NOTICE OF PUBLIC HEARING ON INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2024-1 OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT

NOTICE IS HEREBY GIVEN of the intention of the Board of Education ("Board") of the Colton Joint Unified School District ("District") to form Community Facilities District No. 2024-1 of the Colton Joint Unified School District ("CFD No. 2024-1") for the purpose of providing funds to plan for, study, design, acquire, construct, finance or refinance the costs of public facilities authorized to be funded, including, but not limited to, school facilities and related facilities ("Facilities"), to fulfill needs for public facilities and supporting infrastructure resulting from development within CFD No. 2024-1 and authorize a levy of a special tax to pay for the Facilities as may be permitted by law presently or in the future.

The time and place set for the hearing on the establishment of CFD No. 2024-1 is September 19, 2024, at 5:30 p.m., or as soon thereafter as practicable, at the Board Room of the District, 900 East Washington Street, Colton CA 92324. At such time the testimony of all interested persons for or against the establishment of CFD No. 2024-1, the extent of CFD No. 2024-1, the proposed rate and method of apportionment of the proposed special tax, or the furnishing of particular specified types of public facilities by proposed CFD No. 2024-1 will be heard. Protests may be made orally or in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests not personally presented by the author of that protest at the hearing shall be filed with the Clerk of the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in such proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

If 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in CFD No. 2024-1, or the owners of one-half or more of the area of land in the territory proposed to be included within CFD No. 2024-1, file written protests against the establishment of CFD No. 2024-1, and protests are not withdrawn so as to reduce the value of the protest to less than a majority, no further proceedings to create CFD No. 2024-1, or levy the specified special tax, shall be taken for a period of one year from the date of the decision of the Board.

If the majority protests of the registered voters or the landowners are only against the furnishing of a specified type, or types, of facilities or services within CFD No. 2024-1, or against the levying of a specified special tax, those types of facilities or services or the specified special tax shall be eliminated from the Resolution of Formation.

At the conclusion of the hearing, if the District determines to establish CFD No. 2024-1, it shall adopt a Resolution of Formation and then submit a levy of the proposed special taxes to the qualified electors of CFD No. 2024-1 in the next general election or at a special election to be held, notwithstanding any other requirement contained in the Elections Code, at least 90 days, but not more than 125 days following the close of the hearing, the concurrence of the election official conducting the election shall be required. However, the time for holding the election may be shortened with the unanimous consent of all qualified electors and the consent of the election official.

If at least 12 persons, who need not necessarily be the same 12 persons, have been registered to vote within the territory within CFD No. 2024-1 for each of the 90 days preceding the close of the hearing, the vote shall be by registered voters of CFD No. 2024-1 with each of the voters having one vote. Otherwise, the vote shall be by landowners within CFD No. 2024-1 and each landowner shall have one vote for each acre, or portion of an acre, of land that such person or party owns within the boundaries of proposed CFD No. 2024-1. The proposition to approve such special taxes shall, pursuant to California law, require a 2/3 favorable vote to be approved.

A summary of the resolution of intention to establish CFD No. 2024-1 and to authorize special taxes, adopted by the Board of Education of the Colton Joint Unified School District on August 15, 2024, is set forth below.

DATED: August 15, 2024

Israel Fuentes, Clerk of the Board of Education of the Colton Joint Unified School District

SUMMARY OF RESOLUTION OF INTENTION OF THE BOARD OF EDUCATION OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2024-1 OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2024-1 OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT

WHEREAS, the Colton Joint Unified School District ("School District") is a public school district organized and operating pursuant to the California Education Code; and

WHEREAS, the Board of Education ("Board of Education") of the School District has previously adopted its Community Facilities District Financing 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 Board of Education has received a request from the landowner ("Owner") requesting that the Board of Education undertake proceedings pursuant to the Act for the establishment of a community facilities district to include the property of Owner ("Property") which community facilities district is to be designated as "Community Facilities District No. 2024-1 of the Colton Joint Unified School District" ("CFD No. 2024-1"); and

WHEREAS, the Board of Education of the School District intends to institute proceedings for the establishment of CFD No. 2024-1 pursuant to the Act to provide funds to plan for, design, acquire, construct, lease, expand, improve, rehabilitate, finance, refinance and to potentially pay for certain existing obligations for the costs of public facilities, including school facilities for School District ("School Facilities"), facilities for West Valley Water District ("WVWD Facilities"), and facilities for the City of Rialto ("City Facilities," and collectively with the School Facilities and WVWD Facilities, the "Facilities") as described in Exhibit "A," attached hereto and made a part hereof by this reference pursuant to the Act; and

