

## RESOLUTION NO. 23-\_\_

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2023-2 (CIMARRON RIDGE) OF THE CITY OF MENIFEE CERTIFYING ELECTION RESULTS

**WHEREAS**, the City Council of the City of Menifee called and duly held elections on April 19, 2023 within the boundaries of Improvement Area No. 1 ("Improvement Area No. 1") and within the boundaries of Improvement Area No. 2 ("Improvement Area No. 2") of Community Facilities District No. 2023-2 (Cimarron Ridge) of the City of Menifee ("Community Facilities District No. 2023-2" or the "District") pursuant to Resolution Nos. 2023-\_\_ and 2023-\_\_ for the purpose of presenting to the qualified electors within Improvement Area No. 1, Propositions A, B and C, attached hereto as Attachment A, and to the qualified electors within Improvement Area No. 2, Propositions D, E and F, attached hereto as Attachment B; and

**WHEREAS**, there has been presented to this City Council a certificate of the City Clerk or Acting City Clerk (referred to herein as the "City Clerk") canvassing the results of the election within Improvement Area No. 1 and the results of the election within Improvement Area No. 2, copies of which are attached hereto as Attachment C;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Menifee, California:

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

**Section 2.** Propositions A, B and C set forth in Attachment A hereto presented to the qualified electors of Improvement Area No. 1 on April 19, 2023, were approved by more than two-thirds of the votes cast at said election 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 No. 1 the special tax described in Proposition B set forth in Attachment A hereto 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 \$10,000,000 specified in Proposition A set forth in Attachment A hereto.

**Section 3.** Propositions D, E and F set forth in Attachment B hereto presented to the qualified electors of Improvement Area No. 2 on April 19, 2023, were approved by more than two-thirds of the votes cast at said election and Propositions D, E and F 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. 2 the special tax described in Proposition E set forth in Attachment B hereto for the purposes described therein and to take the necessary steps to levy the special tax authorized by Proposition E and to issue bonds in an amount not to exceed \$15,000,000 specified in Proposition D set forth in Attachment B hereto.

**Section 4.** The City Clerk is hereby directed to record in the Assessor-County Clerk-Recorder's office of the County of Riverside within fifteen days of the date hereof a notice of special tax lien with respect to Improvement Area No. 1 and a notice of special tax lien with respect to Improvement Area No. 2, which Bond Counsel

to the District shall prepare in the form required by Streets and Highways Code Section 3114.5.

**Section 5.** This Resolution shall be effective upon its adoption.

**PASSED, APPROVED AND ADOPTED** this the 19<sup>th</sup> day of April, 2023.

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Bill Zimmerman, Mayor

Attest:

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A. Kay Vinson, Acting City Clerk

Approved as to form:

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Jeffrey T. Melching, City Attorney

**ATTACHMENT A**

**BALLOT PROPOSITIONS**

**COMMUNITY FACILITIES DISTRICT NO. 2023-2 (CIMARRON RIDGE)  
OF THE CITY OF MENIFEE**

**IMPROVEMENT AREA NO. 1**

**SPECIAL TAX AND SPECIAL BOND ELECTION**

**April 19, 2023**

PROPOSITION A: Shall Community Facilities District No. 2023-2 (Cimarron Ridge) of the City of Menifee (the "District") incur an indebtedness and issue bonds in the maximum principal amount of \$10,000,000 for Improvement Area No. 1 therein (the "Improvement Area") 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. 23-1296 of the City Council of the City of Menifee?

YES \_\_\_\_\_

NO \_\_\_\_\_

PROPOSITION B: Shall a special tax with a rate and method of apportionment for the Improvement Area as provided in Resolution No. 23-1296 of the City Council of the City of Menifee be levied to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. 23-1296, including the payment of the principal of and interest on bonds issued by the District for the Improvement Area to finance the Facilities and Incidental Expenses?

YES \_\_\_\_\_

NO \_\_\_\_\_

PROPOSITION C: For each year commencing with Fiscal Year 2023-2024, shall the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for Community Facilities District No. 2023-2 be an amount equal to \$7,500,000?

YES \_\_\_\_\_

NO \_\_\_\_\_

**ATTACHMENT B**

**BALLOT PROPOSITIONS**

**COMMUNITY FACILITIES DISTRICT NO. 2023-2 (CIMARRON RIDGE)  
OF THE CITY OF MENIFEE**

**IMPROVEMENT AREA NO. 2**

**SPECIAL TAX AND SPECIAL BOND ELECTION**

**April 19, 2023**

PROPOSITION D: Shall Community Facilities District No. 2023-2 (Cimarron Ridge) of the City of Menifee (the "District") incur an indebtedness and issue bonds in the maximum principal amount of \$15,000,000 for Improvement Area No. 2 therein (the "Improvement Area") 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. 23-1296 of the City Council of the City of Menifee?

YES \_\_\_\_\_

NO \_\_\_\_\_

PROPOSITION E: Shall a special tax with a rate and method of apportionment for the Improvement Area as provided in Resolution No. 23-1296 of the City Council of the City of Menifee be levied to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. 23-1296, including the payment of the principal of and interest on bonds issued by the District for the Improvement Area to finance the Facilities and Incidental Expenses?

YES \_\_\_\_\_

NO \_\_\_\_\_

PROPOSITION F: For each year commencing with Fiscal Year 2023-2024, shall the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for Community Facilities District No. 2023-2 be an amount equal to \$7,500,000?

YES \_\_\_\_\_

NO \_\_\_\_\_

## ATTACHMENT C

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

I, A. Kay Vinson, Acting City Clerk of the City of Menifee, do hereby certify that I have examined the returns of the Special Tax and Bond Election for Improvement Area No. 1 of Community Facilities District No. 2023-2 (Cimarron Ridge) of the City of Menifee (the "City"). The election was held in the City Council Chambers, 29844 Haun Road, Menifee, California, on April 19, 2023. 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 Propositions A, B and C for Improvement Area No. 1 are as follows:

<u>PROPOSITION A</u>	<u>PROPOSITION B</u>	<u>PROPOSITION C</u>
YES:	YES:	YES:
NO:	NO:	NO:
TOTAL:	TOTAL:	TOTAL:

I further certify that I have examined the returns of the Special Tax and Bond Election for Improvement Area No. 2 of Community Facilities District No. 2023-2 (Cimarron Ridge) of the City. The election was held in the City Council Chambers, 29844 Haun Road, Menifee, California, on April 19, 2023. 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 Propositions D, E and F for Improvement Area No. 2 are as follows:

<u>PROPOSITION D</u>	<u>PROPOSITION E</u>	<u>PROPOSITION F</u>
YES:	YES:	YES:
NO:	NO:	NO:
TOTAL:	TOTAL:	TOTAL:

Dated this 19<sup>th</sup> day of April, 2023.

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A. Kay Vinson  
Acting City Clerk  
City of Menifee