

RESOLUTION NO. 2018-092

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA DECLARING THE RESULTS OF THE SPECIAL ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2016-3 (MAINTENANCE SERVICES) OF THE CITY OF CORONA ON THE PROPOSITION OF THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE TERRITORY PROPOSED TO BE ANNEXED TO SAID COMMUNITY FACILITIES DISTRICT TO PAY THE COSTS OF CERTAIN SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT, DETERMINING THAT THE TERRITORY PROPOSED TO BE ANNEXED IS ADDED TO AND PART OF SAID COMMUNITY FACILITIES DISTRICT WITH FULL LEGAL EFFECT (ANNEXATION NO. 6)

WHEREAS, the City Council (the "City Council") of the City of Corona (the "City") has heretofore conducted proceedings for the annexation of approximately 62.36 gross acres (16.09 net taxable acres) of land to Community Facilities District No. 2016-3 (Maintenance Services) of the City of Corona, County of Riverside, State of California (the "Community Facilities District"), including conducting a public hearing pursuant to Section 53339.5 of the Government Code; and

WHEREAS, at the conclusion of said public hearing, the City Council adopted a resolution calling a special election for September 5, 2018 and submitting to the qualified electors of the territory to be annexed to the Community Facilities District the question of levying special taxes within that territory to pay the costs of the maintenance of public landscaping, public open spaces and other similar landscaped areas officially dedicated for public use, including, but not limited to, maintenance and lighting of parks, parkways, streets, roads and open space, maintenance and operation of water quality improvements and storm drainage systems, and public street sweeping, within the Community Facilities District and in the surrounding area and the costs associated with the determination of the amount of and levy and collection of special taxes which will be levied to provide the services and costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District (the "Election Resolution"); and

WHEREAS, the City Council has received a statement from the City Clerk (the "City Clerk"), who, pursuant to the Election Resolution, was authorized to conduct such special election and act as the election official therefor, with respect to the canvass of the ballots returned in and the results of said special election, certifying that at least two-thirds of the votes cast upon the proposition submitted to the qualified electors in said special election were in favor of such proposition.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED
BY THE CITY COUNCIL OF THE CITY OF CORONA AS FOLLOWS:**

SECTION 1. **Findings.** The City Council finds that: (i) there were no registered voters residing within the territory proposed to be annexed to the Community Facilities District (the "Territory") at the time of the close of the public hearing on September 5, 2018, and pursuant to Section 53326 of the Government Code, the vote in said special election was, therefore, to be by the landowners owning land within the Territory, with each landowner having one vote for each acre or portion thereof of land that he or she owns within the Territory; (ii) since the territory proposed to be annexed to the Community Facilities District is owned by multiple owners with varying percentage interest in the property, the votes attributable to the parcel shall be allocated in proportion to the respective record ownership interest of each record owner, rounded to the nearest one-tenth of a vote; (iii) pursuant to said Section 53326 and the Election Resolution, the City Clerk distributed official ballots for the special election to Corona Associates, a general partnership, the owner of an undivided 50.01% interest in the land within the Territory, Jon Christopher Enterprises, Inc., the owner of an undivided 45.62% interest in the land within the Territory, Knowleton Partners, Inc., the owner of an undivided 1% interest in the land within the Territory, JBP, LLC, the owner of an undivided 1.69% interest in the land within the Territory, David Hunsaker, the owner of an undivided 0.84% interest in the land within the Territory, and Charles Noble, the owner of an undivided 0.84% interest in the land within the Territory, with return postage prepaid; (iii) said landowners waived the time limits for holding the special election and the election dates specified in said Section 53326, and consented to the calling and holding of said special election on September 5, 2018; (iv) said special election has been properly conducted in accordance with all statutory requirements and the provisions of the Election Resolution; (v) pursuant to said Section 53326, Corona Associates, a general partnership, as the owner of an undivided 50.01% interest in the 62.36 gross acres that comprises the Territory, was entitled to 31.2 votes, Jon Christopher Enterprises, Inc., as the owner of an undivided 45.62% interest in the 62.36 gross acres that comprises the Territory, was entitled to 28.4 votes, Knowleton Partners, Inc., as the owner of an undivided 1% interest in the 62.36 gross acres that comprises the Territory, was entitled to 0.6 votes, JBP, LLC, as the owner of an undivided 1.69% interest in the 62.36 gross acres that comprises the Territory, was entitled to 1.1 votes, David Hunsaker, as the owner of an undivided 0.84% interest in the 62.36 gross acres that comprises the Territory, was entitled to 0.5 votes, and Charles Noble, as the owner of an undivided 0.84% interest in the 62.36 gross acres that comprises the Territory, was entitled to 0.5 votes; (vi) said landowners returned their ballots to the City Clerk prior to the time set by the City Clerk for the close of the election on September 5, 2018; (vii) the ballots returned to the City Clerk by said landowners voted all votes of said landowners in favor of the proposition set forth therein; (viii) at least two-thirds of the votes cast in such special election on said proposition were in favor thereof, and pursuant to Sections 53328 and 53329 of the Government Code, said proposition carried; (ix) pursuant to Section 53339.8 of the Government Code, the City Council is authorized to determine that the Territory to be annexed has been added to and become a part of the Community Facilities District with full legal effect; and (x) the City Council is also authorized, pursuant to said Section 53339.8, to annually levy special taxes within the Territory to pay the costs of the services to be provided by the Community Facilities District.

SECTION 2. Declaration of Results. All votes voted in the special election on the proposition of the annual levy of special taxes within the Territory to pay the costs of the services to be provided by the Community Facilities District were voted in favor thereof, and such proposition carried.

SECTION 3. Annexation. The Territory is annexed and added to and is a part of the Community Facilities District with full legal effect, and the City Council shall annually levy special taxes within the Territory, as specified in Resolution No. 2018-087 adopted by the City Council on August 1, 2018, to pay costs of certain services to be provided by the Community Facilities District. The boundaries of the Territory are shown on the map entitled, Annexation Map No. 6, Community Facilities District No. 2016-3 (Maintenance Services), City of Corona, County of Riverside, State of California, which was recorded on August 8, 2018 in the office of the County Recorder of the County of Riverside as Instrument No. 2018-0318806.

SECTION 4. Pursuant to Section 53339.8 of the Government Code and Section 3117.5 of the Streets and Highways Code, the City Clerk shall cause to be filed with the County Recorder of the County of Riverside an amendment of the notice of special tax lien and a map of the amended boundaries of the Community Facilities District including the Territory.

PASSED, APPROVED AND ADOPTED this 5th day of September 2018.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, SYLVIA EDWARDS, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly introduced and adopted at a regular meeting of the City Council of the City of Corona, California, thereof held on the 5th day of September 2018, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 5th day of September 2018.

City Clerk of the City of Corona, California

(SEAL)