

RESOLUTION No. 2015 - ____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO CALLING SPECIAL MAILED-BALLOT
ELECTION

COMMUNITY FACILITIES DISTRICT No. 15

WHEREAS, on October 29, 2015, the Council of the City of Fresno adopted its Resolution of Intention to Establish the City of Fresno Community Facilities District No. 15 ("CFD No. 15") and to Authorize the Levy of Special Taxes ("Resolution of Intention"); and

WHEREAS, the Resolution of Intention identified the services to be provided by CFD No. 15 and provided an estimate of the cost of providing those services; and

WHEREAS, the Resolution of Intention contemplated the imposing a special tax upon those real properties within CFD No. 15 receiving said services; and

WHEREAS, a report has been filed with the City Clerk of the City of Fresno that describes the proposed rate and method of apportionment of the special tax among the parcels of real properties within CFD No. 15 in sufficient detail to allow all interested parties to estimate the maximum amount each property owner must pay; and

WHEREAS, the levy of said proposed special tax shall be subject to the approval of the qualified electors of the real properties within CFD No. 15 at a special election.

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

1. The levy of a special tax proposed in CFD No. 15 shall be submitted to the voters pursuant to the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3 of the Fresno Municipal Code ("City Law").

2. The setting of the appropriations limit shall be submitted to the voters pursuant to Section 53325.7 of the California Government Code.

3. The two ballot items described above shall be combined into a single ballot measure pursuant to City Law. The ballot language shall be as shown on the ballot form attached as Exhibit "A," which ballot form is hereby approved.

4. This Council accepts the Certificate of the Public Works Director filed in these proceedings and, based on the Certificate, finds that there are twelve owners, consisting of three individuals and eleven entities within the boundaries of CFD No. 15. Accordingly, under City Law the voters in this election shall be the landowners owning land within CFD No. 15.

5. The Council further finds that the landowners of record owning property within CFD No. 15 are those set forth in the attachment to the Certificate of the Public Works Director and that the attachment correctly sets forth how much property owned by each landowner and the number of votes to which each is entitled.

6. Accordingly, this Council calls the special election described herein and sets February 19, 2016 as Election Day. Pursuant to City Law, the election shall be conducted by mailed ballot.

7. The City Clerk is directed to mail or to deliver the ballots, in the form of

Exhibit "A" hereto, to the landowners shown on the attachment to the Certificate of the Public Works Director. The City Clerk shall fill in the names of the landowners and the number of votes to be cast on each ballot, according to the Certificate of the Public Works Director, before delivery or mailing.

8. The City Clerk shall accept personal or mail delivery of the ballots at any time up to 8 p.m. on February 19, 2016. Upon receipt of all eligible ballots, however, the City Clerk shall immediately close the election and declare the results to the City Council.

9. This Resolution shall supersede and replace Resolution No. 2015-216.

Attachments:

Exhibit A – Special Mailed-Election Ballot

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the day of _____, 2015.

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Raj Singh Badhesha, Deputy

EXHIBIT A

[Replace this page with Exemplar Ballot]