

RESOLUTION NUMBER R- 296743

ADOPTED ON JUN 25 2002

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3 (LIBERTY STATION) CERTIFYING THE RESULTS OF THE JUNE 25, 2002 SPECIAL TAX AND BOND ELECTION.

WHEREAS, the Council of The City of San Diego [Council] called and duly held elections on June 25, 2002 for Improvement Area Nos. 1 and 2 of Community Facilities District No. 3 (Liberty Station) [Community Facilities District No. 3 or the District] pursuant to Resolution Nos. R-296710, R- 296742 the purpose of presenting to the qualified electors within each Improvement Area of the District the propositions applicable to each Improvement Area which are attached hereto as Attachments A and B; and

WHEREAS, there has been presented to this Council certificates of the City Clerk canvassing the results of the election, a copy of which is attached hereto as Attachment C; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego acting in its capacity as the legislative body of Community Facilities District No. 3 (Liberty Station) as follows:

1. That each of the above recitals is true and correct and is adopted by the legislative body of the District.
2. That Propositions A, B, and C presented to the qualified electors of Improvement Area No. 1 of the District on June 25, 2002 were approved by more than two-thirds of the votes cast at the election held for Improvement Area No. 1 and Propositions A, B, and C each has carried.

The Council, acting as the legislative body of the District, is hereby authorized to levy on the land

within Improvement Area No. 1 of the District the special tax described in Proposition B for the purposes described therein and to take the necessary steps to levy the special tax authorized by Proposition B and to issue bonds in an amount not to exceed \$30,000,000 specified in Proposition A.

3. That Propositions D, E, and F presented to the qualified electors of Improvement Area No. 2 of the District on June 25, 2002 were approved by more than two-thirds of the votes cast at the election held for Improvement Area No. 2 and Propositions D, E, and F each has carried. The Council, acting as the legislative body of the District, is hereby authorized to levy on the land within Improvement Area No. 2 of the District the special tax described in Proposition E for the purposes described therein and to take the necessary steps to levy the special tax authorized by Proposition E and to issue bonds in an amount not to exceed \$30,000,000 specified in Proposition D.

4. That the City Clerk is hereby directed to record in the Office of the County Recorder within fifteen days of the date hereof a notice of special tax lien for each Improvement Area of the District which Bond Counsel to the District shall prepare in the form required by Streets and Highways Code Section 3114.5.

APPROVED: CASEY GWINN, City Attorney

By


Kelly J. Salt
Deputy City Attorney

KJS:pev
6/5/02
Or.Dept:FinSvcs
R-2002-1726
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ATTACHMENT B

SAMPLE

OFFICIAL BALLOT

COMMUNITY FACILITIES DISTRICT NO. 3
(Liberty Station)

SPECIAL TAX AND SPECIAL BOND ELECTION

FOR IMPROVEMENT AREA NO. 2

June 25, 2002

This ballot represents _____ votes.

To vote, stamp a cross (+) 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 City Clerk and obtain another.

PROPOSITION D: Shall Community Facilities District No. 3 (Liberty Station) (the "District") incur an indebtedness and issue bonds of the District in the maximum principal amount of \$30,000,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Facilities and the Incidental Expenses described in Resolution No. R-296472 of the City Council of the City of San Diego?

YES _____

NO _____

PROPOSITION E: Shall a special tax as provided in the resolution adopted by the City Council of the City of San Diego on June 25, 2002 establishing the District be levied within Improvement Area No. 2 of the District to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. R-296472, including the payment of the principal of and interest on bonds issued by the District to finance the Facilities and Incidental Expenses?

YES _____

NO _____

PROPOSITION F: For each year commencing with Fiscal Year 2002-01, shall the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for the District be an amount equal to \$10,000,000?

YES _____

NO _____

ATTACHMENT A

SAMPLE

OFFICIAL BALLOT

COMMUNITY FACILITIES DISTRICT NO. 3
(Liberty Station)

SPECIAL TAX AND SPECIAL BOND ELECTION
FOR IMPROVEMENT AREA NO. 1

June 25, 2002

This ballot represents _____ votes.

