

## **RESOLUTION NO. TPFA 2021-**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY OF FORMATION OF TEMECULA PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 20-01 (HEIRLOOM FARMS), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT, AND PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT**

THE BOARD OF DIRECTORS OF THE TEMECULA PUBLIC FINANCING AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. On February 23, 2021, this Board of Directors adopted a resolution entitled “A Resolution of the Board of Directors of the Temecula Public Financing Authority Declaring Its Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes Therein – (Heirloom Farms)” (the “Resolution of Intention”) stating its intention to form the Temecula Public Financing Authority Community Facilities District No. 20-01 (Heirloom Farms) (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, constituting Section 53311 et seq. of the California Government Code (the “Law”).

Section 2. The Resolution of Intention, incorporating by reference a map of the proposed boundaries of the District and describing the public improvements (the “Facilities”) and public services (the “Services”) eligible to be financed by the District, the cost of financing the Facilities and the Services, and the rate and method of apportionment of the special tax to be levied within the District to pay the costs of the Facilities and the Services, and to pay the principal and interest on bonds proposed to be issued with respect to the District, is on file with the Secretary and the provisions thereof are incorporated herein by this reference as if fully set forth herein.

Section 3. On this date, this Board of Directors held the public hearing as required by the Law and the Resolution of Intention relative to the proposed formation of the District.

Section 4. At the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the District, the Facilities and the Services eligible to be funded by the District, and the levy of the special tax, were heard and a full and fair hearing was held.

Section 5. At the hearing evidence was presented to this Board of Directors on the matters before it, including a report by the Director of Public Works of the City of Temecula (the “Report”) as to the Facilities and the Services eligible to be funded by the District and the costs thereof, a copy of which is on file with the Secretary, and this Board of Directors at the conclusion of the hearing was fully advised regarding the District.

Section 6. Written protests with respect to the formation of the District and/or the furnishing of specified types of the Facilities and of the Services as described in the Report have not been filed with the Secretary by fifty percent (50%) or more of the registered voters residing

within the territory of the District or the owners of one-half (1/2) or more of the area of land within the District and not exempt from the special tax.

Section 7. The special tax proposed to be levied in the District to pay for the costs of the Facilities and the Services, as set forth in Exhibit B to the Resolution of Intention, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the District or the owners of one-half (1/2) or more of the area of land within the District and not exempt from the special tax.

Section 8. On April 10, 2001, this Board of Directors adopted a resolution approving Local Goals and Policies for Community Facilities Districts, and this Board of Directors hereby finds and determines that the District is in conformity with said goals and policies.

Section 9. All prior proceedings taken by this Board of Directors in connection with the establishment of the District and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the Law.

Section 10. The community facilities district designated "Temecula Public Financing Authority Community Facilities District No. 20-01 (Heirloom Farms)" is hereby established pursuant to the Law.

Section 11. The boundaries of the District, as described in the Resolution of Intention and set forth in the boundary map of the District recorded on March 10, 2021 at 3:21 p.m. in the Riverside County Recorder's Office in Book 86 of Maps of Assessment and Community Facilities Districts at Page 46 (instrument no. 2021-0154323), are hereby approved, are incorporated herein by this reference and shall be the boundaries of the District.

Section 12. The types of facilities and services eligible to be funded by the District pursuant to the Law are as described in Exhibit A to the Resolution of Intention which Exhibit is by this reference incorporated herein. This Board of Directors hereby finds that the Facilities and the Services are necessary to meet increased demands placed upon local agencies as the result of development occurring in the District.

Section 13. Except to the extent that funds are otherwise available to the District to pay for the Facilities, the Services and/or to pay the principal and interest as it becomes due on bonds of the District issued to finance the Facilities, a special tax sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the District, will be levied within the District and collected in the same manner as ordinary ad valorem property taxes or in such other manner as this Board of Directors shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the District, in sufficient detail to allow each landowner within the proposed District to estimate the maximum amount such owner will have to pay, are described in Exhibit B to the Resolution of Intention which Exhibit is by this reference incorporated herein. This Board of Directors hereby finds that the basis for the levy and apportionment of the special tax, as set forth in the Rate and Method, is reasonable.

Section 14. The Treasurer of the Temecula Public Financing Authority, 41000 Main Street, Temecula, CA 92590, telephone number (951) 693-3945, is the officer of the Authority that will be responsible for preparing annually and whenever otherwise necessary a current roll of special tax levy obligations by assessor's parcel number and which will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Law.

Section 15. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the District and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the Authority ceases.

Section 16. In accordance with Section 53325.7 of the Law, the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIIB of the California Constitution, of the District is hereby preliminarily established at \$17,000,000 and said appropriations limit shall be submitted to the voters of the District as provided below. The proposition establishing the appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Law.

Section 17. Pursuant to the provisions of the Law, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the District at an election, the time, place and conditions of which election shall be as specified by a separate resolution of this Board of Directors.

Section 18. This Resolution shall take effect upon its adoption.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of the Temecula Public Financing Authority this 13<sup>th</sup> day of April, 2021.

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Maryann Edwards, Chair

ATTEST:

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Randi Johl, Secretary

[SEAL]

STATE OF CALIFORNIA       )  
COUNTY OF RIVERSIDE     ) ss  
CITY OF TEMECULA         )

I, Randi Johl, Secretary of the Temecula Public Financing Authority, do hereby certify that the foregoing Resolution No. TPFA 2021-        was duly and regularly adopted by the Board of Directors of the Temecula Public Financing Authority at a meeting thereof held on the 13<sup>th</sup> day of April, 2021, by the following vote:

AYES:                       BOARD MEMBERS:

NOES:                       BOARD MEMBERS:

ABSTAIN:                   BOARD MEMBERS:

ABSENT:                    BOARD MEMBERS:

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Randi Johl, Secretary