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RESOLUTION NO. 20-21-12

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT

WHEREAS, on September 8, 2020, the Board of Trustees (the “Board of Trustees”) of the San Jacinto Unified School District (the “School District”), pursuant to the Mello-Roos Community Facilities Act of 1982 (the “Act”), adopted a resolution entitled “Resolution No. 20-21-08 – Intention to Establish a Community Facilities District, Proposed to be Named Community Facilities District No. 2020-1 of the San Jacinto Unified School District, and to Authorize the Levy of Special Taxes” stating its intention to establish Community Facilities District No. 2020-1 of the San Jacinto Unified School District (the “Community Facilities District”) and to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities;

WHEREAS, on September 8, 2020, the Board of Trustees also adopted a resolution entitled “Resolution No. 20-21-09 – To Incur Bonded Indebtedness of the Proposed Community Facilities District No. 2020-1 of the San Jacinto Unified School District” (the “Resolution to Incur Bonded Indebtedness”) declaring the necessity for incurring bonded indebtedness and setting the date for a public hearing to be held on the proposed debt issue;

WHEREAS, pursuant to the Resolution to Incur Bonded Indebtedness, notice of said public hearing was published in *The Press-Enterprise*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act;

WHEREAS, on this date, the Board of Trustees opened, conducted and closed said public hearing;

WHEREAS, at said public hearing, any person interested, including persons owning property within the area and desiring to appear and present any matters material to the questions set forth in the Resolution to Incur Bonded Indebtedness appeared and presented such matters;

WHEREAS, oral or written protests against the proposed debt issue were not made or filed at or before said public hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax;

WHEREAS, on this date, the Board of Trustees adopted a resolution entitled “A Resolution of the Board of Trustees of the San Jacinto Unified School District of Formation of Community Facilities District No. 2020-1 of the San Jacinto Unified School District, Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District” (the “Resolution of Formation”);

WHEREAS, the Clerk of the Board of Trustees (the “Clerk”) is the election official that will conduct the special election on the proposition to incur bonded indebtedness for the Community Facilities District;

WHEREAS, there has been filed with the Clerk a letter from the Registrar of Voters of the County of Riverside indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of September 3, 2020, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of said public hearing;

WHEREAS, there has been filed with the Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on October 13, 2020, and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the Clerk has concurred in said waivers and has concurred in holding said special election on October 13, 2020;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the San Jacinto Unified School District, as follows:

Section 1. The foregoing recitals are true and correct, and the Board of Trustees so finds and determines.

Section 2. The Board of Trustees deems it necessary to incur the bonded indebtedness.

Section 3. The bonded indebtedness will be incurred for the purpose of financing the costs of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose.

Section 4. In accordance with the previous determination of the Board of Trustees, the whole of the Community Facilities District will pay for the bonded indebtedness.

Section 5. The maximum aggregate amount of debt to be incurred is \$2,500,000.

Section 6. The maximum term the bonds to be issued shall run before maturity is 40 years.

Section 7. The maximum annual rate of interest to be paid shall not exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds, payable semiannually or

at such times as the Board of Trustees or its designee shall determine, the actual rate or rates and times of payment of such interest to be determined by the Board of Trustees or its designee at the time or times of sale of the bonds.

Section 8. The proposition to incur the bonded indebtedness will be submitted to the voters.

Section 9. The Board of Trustees hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of September 3, 2020, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings held by the Board of Trustees on the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

Section 10. The Board of Trustees hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), and (b) to the holding of said election on October 13, 2020. The Board of Trustees hereby finds and determines that the Clerk has concurred in said waivers and has concurred in holding said election on October 13, 2020.

Section 11. The date of the special community facilities district election (which shall be consolidated with the special district election to levy a special tax within the Community Facilities District) at which time the proposition shall be submitted to the voters is October 13, 2020.

Section 12. The election is to be conducted by mail ballot. The mailed ballots are required to be received in the office of the Clerk no later than 8:00 p.m. on October 13, 2020; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the Clerk.

Section 13. The officers, employees and agents of the School District are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

Section 14. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Trustees of the San Jacinto Unified School District on October 13, 2020.

John I. Norman, President of the Board of
Trustees of the San Jacinto Unified School
District

ATTEST:

Deborah Rex, Clerk of the Board of
Trustees of the San Jacinto Unified School
District

CLERK’S CERTIFICATE

I, Deborah Rex, Clerk of the Board of Trustees of the San Jacinto Unified School District, hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the Board of Trustees of said School District duly held and conducted on October 13, 2020, of which meeting all of the members of said Board of Trustees had due notice and at which a quorum thereof was present and participated (in person or telephonically), and that at said meeting said Resolution was adopted by the following vote:

AYES: BOARD MEMBERS:
NOES: BOARD MEMBERS:
ABSTAIN: BOARD MEMBERS:
ABSENT: BOARD MEMBERS:

An agenda of the meeting was posted at least 72 hours before the meeting at 2045 South San Jacinto Avenue, San Jacinto, California, a location freely accessible to members of the public, and on the San Jacinto Unified School District’s internet website, and a brief general description of said Resolution appeared on said agenda as well as information as to how members of the public could observe and address said meeting.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing Resolution is a full, true and correct copy of the original Resolution adopted at said meeting and entered in said minutes; and that said Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2020

Deborah Rex, Clerk of the Board of Trustees
of the San Jacinto Unified School District