

**RESOLUTION NO. 2015-65**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA  
DECLARING RESULTS OF SPECIAL LANDOWNER ELECTION AND  
DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN**

**CITY OF MARINA  
Community Facilities District No. 2015-1  
(The Dunes)**

**WHEREAS**, the City Council (this "Council") of the City of Marina (the "City") has adopted a resolution entitled "A Resolution of the City Council of the City of Marina Resolution of Formation of Community Facilities District" (the "Resolution of Formation"), ordering the formation of the "City of Marina Community Facilities District No. 2015-1 (The Dunes)" (the "CFD") and a future annexation area (the "Future Annexation Area"), defining the public services (the "Services") to be provided by the CFD, authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

**WHEREAS**, under the Resolution of Formation and a resolution entitled "A Resolution of the City Council of the City of Marina Calling Special Landowner Election" (the "Election Resolution") heretofore adopted by this Council, the propositions of the levy of the special tax and the establishment of the appropriations limit were submitted to the qualified electors of the CFD as required by the provisions of the Act.

**WHEREAS**, pursuant to the Election Resolution, which are by this reference incorporated herein, the special election has been held and the City Clerk has on file a Canvass and Statement of Results of Election, (the "Canvass") a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, this Council has been informed of the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Marina, as follows:

- 1. Recitals.** The foregoing recitals are all true and correct.
- 2. Issues Presented.** The issues presented at the special election were the levy of a special tax within the CFD and the approval of an annual appropriations limit of not to exceed \$2,000,000, all pursuant to the Resolution of Formation.
- 3. Canvass and Issues Approved.** The Council hereby approves the Canvass and finds that it shall be a permanent part of the record of its proceedings for the CFD. Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of the CFD by more than two-thirds of the votes cast at the special election.
- 4. Proceedings Approved.** Pursuant to the voter approval, the CFD is hereby declared to be fully formed with the authority to levy the special taxes and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by this Council with respect to the CFD were valid and in conformity with the Act.

**5. Notice of Tax Lien.** The City Clerk is hereby directed to complete, execute and cause to be recorded in the office of the County Recorder of the County of Monterey a notice of special tax lien in the form required by the Act, such recording to occur no later than 15 days following adoption of this resolution by the Council

**6. Effective Date.** This resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 2nd day of June, 2015, by the following roll call vote:

AYES, COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

CITY OF MARINA

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Bruce C. Delgado, Mayor

ATTESTED:

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Anita Sharp, Deputy City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly and regularly passed and adopted by the City Council of the City of Marina at a regular meeting thereof held on the 2nd day of June, 2015, and that the foregoing is a full, true and correct copy of said Resolution.

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Anita Sharp, Deputy City Clerk

**EXHIBIT A**

**CANVASS AND STATEMENT OF RESULT OF ELECTION**

**CITY OF MARINA  
Community Facilities District No. 2015-1  
(The Dunes)**

I hereby certify that on June 2, 2015, I canvassed the returns of the election held on June 2, 2015, in the City of Marina Community Facilities District No. 2015-1 (The Dunes) and the total number of ballots cast in such District and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	<b><u>Qualified Landowner Votes</u></b>	<b><u>Votes Cast</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
City of Marina Community Facilities District No. 2015-1 (The Dunes) Special Tax Election, June 2, 2015	<u>1</u>	<u>1</u>	<u>1</u>	<u>          </u>

**BALLOT MEASURE NO. 1:** Shall the City of Marina be authorized to annually levy a special tax solely on lands within the City of Marina Community Facilities District No. 2015-1 (The Dunes) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the City Council on June 2, 2015, to pay for the public services and related administrative costs specified in the Resolution of Formation, and shall the annual appropriations limit of the CFD (including any future annexations) be established in the amount of \$2,000,000?

**YES:** 1

**NO:**           

**IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND** on June 2, 2015.

By: \_\_\_\_\_  
Anita Sharp, Deputy City Clerk  
City of Marina