

RESOLUTION NO. 6289

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS DECLARING THE RESULTS OF THE SPECIAL ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ON THE PROPOSITIONS WITH RESPECT TO (I) THE ANNUAL LEVY OF SPECIAL TAXES TO PAY THE COSTS OF CERTAIN SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT AND (II) ESTABLISHING AN APPROPRIATIONS LIMIT

WHEREAS, on June 15, 2004, the City Council (the "City Council") of the City of Redlands (the "City") adopted a resolution calling a special election on the propositions with respect to the annual levy of special taxes on taxable property within Community Facilities District No. 2004-1 (the "Community Facilities District") to pay the costs of certain services to be provided by the Community Facilities District and establishing an appropriations limit for the Community Facilities District (the "Election Resolution"); and

WHEREAS, the City Council has received a statement from the City Clerk, who pursuant to the Election Resolution was authorized to conduct the special election and act as the election official therefor, with respect to the canvass of the ballots returned in and the results of the special election, certifying that more than two-thirds of the votes cast upon the propositions submitted to the voters in the special election were cast in favor of all such propositions;

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

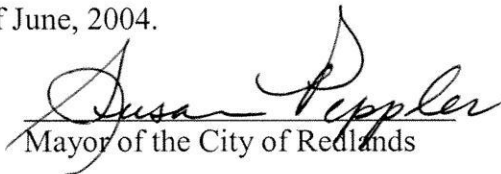
Section 1. Findings. The City Council finds that: (i) there were less than 12 persons registered to vote within the boundaries of the Community Facilities District at the time of the close of the protest hearing on June 15, 2004, and pursuant to Section 53326 of the California Government Code ("Section 53326") the votes in the special election were, therefore, to be by the landowners owning land within the Community Facilities District, with each landowner having one vote for each acre or portion of an acre of land that he or she owned within the Community Facilities District which would have been subject to the special tax if levied at the time of the special election; (ii) pursuant to Section 53326 and the Election Resolution, the City Clerk delivered a ballot for the special election to Centex Homes, the owner of all of the land within the Community Facilities District (the "Property Owner"); (iii) the Property Owner waived the time limits for holding the special election and the election dates specified in Section 53326, and consented to the calling and holding of the special election on June 15, 2004; (iv) the special election has been properly conducted in accordance with all statutory requirements and the provisions of Election Resolution; (v) pursuant to Section 53326, the Property Owner, which owned approximately 37.87 acres, were entitled to a total of 38 votes;

(vi) the ballots were returned by the Property Owner to the City Clerk prior to 8:00 p.m. on June 15, 2004; (vii) the ballot returned to the City Clerk by the Property Owner voted all votes to which it was entitled in favor of all propositions set forth therein; (viii) more than two-thirds of the votes cast in the special election on each such proposition were cast in favor thereof, and pursuant to Section 53328 of the California Government Code, all such propositions carried; (ix) the City Council, as the legislative body of the Community Facilities District, is therefore authorized to take the necessary action to annually levy special taxes on taxable property within the Community Facilities District in amounts sufficient to pay the costs of services to be provided by the Community Facilities District; and (x) an appropriations limit for the Community Facilities District has been established in the amount of \$5,000,000.

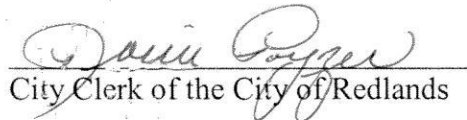
Section 2. Declaration of Results. All votes voted in the special election on the propositions with respect to the annual levy of special taxes on taxable property within the Community Facilities District to pay the costs of the services to be provided by the Community Facilities District and the establishment of an appropriations limit in the amount of \$5,000,000 for the Community Facilities District were voted in favor thereof, and such propositions carried.

Section 3. Effect of Election. The effect of the results of the special election, as specified in Section 2 hereof, is that the City Council, as the legislative body of the Community Facilities District, is authorized to annually levy special taxes on taxable property within the Community Facilities District in an amount sufficient to pay the costs of the services to be provided by the Community Facilities District at the special tax rates and pursuant to the methodology for determining and apportioning such special taxes which are set forth in Exhibit "A" to Resolution No. 6274 adopted by the City Council on May 4, 2004, and an appropriations limit has been established for the Community Facilities District in the amount of \$5,000,000.

ADOPTED this 15th day of June, 2004.


Mayor of the City of Redlands

ATTEST:


City Clerk of the City of Redlands

CERTIFICATION

I, Lorrie Poyzer, City Clerk of the City of Redlands, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 15th day of June, 2004 by the following vote:

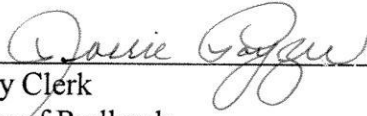
AYES: Councilmembers Gil, Gilbreath, George, Harrison;
Mayor Pepler

NOES: None

ABSENT: None

ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Redlands this 15th day of June, 2004.



City Clerk
City of Redlands

