

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2003-2 (SERVICES) OF THE CITY OF MERCED DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, CALLING A SPECIAL ELECTION RELATED TO ANNEXATION NO. 9**

WHEREAS, the City Council (the “Council”) of the City of Merced, California (the “City”), has heretofore formed the Community Facilities District No. 2003-2 (Services) of the City of Merced (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the “Act”);

WHEREAS, the City Council, acting as the legislative body of the District has heretofore adopted Resolution No. 2016-35 (the “Resolution of Intention to Annex”) stating its intention to annex certain property to the District (“Annexation No. 9”) pursuant to the Act; and

WHEREAS, a copy of the Resolution of Intention to Annex, incorporating a description and map of the proposed boundaries of Annexation No. 9 to the District and setting forth the amended rate and method of apportionment (the “Special Tax Formula”) and manner of collection of the special tax to be levied within the proposed Annexation No. 9, which will be used to finance certain public services, including but not limited to public safety services, landscape maintenance, park and parkway maintenance and flood control services and other services authorized pursuant to the Act (the “Services”) that are in addition to those provided in the territory within the proposed Annexation No. 9 prior to the annexation to the District and do not supplant services already available within the territory proposed to be included in the District, is on file with the City Clerk and incorporated herein by reference; and

WHEREAS, the Resolution of Intention to Annex set August 1, 2016, as the date of the public hearing on the annexation of proposed Annexation No. 9 to the District and this Council held said public hearing as required by law; and

WHEREAS, prior to the commencement of the hearing, there was filed with the City Council a Community Facilities Report prepared by Goodwin Consulting Group (the “CFD Report”) containing a boundary map of Annexation No. 9, a description of the services and maintenance, an estimate of the costs of the Services

and incidental expense to be financed by properties within the District, including Annexation No. 9, and the CFD Report has been reviewed by the Council and is incorporated herein and made a part of the record of the public hearing; and

WHEREAS, at said hearing all persons not exempt from the special tax desiring to be heard on all matters pertaining to the annexation of proposed Annexation No. 9 to the District were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to the Council on said matters before it, and this Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, this Council wishes to present to the qualified electors of Annexation No. 9 a proposition to levy special taxes on property within Annexation No. 9 pursuant to the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF MERCED, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2003-2 (SERVICES) OF THE CITY OF MERCED, AS FOLLOWS:

Section 1. Pursuant to Section 53339.7 of the Act, the Council finds and determines that the proceedings prior hereto were valid and in conformity with the requirements of the Act.

Section 2. Written protests against the annexation of Annexation No. 9 to the District, or against the furnishing of specified services or the levying of a specified special tax within Annexation No. 9, have not been filed by fifty percent (50%) or more of the registered voters, or six registered voters, whichever is more, residing within the existing District, or fifty percent (50%) or more of the registered voters or six registered voters, whichever is more, residing within Annexation No. 9, or by the owners of one-half or more of the area of land in the territory included in the existing District, or by the owners of one-half or more of the area of land in Annexation No. 9.

Section 3. The description and map of the boundaries of Annexation No. 9, on file in the City Clerk's office and as described in the Resolution of Intention to Annex, and incorporated herein by reference, shall be the boundaries of the Annexation No. 9. The map of the proposed amended boundaries of Annexation No. 9 has been recorded in the Office of the County Recorder of Merced County, California on July \_\_\_\_, 2016, in Book \_\_\_\_, pages \_\_\_\_\_ of the Book of Maps of Assessments and Community Facilities Districts (Instrument Number No. \_\_\_\_\_).

Section 4. Except where funds are otherwise available, there shall be levied annually in accordance with procedures contained in the Act on nonexempt property within Annexation No. 9, a special tax sufficient to finance the Services that are in addition to those provided in the territory within Annexation No. 9 prior to the annexation to the District and do not supplant services already available within the territory proposed to be included in the District and other costs, including but not limited to all costs of the tax levy. The amended rate and method of apportionment of the special tax and manner of collection is described in detail in Exhibit “A” attached hereto and incorporated herein by this reference. The Council hereby determines the Special Tax Formula to be reasonable. The special tax shall be utilized to pay for authorized Services and administrative expenses and to fund and replenish any reserve fund established for the District.

Section 5. Upon recordation of a notice of special tax lien pursuant to Section 3117.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in Annexation No. 9, and this lien shall continue in force and effect until the special tax obligation is prepaid or otherwise permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the District ceases.

Section 6. The Council finds that the proposed public services are necessary to meet the increased demand put upon the City as a result of the development within Annexation No. 9.

Section 7. The Council finds that there is not an ad valorem property tax currently being levied on property within the proposed Annexation No. 9 for the exclusive purpose of financing the Services.

Section 8. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the City Council hereby continues the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 4 above:

A. Such Special Tax shall be levied for the specific purposes set forth in Section 7 hereof.

B. The proceeds of the levy of such Special Tax shall be applied only to the specific purposes set forth in Section 4 hereof.

C. The District shall establish an account or accounts into which the proceeds of such Special Tax shall be deposited.

D. The Finance Director, or his or her designee, acting for and on behalf of the District, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

Section 9. The Office of the Finance Director, 678 West 18<sup>th</sup> Street, Merced, California 95340, (209) 385-6844, or its designee, is designated to be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and for estimating future special tax levies pursuant to Section 53340.1 of the Government Code.

Section 10. Pursuant to Government Code Section 53353.5, the Council hereby submits to the qualified electors of Annexation No. 9 a proposition (the "Proposition") to annex into the District Annexation No. 9 and to levy special taxes on property within Annexation No. 9 in accordance with the Special Tax Formula. The Proposition is attached as Exhibit "B."

Section 11. A special election is hereby called for the Annexation No. 9 within the District on the Proposition set forth in Section 10 above.

Section 12. The Council hereby directs that the election be conducted by the City Clerk of the City of Merced, as the elections official.

Section 13. The City Clerk shall mail or hand deliver the ballot to the landowner immediately upon the adoption of this Resolution.

Section 14. The time for notice having been waived by the qualified electors, the date of the special election for the District on the proposition shall be on the 1<sup>st</sup> day of August, 2016. The voter ballot shall be returned to the City Clerk at 678 West 18<sup>th</sup> Street, Merced, California 95340, no later than 11:00 o'clock p.m. on August 1, 2016. The election may be closed with the concurrence of the City Clerk, as soon as all of the ballots are returned.

Section 15. The Council finds and determines that there were no registered voters residing within the territory of proposed Annexation No. 9 at the time of the protest hearing and ninety (90) days prior thereto. The requirements of Section 53326 of the Government Code having been waived by all of the landowners, the ballot for the special election shall be personally delivered to the landowners within the Annexation No. 9. Each landowner shall have one (1) vote for each acre or portion thereof that he or she owns within Annexation No. 9, as provided by Section 53326 of the Act.

Section 16. Annexation No. 9 within the District shall constitute a single election precinct for the purpose of holding said election.

