

**NOTICE OF PUBLIC HEARING ON INTENTION TO
ANNEX TERRITORY TO COMMUNITY FACILITIES
DISTRICT NO. 2002-01 (PUBLIC SAFETY
SERVICES) OF THE CITY OF
LOS BANOS AND TO LEVY TAXES THEREIN**

NOTICE IS HEREBY GIVEN that the City Council of the City of Los Banos has adopted Resolution No. 5437 on October 17, 2012, declaring its intention to annex territory ('Annexation No. 8") to Community Facilities District No. 2002-01 of the City of Los Banos (the "District" or "Community Facilities District No. 2002-01") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") and to levy special taxes within Annexation No. 8. Annexation No. 8 is proposed to have the boundaries depicted on the annexation map on file with the City Clerk. Resolution No. 5437 is referred to herein as the "Resolution of Intention." Capitalized terms not otherwise defined herein have the meanings set forth in the Resolution of Intention.

In the Resolution of Intention, the City Council has declared its intention to annex the territory within Annexation No. 8 to the District to levy special taxes within Annexation No. 8 for the purpose of financing certain public safety services and related expenses, including police protection services, fire protection and suppression services, and first responders basic life support services.

The Resolution of Intention establishes the rates and method of apportionment of special tax for each assessor's parcel within proposed Annexation No. 8. The Resolution of Intention proposes a maximum annual special tax for the Base Fiscal Year 2003-04 of \$250 per Residential Unit of Single Family Residential Parcels, Multi-Family Residential Parcels, Duplex/Triplex Residential Parcels, Condominium/Townhouse Parcels, Mixed Use Parcels, Mobile Home Park Parcels and Non-Residential Use. The Maximum Annual Special Tax Rate will be escalated by a rate of not more than 4 percent annually thereafter, as determined by the Consumer Price Index. The Resolution of Intention proposes that the special taxes may be levied on property in Annexation No. 8 so long as required to pay (1) the administrative expenses of the District, (2) the costs and incidental expenses of providing the services described in the Resolution of Intention, and (3) for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year. As proposed, the special tax may be levied to pay directly for the costs of the services and incidental expenses. The foregoing is only a summary of the Resolution of Intention, which is on file with the City Clerk of the City Council. Any interested party for greater detail should refer to the full text of the Resolution of Intention.

CITY OF LOS BANOS
PUBLIC HEARING
CORRECTION

NOTICE IS HEREBY GIVEN THAT THE PUBLIC HEARING OF NOVEMBER 21, 2012 FOR COMMUNITY FACILITIES DISTRICT 2002-01 HAS BEEN CANCELLED AND WILL BE HELD ON DECEMBER 5, 2012, AT THE HOUR OF 7:00 P.M., OR AS SOON THEREAFTER AS SUCH MATTER CAN BE HEARD, AT A REGULAR MEETING OF THE CITY COUNCIL TO BE HELD IN THE CITY COUNCIL CHAMBERS LOCATED AT 520 J STREET, LOS BANOS, CALIFORNIA 93635, AT WHICH TIME THE CITY COUNCIL WILL HEAR ALL EVIDENCE AND TESTIMONY BY ALL INTERESTED PERSONS, PROPERTY OWNERS, VOTERS AND TAXPAYERS FOR OR AGAINST (1) THE ANNEXATION OF THE TERRITORY WITHIN ANNEXATION NO.8 TO THE DISTRICT, (2) THE EXTENT OF ANNEXATION NO. 8, (3) THE LEVY OF A SPECIAL TAX WITHIN ANNEXATION NO. 8, (4) THE FURNISHING OF THE SPECIFIED PUBLIC SERVICES, AND (5) ANY OTHER MATTERS AS SET FORTH IN THE RESOLUTION OF INTENTION.

