

BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION NO. _____

**RESOLUTION CALLING SPECIAL LANDOWNER ELECTION
FOR COMMUNITY FACILITIES DISTRICT NO. 2024-2 (HERITAGE AT CARSON CREEK
VILLAGE 11 SERVICES)**

**COUNTY OF EL DORADO
Community Facilities District No. 2024-2 (Heritage at Carson Creek Village 11
Services)**

WHEREAS, the Board of Supervisors of the County of El Dorado (the “Board”) of the County of El Dorado (the “County”) has adopted a resolution entitled “A Resolution to Form Community Facilities District No. 2024-2 (Heritage at Carson Creek Village 11 Services) and to Levy a Special Tax Therein to Finance Public Services in and for Such Community Facilities District” (the “Resolution of Formation”), ordering the formation of the “County of El Dorado Community Facilities District No. 2” (the “CFD”) and a future annexation area (the “Future Annexation Area”), defining the public services (the “Services”) to be provided by the CFD, authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “Act”); and

WHEREAS, pursuant to the provisions of the Resolution of Formation and a Unanimous Consent provided by the landowners the within the Future Annexation Area, the Future Annexation Area has been incorporated into the CFD; 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 CFD as required by the provisions of the Act.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Issues Submitted. 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 CFD at an election called therefor as provided below.

2. Qualified Electors. This Board hereby finds that fewer than 12 persons have been registered to vote within the territory of the CFD for each of the ninety (90) days preceding the close of the public hearings heretofore conducted and concluded by this Board for the purposes of these proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Board finds that, for these proceedings, the qualified electors are the landowners within the CFD 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 CFD as of the close of the public hearing.

This Board hereby also finds that fewer than 12 persons have been registered to vote within the territory of the Future Annexation Area for each of said ninety (90) day period. Accordingly, this Board finds that, for these proceedings, the qualified electors eligible to be cause annexation of territory into the CFD from the Future Annexation Area at this time are the landowners within the Future Annexation Area.

3. Conduct of Election. This Board hereby calls a special election to consider the issues described in Section 2, above, which election shall be held on July 16, 2024, and the results thereof canvassed at the meeting of this Board on July 16, 2024. The Clerk of the Board 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 Clerk has on file the Resolution of Formation, a map of the boundaries of the CFD, and a sufficient description to allow the Clerk to determine the electors of the CFD. Pursuant to Section 53327 of the Act, the election shall be conducted by messenger or mail-delivered ballot pursuant to Section 4000 of the California Elections Code. This Board hereby finds that paragraphs (a), (b), (c) (1) and (c)(3) of Section 4000 are applicable to this special election, except that Sections 53326 and 53327 of the Act shall govern for purposes of determining the date of the election.

4. Ballot. As authorized by Section 53353.5 of the Act, the issues described in section 1 above shall be combined into a single ballot measure, the form of which as attached hereto as "Exhibit A" is hereby approved. The Clerk of the Board 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 CFD. Each ballot shall indicate the number of votes to be voted by the respective landowner to which the ballot pertains.

5. Waivers. This Board 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 CFD. There is on file with the Clerk a written waiver executed by all of the qualified electors of the CFD allowing for a shortening of the time for the special election to expedite the process of formation of the CFD and waiving any requirement for notice, analysis and arguments, and certain other procedures in connection with the election. Accordingly, this Board finds and determines that the qualified electors have been fully apprised of and have agreed to the shortened time for the election and waiver of analysis and arguments, and have thereby been fully protected in these proceedings. This Board also finds and determines that the Clerk of the Board has concurred in the shortened time for the election. Analysis and arguments with respect to the ballot measures are hereby waived, as provided in Section 53327 of the Act.

6. Accountability. Under Section 50075.1 of the Government Code, the following accountability provisions shall apply to the special taxes: (a) the providing of the Services and the incidental costs thereof, 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 if required by Section 50075.3 of the Government Code.

7. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado, State of California, at a regular meeting of said Board held on the ____ day of _____, 2024, by the following vote of said Board:

AYES: ___ Board Members: _____

NOES: ___ Board Members: _____

ABSENT: ____ Board Members: _____

ABSTAINING: ____ Board Members: _____

Chair of the Board of Supervisors

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN
THIS OFFICE.

DATE: _____

ATTEST: Kim Dawson, Clerk of the Board of Supervisors of the County of El Dorado, State of
California

By: _____
Deputy Clerk

Attach: – Form of Ballot

EXHIBIT A

**COUNTY OF EL DORADO
Community Facilities District No. 2024-2
(Heritage at Carson Creek Village 11 Services)**

**OFFICIAL BALLOT
SPECIAL TAX ELECTION**

This ballot is for a special, landowner election for the County of El Dorado Community Facilities District No. 2024-2 (Heritage at Carson Creek Village 11 Services). You must return this ballot in the enclosed postage paid envelope to the office of the Clerk of the Board of the County of El Dorado **no later than the hour of 9:00 a.m. on July 16, 2024, either by mail or in person.** The Clerk’s office is located at 330 Fair Lane, Placerville, California.

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 Clerk of the Board and obtain another.

The amount of money to be raised annually by the special tax within the CFD is \$81,382 in the base year (and subject to escalation annually), the duration of the special tax is perpetual, and the rate of the special tax shall be determined in accordance with the rate, method of apportionment, and manner of collection of special tax for the CFD.

<p>BALLOT MEASURE: Shall the measure pursuant to which the County of El Dorado be authorized to annually levy a special tax solely on lands within the County of El Dorado Community Facilities District No. 2024-2 (Heritage at Carson Creek Village 11 Services) (the “CFD”) to provide public services set forth in the list of authorized services for the CFD attached hereto services; (ii) a special tax shall be levied at rates of \$368.00/residential unit, subject to annual escalation, in perpetuity, raising \$82,432 in the initial year of levy (assuming full build-out of the CFD), to pay the costs of the County in administering the CFD, and to pay for the costs of providing said services, in accordance with the rate and method of apportionment of special taxes for the CFD attached hereto; and (iii) the annual appropriations limit of the CFD shall initially be \$4,000,000, subject to escalation, be adopted?</p>	<p>YES: _____</p> <p>NO: _____</p>
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The undersigned is the authorized representative of the below-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the below-named landowner. By execution in the space provided below, the undersigned Landowner certifies that such owner has initiated, requested and/or reviewed all the CFD provisions and proceedings leading up to this election, including the list of authorized facilities, the bond indebtedness limit for the CFD, and the Rate and Method of Apportionment, which includes the tax rates and duration of the special tax to be placed on the Landowner’s property. The undersigned has waived (i) the time limit pertaining to the conduct of the election, (ii) any requirement for analysis and arguments with respect to the ballot measure, and (iii) any irregularity in the proceedings that may be claimed as a result of the application of such waivers.

Total Acreage: _____
Number of votes: _____

Owner: _____

By: _____

Its: _____

Attach: Attachment 1 to Ballot – Rate and Method of Apportionment of Special Tax
Attachment 2 to Ballot – List of Services