Section 17. The Deputy City Clerk is directed to certify and attest to this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Merced, acting as the legislative body fo the District, this \_\_\_\_ day of \_\_\_\_\_, 2016 by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ASTAIN: Council Members:

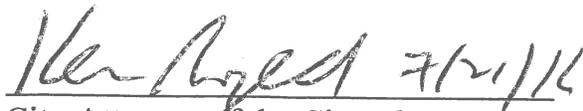
COMMUNITY FACILITIES DISTRICT  
NO. 2003-2 (SERVICES) OF THE CITY  
OF MERCED

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Assistant/Deputy City Clerk

APPROVED AS TO FORM

  
\_\_\_\_\_  
City Attorney of the City of Merced

**EXHIBIT A**

**AMENDED RATE AND METHOD OF APPORTIONMENT  
OF SPECIAL TAX**

## EXHIBIT A

### CITY OF MERCED COMMUNITY FACILITIES DISTRICT NO. 2003-2 (SERVICES)

#### AMENDED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX (as of August 1, 2016)

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A Special Tax applicable to each Assessor Parcel in the City of Merced Community Facilities District No. 2003-2 (Services) shall be levied and collected according to the tax liability determined by the City of Merced or its designee, through the application of this Amended Rate and Method of Apportionment of Special Tax. All of the property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless otherwise provided for the annexed property.

#### SECTION A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**“Acre” or “Acreage”** means the land area of an Assessor Parcel as shown on an Assessor Parcel map, or if the land area is not shown on an Assessor Parcel map, the land area shown on the applicable final map or other parcel map recorded with the County.

**“Act”** means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Division 2 of Title 5 of the California Government Code.

**“Administrative Expenses”** means any or all of the following: the expenses of the CFD or the City in carrying out its duties for the CFD, including, but not limited to, the levy and collection of the Special Tax, the fees and expenses of its counsel, costs related to annexing property into the CFD, and all other costs and expenses of the CFD or the City in any way related to the establishment or administration of the CFD.

**“Administrator”** means the person or firm designated by the CFD or the City to administer the Special Tax according to the Rate and Method.

**“Annexation #1”** means the date the owners of Assessor Parcels in Improvement Area #3 and Improvement Areas #9 through #15 elected to annex into the CFD.

**“Annexation #2”** means the date the owners of Assessor Parcels in Improvement Area #7 elected to annex into the CFD.

**“Annexation #3”** means the date the owners of Assessor Parcels in Improvement Areas #16 through #22 elected to annex into the CFD.

**“Annexation #4”** means the date the owners of Assessor Parcels in Improvement Areas #23 through #25 and Improvement Area #27 elected to annex into the CFD.

**“Annexation #5”** means the date the owners of Assessor Parcels in Improvement Area #26 elected to annex into the CFD.

**“Annexation #6”** means the date the owners of Assessor Parcels in Improvement Area #28 elected to annex into the CFD.

**“Annexation #7”** means the date the owners of Assessor Parcels in Improvement Areas #29 through #31 elected to annex into the CFD.

**“Annexation #8”** means the date the owners of Assessor Parcels in Improvement Area #32 elected to annex into the CFD.

**“Annexation #9”** means the date the owners of Assessor Parcels in Improvement Area #33 elected to annex into the CFD.

**“Assessor Parcel”** means a lot or parcel with an assigned County Assessor’s Parcel number shown on a County Assessor’s Parcel map.

**“Average Increase”** means the annual average increase in the Indices that shall be applied to escalate the Maximum Special Tax each Fiscal Year. The Average Increase shall be calculated in January of each year by (1) referencing the Bureau of Labor Statistics Data to identify the annual percentage increase in each Index as of the end of the prior year, and (2) taking the average of these two percentages. If either Index decreases from one year to the next, the percentage change from the prior year shall be assumed to be zero for purposes of calculating the Average Increase.

**“CFD”** means the City of Merced Community Facilities District No. 2003-2.

**“CFD Formation”** means the date the owners of Assessor Parcels in Improvement Areas #1 through #6 elected to form the CFD.

**“City”** means the City of Merced.

**“City Council”** means the council of the City of Merced, acting as the legislative body of the CFD.

**“County”** means the County of Merced.

**“Developed Property”** means all Taxable Property in the CFD for which a building permit for new construction was issued by the City prior to May 1 of the preceding Fiscal Year.

**“Fiscal Year”** means the period starting July 1 and ending on the following June 30.

**“Improvement Area”** means one of the thirty-three (33) mutually exclusive geographic areas defined below and identified in Attachment 1 of this Rate and Method, and any subsequent Improvement Areas created to contain property annexed into the CFD after CFD Formation.

**“Improvement Area #1”** means the geographic area that, at CFD Formation and Annexation #2, was generally known as the Bellevue Ranch East (Phases 1 and 2) project and is specifically identified in Attachment 1 hereto as Improvement Area #1.

**“Improvement Area #2”** means the geographic area that, at CFD Formation, was generally known as the Compass Pointe project and is specifically identified in Attachment 1 hereto as Improvement Area #2.

**“Improvement Area #3”** means the geographic area that, at CFD Formation, Annexation #1, and Annexation #3, was generally known as the Sandcastle project and is specifically identified in Attachment 1 hereto as Improvement Area #3.

**“Improvement Area #4”** means the geographic area that, at CFD Formation and Annexation #2, was generally known as the Bright Development project and is specifically identified in Attachment 1 hereto as Improvement Area #4.

**“Improvement Area #5”** means the geographic area that, at CFD Formation and Annexation #2, was generally known as the Renaissance project and is specifically identified in Attachment 1 hereto as Improvement Area #5.

**“Improvement Area #6”** means the geographic area that, at CFD Formation, was generally known as the Big Valley project and is specifically identified in Attachment 1 hereto as Improvement Area #6.

**“Improvement Area #7”** means the geographic area that, at Annexation #2, was generally known as the Bellevue Ranch West project and is specifically identified in Attachment 1 hereto as Improvement Area #7.

**“Improvement Area #8”** is intentionally excluded.

**“Improvement Area #9”** means the geographic area that, at Annexation #1, was generally known as the University Park Residential project and is specifically identified in Attachment 1 hereto as Improvement Area #9.

**“Improvement Area #10”** means the geographic area that, at Annexation #1, was generally known as the Tuscany project and is specifically identified in Attachment 1 hereto as Improvement Area #10.

**“Improvement Area #11”** means the geographic area that, at Annexation #1, was generally known as the Provance project and is specifically identified in Attachment 1 hereto as Improvement Area #11.

**"Improvement Area #12"** means the geographic area that, at Annexation #1, was generally known as the Promenade project and is specifically identified in Attachment 1 hereto as Improvement Area #12.

**"Improvement Area #13"** means the geographic area that, at Annexation #1, was generally known as the Alfarata Ranch Unit 2 project and is specifically identified in Attachment 1 hereto as Improvement Area #13.