ALL PERSONS INTERESTED, INCLUDING PROPERTY OWNERS, TAXPAYERS AND REGISTERED VOTERS. MAY APPEAR AT THE HEARING AND PRESENT EVIDENCE AND TESTIMONY ORALLY OR IN WRITING FOR OR AGAINST ITEMS (1) THROUGH (5) ABOVE. EACH INDIVIDUAL WISHING TO SPEAK WILL BE LIMITED TO A THREE MINUTE ORAL PRESENTATION. ANY PROTEST PERTAINING TO THE REGULARITY OR SUFFICIENCY OF THE PROCEEDINGS RELATING TO THE PROPOSED ISSUES DESCRIBED IN ITEMS (1) THROUGH (5) ABOVE MUST BE IN WRITING AND SHALL CLEARLY STATE THE IRREGULARITIES OR DEFECTS TO WHICH OBJECTION IS MADE, AND SHALL BE FILED WITH THE CITY CLERK ON OR BEFORE THE TIME SET FOR THE HEARING. IF THE OWNERS OF ONE-HALF (1/2) OR MORE OF THE AREA OF LAND WITHIN ANNEXATION NO.8 AND NOT EXEMPT FROM THE SPECIAL TAX FILE WRITTEN PROTESTS AGAINST ANY OF ITEMS (1) THROUGH (5) ABOVE, AND PROTESTS ARE NOT WITHDRAWN SO AS TO REDUCE THE VALUE OF THE PROTESTS TO LESS THAN A MAJORITY, THE CITY COUNCIL SHALL ABANDON THAT PORTION OF THE PROCEEDINGS PERTAINING TO SUCH ITEM(S) AND NO FURTHER PROCEEDINGS WITH RESPECT TO SUCH ITEM (5) SHALL BE TAKEN FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE DETERMINATION BY THE CITY COUNCIL. THE CITY COUNCIL MAY MODIFY THE PROCEEDINGS IF SUCH MAJORITY PROTESTS ARE ONLY AGAINST A SPECIFIED ISSUE.

UNDER THE ACT, THE CITY COUNCIL MAY EITHER CONCLUDE THE PUBLIC HEARING ON DECEMBER 5, 2012 OR MAY CONTINUE THE PUBLIC HEARING TO A LATER DATE SO LONG AS THE PUBLIC HEARING IS COMPLETED WITHIN 30 DAYS. IF THE CITY COUNCIL DETERMINES TO SUBMIT FOR A VOTE THE QUESTION OF LEVYING A SPECIAL TAX WITHIN ANNEXATION NO. 8, AN ELECTION WILL BE HELD WITHIN ANNEXATION NO.8 OF COMMUNITY FACILITIES DISTRICT NO. 2002-01 TO APPROVE THE LEVY OF THE SPECIAL TAX. AT SUCH AN ELECTION, EACH LANDOWNER WITHIN ANNEXATION NO. 8 SHALL BE ENTITLED TO CAST ONE VOTE FOR EACH ACRE OR PORTION THEREOF OWNED WITHIN ANNEXATION NO. 8. FOR A PROPOSITION TO BE ADOPTED FOR

ANNEXATION NO. 8. TWO-THIRDS OF THE VOTES CAST AT THE ELECTION WITHIN SUCH ANNEXATION NO. 8 MUST FAVOR PASSAGE.

PERSONS WISHING TO PROVIDE ORAL COMMENTS ON THE DESCRIBED PROPOSAL MAY DO SO AT THIS MEETING OR MAY PROVIDE WRITTEN COMMENTS ON THIS MATTER PRIOR TO THE PUBLIC MEETING. WRITTEN COMMENTS MAY BE SENT BY U.S. MAIL OR HAND DELIVERED TO THE CITY OF LOS BANOS CITY HALL AT 520 "J" STREET, LOS BANOS, CALIFORNIA 93635. IF NO COMMENTS ARE RECEIVED PRIOR TO OR ON THE ABOVE DATE, IT WILL BE ASSUMED THAT NO COMMENTS ARE BEING OFFERED. THE PUBLIC IS ALSO INFORMED THAT SHOULD THIS MATTER, AT SOME FUTURE DATE GO TO COURT, COURT TESTIMONY IS LIMITED TO ONLY THOSE ISSUES RAISED AT THE HEARINGS PER GOVERNMENT CODE SECTION 65009.

THE CITY OF LOS BANOS

Stacy Souza Elms
Assistant Planner