WHEREAS, the financing and funding of the aforementioned Facilities to serve the area within the School District, including proposed CFD No. 2024-1, shall also include costs of acquisition, construction, expansion, relocation, rehabilitation, leasing/purchasing and financing of public facilities including furnishings and equipment (including, to the extent permitted by law, vehicles and technology equipment and infrastructure), and required sites therefore and appurtenances thereto, including, but not by way of limitation, the planning and design work related thereto, as well as property, easements and rights of way, the cost of leasing or purchasing completed facilities, as may be further identified in the CFD Report (discussed in Section 11, below) to be filed as provided by applicable law with the Clerk of the School District; and

WHEREAS, the cost(s) of financing the Facilities shall include the payment of principal of and interest on bonds, or other securities, in one or more series or issuances (collectively, the "Bonds"), to finance the Facilities, or direct costs, and/or other periodic costs, including, but not limited to, costs of administering CFD No. 2024-1, the levy of taxes and administration of the Bonds or other debt or securities; the establishment and replenishment of reserve funds and any other necessary costs to serve the property within the boundaries of proposed CFD No. 2024-1 depicted on Exhibit "B," attached hereto and incorporated by this reference ("Project Area"); and

WHEREAS, it is the intention of the School District to plan, design, construct, lease, acquire or finance the construction, modification, relocation, modernization, rehabilitation, upgrading, expansion or acquisition of the Facilities, or any combination thereof, for the Project Area through the formation of CFD No. 2024-1 subject to the authorization of Bonds and the levy of special taxes to pay for planning, construction, acquisition or installment purchase payments, lease or other payments including principal of and interest on Bonds to be approved at an election to be held within the boundaries of CFD No. 2024-1.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section. CFD No. 2024-1 is proposed to be established under the provisions and requirements of the Act. The School District has arranged for the preparation of a boundary map of proposed CFD No. 2024-1 ("Map"). The proposed boundaries of the territory proposed for inclusion in CFD No. 2024-1 are as depicted on Exhibit "B," attached hereto and incorporated herein by this reference. Based on the information available, the Board of Education determines that the proposed boundaries of CFD No. 2024-1 include the entirety of any Assessor's parcel which will be subject to the special taxes of CFD No. 2024-1. The Map of CFD No. 2024-1 shall remain on file in the office of the School District and shall be available for public inspection at least fifteen (15) days prior to the public hearing referenced in Section 9. The Clerk of the Board of Education, or the Clerk's designee, is directed to record, or arrange to record, the Map with the County Recorder's office for the County of San Bernardino not later than fifteen (15) days prior to the public hearing referenced hereinafter in Section 9. The approval and recording of such Map may also be the subject of a separate action by this Board of Education.

Section. The name of the proposed community facilities district shall be "**Community Facilities District No. 2024-1 of the Colton Joint Unified School District**."

Section. The Board of Education finds that public convenience and necessity requires the Facilities proposed to be acquired, constructed and/or financed (as further described herein) by and through proposed CFD No. 2024-1.

Section. The School Facilities to be planned, acquired, constructed, leased, or financed are public facilities as provided for in the Act and the Board of Education determines that the School Facilities are necessary to meet increased demand placed on the School District as a result of development, including development which will occur in the future, within CFD No. 2024-1. The School District and/or CFD No. 2024-1 may enter into joint community facilities agreements ("JCFA") with West Valley Water District and the City of Rialto to provide for the financing of the WVWD Facilities and the City Facilities. The Board of Education hereby finds and determines that the public interest will not be served by allowing the property owners in CFD No. 2024-1 to enter into a contract pursuant to Government Code Section 53329.5(a). Notwithstanding the foregoing, the Board of Education, on behalf of CFD No. 2024-1 may enter into one or more contracts directly with any of the property owners (including Owner) with respect to the construction and/or acquisition of any portion of the Facilities.

