

**NOTICE OF PUBLIC HEARING
REGARDING ESTABLISHMENT OF
COMMUNITY FACILITIES DISTRICT
AND PROVIDING FOR THE ANNEXATION
THEREOF OF TERRITORY PROPOSED FOR
ANNEXATION IN THE FUTURE**

**REDLANDS UNIFIED SCHOOL DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2024-1**

Notice is hereby given that on September 17, 2024, the Board of Education (the "Board of Education") of the Redlands Unified School District (the "School District") adopted a Resolution entitled "A Resolution of the Board of Education of the Redlands Unified School District of Intention to Establish a Community Facilities District Proposed to be Named Redlands Unified School District Community Facilities District No. 2024-1, to Authorize the Levy of Special Tax Therein and to Provide for the Annexation of Territory Proposed for Annexation in the Future" (the "Resolution"). Pursuant to Section 53322 and Section 53339.4 of the Mello-Roos Community Facilities Act of 1982, the Board of Education hereby gives notice as follows:

A. The text of the Resolution is as follows:

WHEREAS, Section 53318 of the Mello-Roos Community Facilities Act of 1982 (the "Act") provides that proceedings for the establishment of a community facilities district shall be instituted by a legislative body of a local agency when a petition requesting the institution of the proceedings signed by the owners of not less than 10% of the area of land proposed to be included within the community facilities district and not proposed to be exempt from the special tax, describing the boundaries of the territory that is proposed for inclusion in the area and specifying the type or types of facilities to be financed by the community facilities district is filed with the clerk of the legislative body;

WHEREAS, Section 53318 of the Act further provides that such a petition may not be acted upon until the payment of a fee in an amount that the legislative body determines, within 45 days of receiving such petition, is sufficient to compensate the legislative body for all costs incurred in conducting proceedings to create a community facilities district pursuant to the Act;

WHEREAS, Section 53339.2 of the Act provides that if the landowners request the legislative body to include territory within the community facilities district, the legislative body may adopt a resolution to provide for future annexation of the territory, with the condition that parcels within that territory may be annexed only with the unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed;

WHEREAS, the Board of Education (the "Board of Education") of the Redlands Unified School District (the "School District") has received a written petition (collectively, the "Petitions") from each of (a) Meritage Homes of

California, Inc., (b) Tri Pointe Homes IE-SD, Inc., (c) KL LB BUY 2 LLC and (d) Bird Song LLC, Metis Two LLC and VS Unlimited LLC, as tenants in common (each separate entity described in (a), (b), (c) or (d), a "Landowner") requesting the Board of Education to institute proceedings pursuant to the Act to establish a community facilities district (the "Community Facilities District") and to authorize the Community Facilities District to levy a special tax within the Community Facilities District, describing the boundaries of the territory that is proposed for inclusion in the Community Facilities District, specifying the types of facilities to be financed by the Community Facilities District, requesting the Board of Education to provide for the future annexation of territory to the Community Facilities District and identifying the territory proposed for such annexation in the future;

WHEREAS, in connection with such request to institute proceedings to establish the Community Facilities District, each Landowner has paid a fee and, in the aggregate, such fees paid by the Landowners are in an amount that the Board of Education has determined is sufficient to compensate the Board of Education for all cost incurred in conducting proceedings to create the Community Facilities District pursuant to the Act; and

WHEREAS, each Landowner has represented to the Board of Education the percentage of the area of land proposed to be included within the Community Facilities District and not proposed to be exempt from the special tax of which such Landowner is the owner and, based on such representations, the Landowners constitute the owners of 100% of the area of land proposed to be included within the Community Facilities District and not proposed to be exempt from the special tax;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Redlands Unified School District as follows:

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

Section 2. The Board of Education hereby finds that the Petitions are signed by the landowners owning the requisite area of land proposed to be included within the Community Facilities District.

Section 3. The Board of Education proposes to establish the Community Facilities District under the terms of the Act. The boundaries of the territory proposed for inclusion in the Community Facilities District are described in the map showing the proposed Community Facilities District (the "Boundary Map") on file in the office of the Clerk of the Board of Education (the "Clerk"), a copy of which is attached hereto as Exhibit A, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The Clerk is hereby directed to sign the original Boundary Map and record, or cause to be recorded, the Boundary Map with all proper endorsements

thereon in the office of the San Bernardino County Recorder within 15 days of the date of adoption of this Resolution, all as required by Section 3111 of the California Streets and Highways Code.