**"Improvement Area #14"** means the geographic area that, at Annexation #1 and Annexation #2, was generally known as the Franco project and is specifically identified in Attachment 1 hereto as Improvement Area #14.

**"Improvement Area #15"** means the geographic area that, at Annexation #1, was generally known as the Cottages project and is specifically identified in Attachment 1 hereto as Improvement Area #15.

**"Improvement Area #16"** means the geographic area that, at Annexation #3, was generally known as the Tuscany East project and is specifically identified in Attachment 1 hereto as Improvement Area #16.

**"Improvement Area #17"** means the geographic area that, at Annexation #3, was generally known as the Hartley Crossings project and is specifically identified in Attachment 1 hereto as Improvement Area #17.

**"Improvement Area #18"** means the geographic area that, at Annexation #3, was generally known as The Crossing at River Oaks project and is specifically identified in Attachment 1 hereto as Improvement Area #18.

**"Improvement Area #19"** means the geographic area that, at Annexation #3, was generally known as the Mohamed Apartments project and is specifically identified in Attachment 1 hereto as Improvement Area #19.

**"Improvement Area #20"** means the geographic area that, at Annexation #3, was generally known as the Sunnyview Apartments project and is specifically identified in Attachment 1 hereto as Improvement Area #20.

**"Improvement Area #21"** means the geographic area that, at Annexation #3, was generally known as the University Park II project and is specifically identified in Attachment 1 hereto as Improvement Area #21.

**"Improvement Area #22"** means the geographic area that, at Annexation #3, was generally known as the Moraga of Merced Lakemont Homes project and is specifically identified in Attachment 1 hereto as Improvement Area #22.

**"Improvement Area #23"** means the geographic area that, at Annexation #4, was generally known as the Mission Ranch project and is specifically identified in Attachment 1 hereto as Improvement Area #23.

**“Improvement Area #24”** means the geographic area that, at Annexation #4, was generally known as the Cypress Terrace (Phases 6 and 7) project and is specifically identified in Attachment 1 hereto as Improvement Area #24.

**“Improvement Area #25”** means the geographic area that, at Annexation #4, was generally known as the Cypress Terrace East project and is specifically identified in Attachment 1 hereto as Improvement Area #25.

**“Improvement Area #26”** means the geographic area that, at Annexation #5, was generally known as The Meadows project and is specifically identified in Attachment 1 hereto as Improvement Area #26.

**“Improvement Area #27”** means the geographic area that, at Annexation #4, was generally known as the Lantana Estates South project and is specifically identified in Attachment 1 hereto as Improvement Area #27.

**“Improvement Area #28”** means the geographic area that, at Annexation #6, was generally known as The Meadows #2 project and is specifically identified in Attachment 1 hereto as Improvement Area #28.

**“Improvement Area #29”** means the geographic area that, at Annexation #7, was generally known as the Paseo project and is specifically identified in Attachment 1 hereto as Improvement Area #29.

**“Improvement Area #30”** means the geographic area that, at Annexation #7, was generally known as the Highland Park project and is specifically identified in Attachment 1 hereto as Improvement Area #30.

**“Improvement Area #31”** means the geographic area that, at Annexation #7, was generally known as the Mercy Hospital project and is specifically identified in Attachment 1 hereto as Improvement Area #31.

**“Improvement Area #32”** means the geographic area that, at Annexation #8, was generally known as the Fahrens Park Plaza project and is specifically identified in Attachment 1 hereto as Improvement Area #32.

**“Improvement Area #33”** means the geographic area that, at Annexation #9, was generally known as the Mansionette Estates No. 5 project and is specifically identified in Attachment 1 hereto as Improvement Area #33.

**“Index or Indices”** means the Consumer Price Index (CPI) for the San Francisco All Urban Wage Earners Category and the National CPI.

**“Industrial Property”** means any Developed Property for which a building permit was issued for construction of a building that will be used primarily for warehousing, distribution, manufacturing, processing, or related activities, as determined by the Administrator using reasonable and established City zoning and other land use standards.

**“Maximum Special Tax”** means the greatest amount of Special Tax that can be levied in any Fiscal Year determined under this Rate and Method.

**“Multi-Family Residential Property”** means all Assessor Parcels of Developed Property for which a building permit was issued for construction of a residential structure with multiple Units, all of which are offered for rent to the general public and are not available for sale to individual owners.

**“Office Property”** means any Developed Property for which a building permit was issued for construction of a building that will be divided primarily into individual offices (including cubicles or other modular office space) for use by companies to conduct business, as determined by the Administrator using reasonable and established City zoning and other land use standards.

**“Other Property”** means any Developed Property that is not Single Family Residential Property, Multi-Family Residential Property, Retail Property, Office Property, or Industrial Property. Developed Property within Improvement Area #31 shall be categorized as Other Property.

**“Proportionately”** means, for Developed Property, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor Parcels of Developed Property.

**“Public Property”** means any CFD Assessor Parcels owned by or irrevocably offered for dedication to the United States of America, the State of California, the County, the City, or other local governments or public agencies.

**“Rate and Method”** means this Amended Rate and Method of Apportionment of Special Tax.

**“Retail Property”** means any Developed Property for which a building permit was issued for construction of a building that will include primarily commercial establishments which sell general merchandise, hard goods, personal services, and other items directly to consumers, including but not limited to travel agencies, hardware stores, food stores, automotive dealers, service stations, home furnishing stores, restaurants, bars, banks, repair shops, movie theaters, day care centers, and art galleries, as determined by the Administrator using reasonable and established City zoning and other land use standards.

**“Services”** means the services authorized to be financed, in whole or in part, by the Special Taxes in the CFD.

**“Single Family Residential Property”** means any Developed Property for which a building permit was issued for construction of: (i) a Unit that does not share a common wall with another Unit; or (ii) two or more Units that share common walls and are initially offered for sale to individual owners, including condominiums as defined under California Civil Code 1351.

**“Special Tax”** means any tax levied in the CFD pursuant to the Rate and Method.

**“Special Tax Requirement”** means the amount necessary in any Fiscal Year to: (i) pay the cost of the Services; (ii) create a sinking fund for Services that could not otherwise be funded in a given Fiscal Year; (iii) cure any delinquencies in the payment of Special Taxes which have occurred in the prior Fiscal Year or, based on existing delinquencies in the payment of Special Taxes, are expected to occur in the Fiscal Year in which the tax will be collected; and (iv) pay Administrative Expenses.

**“Square Foot,” “Square Footage,” or “Square Feet”** means the floor area square footage reflected on the original construction building permit issued for construction of a Unit or a building of Retail Property, Office Property, Industrial Property, or Other Property and any Square Footage subsequently added to a Unit or a building of such Taxable Property after issuance of a building permit for expansion or renovation of such Unit or building.

**“Taxable Property”** means any Assessor Parcel within the CFD which is not exempt from the Special Tax by applicable law or Section F below.

