

RESOLUTION NO. 21-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH
LAKES, STATE OF CALIFORNIA, CALLING A SPECIAL ELECTION FOR A
COMMUNITY FACILITIES DISTRICT**

**TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(JUNIPER RIDGE MAINTENANCE SERVICES)**

WHEREAS, this Town Council of the Town of Mammoth Lakes adopted a resolution entitled “A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Establishing the Formation of a Community Facilities District” (the “Resolution of Formation”), ordering the formation of the Town of Mammoth Lakes Community Facilities District No. 2021-1 (Juniper Ridge Maintenance Services) (the “District”), defining the public services (the “Services”) to be provided by the District, authorizing the levy of a special tax on property within the District and preliminarily establishing an appropriations limit for the District, all pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”); and

WHEREAS, pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the District as required by the provisions of the Act; and

NOW, THEREFORE, the Town Council of the Town of Mammoth Lakes, DOES HEREBY RESOLVE as follows:

1. The foregoing recitals are true and correct.
2. Pursuant to the Act, the issues of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors (as defined below) of the District at an election called therefor as provided below.
3. Pursuant to Section 53326(c) of the Act, this Town Council finds that, for these proceedings, the qualified electors are the landowners within the District and that the vote shall be by such landowners or their authorized representatives, each having one vote for each acre or portion thereof such landowner owns in the District as of the close of the public hearing.
4. This Town Council hereby calls an election to consider the issues described in Section 2, above, which election shall be held on March 2, 2022, and the results thereof canvassed at the meeting of this Town Council on March 2, 2022. The Town Clerk is hereby designated as the official to conduct the election and to receive all ballots until the close of business on the election date. It is hereby acknowledged that the Town Clerk has on file the Resolution of Formation, a map of the boundaries of the District, and a sufficient description to allow the Town Clerk to determine the electors of the District. The election shall be conducted by messenger or mail-delivered ballot in accordance with the Act.
5. As authorized by Section 53353.5 of the Act, the issues described in Section 2 above shall be combined into a single ballot measure, the form of which as attached hereto as Exhibit A is hereby approved. The Town Clerk is hereby authorized and directed to cause a ballot, in substantially the form of Exhibit A, to be delivered to each of the qualified electors of the District. Each ballot shall indicate the number of votes to be voted by the respective landowner to which the ballot pertains. Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The

envelope to be used to return the ballot shall be enclosed with the ballot, have the return postage prepaid, and contain the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot.

6. This Town Council hereby further finds that the provisions of Section 53326 of the Act requiring a minimum of 90 days following the adoption of the Resolution of Formation to elapse before the special election are for the protection of the qualified electors of the District.

7. If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing the appropriations limit are cast in favor of the proposition after the canvass of the returns of such election, the Town Council may levy such special tax within the District under the Act in accordance with the approved rate and method of apportionment of special tax. Such special tax may be levied only at the rate and may be apportioned only in the manner specified in the Resolution of Formation, subject to the Act, except that the special tax may be levied at a rate lower than that specified herein and the maximum annual tax rate may be lowered.

8. Under Section 50075.1 of the Government Code, the following accountability provisions shall apply to the special taxes: (a) the construction and/or acquisition of the Services and the incidental costs thereof including any debt, all as defined in the Resolution of Formation, shall constitute the specific single purpose; (b) the proceeds shall be applied only to the specific purposes identified in (a) above; (c) there shall be created special account(s) or funds(s) into which the proceeds shall be deposited; and (d) there shall be caused to be prepared an annual report as required by Section 50075.3 of the Government Code.

9. This Resolution shall take effect immediately upon its adoption.

10. The Town Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 17th day of November, 2021.

BILL SAUSER, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

EXHIBIT A

**TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(JUNIPER RIDGE MAINTENANCE SERVICES)**

OFFICIAL BALLOT

SPECIAL TAX ELECTION

This ballot is for a special, landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the Town Clerk of the Town of Mammoth Lakes **no later than the hour of 4:00 p.m. on Wednesday, March 2, 2022**, either by mail or in person. The Town Clerk's office is located at 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546.

To vote, mark a cross (X) on the voting line 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. If you wrongly mark, tear, or deface this ballot, return it to the Town Clerk and obtain another.

The estimated maximum amount of money raised annually by this measure is expected to be \$90,000.05, in 2022/23 special tax rates, upon full build out of the CFD, based on the rate and duration of the special tax and subject to the tax escalation factor, as set forth in the rate and method of apportionment of special taxes for the CFD.

BALLOT MEASURE: Shall the Town of Mammoth Lakes be authorized to annually levy a special tax solely on lands within the Community Facilities District CFD 2021-1 (Juniper Ridge Maintenance Services) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the Town Council on November 17, 2021, commencing in the District's fiscal year 2022/23, to pay for the maintenance of parkways, landscaping services, the costs of the District in administering the CFD and County charges, and shall the annual appropriations limit of the CFD be established in the amount of \$750,000?

YES: _____

NO: _____