



*The San Jacinto Difference!*

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## **ORDINANCE NO. 20-21-01**

### **AN ORDINANCE OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT LEVYING SPECIAL TAXES 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” (the “Resolution of Intention”), stating its intention to establish Community Facilities District No. 2020-1 of the San Jacinto Unified School District (the “Community Facilities District”) and to finance certain public facilities (the “Facilities”);

**WHEREAS**, on October 13, 2020, the Board of Trustees held a noticed public hearing on the establishment of the Community Facilities District, as required by the Act;

**WHEREAS**, subsequent to the close of said hearing, the Board of Trustees adopted resolutions 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”), “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” and “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,” which resolutions established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of incurring indebtedness, levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively; and

**WHEREAS**, on October 13, 2020, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act;

**THE BOARD OF TRUSTEES OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT, STATE OF CALIFORNIA, DOES ORDAIN 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 hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the “Rate and Method of Apportionment”). The special taxes are hereby levied commencing in fiscal year 2021-22 and in each fiscal year thereafter until the last fiscal year in which such special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

**Section 3.** The Board of Trustees may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the special tax in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the special tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method of Apportionment.

**Section 4.** The special tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method of Apportionment.

**Section 5.** The proceeds of the special tax shall only be used to pay, in whole or in part, the cost of providing the Facilities and incidental expenses pursuant to the Act.

**Section 6.** The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the Board of Trustees.

**Section 7.** If for any reason any portion of this Ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the Community Facilities District, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the Community Facilities District shall not be affected.

**Section 8.** This Ordinance shall take effect and be in force 30 days after the date of its adoption and, prior to the expiration of 15 days from the passage thereof, shall be published at least once in *The Press-Enterprise*, a newspaper of general circulation and published in the San Jacinto Unified School District, State of California, together with the names of the Board of Trustees members voting for and against the same.

**PASSED, ADOPTED and APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2020, by the Board of Trustees of the San Jacinto Unified School District, Riverside County, California.

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President of the Board of Trustees of the San  
Jacinto Unified School District

ATTEST:

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Clerk of the Board of Trustees of the San  
Jacinto Unified School District

## CLERK'S CERTIFICATE

I, \_\_\_\_\_, 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 an Ordinance duly introduced at a regular meeting of said Board of Trustees on October 13, 2020, and which was duly adopted not less than five days later at a regular meeting of said Board of Trustees on \_\_\_\_\_, 2020, of which meetings 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 \_\_\_\_\_, 2020, meeting said Ordinance was adopted by the following vote:

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

An agenda of each meeting was posted at least 72 hours before such 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 Ordinance appeared on said agenda as well as information as to how members of the public could observe and address such meeting.

I further certify that I have carefully compared the same with the original minutes of said meetings on file and of record in my office; that the foregoing Ordinance is a full, true and correct copy of the original Ordinance adopted on \_\_\_\_\_, 2020 and entered in said minutes; and that said Ordinance 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

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Clerk of the Board of Trustees of the San  
Jacinto Unified School District