**“Unit”** means a structure constructed primarily for human habitation, which may be an individual detached residential unit, an individual attached residential unit within a duplex, triplex, fourplex, townhome, or condominium structure, or an individual apartment unit.

## **SECTION B. DATA FOR ANNUAL ADMINISTRATION**

On or about July 1 of each Fiscal Year, the Administrator shall identify the current Assessor Parcel numbers of all Taxable Property. The Administrator shall also determine: (i) within which Improvement Area each Assessor Parcel is located; (ii) whether each Assessor Parcel is Developed Property; (iii) for Developed Property, which Assessor Parcels are Single Family Residential Property, Multi-Family Residential Property, Retail Property, Office Property, Industrial Property, and Other Property; (iv) also for Developed Property, the Unit or building Square Footage; and (v) the Special Tax Requirement.

**SECTION C. MAXIMUM SPECIAL TAX**

**1. *Special Tax Rates, Improvement Area #1 – Bellevue Ranch East (Phases 1 & 2)***

Table 1 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #1 of the CFD.

**TABLE 1  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #1 – BELLEVUE RANCH EAST (PHASES 1 & 2)**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$548 per Unit
Multi-Family Residential Property	\$476 per Unit
Retail Property	\$64 per 1,000 Square Feet of Building
Office Property	\$59 per 1,000 Square Feet of Building
Industrial Property	\$40 per 1,000 Square Feet of Building
Other Property	\$64 per 1,000 Square Feet of Building

**2. *Special Tax Rates, Improvement Area #2 – Compass Pointe***

Table 2 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #2 of the CFD.

**TABLE 2  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #2 – COMPASS POINTE**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$644 per Unit
Multi-Family Residential Property	\$539 per Unit
Retail Property	\$110 per 1,000 Square Feet of Building
Office Property	\$103 per 1,000 Square Feet of Building
Industrial Property	\$68 per 1,000 Square Feet of Building
Other Property	\$110 per 1,000 Square Feet of Building

3. *Special Tax Rates, Improvement Area #3 - Sandcastle*

Table 3 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #3 of the CFD.

**TABLE 3  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #3 - SANDCASTLE**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$593 per Unit
Multi-Family Residential Property	\$512 per Unit
Retail Property	\$80 per 1,000 Square Feet of Building
Office Property	\$76 per 1,000 Square Feet of Building
Industrial Property	\$48 per 1,000 Square Feet of Building
Other Property	\$80 per 1,000 Square Feet of Building

4. *Special Tax Rates, Improvement Area #4 - Bright Development*

Table 4 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #4 of the CFD.

**TABLE 4  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #4 – BRIGHT DEVELOPMENT**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$609 per Unit
Multi-Family Residential Property	\$520 per Unit
Retail Property	\$89 per 1,000 Square Feet of Building
Office Property	\$84 per 1,000 Square Feet of Building
Industrial Property	\$54 per 1,000 Square Feet of Building
Other Property	\$89 per 1,000 Square Feet of Building

5. *Special Tax Rates, Improvement Area #5 - Renaissance*

Table 5 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #5 of the CFD.

**TABLE 5  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #5 - RENAISSANCE**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$489 per Unit
Multi-Family Residential Property	\$429 per Unit
Retail Property	\$43 per 1,000 Square Feet of Building
Office Property	\$37 per 1,000 Square Feet of Building
Industrial Property	\$29 per 1,000 Square Feet of Building
Other Property	\$43 per 1,000 Square Feet of Building

6. *Special Tax Rates, Improvement Area #6 - Big Valley*

Table 6 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #6 of the CFD.

**TABLE 6  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #6 – BIG VALLEY**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$524 per Unit
Multi-Family Residential Property	\$474 per Unit
Retail Property	\$40 per 1,000 Square Feet of Building
Office Property	\$40 per 1,000 Square Feet of Building
Industrial Property	\$22 per 1,000 Square Feet of Building
Other Property	\$40 per 1,000 Square Feet of Building

7. *Special Tax Rates, Improvement Area #7 – Bellevue Ranch West*

Table 7 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #7 of the CFD.

**TABLE 7  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #7 – BELLEVUE RANCH WEST**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$701 per Unit
Multi-Family Residential Property	\$600 per Unit
Retail Property	\$116 per 1,000 Square Feet of Building
Office Property	\$115 per 1,000 Square Feet of Building
Industrial Property	\$67 per 1,000 Square Feet of Building
Other Property	\$116 per 1,000 Square Feet of Building

8. *Special Tax Rates, Improvement Area #8 – Intentionally Excluded*

9. *Special Tax Rates, Improvement Area #9 – University Park Residential*

Table 9 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #9 of the CFD.

**TABLE 9  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #9 – UNIVERSITY PARK RESIDENTIAL**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$643 per Unit
Multi-Family Residential Property	\$544 per Unit
Retail Property	\$105 per 1,000 Square Feet of Building
Office Property	\$99 per 1,000 Square Feet of Building
Industrial Property	\$64 per 1,000 Square Feet of Building
Other Property	\$105 per 1,000 Square Feet of Building

10. *Special Tax Rates, Improvement Area #10 – Tuscany*

Table 10 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #10 of the CFD.

**TABLE 10  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #10 – TUSCANY**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$480 per Unit
Multi-Family Residential Property	\$427 per Unit
Retail Property	\$35 per 1,000 Square Feet of Building
Office Property	\$31 per 1,000 Square Feet of Building
Industrial Property	\$23 per 1,000 Square Feet of Building
Other Property	\$35 per 1,000 Square Feet of Building

11. *Special Tax Rates, Improvement Area #11 - Provance*

Table 11 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #11 of the CFD.

**TABLE 11  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #11 - PROVANCE**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$638 per Unit
Multi-Family Residential Property	\$542 per Unit
Retail Property	\$101 per 1,000 Square Feet of Building
Office Property	\$96 per 1,000 Square Feet of Building
Industrial Property	\$61 per 1,000 Square Feet of Building
Other Property	\$101 per 1,000 Square Feet of Building

12. *Special Tax Rates, Improvement Area #12 - Promenade*

Table 12 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #12 of the CFD.

**TABLE 12  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #12 – PROMENADE**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$438 per Unit
Multi-Family Residential Property	\$401 per Unit
Retail Property	\$14 per 1,000 Square Feet of Building
Office Property	\$12 per 1,000 Square Feet of Building
Industrial Property	\$10 per 1,000 Square Feet of Building
Other Property	\$14 per 1,000 Square Feet of Building

13. *Special Tax Rates, Improvement Area #13 – Alfarata Ranch Unit 2*

Table 13 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #13 of the CFD.

**TABLE 13**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #13 – ALFARATA RANCH UNIT 2**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$593 per Unit
Multi-Family Residential Property	\$471 per Unit
Retail Property	\$116 per 1,000 Square Feet of Building
Office Property	\$100 per 1,000 Square Feet of Building
Industrial Property	\$80 per 1,000 Square Feet of Building
Other Property	\$116 per 1,000 Square Feet of Building

14. *Special Tax Rates, Improvement Area #14 – Franco*

Table 14 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #14 of the CFD.

