

**RESOLUTION NO.
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI DECLARING
ELECTION RESULTS FOR COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES)**

WHEREAS, at the close of the public hearing on this date with respect to its proposed City of Cotati Community Facilities District No. 2017-01 (Public Services) (“CFD No. 2017-01”) this City Council (this "City Council") of the City of Cotati (the "City") found and determined that a majority protest was not made at the hearing, as provided by the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code) (the “Act”) and specifically Section 53324 of the Act; and

WHEREAS, having determined that a majority protest was not made, this City Council adopted the following resolutions:

- a. Resolution of Formation, pursuant to Section 53325.1 of the Act, thereby concluding its legal proceedings to establish CFD No. 2017-01 and providing each of the following, among other things:
 - (1) finding and determining that the qualified electors for the special election to be held in these proceedings shall be the landowners of the land within CFD No. 2017-01, in accordance with Section 53326 of the Act;
 - (2) specifying that the special election shall be conducted as a mailed-ballot election; and
 - (3) designating the Deputy City Clerk of the City (the “Deputy City Clerk”) as the official to conduct the mailed-ballot election;
- b. Resolution Calling Special Mailed-Ballot Election (the “Resolution Calling Election”), calling a special landowner-voter election, to be held and conducted forthwith upon adoption of the Resolution Calling Election providing for:
 - (1) the authorization to levy the Special Tax; and
 - (2) the establishment of an initial annual appropriation limit for CFD No. 2017-01.

WHEREAS, the Resolution Calling Election found and determined that (i) there are fewer than 12 registered voters living within the boundaries of CFD No. 2017-01, and (ii) all of the land within CFD No. 2017-01, consisting approximately 2.57 acres, is owned by one landowner (the “Landowner”) and that the Landowner has consented to conduct of the special election on this date and agreed to accept personal service of the ballot; and

WHEREAS, the Resolution Calling Election approved the ballot measure and the form of special election ballot (attached thereto as Exhibit A), ratified the action of the Deputy City Clerk in providing the ballots to the Landowner by personal service, and directed the Deputy City Clerk, forthwith upon receipt from the Landowner of an executed and completed ballot, to close the election and declare the results to this City Council; and

WHEREAS, the Deputy City Clerk having confirmed to this City Council that he has received and has on file completed and executed originals of (i) a Waiver and Consent and (ii) a Special Election Ballot, duly executed by an authorized representative of the Colvin Group Fund I, L.P., the sole owner of the land within CFD No. 2017-01, and having declared that the election is closed and that all votes were cast "Yes," in favor of the ballot measure; and

WHEREAS, this City Council, by this resolution, wishes to declare the results of the special mailed-ballot election.

WHEREAS, the action of declaring the results of the special mailed-ballot election does not constitute a project as defined by California Environmental Quality Act Guidelines Section 15378; therefore, no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Cotati hereby finds, determines and resolves as follows:

Section 1. The foregoing recitals are true and correct, and this City Council hereby expressly so finds and determines.

Section 2. This City Council hereby finds, determines and declares that the ballot measure submitted to the qualified electors of CFD No. 2017-01 has been passed and approved by those qualified electors in accordance with Sections 53328 and 53355 of the Act.

Section 3. This City Council hereby authorizes and directs the Deputy City Clerk to cause the preparation and recordation with the Sonoma County Recorder of a notice of special tax lien in accordance with Section 3114.5 of the California Streets and Highways Code and Section 53328.3 of the Act. Said notice shall be recorded within fifteen (15) days of today's date.

Section 4. This resolution shall take effect immediately upon its adoption.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Cotati held on the 12th day of September, 2017, by the following vote, to wit:

Approved: _____
Mayor

Attest: _____
Lauren Berges, Deputy City Clerk

Approved as to form:

City Attorney