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RESOLUTION NO. 20-21-13

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT CALLING SPECIAL ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT

WHEREAS, on this date, 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 “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”), establishing Community Facilities District No. 2020-1 of the San Jacinto Unified School District (the “Community Facilities District”), authorizing the levy of a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District;

WHEREAS, on this date, the Board of Trustees also adopted a resolution entitled “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” (the “Resolution Deeming it Necessary to Incur”), deeming it necessary to incur bonded indebtedness in the maximum amount of \$2,500,000;

WHEREAS, pursuant to the provisions of said resolutions, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District are to be submitted to the qualified electors of the Community Facilities District as required by the Act;

WHEREAS, the Board of Trustees desires to designate the Clerk of the Board of Trustees (the “Clerk”) as the election official for the special election provided for herein;

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 the public hearings on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District;

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. Pursuant to Sections 53351, 53326 and 53325.7 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefor as provided below.

Section 3. The Clerk is hereby designated as the official to conduct said election.

Section 4. As authorized by Section 53353.5 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

Section 5. 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 heretofore held by the Board of Trustees on the establishment of the Community Facilities District and 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 6. 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), (b) to the holding of said election on October 13, 2020, and (c) to the waiver of any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act. 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 7. The Board of Trustees hereby calls a special election to submit to the qualified electors of the Community Facilities District the combined proposition to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District, which election shall be held at 2045 S. San Jacinto Avenue, San Jacinto, California, on October 13, 2020. The Board of Trustees has caused to be provided to the Clerk, as the official to conduct said election, the Resolution of Formation, the Resolution of Deeming it Necessary to Incur, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the Clerk to determine the boundaries of the Community Facilities District.

The voted ballots shall be returned to the Clerk not 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 8. Pursuant to Section 53326 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Section 4000 *et. seq.* of the California Elections Code. Except as otherwise provided in the Act, the provisions of law regulating elections of the School District, insofar as they may be applicable, will govern the election.

Section 9. The form of the ballot for said election is attached hereto as Exhibit A and by this reference incorporated herein, and such form of ballot is hereby approved. The Clerk shall cause to be delivered to each of the qualified electors of the Community Facilities District a ballot in said form. Each ballot shall indicate the number of votes to be voted by the respective landowner to which it pertains.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the return postage prepaid, and shall contain: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized representative of the landowner entitled to vote and is the person whose name appears on the identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Analysis and arguments with respect to the ballot proposition are hereby waived, as provided in Section 53327 of the Act.

Section 10. The Clerk shall accept the ballots of the qualified electors in the office of the Clerk at 2045 S. San Jacinto Avenue, San Jacinto, California, to and including 8:00 p.m. on October 13, 2020, whether said ballots be personally delivered or received by mail. The Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

Section 11. The Board of Trustees hereby determines that the facilities financed by the Community Facilities District are necessary to meet increased demands placed upon local agencies as a result of development occurring in the Community Facilities District.

Section 12. The specific purposes of the bonded indebtedness proposed to be incurred is the financing 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, and the proceeds of such bonded indebtedness shall be applied only to such specific purposes.

Upon approval of the proposition to incur bonded indebtedness, and the sale of any bonds evidencing such indebtedness, the Board of Trustees shall take such action as may be necessary to cause to be established an account for deposit of the proceeds of sale of the bonds. For so long as any proceeds of the bonds remain unexpended, the Assistant Superintendent, Business Services of the School District shall cause to be filed with the Board of Trustees, no later than January 1 of each year, a report stating (a) the amount of bond proceeds received and expended during the preceding year, and (b) the status of any project funded or to be funded from bond proceeds. Said report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Assistant Superintendent, Business Services of the School District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board of Trustees.

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

EXHIBIT A

OFFICIAL BALLOT

SAN JACINTO UNIFIED SCHOOL DISTRICT October 13, 2020

SPECIAL ELECTION

This ballot is for a special, landowner election. The number of votes to be voted pursuant to this ballot is ____.

INSTRUCTIONS TO VOTERS:

To vote on the measure, mark a cross (+ or X) in the voting square after the word “YES” or after the word “NO”. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the Clerk of the Board of Trustees of the San Jacinto Unified School District and obtain another.

COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the Community Facilities District No. 2020-1 of the San Jacinto Unified School District (the “Community Facilities District”) be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$2,500,000 and levy a special tax in order to finance certain facilities and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$2,500,000, all as specified in the 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” and the Resolution entitled “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,” each adopted by the Board of Trustees of the School District on October 13, 2020?

Yes:

No:

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