Section 4. The name proposed for the Community Facilities District is “Redlands Unified School District Community Facilities District No. 2024-1.”

Section 5. The public facilities (the “Facilities”) proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption “Facilities” on Exhibit B hereto, which is by this reference incorporated herein. The incidental expenses proposed to be incurred are identified under the caption “Incidental Expenses” on Exhibit B hereto. All or any portion of the Facilities may be financed through a financing plan, including, but not limited to, a lease, lease-purchase or installment-purchase arrangement.

Section 6. The Board of Education proposes that, except where funds are otherwise available, the Community Facilities District be authorized to annually levy within the Community Facilities District a special tax (the “Special Tax”) sufficient to pay for all Facilities, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District. The rate, method of apportionment and manner of collection of the Special Tax in sufficient detail to allow each landowner or resident within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is specified in the Rate and Method of Apportionment of Special Tax (the “Rate and Method”) attached hereto as Exhibit C, which is by this reference incorporated herein. The conditions under which the obligation to pay the Special Tax may be prepaid and permanently satisfied are specified in the Rate and Method. The Special Tax will be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as the Board of Education shall determine, including direct billing of the affected property owners.

Section 7. The tax year after which no further Special Tax shall be levied against any parcel used for private residential purposes is specified in the Rate and Method. Under no circumstances shall the Special Tax in any fiscal year against any parcel used for private residential purposes be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the Community Facilities District by more than 10% above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. For purposes of this paragraph, a parcel shall be considered “used for private residential purposes” not later than the date on which an occupancy permit for private residential use is issued.

Section 8. Pursuant to Section 53344.1 of the Act, the Board of Education hereby reserves to itself the right and authority to allow any interested owner of property within the Community Facilities District, subject to the provisions of said Section 53344.1 and to those conditions as it may impose, and any applicable prepayment penalties as prescribed in the bond indenture or comparable

instrument or document, to tender to the Community Facilities District treasurer in full payment or part payment of any installment of the Special Tax or the interest or penalties thereon that may be due or delinquent, but for which a bill has been received, any bond or other obligation secured thereby, the bond or other obligation to be taken at par and credit to be given for the accrued interest shown thereby computed to the date of tender.

Section 9. The Board of Education proposes to provide, pursuant to Section 53339.7 of the Act for the future annexation of territory to the Community Facilities District, which territory is described in the map attached hereto as Exhibit D (the "Annexation Territory"), with the condition that parcels within the Annexation Territory may be annexed only with the unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed. The types of public facilities proposed to be provided in the Annexation Territory pursuant to the Act are the Facilities. The plan for sharing Facilities provided in common within the Community Facilities District and within the Annexation Territory is that all such Facilities will serve the needs of students within the School District. The special tax that would be levied within the Annexation Territory is the Special Tax. There will be no alteration in the Special Tax rate to be levied on parcels within the then existing boundaries of the Community Facilities District as a result of any annexation to the Community Facilities District of any parcel or parcels within the Annexation Territory. Upon a determination by the Board of Education that a parcel or parcel within the Annexation Territory is added to the Community Facilities District, the Clerk shall record notice of the annexation pursuant to Section 3117.5 of the Streets and Highways Code.

Section 10. The Board of Education hereby fixes Tuesday, October 22, 2024, at 6:00 p.m., or as soon thereafter as the Board of Education may reach the matter, at 25 West Lugonia Avenue, Redlands, California, as the time and place when and where the Board of Education will conduct a public hearing on the establishment of the Community Facilities District and the proposed future annexation of territory to the Community Facilities District; provided, that, in the event the October 22, 2024 Board of Education meeting is held via teleconference and/or videoconference only, the means by which the public may observe such public hearing and offer public comment shall be prescribed in the notice and agenda for such Board of Education meeting.

Section 11. The Clerk is hereby directed to publish, or cause to be published, a notice of said public hearing one time in a newspaper of general circulation published in the area of the proposed Community Facilities District and the proposed Annexation Territory. Publication of said notice shall be completed at least seven days prior to the date herein fixed for said public hearing. Said notice shall contain all of the information prescribed by Section 53322 and Section 53339.4 of the Act.

