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City Council
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HOLLY TILLMAN, VICE MAYOR
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JEFF WAN, COUNCILMEMBER
CARL "CW" WOLFE, COUNCILMEMBER

NOTICE OF PUBLIC HEARING

RE: Establishment of Community Facilities District

**CITY OF CLAYTON
Community Facilities District No. 2022-01
(Public Services)
and Future Annexation Area**

Notice is hereby given that, on August 16, 2022, the City Council (the "Council") of the City of Clayton (the "City") adopted its "A Resolution of the City Council of the City of Clayton, California Stating the Intention to Establish a Community Facilities District and Future Annexation Area" (the "Resolution of Intention"), in which it declared its intention to establish "City of Clayton Community Facilities District No. 2022-01 (Public Services)" (the "CFD") and a future annexation area for the CFD (the "Future Annexation Area") under the Mello-Roos Community Facilities Act of 1982, constituting Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"). Under the Act and the Resolution of Intention, the Council gives notice as follows:

1. The text of the Resolution of Intention, with Exhibits A and B thereto, as adopted by the Council, is on file with Clerk of the Council and reference is made thereto for the particular provisions thereof. The text of the Resolution of Intention is summarized as follows:

a. Under the Act, the Council is undertaking proceedings for the establishment of the CFD and the Future Annexation Area, the boundaries of which are shown on a map on file with the Clerk of the Council.

b. The purpose of the CFD is to provide for the financing of the public services (the "Services") as more fully described in the Resolution of Intention and Exhibit A thereto.

c. The method of financing the Services is through the imposition and levy of a special tax (the "Special Tax") to be apportioned on the properties in the CFD under the rate and method of apportionment described in the Resolution of Intention and Exhibit B thereto.

d. The Resolution of Intention directed the preparation of a CFD Report that shows the Services by type that are required to adequately meet the needs of the CFD and the estimated costs of the Services and the Facilities. The CFD Report will be made a permanent part of the record of the public hearing specified below. Reference is made to the CFD Report as filed with the Clerk.

e. Property within the Future Annexation Area will be annexed to the CFD, and a special tax will be levied on such property, 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.

f. As set forth below, the Council will hold a public hearing on the establishment of the CFD and the Future Annexation Area, the Services, and the Special Tax.

2. The time and place established under the Resolution of Intention for the public hearing required under the Act are Tuesday, September 20, 2022, at 7:00 p.m. or as soon as possible thereafter, in the City Council Chamber located at Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. In the event that, due to public health concerns, the meeting will be held virtually, information on attending virtually will be posted on the City's website as soon as possible.

3. At the hearing, the testimony of all interested persons or taxpayers, including all persons owning property within the CFD, for or against the establishment of the CFD, the Special Tax, the extent of the CFD, and the furnishing of the specified Services will be heard. Any person interested may file a protest in writing as provided in Section 53323 of the Act. Any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the Clerk on or before the time fixed for the hearing.

If 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be included in the CFD, or the owners of one-half or more of the area of land in the territory proposed to be included in the CFD and not exempt from the Special Tax, file written protests against the establishment of the CFD, and the protests are not withdrawn to reduce the value of the protests to less than a majority, the Council shall take no further action to create the CFD or levy the Special Tax for a period of one year from the date of decision of the Council, and, if the majority protests of the registered voters or landowners are only against the furnishing of a type or types of Services within the CFD, or against levying a specified part of the Special Tax, those types of Services or the specified part of the Special Tax will be eliminated from the proceedings to form the CFD.

In addition, at the hearing, the testimony of all interested persons for and against the establishment of the Future Annexation Area or the levying of special taxes within any portion of the Future Annexation Area annexed in the future to the CFD will be heard. If 50% or more of the registered voters, or 6 registered voters, whichever is more, residing within the proposed territory of the CFD, or if 50% or more of the

registered voters, or 6 registered voters, whichever is more, residing in the territory proposed to be included in the Future Annexation Area, or the owners of 50% or more of the area of land in the territory proposed to be included in the CFD or in the Future Annexation Area, file written protests against the establishment of the Future Annexation Area and the protests are not withdrawn to reduce the value of the protests to less than a majority, the Council shall take no further action to create the Future Annexation Area for a period of one year from the date of decision of the Council.

4. If there is no majority protest, the Council may submit the levy of the Special Tax for voter approval at a special election. Approval of the Special Tax requires the approval of two-thirds of the votes cast at a special election by the landowners within the CFD.

Dated: as of September 7, 2022
Clerk of the City of Clayton
CCT 6697634; Sep. 10, 2022

Do The Right Thing

Integrity - Responsibility - Inclusion - Courage - Kindness - Self-Discipline - Respect

Because It's The Right Thing To Do!