**TABLE 14**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #14 – FRANCO**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$504 per Unit
Multi-Family Residential Property	\$430 per Unit
Retail Property	\$57 per 1,000 Square Feet of Building
Office Property	\$49 per 1,000 Square Feet of Building
Industrial Property	\$40 per 1,000 Square Feet of Building
Other Property	\$57 per 1,000 Square Feet of Building

15. *Special Tax Rates, Improvement Area #15 – Cottages*

Table 15 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #15 of the CFD.

**TABLE 15**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #15 – COTTAGES**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2003-04<sup>1</sup></i>
Single Family Residential Property	\$631 per Unit
Multi-Family Residential Property	\$548 per Unit
Retail Property	\$87 per 1,000 Square Feet of Building
Office Property	\$86 per 1,000 Square Feet of Building
Industrial Property	\$50 per 1,000 Square Feet of Building
Other Property	\$87 per 1,000 Square Feet of Building

16. *Special Tax Rates, Improvement Area #16 – Tuscany East*

Table 16 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #16 of the CFD.

**TABLE 16**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #16 – TUSCANY EAST**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$572 per Unit
Multi-Family Residential Property	\$486 per Unit
Retail Property	\$77 per 1,000 Square Feet of Building
Office Property	\$70 per 1,000 Square Feet of Building
Industrial Property	\$50 per 1,000 Square Feet of Building
Other Property	\$77 per 1,000 Square Feet of Building

17. *Special Tax Rates, Improvement Area #17 – Hartley Crossings*

Table 17 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #17 of the CFD.

**TABLE 17**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #17 – HARTLEY CROSSINGS**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$528 per Unit
Multi-Family Residential Property	\$438 per Unit
Retail Property	\$73 per 1,000 Square Feet of Building
Office Property	\$61 per 1,000 Square Feet of Building
Industrial Property	\$52 per 1,000 Square Feet of Building
Other Property	\$73 per 1,000 Square Feet of Building

18. *Special Tax Rates, Improvement Area #18 – The Crossing at River Oaks*

Table 18 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #18 of the CFD.

**TABLE 18**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #18 – THE CROSSING AT RIVER OAKS**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$639 per Unit
Multi-Family Residential Property	\$529 per Unit
Retail Property	\$110 per 1,000 Square Feet of Building
Office Property	\$100 per 1,000 Square Feet of Building
Industrial Property	\$71 per 1,000 Square Feet of Building
Other Property	\$110 per 1,000 Square Feet of Building

19. *Special Tax Rates, Improvement Area #19 – Mohamed Apartments*

Table 19 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #19 of the CFD.

**TABLE 19**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #19 – MOHAMED APARTMENTS**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$433 per Unit
Multi-Family Residential Property	\$408 per Unit
Retail Property	Not Applicable
Office Property	Not Applicable
Industrial Property	Not Applicable
Other Property	Not Applicable

20. *Special Tax Rates, Improvement Area #20 – Sunnyview Apartments*

Table 20 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #20 of the CFD.

**TABLE 20**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #20 – SUNNYVIEW APARTMENTS**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$433 per Unit
Multi-Family Residential Property	\$408 per Unit
Retail Property	Not Applicable
Office Property	Not Applicable
Industrial Property	Not Applicable
Other Property	Not Applicable

21. *Special Tax Rates, Improvement Area #21 – University Park II*

Table 21 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #21 of the CFD.

**TABLE 21**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #21 – UNIVERSITY PARK II**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$691 per Unit
Multi-Family Residential Property	\$548 per Unit
Retail Property	\$149 per 1,000 Square Feet of Building
Office Property	\$133 per 1,000 Square Feet of Building
Industrial Property	\$98 per 1,000 Square Feet of Building
Other Property	\$149 per 1,000 Square Feet of Building

22. *Special Tax Rates, Improvement Area #22 – Moraga of Merced Lakemont Homes*

Table 22 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #22 of the CFD.

**TABLE 22**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #22 – MORAGA OF MERCED LAKEMONT HOMES**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$752 per Unit
Multi-Family Residential Property	\$623 per Unit
Retail Property	\$147 per 1,000 Square Feet of Building
Office Property	\$140 per 1,000 Square Feet of Building
Industrial Property	\$89 per 1,000 Square Feet of Building
Other Property	\$147 per 1,000 Square Feet of Building

23. *Special Tax Rates, Improvement Area #23 – Mission Ranch*

Table 23 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #23 of the CFD.

**TABLE 23**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #23 – MISSION RANCH**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$774 per Unit
Multi-Family Residential Property	\$595 per Unit
Retail Property	\$194 per 1,000 Square Feet of Building
Office Property	\$174 per 1,000 Square Feet of Building
Industrial Property	\$128 per 1,000 Square Feet of Building
Other Property	\$194 per 1,000 Square Feet of Building

24. *Special Tax Rates, Improvement Area #24 – Cypress Terrace (Phases 6 and 7)*

Table 24 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #24 of the CFD.

**TABLE 24**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #24 – CYPRESS TERRACE (PHASES 6 AND 7)**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$728 per Unit
Multi-Family Residential Property	\$606 per Unit
Retail Property	\$137 per 1,000 Square Feet of Building
Office Property	\$130 per 1,000 Square Feet of Building
Industrial Property	\$83 per 1,000 Square Feet of Building
Other Property	\$137 per 1,000 Square Feet of Building

25. *Special Tax Rates, Improvement Area #25 – Cypress Terrace East*

Table 25 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #25 of the CFD.

**TABLE 25**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #25 – CYPRESS TERRACE EAST**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$914 per Unit
Multi-Family Residential Property	\$737 per Unit
Retail Property	\$218 per 1,000 Square Feet of Building
Office Property	\$209 per 1,000 Square Feet of Building
Industrial Property	\$131 per 1,000 Square Feet of Building
Other Property	\$218 per 1,000 Square Feet of Building

26. *Special Tax Rates, Improvement Area #26 – The Meadows*

Table 26 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #26 of the CFD.

**TABLE 26**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #26 – THE MEADOWS**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$947 per Unit
Multi-Family Residential Property	\$743 per Unit
Retail Property	\$225 per 1,000 Square Feet of Building
Office Property	\$215 per 1,000 Square Feet of Building
Industrial Property	\$135 per 1,000 Square Feet of Building
Other Property	\$225 per 1,000 Square Feet of Building

27. *Special Tax Rates, Improvement Area #27 – Lantana Estates South*

Table 27 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #27 of the CFD.

**TABLE 27**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #27 – LANTANA ESTATES SOUTH**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$834 per Unit
Multi-Family Residential Property	\$700 per Unit
Retail Property	\$166 per 1,000 Square Feet of Building
Office Property	\$164 per 1,000 Square Feet of Building
Industrial Property	\$95 per 1,000 Square Feet of Building
Other Property	\$166 per 1,000 Square Feet of Building

28. *Special Tax Rates, Improvement Area #28 – The Meadows #2*

Table 28 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #28 of the CFD.

