

VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 18

RESOLUTION OF THE BOARD OF DIRECTORS OF VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT CALLING A SPECIAL REVENUE BOND ELECTION IN THE DISTRICT FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE DISTRICT THE MEASURE OF ISSUING REVENUE BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,800,000 TO PROVIDE FUNDS FOR THE ACQUISITION OF THE EXISTING PRIVATELY-OWNED WATER SYSTEM SERVING THE DISTRICT AND THE CONSTRUCTION OF IMPROVEMENTS THERETO AND THE MEASURE OF ISSUING REVENUE BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,600,000 TO PROVIDE FUNDS FOR THE ACQUISITION OF THE EXISTING PRIVATELY-OWNED SEWER SYSTEM SERVING THE DISTRICT AND THE CONSTRUCTION OF IMPROVEMENTS THERETO; DECLARING THE ESTIMATED COST OF THE ACQUISITION AND IMPROVEMENT OF EACH OF SAID SYSTEMS, THE PRINCIPAL AMOUNT OF THE REVENUE BONDS TO BE ISSUED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME AND THE MANNER OF VOTING FOR OR AGAINST THE ISSUANCE OF EACH ISSUE OF SAID REVENUE BONDS; AND PROVIDING FOR NOTICE OF SAID ELECTION.

WHEREAS, the Board of Directors (the "Board") of Vandenberg Village Community Services District (the

"District") has duly determined that the public interest and necessity demand the acquisition of the existing privately-owned water system serving the District and the construction of improvements thereto and the acquisition of the existing privately-owned sewer system serving the District and the construction of improvements thereto, and has further duly determined that the acquisition and improvement of each of such systems should be financed by the issuance of revenue bonds under the Revenue Bond Law of 1941;

AND WHEREAS existing revenue bond authority in the amounts of \$3,100,000 and \$900,000 respectively have been found insufficient to accomplish the above acquisition;

AND WHEREAS Park Water Company has been unwilling to negotiate a price lower than the price determined by the Public Utilities Commission of California;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Vandenberg Village Community Services District, as follows:

Section 1. A special revenue bond election shall be and is hereby ordered and will be held in the District on Tuesday, June 28, 1988, at which election there shall be submitted to the qualified voters of the District each of the following measures for issuing revenue bonds under the Revenue Bond Law of 1941, to wit:

MEASURE (-): Shall Vandenberg Village
(Water System - Community Services District
Revenue Bonds) issue revenue bonds in the
principal amount of not to
exceed \$3,800,000 (in lieu
of \$3,100,000 formerly approved) pursuant to
the Revenue Bond Law of 1941 to provide funds
for the acquisition of the existing privately-
owned water system and acquire under eminent
domain or otherwise, the land, property, and
rights of any character whatsoever of the
existing privately-owned water system serving
the District and provide for the construction of
improvements thereto, and other works, properties
or structures necessary or convenient for the
improvement of the water system of Vandenberg
Village Community Services District?

MEASURE (-): Shall Vandenberg Village
(Sewer System - Community Services District
Revenue Bonds) issue revenue bonds in the
principal amount of not to
exceed \$1,600,000 (in lieu
of \$900,000 formerly approved) pursuant to
the Revenue Bond Law of 1941 to provide funds
for the acquisition of the existing privately-
owned sewer system and acquire under eminent
domain or otherwise, the land, property, and
rights of any character whatsoever of the
existing privately-owned sewer system serving
the District and provide for the construction of
improvements thereto, and other works, properties
or structures necessary or convenient for the
improvement of the sewer system of Vandenberg
Village Community Services District?

Section 2. (a) The estimated cost of the
acquisition and improvement of the water system set forth in
Measure _ is not in excess of \$3,800,000 and the principal
amount of revenue bonds proposed to be issued therefor is not
to exceed \$3,800,000, and the estimated cost of the
acquisition and improvement of the sewer system set forth in
Measure _ is not in excess of \$1,600,000 and the principal
amount of revenue bonds proposed to be issued therefor is not
to exceed \$1,600,000; provided, that said estimated costs
herein set forth shall not be deemed to constitute a

limitation or condition upon the issuance of any of said revenue bonds.

