

Attachment D

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA DECLARING RESULTS OF
SPECIAL ELECTION AND DIRECTING RECORDING OF
NOTICE OF SPECIAL TAX LIEN

WHEREAS, on January 23, 2024, the Board of Supervisors (the "Board of Supervisors") of the County of Santa Barbara adopted a resolution entitled "*A Resolution of the Board of Supervisors of the County of Santa Barbara Calling Special Election for the County of Santa Barbara Annexation of Orcutt Gateway Retail Commercial Center/Key Site 2 (APN 129-280-001) into County of Santa Barbara Community Facilities District No. 2002-1 (Orcutt Community Facilities District)*" (the "*Resolution Calling Election*"), calling for a special election of the qualified electors within the County of Santa Barbara Community Facilities District No. 2002-1 (Orcutt Community Facilities District) (the "Community Facilities District"); and

WHEREAS, pursuant to the items of the Resolution Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"), the special election was held on DATE TBD; and

WHEREAS, the Elections Division Manager or authorized designee, of the County of Santa Barbara (the "County"), acting on behalf of the Registrar of Voters of the County has certified the canvass of the results of the election and has filed a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Barbara as follows:

Section 1. The Board of Supervisors has received, reviewed and hereby accepts the Canvass.

Section 2. The Board of Supervisors hereby finds and declares that the ballot proposition submitted to the qualified electors of the territory to be annexed by the Community Facilities District pursuant to the Resolution Calling Election has been passed and approved by such electors in accordance with Section 53328 and Section 5339.8 of the Act.

Section 3. The Board of Supervisors determines that the area proposed to be annexed is added to and part of the existing Community Facilities District with full legal effect and the Board of Supervisors is authorized to levy any special tax within the annexed territory as specified in the Resolution Initiating Annexation of Territory to Orcutt Community Facilities District No. 2002-1 and to authorize the Levy of Special Taxes Therein adopted by the Board of Supervisors of the County of Santa Barbara on December 12, 2023.

Section 4. The Clerk of the Board of Supervisors is hereby directed to execute and cause to be recorded in the Office of the County Recorder a notice of the annexation pursuant to Section 3117.5 of the California Streets and Highways Code and a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the Board of Supervisors of this Resolution.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 6th day of February 2024 by the following vote:

AYES:

NOS:

ABSTAIN:

ABSENT:

CHAIR Board of Supervisors

County of Santa Barbara

ATTEST:

Mona Miyasato

CLERK OF THE BOARD

By: _____

Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM

COUNTY COUNSEL

By: _____

APPROVED AS TO FORM:

BETSY SCHAFFER

AUDITOR-CONTROLLER

By: _____

EXHIBIT A

COUNTY OF SANTA BARBARA COMMUNITY
FACILITIES DISTRICT NO. 2002-1
(ANNEXATION INTO ORCUTT COMMUNITY FACILITIES DISTRICT)

CANVASS AND STATEMENT OF RESULTS OF ELECTION

I hereby certify that on February 6, 2024, I canvassed the returns of the special landowner election held on January 29, 2024 for the County of Santa Barbara Community Facilities District No. 2002-1 (Annexation Into Orcutt Community Facilities District), that the total number of ballots cast in said territory to be annexed by the Community Facilities District and the total number of votes cast for and against the measure are as follows and that the totals as shown for and against the measure are full, true and correct:

Qualified Landowner Votes	Votes Cast
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Annexation of Territory by
County of Santa Barbara
Community Facilities
District No. 2002-1 (Orcutt
Community Facilities
District) Special Election,
January 29, 2024

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the parcel(s) identified in the Annexation Map No. 8 of Community Facilities District No. 2002-1, attached as Exhibit A to the resolution entitled *Resolution Initiating Annexation of Territory to Orcutt Community Facilities District No. 2002-1 and to Authorize the Levy of Special Taxes Therein* adopted by the Board of Supervisors of the County of Santa Barbara on December 12, 2023, be annexed into the County of Santa Barbara Community Facilities District No. 2002-1 (the "Community Facilities District") and shall the Community Facilities District be authorized to levy a special tax on the annexed parcels to finance certain services to be provided to the annexed parcels by the Community Facilities District?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 6th day of February 2024.

Joseph E.
Holland
County of
Santa
Barbara
Registrar of
Voters

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Elections Division Manager