

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), DECLARING THE RESULTS OF A SPECIAL ELECTION IN THAT TERRITORY DESIGNATED AS COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), IMPROVEMENT AREA "C," ANNEXATION NO. 9 AND ADDING SUCH TERRITORY TO SUCH IMPROVEMENT AREA

WHEREAS, the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA (the "City Council"), has previously undertaken proceedings to annex that territory identified as Otay Ranch Village 8 West to an existing Community Facilities District and an Improvement Area designated therein pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act") and the City of Chula Vista Community Facilities District Ordinance enacted pursuant to the powers reserved by the City of Chula Vista under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California (the "Ordinance") (the Act and the Ordinance may be referred to collectively as the "Community Facilities District Law"). This Community Facilities District and the Improvement Area are referred to as COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT) (the "District") and IMPROVEMENT AREA "C," respectively, and such territory proposed to be annexed is referred to as ANNEXATION NO. 9 (the "Territory"); and,

WHEREAS, this City Council did call for and order to be held an election to submit to the qualified electors of the Territory a proposition relating to the levy of special taxes within the Territory; and,

WHEREAS, at this time said election has been held and the measure voted upon and such measure did receive the favorable 2/3's vote of the qualified electors, and this City Council desires to declare the results of the election in accordance with the provisions of the Elections Code of the State of California and to order that the Territory be added to the District and Improvement Area "C" thereof.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), DOES HEREBY RESOLVE, DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. This City Council hereby receives and approves the CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST, as submitted by the City Clerk, acting in her capacity as the Election official, said Statement setting forth the number of votes cast in the election, the measure voted upon, and the number of votes given for and/or against the

measure voted upon. A copy of said Certificate and Statement is attached hereto, marked Exhibit "A," referenced and so incorporated.

SECTION 3. The City Clerk is hereby directed, pursuant to the provisions of the Elections Code of the State of California, to enter in the minutes the results of the election as set forth in said STATEMENT OF VOTES CAST.

SECTION 4. This City Council does hereby determine and declare that the Territory is now added to and becomes a part of the District and Improvement Area "C" thereof. The City Council hereby further determines that the City Council is now authorized to levy the special taxes within the Territory as approved and authorized by the qualified electors of the Territory.

PREPARED BY:

APPROVED AS TO FORM BY:

Kelly Broughton
Director of Developmental Services

Glen R. Googins
City Attorney

(Reviewed by Warren Diven, Best, Best & Krieger)

EXHIBIT "A"

CERTIFICATE OF ELECTION OFFICIAL
AND STATEMENT OF VOTES CAST

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

The undersigned, ELECTION OFFICIAL OF THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions of Section 53326 of the Government Code and Division 12, commencing with Section 17000 of the Elections Code of the State of California, I did canvass the returns of the votes cast at the

CITY OF CHULA VISTA
COMMUNITY FACILITIES DISTRICT NO. 97-2
(PRESERVE MAINTENANCE DISTRICT)
IMPROVEMENT AREA "C"
ANNEXATION AREA NO. 9
SPECIAL ELECTION

in said City, held July 22, 2014.

I FURTHER CERTIFY that this Statement of Votes Cast shows the whole number of votes cast in the Territory of the District in said City, and the whole number of votes cast for the Measure in the Territory of the District in said City, and the totals as shown for the Measure are full, true and correct.

- I. TOTAL NUMBER OF VOTES CAST: _____
- II. VOTES CAST ON PROPOSITION A: YES _____
NO _____

WITNESS my hand and Official Seal this _____ day of _____, 2014.

CITY CLERK
ELECTION OFFICIAL
CITY OF CHULA VISTA
STATE OF CALIFORNIA