Section. For all funds needed to accomplish the herein described actions, it is the intention of the School District to levy annually, in accordance with the procedures contained in the Act, a special tax secured by recordation of a lien against all nonexempt real property in CFD No. 2024-1, which lien will be a continuing lien which shall secure each annual levy of the special taxes and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law or until the special taxes cease to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Act. The special taxes shall be levied each year in the amounts specified in Exhibit "C" to this Resolution ("Rate and Method of Apportionment") for planning, construction, acquisition, relocation and rehabilitation of the Facilities which may include the principal of and interest on the Bonds proposed to be issued to finance the Facilities and other periodic costs; any payments for the Facilities or lease payments; the establishment and replenishment of reserve funds, including reserves for modernization and rehabilitation of Facilities constructed with special tax revenues; the expenses incurred for administering, levying and collecting the special taxes and Bonds, or each series thereof, legal, fiscal and financial consultant fees; discount fees; capitalized interest on the Bonds for a period not to exceed twenty-four (24) months; election costs; fees for bond counsel, other legal counsel and printing costs. The Board of Education also reserves the right to establish a fund, and use special tax revenues, pursuant to Section 53314.5 of the Act.

As herein provided, CFD No. 2024-1 may also, in lieu of issuing Bonds, issue or execute and deliver other securities, including, but not limited to, lease revenue bonds or certificates of participation, which may involve a lease-purchase financing arrangement for property and/or facilities with a nonprofit public benefit corporation and may involve or include a pledge of the special taxes levied and collected within CFD No. 2024-1, to pay principal, interest and/or the redemption or prepayment price(s) on such securities or obligation(s).

Section. The Rate and Method of Apportionment and the manner of collection of the special taxes are described in detail in Exhibit "C" attached hereto, and made a part hereof by this reference. The special taxes take into consideration the cost of making the Facilities available. The special taxes are apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act and such special taxes are not based upon the ownership of real property.

Special taxes shall not be levied and collected with respect to any parcel that is exempt from special taxes pursuant to the Rate and Method of Apportionment or for which the special tax obligation has been fully prepaid and a notice of cancellation of special taxes has been recorded.

Any special taxes levied pursuant to the authorization of the qualified electors shall be collected annually on all assessors' parcels of Taxable Property (as defined in the Rate and Method of Apportionment) until the date provided for in the Rate and Method of Apportionment.

Under no circumstances will the special taxes levied in any fiscal year as against any parcel used for private residential purposes (as defined in Government Code Section 53321(d)) within CFD No. 2024-1 be increased by more than 10% as a consequence of delinquency or default by the owner(s) of any other parcel or parcels within CFD No. 2024-1. The foregoing limitation shall only apply to the extent set out in Government Code Section 53321.

Section. It is the intention of the Board of Education that owners of parcels within CFD No. 2024-1 may prepay the designated special tax obligation to CFD No. 2024-1 for such parcel(s) by those method(s) set forth in the Rate and Method of Apportionment.

Section. Notice is given that a public hearing ("Hearing") on the establishment of CFD No. 2024-1, the proposed Rate and Method of Apportionment and all other matters set forth in this Resolution of Intention, shall be held on September 19, 2024, at 5:30 p.m., or as soon thereafter as practicable in the Board Room of the District, 900 East Washington Street, Colton CA 92324.

Section. At the time and place set forth above for the Hearing, the Board of Education shall receive testimony as to whether proposed CFD No. 2024-1 shall be established and questions or objections to the Rate and Method of Apportionment. Any interested person, including taxpayers, property owners and registered voters within the boundaries of proposed CFD No. 2024-1 may appear and be heard at the Hearing. The testimony of all such interested persons for or against the establishment of CFD No. 2024-1, the extent of CFD No. 2024-1, the proposed special taxes of CFD No. 2024-1, or the furnishing of the Facilities, will be heard and considered.

Section. The engineer and/or consultant(s) for CFD No. 2024-1, or the staff of the School District, as appropriate, are hereby directed to study proposed CFD No. 2024-1 and, at or before the time of the Hearing, file a report with the School District containing a description of the Facilities which will, in their opinion, be required to adequately meet the needs of CFD No. 2024-1 including, but not limited to, those Facilities which were previously designed, constructed and completed through prior community facilities district financings for the benefit of the development project within the boundaries of CFD No. 2024-1 and an estimate of the cost of providing the Facilities ("CFD Report"). The engineer, consultant(s) and/or staff member is directed to estimate the fair and reasonable cost of the study of, planning, purchase, construction, leasing or financing of the Facilities including the cost of planning and designing the Facilities, and all costs associated with the formation of CFD No. 2024-1, issuance of the Bonds, as well as administration and collection

of the special taxes and costs otherwise incurred to carry out the authorized purposes of CFD No. 2024-1. The Board of Education directs that the CFD Report shall be provided to the Board of Education for consideration at the Hearing scheduled for September 19, 2024, and at that time copies of such CFD Report shall be available for public review.