**TABLE 28**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #28 – THE MEADOWS #2**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$947 per Unit
Multi-Family Residential Property	\$743 per Unit
Retail Property	\$225 per 1,000 Square Feet of Building
Office Property	\$215 per 1,000 Square Feet of Building
Industrial Property	\$135 per 1,000 Square Feet of Building
Other Property	\$225 per 1,000 Square Feet of Building

29. *Special Tax Rates, Improvement Area #29 – Paseo*

Table 29 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #29 of the CFD.

**TABLE 29**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #29 – PASEO**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$1,008 per Unit
Multi-Family Residential Property	\$762 per Unit
Retail Property	\$294 per 1,000 Square Feet of Building
Office Property	\$271 per 1,000 Square Feet of Building
Industrial Property	\$186 per 1,000 Square Feet of Building
Other Property	\$294 per 1,000 Square Feet of Building

30. *Special Tax Rates, Improvement Area #30 – Highland Park*

Table 30 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #30 of the CFD.

**TABLE 30**  
**MAXIMUM SPECIAL TAXES**  
**IMPROVEMENT AREA #30 – HIGHLAND PARK**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$650 per Unit
Multi-Family Residential Property	\$557 per Unit
Retail Property	\$97 per 1,000 Square Feet of Building
Office Property	\$93 per 1,000 Square Feet of Building
Industrial Property	\$58 per 1,000 Square Feet of Building
Other Property	\$97 per 1,000 Square Feet of Building

31. *Special Tax Rates, Improvement Area #31 – Mercy Hospital*

Table 31 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #31 of the CFD.

**TABLE 31  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #31 – MERCY HOSPITAL**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$172 per Unit
Multi-Family Residential Property	\$139 per Unit
Retail Property	\$59 per 1,000 Square Feet of Building
Office Property	\$62 per 1,000 Square Feet of Building
Industrial Property	\$30 per 1,000 Square Feet of Building
Other Property	\$59 per 1,000 Square Feet of Building

32. *Special Tax Rates, Improvement Area #32 – Fahrens Park Plaza*

Table 32 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #32 of the CFD.

**TABLE 32  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #32 – FAHRENS PARK PLAZA**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$988 per Unit
Multi-Family Residential Property	\$889 per Unit
Retail Property	\$161 per 1,000 Square Feet of Building
Office Property	\$181 per 1,000 Square Feet of Building
Industrial Property	\$71 per 1,000 Square Feet of Building
Other Property	\$181 per 1,000 Square Feet of Building

33. *Special Tax Rates, Improvement Area #33 – Mansionette Estates No. 5*

Table 33 below identifies the Maximum Special Taxes for Taxable Property within Improvement Area #33 of the CFD.

**TABLE 33  
MAXIMUM SPECIAL TAXES  
IMPROVEMENT AREA #33 – MANSIONETTE ESTATES NO. 5**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2005-06<sup>1</sup></i>
Single Family Residential Property	\$1,130 per Unit
Multi-Family Residential Property	\$957 per Unit
Retail Property	\$252 per 1,000 Square Feet of Building
Office Property	\$260 per 1,000 Square Feet of Building
Industrial Property	\$133 per 1,000 Square Feet of Building
Other Property	\$260 per 1,000 Square Feet of Building

<sup>1</sup> *The Maximum Special Taxes will be more than the amounts listed in the tables above due to the annual CPI adjustment identified in Section C.34.*

34. *Special Tax Increases*

In January 2004, and each January thereafter, all figures shown in Tables 1 through 15 above shall be adjusted by applying the Average Increase, if any, in the Indices. Each annual adjustment of the Maximum Special Tax shall become effective on the subsequent July 1.

In January 2006, and each January thereafter, all figures shown in Tables 16 through 33 above shall be adjusted by applying the Average Increase, if any, in the Indices. Each annual adjustment of the Maximum Special Tax shall become effective on the subsequent July 1.

**SECTION D. METHOD OF LEVY**

Each Fiscal Year, the Special Tax shall be levied on all Assessor Parcels of Developed Property, separately for each Improvement Area, according to the steps outlined below.

**Step 1:** Determine for an Improvement Area the Special Tax Requirement, as defined in Section A above, for the Fiscal Year in which the Special Tax will be collected;

**Step 2:** Calculate the total Special Tax revenues that could be collected from Developed Property in the Improvement Area based on application of the Maximum Special Tax rates determined pursuant to Section C above;

**Step 3:** If the amount determined in Step 1 is greater than or equal to the amount calculated in Step 2, levy the Maximum Special Tax on all Assessor Parcels of Developed Property in the Improvement Area;

**Step 4:** If the amount determined in Step 1 is less than the amount calculated in Step 2, levy the Special Tax Proportionately on each Assessor Parcel of Developed Property in the Improvement Area so the amount of the Special Tax levy equals the Special Tax Requirement for that Fiscal Year.

#### **SECTION E. COLLECTION**

Except as may be provided by the CFD or the City, and for delinquencies, the Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes. The Special Tax obligation applicable to an Assessor Parcel in the CFD may not be prepaid and the obligation of the Assessor Parcel to pay the Special Tax may not be permanently satisfied.

#### **SECTION F. EXEMPTIONS**

Notwithstanding any other provision of this Rate and Method, no Special Tax shall be levied on Public Property, except as otherwise provided in the Act.

#### **SECTION G. INTERPRETATION**

The Administrator may interpret this Rate and Method as necessary to clarify any inconsistency, vagueness, or ambiguity.

#### **SECTION H. APPEALS**

Appeals of any claim of incorrect computation of Special Tax or application of this Rate and Method may be made by the owner of an Assessor Parcel or such owner's duly-authorized representative by filing a written notice of appeal with the Administrator not later than thirty (30) days after having paid the disputed Special Tax. The Administrator shall promptly review the appeal and, if necessary, meet with the property owner (or representative), consider written and oral evidence regarding the amount of the Special Tax, and decide the appeal. If the property owner disagrees with the Administrator's decision, the owner may then file a written appeal with the Council, whose decision shall be final. If the decision of the Administrator or

