

**NOTICE OF PUBLIC HEARING REGARDING
ESTABLISHMENT OF CITY OF ANAHEIM
COMMUNITY FACILITIES DISTRICT NO. 08-1
(PLATINUM TRIANGLE)**

On January 29, 2008, the City Council of the City of Anaheim adopted Resolution No. 2008-007 entitled "A Resolution of the City Council of the City of Anaheim of Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes" (the "Resolution").

NOTICE IS HEREBY given that pursuant to Section 53322 of the Mello-Roos Community Facilities Act of 1982, the Anaheim City Council will hold a public hearing in the Council Chambers of Anaheim City Hall, 200 South Anaheim Boulevard, Anaheim on **Tuesday, March 4, 2008**, beginning at **5:30 P.M.** to consider:

A. The text of the Resolution is as follows:

WHEREAS, a community facilities district may be established under the Mello-Roos Community Facilities Act of 1982 (the "Act") in order to finance certain public capital facilities;

WHEREAS, proceedings for the establishment of a community facilities district under the Act may be instituted by the legislative body of a local agency on its own initiative;

WHEREAS, the City Council (the "City Council") of the City of Anaheim (the "City") constitutes the legislative body of a local agency for purposes of the Act;

WHEREAS, the City Council desires to institute proceedings to establish a community facilities district (the "Community Facilities District") and to authorize the levy of special taxes therein in order to finance certain public capital facilities;

NOW, THEREFORE, the City Council of the City of Anaheim does hereby resolve, determine and order as follows:

Section 1. The City Council proposes to establish a community facilities district under the terms of the Act. The boundaries of the territory proposed for inclusion in the Community Facilities District are described in the map showing the proposed Community Facilities District (the "Boundary Map") on file with the City Clerk of the City (the "City Clerk"), which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to sign the original Boundary Map and record, or cause to be recorded, the Boundary Map with all proper endorsements thereon in the office of the Orange County Recorder within 15 days

of the date of adoption of this Resolution, all as required by Section 3111 of the California Streets and Highways Code.

Section 2. The name proposed for the Community Facilities District is “City of Anaheim Community Facilities District No. 08-1 (Platinum Triangle).”

Section 3. The public facilities (the “Facilities”) proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption “Facilities” on Exhibit A hereto, which is by this reference incorporated herein. Those Facilities proposed to be purchased as completed public facilities are described under the caption “Facilities to be Purchased” on Exhibit A hereto. The incidental expenses proposed to be incurred are identified under the caption “Incidental Expenses” on Exhibit A hereto. All or any portion of the Facilities may be financed through a financing plan, including, but not limited to, a lease, lease-purchase or installment-purchase arrangement.

Section 4. Except where funds are otherwise available, a special tax sufficient to pay for all Facilities, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District, will be annually levied within the Community Facilities District. The rate and method of apportionment of the special tax (the “Rate and Method”), in sufficient detail to allow each landowner within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated herein. The conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied are specified in the Rate and Method. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as the City Council shall determine, including direct billing of the affected property owners.

The tax year after which no further special tax to pay for public facilities will be levied against any parcel used for private residential purposes is specified in the Rate and Method. Under no circumstances shall the special tax to pay for public facilities levied against any parcel used for private residential purposes be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within the Community Facilities District by more than 10%. For purposes of this paragraph, a parcel shall be considered “used for private residential purposes” not later than the date on which an occupancy permit for private residential use is issued.

Section 5. Pursuant to Section 53344.1 of the Act, the City Council hereby reserves to itself the right and authority to allow any interested owner of property within the Community Facilities District, subject to the provisions of said Section 53344.1 and to those conditions as it may impose, and any applicable prepayment penalties as prescribed in the bond indenture or comparable instrument or document, to tender to the Community Facilities District treasurer in full payment or part payment of any installment of the special taxes or the

interest or penalties thereon which may be due or delinquent, but for which a bill has been received, any bond or other obligation secured thereby, the bond or other obligation to be taken at par and credit to be given for the accrued interest shown thereby computed to the date of tender.

Section 6. The City Council hereby fixes Tuesday, March 4, 2008, at 5:30 p.m., or as soon thereafter as the City Council may reach the matter, at 200 South Anaheim Boulevard, Anaheim, California, as the time and place when and where the City Council will conduct a public hearing on the establishment of the Community Facilities District.

Section 7. The City Clerk is hereby directed to publish, or cause to be published, a notice of said public hearing one time in a newspaper of general circulation published in the area of the Community Facilities District. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said hearing. Said notice shall contain the information prescribed by Section 53322 of the Act.

Section 8. The levy of said proposed special tax shall be subject to the approval of the qualified electors of the Community Facilities District at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the Community Facilities District, with each owner having one vote for each acre or portion of an acre such owner owns in the Community Facilities District.

Section 9. Each officer of the City who is or will be responsible for providing one or more of the proposed types of Facilities is hereby directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the City Council containing a brief description of the public facilities by type which will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing the Facilities. Such officers are hereby also directed to estimate the fair and reasonable cost of the Facilities proposed to be purchased as completed public facilities and of the incidental expenses proposed to be paid. Such report shall be made a part of the record of said public hearing.

Section 10. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

Section 11. This Resolution shall take effect immediately upon its adoption.

B. The exhibits to the Resolution which describe the Facilities and the Rate and Method are on file in the office of the City Clerk of the City of Anaheim.

C. The time and place of the hearing on the establishment of the Community Facilities District is Tuesday, March 4, 2008, at 5:30 p.m., at 200 South Anaheim Boulevard, Anaheim California.

D. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the Community Facilities District, the extent of the Community Facilities District or the furnishing of the specified types of public facilities will be heard. At the hearing, protests against the establishment of the Community Facilities District, the extent of the Community Facilities District or the furnishing of specified types of public facilities within the Community Facilities District may be made orally or in writing by any interested persons or taxpayers, as provided in Section 53323 of the Act. If 50 percent or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax, file written protests against the establishment of the Community Facilities District, and the protests are not withdrawn so as to reduce the value of the protests to less than a majority, no further proceedings to create the Community Facilities District or to authorize the special tax may be taken for a period of one year from the date of the decision of the City Council. If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of facilities within the Community Facilities District, or against levying a specified special tax, those types of facilities or the specified special tax will be eliminated from the resolution of formation.

E. The proposed voting procedure for the Community Facilities District is by special mail or hand-delivered ballot among the landowners in the Community Facilities District, with each owner having one vote for each acre or portion of an acre such owner owns in the Community Facilities District.

All interested parties are invited and encouraged to attend said meeting and express their opinions for or against this item.

Further information may be obtained from the Public Works Department, Civic Center, 2nd Floor, or by telephoning (714) 765-5176.

BY ORDER OF THE CITY COUNCIL
OF THE CITY OF ANAHEIM
LINDA N. ANDAL, CITY CLERK