Section 12. The authorization to levy the Special Tax shall be submitted to the qualified electors of the Community Facilities District at a special election. The proposed voting procedure shall be a vote by the landowners in the Community Facilities District conducted by mail or hand-delivered ballots, with each owner having one vote for each acre or portion of an acre such owner owns in the Community Facilities District.

Section 13. Each officer of the School District who is or will be responsible for providing one or more of the proposed types of Facilities is hereby directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the Board of Education containing a brief description of the Facilities by type that will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing the Facilities. Such officers are hereby also directed to estimate the fair and reasonable cost of the incidental expenses proposed to be paid. Such report shall be made a part of the record of said public hearing.

Section 14. All actions heretofore taken by the officers, employees and agents of the School District with respect to the establishment of the Community Facilities District, or in connection with or related to any of the matters referred to herein, are hereby approved, confirmed and ratified.

Section 15. The officers, employees and agents of the School District are hereby authorized and directed to take all actions and do all things that 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 16. This Resolution shall take effect immediately upon its adoption.

B. The map of the Community Facilities District and the exhibits to the Resolution that describe the Facilities proposed to be financed by the Community Facilities District, the Rate and Method and proposed Annexation Territory are on file in the office of the Clerk of the Board of Education and are hereby referred to for detail.

C. The time and place of the hearing on the establishment of the Community Facilities District are Tuesday, October 22, 2024, at 6:00 p.m., or as soon thereafter as the Board of Education may reach the matter, at 25 West Lugonia Avenue, Redlands, California; provided, that, in the event the October 22, 2024 Board of Education meeting is held via teleconference and/or videoconference only, the means by which the public may observe such public hearing and offer public comment shall be prescribed in the notice and agenda for such Board of Education meeting.

D. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the Community Facilities District, the extent of the Community Facilities District, the furnishing of specified types of public facilities and the future annexation of territory to the

Community Facilities District will be heard. At the hearing, protests against the establishment of the Community Facilities District, the extent of the Community Facilities District, the furnishing of specified types of public facilities within the Community Facilities District or the proposals described in the Resolution may be made orally or in writing by any interested person, as provided in Section 53323 and Section 53339.5 of the Act.

If 50 percent 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 the land in the territory proposed to be included in the Community Facilities District and not exempt from the Special Tax, file written protests against the establishment of the Community Facilities District, and the protests are not withdrawn so as to reduce the value of the protests to less than a majority, no further proceedings to create the Community Facilities District or to authorize the Special Tax may be taken for a period of one year from the date of the decision of the Board of Education. If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of facilities within the Community Facilities District, or against levying a specified Special Tax, those types of facilities or the specified Special Tax will be eliminated from the resolution of formation.

If 50 percent 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 if 50 percent or more of the registered voters, or six registered voters, whichever is more residing within the territory proposed to be annexed in the future, or if 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, or if the owners of one-half or more of the area of land in the territory proposed to be annexed in the future and not exempt from the Special Tax, file written protests against the proposed addition of territory to the to the proposed Community Facilities District in the future, and the protests are not withdrawn so as to reduce the value of the protests to less than a majority, no further proceedings to authorize the same territory to be annexed in the future may be undertaken for a period of one year from the date of the decision of the Board of Education on the issues discussed at the hearing.

E. The proposed voting procedure for the Community Facilities District is by mailed or hand-delivered ballot among the landowners in the Community Facilities District, with each owner having one vote for each acre or portion of an acre such owner owns in the Community Facilities District.

If the Board of Education meeting scheduled for October 22, 2024 is cancelled, the public hearing on the proposed debt authorization for the Community Facilities District will be continued to the next regular Board of Education meeting and, in accordance with Section 54955.1 of the California Government Code, a notice of continuance will be delivered to each local newspaper of general circulation and radio or television station requesting notice in writing, will be posted on the School District's internet website and will be posted at least 24 hours prior to the date to which the public hearing is continued in a location that is freely accessible to members of the public.

Dated: October 14, 2024

/s/ Jim O'Neill

Clerk of the Board of Education
of the Redlands Unified School District