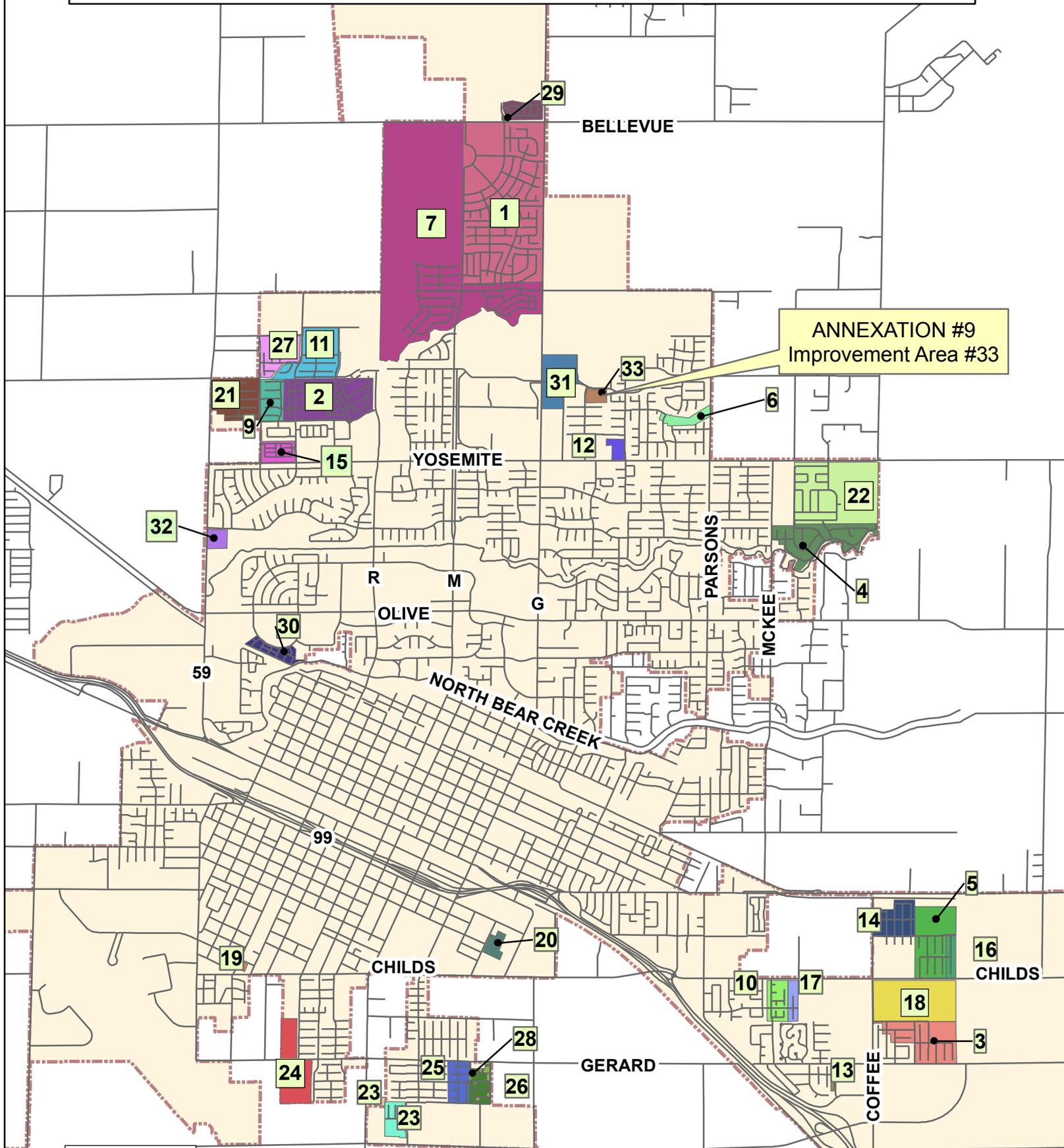
the Council requires the Special Tax to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Tax levies, but an adjustment shall be made to the next Special Tax levy(ies) as appropriate. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

**ATTACHMENT 1**

**BOUNDARY MAP  
AND IMPROVEMENT AREAS OF  
CITY OF MERCED  
COMMUNITY FACILITIES DISTRICT NO. 2003-2  
(SERVICES)**

**(to come from City)**

# COMMUNITY FACILITIES DISTRICT 2003-2 (SERVICES) IMPROVEMENT AREAS

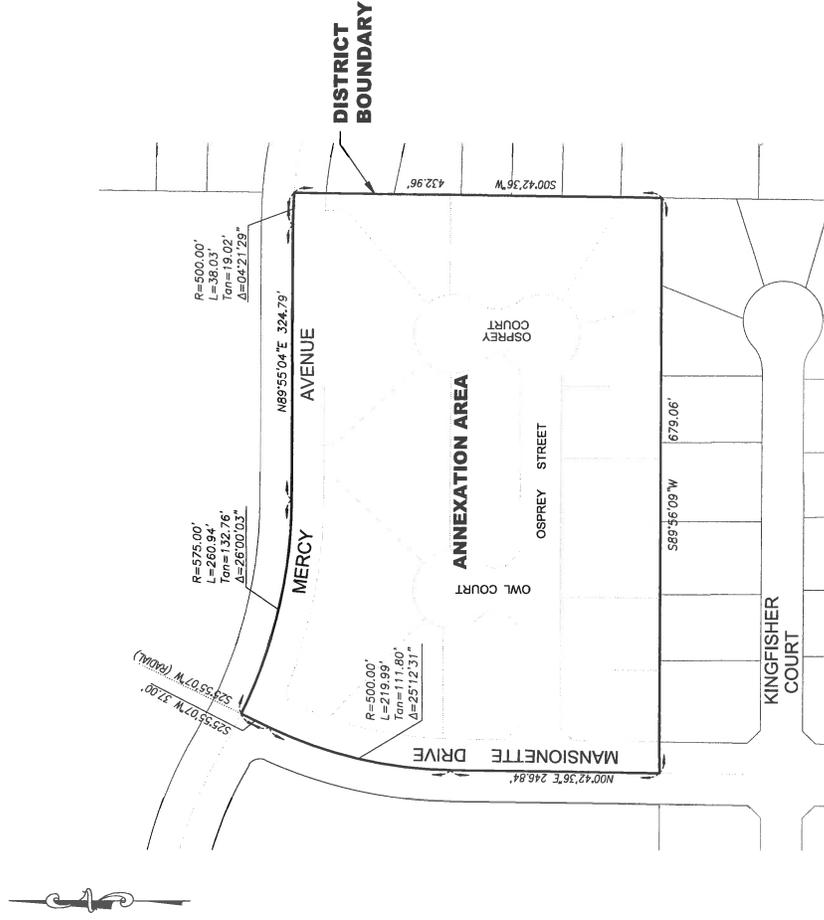


ANNEXATION #9  
Improvement Area #33

**LEGEND**  
City Limit

CITY OF MERCED  
COUNTY OF MERCED  
STATE OF CALIFORNIA

# BOUNDARY MAP AND IMPROVEMENT AREAS OF THE CITY OF MERCED COMMUNITY FACILITIES DISTRICT NO. 2003-2 (SERVICES), ANNEXATION NO. 9



**MANSIONETTE ESTATES UNIT 5**  
SCALE 1"=100'

**Table 1**  
**City of Merced Services CFD Annexation #9**  
**Project Specific Analysis**  
**Project Land Use and Services Data**

Land Use	Mansionette Estates No. 5
<hr/>	
<u>Residential (Dwelling Units)</u>	
Single Family	20
Multi-Family	0
<u>Non-Residential (Square Feet)</u>	
Retail	0
Office	0
Industrial	0
<u>Other</u>	
Full Landscaped Acres	0.31
Basin/Partial Landscaped Acres	0.00
Storm Drainage Miles	0.04
Bike Path Square Footage	0
Street Lights	8

Sources: City of Merced; Goodwin Consulting Group, Inc.