Section. The School District may accept advances of funds from any sources, including private persons or private entities, and is authorized and directed to use such funds for any authorized purpose, or paying for any cost incurred by the School District in creating CFD No. 2024-1. The School District may enter into agreements to:

(i) repay all such funds which are not expended or committed for any authorized purpose at the time of the election regarding the levy of the special taxes, if the proposal to levy such taxes should fail; and

(ii) to repay all such funds advanced from the proceeds of Bonds if Bonds of CFD No. 2024-1 are issued and sold.

The obligation to repay any advances made to the School District shall not be a debt nor obligation of the School District.

Section. At the Hearing, protests against the proposals described in this Resolution of Intention may be made orally by any interested person. Any protests pertaining to the regularity or sufficiency of the Hearing shall be in writing and shall clearly set forth the irregularities and/or defects to which the objection is made. All written protests not personally presented by the author of that protest at the Hearing shall be filed with the Clerk of the Board of Education at or before the time fixed for the Hearing. Written protests may be withdrawn in writing at any time before the conclusion of the Hearing. If, after completion of the Hearing, the Board of Education determines that written protests against the establishment of CFD No. 2024-1 have been filed by 50% or more of the registered voters, or six registered voters, whichever is greater, residing within the boundaries of CFD No. 2024-1, or owners of one-half or more of the area of land proposed to be included within CFD No. 2024-1 and not exempt from the special taxes, no further proceedings to establish CFD No. 2024-1 or authorize the specified special taxes, shall be taken for a period of one year from the date of such finding by the Board of Education. If such majority protest is limited to certain Facilities or specified special taxes, those Facilities or the specified special taxes shall be eliminated from the resolution of formation by the Board of Education.

Section. The Clerk of the Board of Education is hereby directed to have a notice of the Hearing ("Notice") published 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. 2024-1. Such Notice shall contain a summary of this Resolution, state the time and place of the Hearing, contain a statement that the testimony of all interested persons or taxpayers shall be heard, have a description of the protest rights of the registered voters and landowners within the boundaries of proposed CFD No. 2024-1, and contain a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven days prior to the date of the Hearing. Additionally, the Clerk is hereby directed to file, or arrange to be filed, a copy of this Resolution in accordance with the provisions of Government Code Section 53315.6.

Section. If, following the Hearing, and subject to the provisions of Section 14, above, the Board of Education determines to establish CFD No. 2024-1, the Board of Education shall then submit the levy of the special taxes in an election ("Election") to the qualified electors of CFD No. 2024-1 pursuant to requirements contained in the Act and the applicable provisions of the Elections Code. If at least 12 persons, who need not necessarily be the same 12 persons, have been registered to vote within CFD No. 2024-1 for each of the 90 days preceding the close of the Hearing, the vote shall be by registered voters of CFD No. 2024-1 with each voter having one vote. If there are 12 or less persons registered to vote for each of the 90 days preceding the close of the Hearing, pursuant to Section 53326 of the Act, the vote shall be by the landowners of CFD No. 2024-1, with each landowner having one vote for each acre of land that he or she owns within CFD No. 2024-1 not exempt from the special taxes.

The Election shall be conducted at least 90 days, but not more than 180 days, following the adoption of the Resolution of Formation adopted pursuant to Section 53325.1 of the Act. Notwithstanding the foregoing, the election may be conducted less than 90 days after the adoption of the Resolution of Formation with the unanimous consent of the qualified electors pursuant to Section 53326(a) of the Act. If the election is to be held less than 125 days following the close of the Hearing, the concurrence of the Election Official, as designated and defined herein, conducting the Election shall be required.

The School District staff and consultants are directed to undertake, with the San Bernardino County Registrar of Voters office, a review of the Project Area to determine the number of registered voters, if any, within the Project Area. The results of such review shall be provided to this Board of Education at or prior to the adoption of the Resolution of Formation.