To vote, stamp a cross (+) 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 City Clerk and obtain another.

PROPOSITION A: Shall Community Facilities District No. 3 (Liberty Station) (the "District") incur an indebtedness and issue bonds of the District in the maximum principal amount of \$30,000,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Facilities and the Incidental Expenses described in Resolution No. R-296472 of the City Council of the City of San Diego? YES _____
NO _____

PROPOSITION B: Shall a special tax as provided in resolution adopted by the City Council of the City of San Diego on June 25, 2002, establishing the District be levied within Improvement Area No. 1 of the District to pay for the Facilities, Incidental Expenses and other purposes described in Resolution No. R-296472, including the payment of the principal of and interest on bonds issued by the District to finance the Facilities and Incidental Expenses? YES _____
NO _____

PROPOSITION C: For each year commencing with Fiscal Year 2002-03, shall the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for the District be an amount equal to \$10,000,000? YES _____
NO _____

ATTACHMENT C

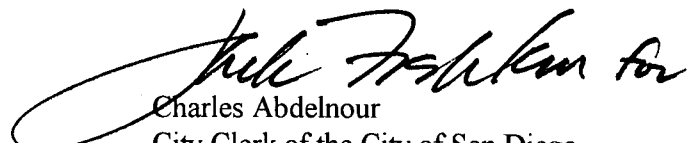
CERTIFICATE OF CITY CLERK
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS

I, Charles Abdelnour, City Clerk of the City of San Diego, do hereby certify that I have examined the returns of the Special Tax and Bond Election for Improvement Area No. 1 of Community Facilities District No. 3 (Liberty Station) (the "District"). The election was held in the chambers of the City Council at 202 "C" Street, San Diego, California 92101, on June 25, 2002. I personally delivered a ballot to the authorized representative of each qualified elector. ~~three~~ (3) ballots were returned.

I further certify that the results of said election and the number of votes cast for and against Propositions A, B and C are as follows:

<u>PROPOSITION A</u>	<u>PROPOSITION B</u>	<u>PROPOSITION C</u>
YES: <u>24</u>	YES: <u>24</u>	YES: <u>24</u>
NO: <u>0</u>	NO: <u>0</u>	NO: <u>0</u>
TOTAL: <u>24</u>	TOTAL: <u>24</u>	TOTAL: <u>24</u>

Dated this 25th day of June, 2002.


Charles Abdelnour
City Clerk of the City of San Diego

ATTACHMENT D

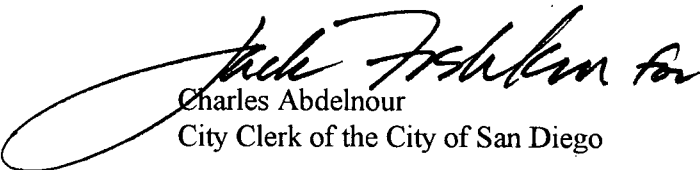
CERTIFICATE OF CITY CLERK
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS

I, Charles Abdelnour, City Clerk of the City of San Diego, do hereby certify that I have examined the returns of the Special Tax and Bond Election for Improvement Area No. 2 of Community Facilities District No. 3 (Liberty Station) (the "District"). The election was held in the chambers of the City Council at 202 "C" Street, San Diego, California 92101, on June 25, 2002. I personally delivered a ballot to the authorized representative of each qualified elector. two (2) ballots were returned.

I further certify that the results of said election and the number of votes cast for and against Propositions D, E and F are as follows:

<u>PROPOSITION D</u>	<u>PROPOSITION E</u>	<u>PROPOSITION F</u>
YES: <u>165</u>	YES: <u>165</u>	YES: <u>165</u>
NO: <u> 0</u>	NO: <u> 0</u>	NO: <u> 0</u>
TOTAL: <u>165</u>	TOTAL: <u>165</u>	TOTAL: <u>165</u>

Dated this 25th day of June, 2002.


Charles Abdelnour
City Clerk of the City of San Diego