6/28/2016

**Table 2**  
**City of Merced Services CFD Annexation #9**  
**Project Specific Analysis**  
**City Cost and Allocation Data**

	Landscaping Maintenance	Storm Drainage Maintenance
<b>Expenditures /1</b>	\$341,749	\$464,196
<b>Dwelling Unit Equivalentents (DUEs)</b>		
<u>Residential DUEs (per Dwelling Unit)</u>		
Single Family	1.00	1.00
Multi-Family	0.88	0.33
<u>Non-Residential DUEs (per 1,000 SF)</u>		
Retail	0.28	0.77
Office	0.32	0.64
Industrial	0.12	0.55
<b>Cost Factors /2</b>		
Landscaped Acres	17	
Storm Drainage Miles		36
Annual Cost per Acre (Full Landscape)	\$26,134	
Annual Cost per Storm Drainage Mile		\$16,763
<b>Additional Cost Factors /2</b>		
Annual Cost per Acre (Basin/Partial Landscape) /3	\$19,600	
Annual Bike Path Maintenance Cost per Square Foot	\$0.25	
Annual Street Light Maintenance Cost per Street Light	\$136	
Annual Storm Pump Maintenance Cost		\$17,680
Annual Basin Maintenance Cost		\$5,200

/1 Expenditures include costs associated with the following budget categories: personnel, supplies and services, non-capital acquisitions, administrative, and interdepartmental services.

/2 A 30% factor is added to each cost to account for the effects of prevailing wage.

/3 Equals 75% of the cost per full landscaped acre.

**Table 3**  
**City of Merced Services CFD Annexation #9**  
**Project Specific Analysis**  
**Landscaping, Street Light, and Basin Maintenance**

<b>Mansionette Estates No. 5</b>	
<hr/>	
<b>Land Uses &amp; DUEs</b>	
<u>Residential (Dwelling Units)</u>	
Single Family	20
Multi-Family	0
<u>Non-Residential (Square Feet)</u>	
Retail	0
Office	0
Industrial	0
Dwelling Unit Equivalents	20
<hr/>	
<b>Annual Costs</b>	
Full Landscape	\$8,219
Street Light Maintenance	\$1,085
Basin/Partial Landscape	\$0
Bike Path Maintenance	\$0
<b>Total Cost</b>	<b>\$9,304</b>
<b>Cost per DUE</b>	<b>\$465</b>
<b>Special Tax Rates</b>	
<u>Residential (per Dwelling Unit)</u>	
Single Family	\$465
Multi-Family	\$409
<u>Non-Residential (per 1,000 SF)</u>	
Retail	\$130
Office	\$149
Industrial	\$56
<hr/>	
<b>Annual Special Tax Revenue</b>	
<u>Residential</u>	
Single Family	\$9,304
Multi-Family	\$0
<u>Non-Residential</u>	
Retail	\$0
Office	\$0
Industrial	\$0
<b>Total Revenue</b>	<b>\$9,304</b>

**Table 4**  
**City of Merced Services CFD Annexation #9**  
**Project Specific Analysis**  
**Storm Drainage Maintenance**

	<b>Mansionette Estates No. 5</b>
<hr/>	
<b>Land Uses &amp; DUEs</b>	
<u>Residential (Dwelling Units)</u>	
Single Family	20
Multi-Family	0
<u>Non-Residential (Square Feet)</u>	
Retail	0
Office	0
Industrial	0
Dwelling Unit Equivalents	20
<hr/>	
<b>Annual Costs</b>	
Storm Drain Maintenance	\$667
Share of Mansionette Storm Pump & Basin /1	<u>\$1,182</u>
<b>Total Cost</b>	<b>\$1,848</b>
<b>Total Cost per DUE</b>	<b>\$92</b>
<b>Special Tax Rates</b>	
<u>Residential (per Dwelling Unit)</u>	
Single Family	\$92
Multi-Family	\$30
<u>Non-Residential (per 1,000 SF)</u>	
Retail	\$71
Office	\$59
Industrial	\$51
<hr/>	
<b>Annual Special Tax Revenue</b>	
<u>Residential</u>	
Single Family	\$1,848
Multi-Family	\$0
<u>Non-Residential</u>	
Retail	\$0
Office	\$0
Industrial	<u>\$0</u>
<b>Total Revenue</b>	<b>\$1,848</b>

/1 5.2% of the storm pump and basin maintenance cost is associated with Mansionette Estates No. 5.

**Table 5**  
**City of Merced Services CFD Annexation #9**  
**Project Specific Analysis**  
**Total Special Taxes (FY 2005-06)**

<b>Land Use</b>	<b>Mansionette Estates No. 5</b>
<hr/>	
<b>Citywide Services</b>	
<u>Residential (per Dwelling Unit)</u>	
Single Family	\$433
Multi-Family	\$408
<u>Non-Residential (per 1,000 SF)</u>	
Retail	\$0
Office	\$0
Industrial	\$0
<hr/>	
<b>Project-Specific Services /1</b>	
<u>Residential (per Dwelling Unit)</u>	
Single Family	\$697
Multi-Family	\$549
<u>Non-Residential (per 1,000 SF)</u>	
Retail	\$252
Office	\$260
Industrial	\$133
<hr/>	
<b>Total - All Services</b>	
<u>Residential (per Dwelling Unit)</u>	
Single Family	\$1,130
Multi-Family	\$957
<u>Non-Residential (per 1,000 SF)</u>	
Retail	\$252
Office	\$260
Industrial	\$133

/1 A 25% factor is added to each project specific special tax to account for a cost contingency and a sinking fund component to build a reserve for equipment and facility replacement, as well as annual administration.

**EXHIBIT B**

**SAMPLE BALLOT**

**COMMUNITY FACILITIES DISTRICT NO. 2003-2 (SERVICES)  
OF THE CITY OF MERCED**

**ANNEXATION NO. 9**

**SPECIAL TAX ELECTION**

**August 1, 2016**

To vote, mark an “X” in the voting square after the word “YES” or after the word “NO.” All marks otherwise made are forbidden.

This ballot represents 6 votes.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Merced at 678 West 18<sup>th</sup> Street, Merced, California 95340.

**PROPOSITION:** Shall the Community Facilities District No. 2003-2 (Services) of the City of Merced (the “CFD”), annex property known as Annexation No. 9 to the CFD and be authorized to levy special taxes within Annexation No. 9 to the CFD pursuant to the amended rate and method of apportionment of special taxes (the “Special Tax Formula”) set forth in that certain resolution adopted on July 18, 2016 by the City Council of the City of Merced, acting as the legislative body of the CFD, to finance the authorized services and administrative expenses, all as provided in the Special Tax Formula?

YES	
NO	