

## RESOLUTION NO. 24-\_\_\_\_\_

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF MENIFEE COMMUNITY FACILITIES DISTRICT NO. 2022-3 (LEGADO), CERTIFYING THE RESULTS OF THE NOVEMBER 6, 2024 SPECIAL ELECTION**

**WHEREAS**, the City Council of City of Menifee (the “City Council”), acting as the legislative body of Community Facilities District No. 2022-3 (Legado) of the City of Menifee (the “District”) called and duly held an election on November 6, 2024 within the boundaries of Improvement Area No. 2 (“Improvement Area No. 2”) and Improvement Area No. 3 (“Improvement Area No. 3”) of the District pursuant to Resolution No. 24-\_\_\_\_\_ for the purpose of presenting to the qualified electors within Improvement Area No. 2 the proposition attached hereto as Exhibit A and to qualified electors within Improvement Area No. 3 the propositions attached hereto as Exhibit B; and

**WHEREAS**, there has been presented to the City Council a certificate of the City Clerk canvassing the results of the election, a copy of which is attached hereto as Exhibit C.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENIFEE, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-3 (LEGADO) OF THE CITY OF MENIFEE, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

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

**Section 2.** Proposition A presented to the qualified electors of Improvement Area No. 2 on November 6, 2024 was approved by more than two-thirds of the votes cast at the election held for Improvement Area No. 2, and Proposition A has carried. The City Council is hereby authorized to levy on the land within Improvement Area No. 2 the special tax described in Proposition A for the purposes described therein and to take the necessary steps to levy the special tax authorized by Proposition A.

**Section 3.** Propositions B and C presented to the qualified electors of Improvement Area No. 3 on November 6, 2024 were approved by more than two-thirds of the votes cast at said election and Propositions 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 No. 3 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 \$28,000,000 specified in Proposition C.

**Section 4.** The City Clerk is hereby directed to record in the Office of the County Recorder within fifteen days of the date hereof an amended and restated notice of special tax lien for Improvement Area No. 2 and a notice of special tax lien for Improvement Area No. 3 which Bond Counsel to the District shall prepare in the form required by Streets and Highways Code Section 3114.5. In addition, the City Clerk is

hereby directed to record in the Office of the County Recorder a notice of cessation of special tax of Improvement Area No. 2 with respect to the property that is removed therefrom in connection with the proceedings described herein.

**PASSED, APPROVED AND ADOPTED** this the 6<sup>th</sup> day of November, 2024.

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Bill Zimmerman, Mayor

Attest:

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Stephanie Roseen, Acting City Clerk

Approved as to form:

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Jeffrey T. Melching, City Attorney

**EXHIBIT A**

**SAMPLE BALLOT**

**COMMUNITY FACILITIES DISTRICT NO. 2022-3 OF THE  
CITY OF MENIFEE (LEGADO)  
(IMPROVEMENT AREA NO. 2)  
SPECIAL ELECTION**

November 6, 2024

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 Menifee and obtain another.

PROPOSITION A: Shall a special tax with an Amended Improvement Area No. 2 Rate and Method of Apportionment as provided in Exhibit A to Resolution No. 24-\_\_ of the City Council of the City of Menifee for Improvement Area No. 2 of Community Facilities District No. 2022-3 (Legado) of the City of Menifee (the “District”) be levied to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. 22-1222, including the payment of the principal of and interest on bonds issued to finance the Facilities and Incidental Expenses for the District?

YES ☐

NO ☐

**EXHIBIT B**

SAMPLE BALLOT

COMMUNITY FACILITIES DISTRICT NO. 2022-3 OF THE  
CITY OF MENIFEE (LEGADO)  
(IMPROVEMENT AREA NO. 3)  
SPECIAL ELECTION

November 6, 2024

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 Menifee and obtain another.

PROPOSITION B: Shall a special tax with a Improvement Area No. 3 Rate and Method of Apportionment as provided in Exhibit C to Resolution No. 24-\_\_ of the City Council of the City of Menifee for Improvement Area No. 3 of Community Facilities District No. 2022-3 (Legado) of the City of Menifee (the “District”) be levied to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. 22-1222, including the payment of the principal of and interest on bonds issued to finance the Facilities and Incidental Expenses for the District?

YES ☐

NO ☐

PROPOSITION C: Shall the District incur an indebtedness and issue bonds in the maximum principal amount of \$28,000,000 for Improvement Area No. 3 therein with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Facilities and the Incidental Expenses described in Resolution No. 22-1222 of the City Council of the City of Menifee?

YES ☐

NO ☐

## EXHIBIT C

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

I, Stephanie Roseen, Acting City Clerk of the City of Menifee, do hereby certify that I have examined the returns of the Special Elections for Improvement Area No. 2 and Improvement Area No. 3 of Community Facilities District No. 2022-3 (Legado) of the City of Menifee. The elections were held in the City Council Chambers, 29844 Haun Road, Menifee, California, on November 6, 2024. I caused to be delivered ballots to each qualified elector. \_\_\_\_ (\_\_) ballots were returned.

I further certify that the results of said election and the number of votes cast for and against Proposition A for Improvement Area No. 2 are as follows:

#### PROPOSITION A

YES:

NO:

TOTAL:

I further certify that the results of said election and the number of votes cast for and against Propositions B and C for Improvement Area No. 3 are as follows:

#### PROPOSITION B

YES:

NO:

TOTAL:

#### PROPOSITION C

YES:

NO:

TOTAL:

Dated this 6<sup>th</sup> day of November, 2024.

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Stephanie Roseen, Acting City Clerk  
City of Menifee