE OF CITY CLERK
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

**CITY OF LAKE ELSINORE
COMMUNITY FACILITIES DISTRICT NO. 2006-1 (SUMMERLY)
(IMPROVEMENT AREA KK)**

I, Susan M. Domen, MMC, City Clerk of City of Lake Elsinore, do hereby certify that I have examined the returns of the Special Tax and Bond Election for Improvement Area KK of City of Lake Elsinore Community Facilities District No. 2006-1 (Summerly). The election was held in the chambers of the City Council at 183 North Main Street, Lake Elsinore, California, on March 28, 2017. I caused to be delivered a ballot to the authorized representative of each qualified elector. _____ (___) ballots were returned.

I further certify that the results of said election and the number of votes cast for and against Propositions A, B and C are as follows:

PROPOSITION A

YES: _____

NO: _____

TOTAL: _____

PROPOSITION B

YES: _____

NO: _____

TOTAL: _____

PROPOSITION C

YES: _____

NO: _____

TOTAL: _____

Dated this 28th day of March, 2017.

Susan M. Domen, MMC, City Clerk
City of Lake Elsinore