

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

May 2, 2018 — Agenda Item XV

Resolution No. 18-69

RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY CALLING A SPECIAL TAX ELECTION FOR COMMUNITIES FACILITIES DISTRICT 2018-1 (SANTA SUSANA MOUNTAINS)

RESOLVED by the Governing Board (the "Board") of the Mountains Recreation and Conservation Authority (the "Authority"), County of Los Angeles, State of California, that:

WHEREAS, on March 7, 2018, the Board adopted Resolution No. 18-50 entitled "Resolution of the Governing Board of Directors of the Mountains Recreation and Conservation Authority Declaring Intention to Establish a Community Facilities District", and on May 2, 2018 the Board adopted Resolution No. 18-67 entitled "Resolution of the Governing Board of Directors of the Mountains Recreation and Conservation Authority Modifying Resolution Declaring Intention to Establish Community Facilities District 2018-1 (Santa Susana Mountains) and Approving Amended and Restated Description of Services and Rate and Method of Apportionment" (as amended, the "Resolution of Intention") with respect to Community Facilities District No. 2018-1 (Santa Susana Mountains) (the "CFD") of the Authority pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, 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, on May 2, 2018, the Board adopted Resolution No. 18-68 entitled "A Resolution of the Governing Board of the Mountains Recreation and Conservation Authority to Form Community Facilities District 2018-1 (Santa Susana Mountains)" (the "Resolution of Formation"); and

NOW, THEREFORE, BE IT RESOLVED that the Board, acting as the legislative body of the CFD, hereby finds and determines as follows:

1. **Qualified Electors.** The Board has heretofore found that fewer than twelve persons have been registered to vote within the territory of the CFD for the ninety days preceding the close of the public hearing heretofore held by the Board for the purposes of these proceedings. Accordingly, the vote shall be by the landowners within the CFD (the "Qualified Electors"), and each qualified elector at the close of such public hearing, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the CFD.
2. **Election Process.** The ballot related to the levy of the CFD special tax shall be submitted to the Qualified Electors at a special election to be held

on May 2, 2018, immediately following the adoption of this resolution. Such election shall be a special election to be conducted by the Board Secretary (hereinafter referred to as the "Election Official"). If the proposition for the levy of the special tax receives the approval of more than two-thirds (2/3rds) of the votes cast on the proposition, the special tax thereby approved may be levied as provided for in the Resolution of Formation.

3. Petition on File. There is on file with the Board Secretary a Petition, Consent and Waiver executed by each qualified elector of the CFD requesting a shortening of the time for the special election in order to expedite the process of formation of the CFD and unanimously waiving any requirement for analysis and arguments in connection therewith.
4. Conduct of the Election. The Election Official has consented to conducting the special election on May 2, 2018, which date is less than 125 days following the adoption of the Resolution of Formation. The special election shall be conducted by personally delivered or mailed ballots and in accordance with the provisions of law regulating elections of the Authority insofar as such provisions are determined by the Board Secretary to be applicable. The voted ballots shall be returned to the Board Secretary not later than 2:00 p.m. on May 2, 2018; provided that if all of the Qualified Electors have voted prior to such time, the election may be closed by the Board Secretary.
5. Ballot. The form of the ballot for the election is attached hereto as Exhibit A and by this reference incorporated herein. The Election Official shall cause to be delivered to each of the Qualified Electors of the CFD a ballot in said form. Each ballot shall indicate the number of votes to be voted by the respective qualified elector based upon the number of acres of land or portion thereof which he or she owns within the CFD. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the postage prepaid and shall contain: (a) the name and address of the qualified elector; (b) a declaration, under penalty of perjury, stating that the qualified elector is the owner of record, or the authorized representative thereof, and is the person whose name appears on the identification envelope; (c) the printed name, signature and address of the qualified elector; (d) the date of signing and place of execution of the declaration described above; and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board. Analysis and arguments with respect to the ballot proposition are hereby waived.

6. Vote. The appropriate mark on the ballot placed in the voting square after the word "YES" shall be counted in favor of the adoption of the proposition, and the appropriate mark placed in the voting square after the word "NO" in the manner as authorized, shall be counted against the adoption of such proposition.
7. Receiving Ballots. The Election Official shall accept the ballots of the Qualified Electors in the office of the Board Secretary to and including 2:00 p.m. on May 2, 2018, whether said ballots shall be personally delivered or received by mail.
8. Election Procedure. The Election Official is hereby authorized to take any and all steps necessary for holding the above special election. The Election Official shall perform and render all services and proceedings incidental to and connected with the conduct of the special election, including but not limited to, the following:
 - a. Prepare and furnish the necessary election supplies for the conduct of the election.
 - b. Cause to be printed the requisite number of official ballots, tally sheets and other necessary forms.
 - c. Furnish official ballots for the Qualified Electors of the CFD.
 - d. Cause the official ballots to be presented to the Qualified Electors, as required by law.
 - e. Receive the returns of the election and supplies.
 - f. Sort and assemble the election material and supplies in preparation for the canvassing of the returns.
 - g. Canvass the returns of the election.
 - h. Furnish a tabulation of the number of votes given in the election.
 - i. Conduct and handle all other matters relating to the proceedings and conduct of the election in the manner and form as required by law.

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Chair

AYES:

NOS:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Governing Board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 2nd day of May, 2018.

Date:

Executive Officer

EXHIBIT A

**MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
Community Facilities District 2018-1 (SANTA SUSANA MOUNTAINS)**

**OFFICIAL BALLOT
SPECIAL TAX 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 Executive Officer for the Mountains Recreation and Conservation Authority no later than 2:00 p.m. on May 2, 2018, either by mail or in person. The office of the Executive Officer is located at Los Angeles River Center and Gardens, 570 West Avenue 26, Suite 100, Los Angeles 90065.

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. If you wrongly mark, tear, or deface this ballot, return it to the Executive Officer for the Mountains Recreation and Conservation Authority and obtain another.

BALLOT MEASURE: Shall special taxes be levied annually on taxable property within the Mountains Recreation and Conservation Authority (the "Authority") Community Facilities District No. 2018-1 (Santa Susana Mountains), County of Los Angeles, State of California, to pay the costs of services more particularly described in Exhibit "A" to Resolution No. 18-50 adopted by the Authority Governing Board of Directors, and to pay expenses incidental thereto and to the levy and collection of the special taxes, at the special tax rates and pursuant to the method of apportioning the special taxes set forth in Exhibit "B" to Resolution No. 18-50.

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: 214.73

Forestar Chatsworth LLC
ATTN: Peter Vanek, VP Land Development
4590 MacArthur Blvd., Suite 600
Newport Beach, CA 92660

By: _____

Title: _____