RESOLUTION NO. 2007 - 106

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO
DECLARING ELECTION RESULTS

COMMUNITY FACILITIES DISTRICT NO. 2
ANNEXATION NO. 134

WHEREAS, on March 20, 2007, the Council of the City of Fresno adopted Resolution No. 2007 - 105 calling a special mailed-ballot election on levying special taxes on land within, and on approving an annual appropriations limit for, Annexation No. 134 to Community Facilities District No. 2 ("Annexation No. 134"); and

WHEREAS, the Council has received, reviewed and hereby accepts the City Clerk's Canvass and Statement of Results of Election, dated March 20, 2007, a copy of which is attached as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO AS FOLLOWS:

1. The Council finds and declares that: (a) the ballot measure on the levy of taxes and approval of an annual appropriations limit for Annexation No. 134, has been submitted to the qualified electors within the area of Annexation No. 134, pursuant to Council Resolution No. 2007 - 106, and (b) the ballot measure has been passed and approved by more than two-thirds of the votes cast, in accordance with Government Code Sections 53326, 53327, 53327.5 and 53328(a).

2. The Council declares Annexation No. 134, to be fully formed and the property within Annexation No. 134, to be subject to the levy of the special taxes and the special tax lien described in Council Resolution No. 2007 - 104, annexing Final Tract No. 5312 as Annexation No. 134, and authorizing the levy of a special tax therein, Council Resolution No. 97-126, approving local goals and policies for Community Facilities Districts; and described in the Community Facilities District Report dated as of February 2, 2007 on file with the City Clerk.

Adopted 3/20/07
Approved
Effective 3/

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2007-106

3. The Council directs the City Clerk to record a notice of special tax lien in the Office of the County Recorder, pursuant to Government Code Section 53328.3, no later than 15 days after this resolution is adopted.

Attachment:

Exhibit A - Canvas and Statement of Election Results

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 20th day of March, 2007.

AYES: Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea

NOES: None

ABSTAIN: None

ABSENT: None

REBECCA E. KLISCH
City Clerk

BY: Rebecca E. Klisch

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Deputy

EXHIBIT "A"

CANVAS AND STATEMENT OF ELECTION RESULTS

Community Facilities District No. 2

Annexation No. 134

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, hereby certify:

I have personally received and assembled all ballots eligible to be cast in the special mailed-ballot, landowner election called by the City Council in its Resolution No. 2007-_____ on propositions to levy a special tax within and approve an appropriations limit for Community Facilities District No. 2, Annexation No. 134, and held on February 27, 2007. In accordance with my instructions contained in that Resolution, I hereby declare the election closed.

I personally, in the presence of members of City staff representing the Public Works Department, as well as the City Clerk's Office, have counted the ballots and canvassed the returns of such election, and hereby certify that the result of that count is as follows and that the following total votes cast for and against such propositions, the total votes and the percentage of "yes" votes cast are true and correct.

Total Votes that could be cast	15
Total Votes Cast "Yes	15
Total Votes Cast "No"	0
Total Votes Cast	15

The Votes cast "Yes" equal **100%** of the total votes cast.

I make this certification on _____, 2007.

CITY OF FRESNO

By_____
Rebecca E. Klisch
City Clerk