(b) Said estimated costs include, in each case, all costs and estimated costs incidental to or connected with the acquisition and improvement of said systems, together with all engineering, appraisal, inspection, legal and fiscal agent's fees, costs of the bond election and of the issuance of said revenue bonds, and bond reserve funds and working capital and bond interest estimated to accrue during the period of construction and for a period of not to exceed twelve months after completion of construction. The enterprise for which revenue bonds are proposed to be issued under the Revenue Bond Law of 1941 as provided in said Measure _ is hereby defined to be the whole and each and every part of the existing privately-owned water system serving the District and all facilities hereafter acquired or constructed for said water system, and all additions, betterments, extensions and improvements to said water system or any part thereof hereafter made or acquired or constructed by contract, purchase, condemnation or otherwise for said purpose, and the enterprise for which revenue bonds are proposed to be issued under the Revenue Bond Law of 1941 as provided in said Measure _ is hereby defined to be the whole and each and every part of the existing privately-owned sewer ^{system} ~~systeme~~ serving the District and all facilities hereafter acquired or constructed for said sewer system, and all

additions, betterments, extensions and improvements to said sewer system or any part thereof hereafter made or acquired or constructed by contract, purchase, condemnation or otherwise for said purpose. It is hereby found and determined that the District does not now own or operate a water system or a sewer system, that the public interest and necessity require that the District acquire and improve the existing privately-owned water system serving the District and the existing privately-owned sewer system serving the District, that the systems set forth in said measures will, when acquired and improved, constitute a complete water system and a complete sewer system for the District, that the District has no means of financing the cost of the acquisition and improvement of said systems except by the issuance and sale of said revenue bonds, that the net revenues from said water system can be pledged to the payment of the revenue bonds proposed to be issued for the acquisition and improvement of said water system and that the net revenues from said sewer system can be pledged to the payment of the revenue bonds proposed to be issued for the acquisition and improvement of said sewer system, and that said water system and said sewer system, and each and every part thereof, when said systems have been acquired and improved as aforesaid, will constitute a complete water system and a complete sewer system for the District. It is

hereby found and determined that the acquisition and improvement of said systems is necessary to enable the District to exercise its public powers and functions, namely, to furnish sufficient water service and sewer service for any present or future beneficial use of the District.

Section 3. The Board proposes to issue and sell revenue bonds in not to exceed the amount and for the object and purpose specified in either of said measures if a majority of all of the voters voting on either of said measures at said special revenue bond election shall vote in favor of either of said measures. The rate of interest to be paid on said revenue bonds shall not exceed ten per cent (10%) per annum, payable semiannually (except that the Board, in its discretion, may provide that interest for the first year shall be payable annually in one installment at the end of such year), and each of said issues of revenue bonds shall be revenue bonds payable exclusively from the net revenues of each of said systems, respectively, which are legally available for such purpose and are not to be and shall not be secured by the taxing power of the District, and shall be issued under the Revenue Bond Law of 1941. The principal of and interest on each of said issues of revenue bonds, and any premiums upon the redemption of any thereof, are not and shall not constitute a debt of the District, nor a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues

except the net revenues of each of said systems, respectively, legally available for such purpose. No taxes shall ever be levied or collected by the District for the payment of any of said revenue bonds or the interest thereon, nor shall any property of the District be subject to forfeiture therefor, but all the net revenues of each of said systems, respectively, legally available for the payment of said revenue bonds shall be applied, respectively, to such payment. Said issues of revenue bonds, if authorized, shall be special obligations of the District and shall be secured by a pledge of and shall be a charge upon and shall be payable, as to the principal thereof, interest thereon and any premiums upon the redemption of any thereof, solely from and secured by a lien upon the net revenues of each of said systems, respectively, and all of the net revenues of each of said systems, including the net revenues of additions, betterments, extensions and improvements thereto hereafter acquired or constructed, shall be pledged and assigned as security, respectively, for each of said issues of revenue bonds. If the necessary and reasonable maintenance and operation costs of each of said systems (which costs include the reasonable expenses of management, repair and other expenses necessary to maintain and preserve said systems in good repair and working order) are paid when due and if the

interest on and principal of each issue of said revenue bonds and all charges to protect or secure them are paid when due (including such sums for sinking funds, redemption funds, reserve funds or other funds created for the better securing of any of said bonds as may be provided for in the discretion of the Board in the resolutions of the Board providing for the issuance of any of said bonds), then, subject to any limiting covenants in the resolutions of the Board providing for the issuance of any of said bonds, the remaining surplus may, respectively, be used for any lawful purpose of the District, so long as all maintenance and operation costs of each of said systems shall be paid, respectively, from said revenues prior to paying the principal of and interest on any of said revenue bonds and prior to paying any sums for security funds which may be established by the Board in said resolutions. The Board may, subject to the provisions of the Revenue Bond Law of 1941, provide for the issuance of additional revenue bonds for the purpose of making any additions, betterments, extensions or improvements to either of said systems, which additional revenue bonds may be issued on a parity with any of said revenue bonds, subject to such limitations as the Board may specify at the time of the issuance of any of said revenue bonds.

