

**NOTICE OF PUBLIC HEARING REGARDING THE INTENTION TO  
INCUR BONDED INDEBTEDNESS WITHIN PROPOSED  
COMMUNITY FACILITIES DISTRICT NO. 9 OF THE  
SAN MARCOS UNIFIED SCHOOL DISTRICT**

**NOTICE IS HEREBY GIVEN** of a public hearing to be held before the Governing Board of the San Marcos Unified School District to receive public comments regarding the necessity to incur bonded indebtedness in an amount not to exceed \$4,000,000 within proposed Community Facilities District No. 9 of the San Marcos Unified School District.

**The time and place for the hearing regarding such matter shall be 6:30 p.m., or as soon thereafter as practicable, on February 20, 2018, at the San Marcos Unified School District Board Room 255 Pico Avenue, Suite 250, San Marcos, California.** At such time and place, any person interested, including taxpayers, property owners and registered voters in the area within proposed Community Facilities District No. 9, will be heard upon the proposed debt issue.

A summary of the resolution adopted by the Governing Board concerning such proposed debt authorization is set forth below.

DATED: January 16, 2018

  
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Clerk of the Governing Board of the San  
Marcos Unified School District

**SUMMARY OF RESOLUTION OF INTENTION OF THE GOVERNING BOARD OF  
THE SAN MARCOS UNIFIED SCHOOL DISTRICT TO INCUR BONDED  
INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED  
\$4,000,000 WITHIN PROPOSED COMMUNITY FACILITIES DISTRICT NO. 9 OF THE  
SAN MARCOS UNIFIED SCHOOL DISTRICT**

**WHEREAS**, the San Marcos Unified School District (“School District” or “District”) is a public school district organized and operating pursuant to the California Education Code; and

**WHEREAS**, the Governing Board (“Governing Board”) of the School District has heretofore adopted a Community Facilities District Finance Policy (“CFD Financing Policy”) pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (“Act”); and

**WHEREAS**, the Governing Board of the School District has heretofore adopted Resolution # 23-17/18 stating its intention to form Community Facilities District No. 9 of the San Marcos Unified School District (“CFD No. 9”) pursuant to the provisions of the Act to provide and finance those public facilities described in Resolution # 23-17/18 (“Facilities”), and any incidental expenses thereto, to serve the area within proposed CFD No. 9; and

**WHEREAS**, the Governing Board estimates the approximate amount required to finance the Facilities, including the incidental costs thereof, is \$4,000,000; and

**WHEREAS**, in order to finance the Facilities it is necessary to incur bonded indebtedness in an aggregate principal amount not to exceed \$4,000,000, the repayment of which is to be secured by special taxes levied in accordance with Section 53328 of the Act and the Rate and Method of Apportionment described in Exhibit "C" to Resolution # 23-17/18.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE GOVERNING BOARD OF THE SAN MARCOS UNIFIED SCHOOL DISTRICT, AS FOLLOWS:**

**Section** It is necessary to incur bonded indebtedness within the boundaries of proposed CFD No. 9 in an aggregate principal amount not to exceed \$4,000,000 for the purpose of financing the Facilities and the incidental expenses thereof.

**Section** The amount of the proposed bonded indebtedness shall include all costs and estimated costs incidental to or connected with the accomplishment of the purpose for which the bonded indebtedness is to be incurred, including, but not limited to, the estimated costs of design, construction, acquisition and financing of the Facilities; satisfaction of contractual obligations relating to expenses or the advancement of funds for expenses existing at the time the bonds are issued pursuant to the Act; costs associated with the creation of CFD No. 9; the determination of the amount of special taxes; costs otherwise incurred in order to carry out the authorized purposes of CFD No. 9; architectural, engineering, inspection, legal, fiscal and financial consultant fees; bond and other reserve funds; discount fees; capitalized interest on bonds of CFD No. 9 for a period not to exceed twenty-four (24) months for any series of bonds; election costs; administration costs; all costs of issuance of the bonds or other securities, including, but not limited to, fees for bond counsel, costs of obtaining credit ratings, bond insurance premiums, printing costs, and any other expenses incidental to the construction, completion, and inspection of the Facilities.

**Section** It is the intent of the School District to authorize the sale of the bonds in an aggregate principal amount not to exceed \$4,000,000 at a maximum interest rate not to exceed 12% per annum or at a rate not in excess of the maximum rate permitted by law at the time the bonds are issued. The term of the bonds shall be determined pursuant to a resolution, indenture, fiscal agent agreement, or other legal instrument setting forth the issuance terms of the bonds, but such term shall in no event exceed 40 years or such longer term as is then permitted by law.

**Section** A public hearing ("Hearing") on the proposed issuance of bonded indebtedness in an aggregate principal amount not to exceed \$4,000,000 shall be held on January 16, 2018, at 6:30 p.m., or as soon thereafter as practicable, at the San Marcos Unified School District's Board Room, 255 Pico Avenue, San Marcos, California.

**Section** At the time and place set forth above for the Hearing, any interested persons, including taxpayers, property owners and registered voters within the boundaries of proposed CFD 9, may appear and be heard.

**Section** The Clerk or Secretary of the School District is hereby directed to publish, or cause to be published, a notice (“Notice”) of the Hearing pursuant to Section 6061 of the Government Code of the State of California in a newspaper of general circulation published in the area of proposed CFD No. 9. Such Notice shall contain a summary of this Resolution, state the time and place of the Hearing, and shall contain a statement that, at such Hearing, the testimony of all interested persons or taxpayers shall be heard. Such publication shall be completed at least seven days prior to the date of the Hearing.

**Section** Following the conclusion of the Hearing, the Governing Board may determine to place the matter of the authorization of bonded indebtedness of proposed CFD No. 9 before the qualified electors of the territory within proposed CFD No. 9 pursuant to the provisions of the Act in an election (“Election”) to be called and conducted pursuant to applicable State of California law, including, but not limited to, the provisions of the Act. Such Election may be consolidated with a special tax election for proposed CFD No. 9 as described in School District Resolution # 24-17/18, adopted by the Governing Board on January 16, 2018 (which is incorporated herein by this reference). The provisions concerning such special tax election conducted within CFD No. 9 shall generally apply to the Election.

**Section** All actions heretofore taken by officers, agents and consultant to the School District with respect to the proposed formation of CFD No. 9 and related matters are hereby approved, confirmed and ratified. The President, Clerk and Secretary of the Governing Board and the Superintendent and School District officers and consultants are each authorized and directed in the name and on behalf of the District to make and execute any and all certificates, requisitions, agreements, notices, consents, warrants and other documents, which they, or any of them, might deem necessary or appropriate in order to carry out the directives of this Resolution. Whenever in this Resolution any officer of the District is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in case such officer shall be absent or unavailable.

ADOPTED, SIGNED AND APPROVED this 16<sup>th</sup> day of January, 2018.

GOVERNING BOARD OF THE SAN MARCOS UNIFIED SCHOOL DISTRICT