Based upon information furnished to the School District it is anticipated that there will be less than 12 registered voters within the Project Area and that the Election will be among landowner voters of CFD No. 2024-1. Contingent upon the timely completion of the above-referenced events and requirements, the Board of Education is expected to call and hold the Election at the date and time of the Hearing. Also contingent on such actions and findings, this Board of Education hereby states it intends to appoint the District's Assistant Superintendent of Business Services, or such District officer or employee as the Board of Education or District Superintendent shall hereafter designate in writing, to serve as the election official ("Election Official") for the Election to be conducted within CFD No. 2024-1, pursuant to Government Code Section 53327(b).

Pursuant to Government Code Section 53326(d) the Board of Education may determine to distribute the ballots for such Election by mail, or may allow such ballots to be distributed by hand.

Subject to the foregoing, in the Resolution of Formation the Board of Education shall provide for additional provisions and voter qualifications for the call and conduct of the Election, as the Board of Education shall determine and direct.

Section. The Community Facilities District Financing Policy is incorporated herein by this reference. The Community Facilities District Financing Policy is hereby made applicable to all proceedings for the formation of CFD No. 2024-1, the authorization of special taxes, the authorization to incur bonded indebtedness and all other matters relating to CFD No. 2024-1 unless expressly waived by action of this Board of Education. Pursuant to the provisions of the Act, this

action shall constitute the adoption of a community facilities district financing policy for CFD No. 2024-1.

Section. It is the intention of this Board of Education, acting as the Legislative Body of CFD No. 2024-1, to cause Bonds, or other debt or securities of CFD No. 2024-1, to be issued pursuant to the Act to finance in whole or in part the acquisition and construction of the Facilities. The Bonds intended to be issued to finance the Facilities shall be specified in a resolution adopted by this Board of Education pursuant to the provisions of the Act.

Section. The Board of Education hereby determines that the formation of CFD No. 2024-1, and related election and procedural actions, will not have an effect on the environment and that such actions are correspondingly exempt from the requirements of the California Environmental Quality Act ("CEQA"). The Clerk of the School District is directed to, or arrange to, complete, execute, file and post a Notice of Exemption in such regard pursuant to the provisions and requirements of CEQA.

Section. No error, irregularity, informality, and no neglect or omission of any officer, in any procedure taken under this chapter, which does not directly affect the jurisdiction of the legislative body to order the installation of the Facility or the provision of service, shall void or invalidate such proceeding or any levy for the costs of such Facility or service. If any term, provision, finding, condition or directive of this Resolution, and the other proceedings for the formation of CFD No. 2024-1, including, but not limited to, the authorization of the special tax, the authorization of the Bonds and related matters thereto shall, to any extent, be held invalid or unenforceable, the remainder of the proceedings, or the application of such term, provision, finding, condition or directive other than those to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each such term, provision, finding, condition or directive shall be valid and enforceable to the fullest extent provided by law. If this Resolution, or the proceedings relative to CFD No. 2024-1 are held invalid or unenforceable as against any particular piece or parcel of property within CFD No. 2024-1, the remainder of the proceedings, or the application of any term, provision, finding, condition or directive applicable to other parcels of properties as against which such holding is not applicable, shall continue to be valid and enforceable to the fullest extent provided by law.

Section. That the Superintendent and Assistant Superintendent of Business Services of the School District, or their designee(s), and other officers of the School District, are authorized to take any and all actions necessary to implement the orders and directives of this Resolution to proceed with the establishment of proposed CFD No. 2024-1 and the authorization of special taxes of CFD No. 2024-1, within the time periods specified by the Act.

ADOPTED, SIGNED AND APPROVED this 15th day of August, 2024.

BOARD OF EDUCATION OF THE COLTON JOINT UNIFIED SCHOOL DISTRICT

EXHIBIT "A"

THE DESCRIPTION OF FACILITIES TO BE FINANCED BY COMMUNITY FACILITIES DISTRICT NO. 2024-1 IS ON FILE AT THE SCHOOL DISTRICT'S OFFICES AND AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST

EXHIBIT "B"

THE PROPOSED BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2024-1 IS ON FILE AT THE SCHOOL DISTRICT'S OFFICES AND AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST

EXHIBIT "C"

THE PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX OF CFD NO. 2024-1 IS ON FILE AT THE SCHOOL DISTRICT'S OFFICES AND AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST

The foregoing is a summary of the Resolution and is not intended to, and does not, contain all of the information set forth in that Resolution. Reference is hereby made to the text of the Resolution itself, which is available for public inspection at the Colton Joint Unified School District's offices.