

CITY COUNCIL OF THE CITY OF ROSEVILLE

RESOLUTION NO. 23-428

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEVILLE
OF ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT,
AUTHORIZING THE LEVY OF A SPECIAL TAX AND
SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS**

**CITY OF ROSEVILLE
Community Facilities District No. 4
(Public Services)**

Annexation No. 10 (Sierra View Country Club)

WHEREAS, this Council on September 20, 2023 adopted its Resolution No. 23-375, "A Resolution of the City Council of the City of Roseville of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention"), stating its intention to annex certain territory to the City's Community Facilities District No. 4 (Public Services) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act");

WHEREAS, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the CFD and stating the public services to be provided and the rate and method of apportionment of the special tax to be levied within the CFD to finance the public services for the CFD, are as set forth in Resolution No. 05-227, adopted by the City Council of the City on May 18, 2005 (the "Resolution of Formation");

WHEREAS, on the date hereof, this Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the CFD and at such hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the CFD and the levy of said special taxes within the area proposed to be annexed were heard and a full and fair hearing was held;

WHEREAS, at the conclusion of such hearing, written protests had not been filed against the proposed annexation of territory to the CFD by (i) 50% of more of the registered voters, or six registered voters, whichever is more, residing in the existing CFD, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be annexed to the CFD, or (iii) owners of one-half or more of the area of land in the territory proposed to be annexed to the CFD; and

WHEREAS, Annexation Map No. 10 to the CFD, showing the territory proposed to be annexed has been recorded with the County Recorder of the County of Placer and is on file with the City Clerk, and reference is hereby made thereto.

NOW, THEREFORE, the City Council of the City of Roseville resolves:

1. All prior proceedings taken by this Council with respect to the CFD and the proposed annexation of territory thereto have been duly considered and are hereby determined

to be valid and in conformity with the Act, and the CFD has been validly established pursuant to the Act.

2. The description and map of the boundaries of the territory to be annexed to CFD, as described in said Annexation Map No. 9 to the CFD on file with the Clerk are hereby finally approved, are incorporated herein by reference, and shall be included within the boundaries of the CFD, and said territory is hereby ordered annexed to the CFD, subject to voter approval of the levy of the special taxes therein as hereinafter provided.

3. The provisions of the Resolution of Formation and the Resolution of Intention, each as heretofore adopted by this Council are by this reference incorporated herein as if fully set forth herein.

4. Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the CFD shall be submitted to the voters of the area to be annexed to the CFD at an election called therefor as hereinafter provided.

5. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the CFD for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within the territory proposed to be annexed to the CFD and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the CFD.

6. Pursuant to Section 53327 of the Act, the election shall be conducted by messenger or mail-delivered ballot pursuant to Section 4000 et seq. of the California Elections Code, except that the election date shall be established in accordance with Government Code Section 53326(a).

7. The Council hereby calls a special election to consider the measure described in the ballot referred to in paragraph 8 below, which election shall be held on November 1, 2023 at 6:00 p.m., or as soon as possible thereafter, in the regular meeting place of this City Council, being the City Council Chambers, 311 Vernon Street, Roseville, California.

8. The City Clerk is hereby appointed as the election official to conduct the election and cause to be provided to each landowner(s) in the territory to be annexed to the CFD, a ballot in the form of Exhibit A hereto, which form of ballot is hereby approved.

9. The City Clerk shall accept the ballots of the qualified electors received prior to the holding of the public hearing, whether received by mail or by personal delivery.

10. This Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days to elapse before such election is for the protection of voters, that the voters have waived such requirement and the date for the election hereinabove specified is established accordingly.

* * * * *

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Roseville, California, at a regularly scheduled meeting thereof, held on the _____ day of _____, 2023 by the following vote of the City Council:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

Mayor

ATTEST:

City Clerk of the City of Roseville

Exhibit A

**CITY OF ROSEVILLE
Community Facilities District No. 4
(Public Services)**

Annexation No. 10 (Sierra View Country Club)

OFFICIAL BALLOT

SPECIAL TAX ANNEXATION ELECTION

This ballot is for the special landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the City Clerk of the City of Roseville no later than 6:00 p.m. on Wednesday, November 1, 2023, either by mail or in person. The City Clerk's office is located at City Hall, City of Roseville, Civic Center, 311 Vernon Street, Roseville, California, 95678.

To Vote, mark a cross (X) in the voting square after the word "YES" or after the word "NO." All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

The estimated maximum amount of money raised annually by this measure is expected set forth in the Rate and Method of Apportionment available from the City, subject to escalation each year, based upon the rate and for the duration of the special tax set forth in the rate and method of apportionment of special taxes for the CFD.

BALLOT MEASURE: Shall the measure pursuant to which the City of Roseville, by and for its Community Facilities District No. 4 (Public Services) (the "CFD"), is authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of the Council of the City of Roseville of Annexation of Territory to Community Facilities District, Authorizing Levy of Special Tax Therein and Submitting Levy Of Tax to Qualified Electors, adopted by such Council on November 1, 2023 **be adopted?**

YES: _____

NO: _____

By execution in the space provided below, you also confirm your waiver of the time limit pertaining to the conduct of the election and any requirement for notice of election and analysis and arguments with respect to the ballot measure, as such waivers are described and permitted by Section 53326(a) and 53327(b) of the California Government Code.

**Number of Votes:
Property Owner:**

By: _____
Name: _____
Title: _____