Section 4. The Board does hereby submit to the qualified voters of the District at said special revenue bond

election said measures set forth in Section 1 of this resolution, and designates and refers to said measures in the form of ballot hereinafter prescribed for use at said election.

(a) Said special revenue bond election shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined, as herein provided; and in all particulars not prescribed by this resolution said special revenue bond election shall be held and conducted and the votes received and canvassed in the manner provided by law for the holding of general elections in the District.

(b) All persons qualified to vote at elections in the District upon the date of the election herein provided for shall be qualified to vote upon the measures submitted at said special revenue bond election.

(c) Said special revenue bond election shall be conducted as a mailed ballot election, in accordance with the provisions of Sections 1340 et seq. and Section 23511.1 of the Elections Code, and there shall be no polling places for said special revenue bond election.

(d) On the ballots to be used at said special revenue bond election, in addition to all other matters required by law to be printed thereon, shall appear the measures set forth in Section 1 hereof. Each voter to vote

for either of the measures hereby submitted and for issuing the revenue bonds set forth in said measure shall mark a cross (+) with either pen or pencil in the blank space opposite the word "YES" on the ballot to the right of said measure, and to vote against either of said measures and against issuing the revenue bonds set forth in said measure shall mark a cross (+) with either pen or pencil in the blank space opposite the word "NO" on the ballot to the right of said measure.

(e) The County Clerk of Santa Barbara County shall commence the canvass of the returns of said special revenue bond election at 9:00 A.M. on Thursday, June 30, 1988, at his office, and at the conclusion thereof shall declare the results of said special revenue bond election.

(f) The Board shall meet on Tuesday, July 5, 1988, at 7:30 p.m. at its usual meeting place and declare the results of said special revenue bond election, and shall cause to be spread upon its minutes a statement of the results of said special revenue bond election as ascertained by said canvass.

Section 5. The Secretary of the Board is hereby directed upon the passage and adoption of this resolution to publish a copy of the same once a week for two (2) succeeding weeks in the Lompoc Record, a newspaper of general circulation in the District, and to post copies of the same for two (2) succeeding weeks in three (3) public places in the District. No other notice of the election hereby called need be given.

Section 6. Upon passage of the above measures, Measures A and B of April 2, 1985, shall be declared null and void, and no revenue bonds shall be issued thereunder.

Section 7. This resolution shall be forthwith entered upon the minutes of the Board and shall take effect immediately upon adoption.


PASSED AND ADOPTED this 10th day of February, 1988
by the following vote:

AYES: Directors Fisher, Grantz, Sutherland, Tyler, White 4

NOES: None


ABSENT: None

(SEAL)



President of the Board of Directors
of Vandenberg Village Community
Services District

Attest:



Secretary of the Board of Directors
of Vandenberg Village Community Services District

VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT

AFFIDAVIT OF POSTING

RESOLUTION CALLING SPECIAL REVENUE BOND ELECTION

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA BARBARA)

Faye Edman, being first duly sworn, deposes and says:

That she now is and at all times herein mentioned was Secretary of the Board of Directors of Vandenberg Village Community Services District, County of Santa Barbara, State of California;

That on February 22, 1988, pursuant to Resolution No. 18 calling a special revenue bond election in said District on Tuesday, June 28, 1988, duly passed and adopted by the Board of Directors of said District on February 10, 1988, she conspicuously posted or caused to be posted a certified copy of said resolution at each of three public places in said District, as follows:

- (1) District Office
3875 F Constellation Road
Lompoc, California
- (2) U.S. Post Office Branch Office
Vandenberg Federal Credit Union
3880 Constellation Road
Lompoc, California

(3) Vandenberg Village Branch
City of Lompoc Public Library
3755 Constellation Road
Lompoc, California

That each such resolution remained posted for a period of two succeeding weeks, and that a copy of said resolution as so posted is attached hereto and marked Exhibit A.

Jaye Edman

Secretary of the Board of Directors of
Vandenberg Village Community Services
District

Subscribed and sworn to before me
this 14 day of ^{March}~~February~~, 1988.

Gloria M. Ernberg
NOTARY PUBLIC
State of California

