

**RESOLUTION NO. 2016-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA, ACTING  
AS THE LEGISLATIVE BODY OF THE  
COMMUNITY FACILITIES DISTRICT NO. 2003-2  
(SERVICES) OF THE CITY OF MERCED,  
AUTHORIZING THE ESTABLISHMENT OF AN  
ANNUAL SPECIAL TAX FOR SAID DISTRICT  
FOR FISCAL YEAR 2016-2017**

WHEREAS, the City Council (the “Legislative Body”) of the City of Merced, California (the “City”) had previously initiated proceedings, held public hearings, conducted elections and received a favorable vote from the qualified electors to authorize the levy of special taxes in and for the Community Facilities District No. 2003-2 (Services) of the City of Merced (the “District”), including Annexation Nos. 1, 2, 3, 4, 5, 6, 7, and 8 all as authorized pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982,” being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the “Act”); and,

WHEREAS, this Legislative Body, by the adoption of Ordinance No. 2144 (the “Ordinance”) as authorized by Section 53340 of the Act, has authorized the levy of such special taxes within the District; and,

WHEREAS, Government Code Section 53340 and the Ordinance specify that this Legislative Body may provide, by resolution, for the levy of the special taxes within the District in the current tax year at the same rates or at lower rates than the maximum rates provided for in the Ordinance levying such special taxes, if such resolution is adopted and a certified list of all parcels subject to the special tax levy, including the amount of the special tax to be levied on each parcel for the current tax year (the “Fiscal Year 2016-2017 Certified List”), is timely filed by the clerk or other official designated by this Legislative Body with the Auditor of the County of Merced (the “County Auditor”); and,

WHEREAS, it is now necessary and appropriate that this Legislative Body levy and collect the special taxes for Fiscal Year 2016-2017 for the purpose specified in the Ordinance by the adoption of a resolution as specified by the Act and Ordinance.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY 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, AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. In accordance with the Act and the Ordinance, there is hereby levied upon all parcels within the District, which are not otherwise exempt from taxation under the Act or the Ordinance, the special taxes for Fiscal Year 2016-2017 at the tax rate set forth in Exhibit "A", which rates do not exceed the maximum rates set forth in the Ordinance. After adoption of this Resolution, the District may make any necessary modifications to these special taxes to account for any unforeseen circumstances; provided, however, that any such modifications shall not result in an increase in the tax applicable to a category and can only be made prior to the submission of the Fiscal Year 2016-2017 Certified List to the County Auditor.

SECTION 3. The Finance Director is hereby authorized and directed to prepare or cause the preparation of the Fiscal Year 2016-2017 Certified List and to submit such list to the County Auditor on or before August 10th or such later date to which the County Auditor may agree.

SECTION 4. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for *ad valorem* taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 5. It is hereby further directed that a certified copy of this Resolution, together with the Certified List for Fiscal Year 2016-2017, also be filed with the County Auditor.

SECTION 6. The County Auditor is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public services, special tax" or by any other suitable designation, the installment of the special tax.

SECTION 7. The County Auditor shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the

amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 8. This Resolution shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2016, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:  
STEVE CARRIGAN, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

16/Pyed 5/13/16  
City Attorney Date

STATE OF CALIFORNIA     )  
                                          ) ss.  
COUNTY OF MERCED     )

I, \_\_\_\_\_, City Clerk of the City of Merced,  
do hereby certify that the foregoing Resolution was duly adopted by the City  
Council of the City of Merced, acting as the Legislative Body of the City of  
Merced, at a regular or adjourned regular meeting thereof held on the \_\_\_\_\_ day of  
\_\_\_\_\_ 2016, and that it was so adopted by the following vote:

AYES:                   Council Members:

NOES:                   Council Members:

ABSENT:                Council Members:

ABSTAIN:               Council Members:

By: \_\_\_\_\_  
          City Clerk of the City of Merced

# EXHIBIT A

## FISCAL YEAR 2016-2017 SPECIAL TAX RATES

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

|         | <i>Type of Property</i>              |                                     |                           |                           |                               |                          |
|---------|--------------------------------------|-------------------------------------|---------------------------|---------------------------|-------------------------------|--------------------------|
|         | Single Family Residential (per Unit) | Multi-Family Residential (Per Unit) | Retail (per 1,000 sq.ft.) | Office (per 1,000 sq.ft.) | Industrial (per 1,000 sq. ft) | Other (per 1,000 sq.ft.) |
| Area 1  | 720.18                               | 625.56                              | 84.10                     | 77.52                     | 52.56                         | 84.10                    |
| Area 2  | 846.36                               | 708.36                              | 144.56                    | 135.36                    | 89.36                         | 144.56                   |
| Area 3  | 779.32                               | 672.88                              | 105.12                    | 99.88                     | 63.08                         | 105.12                   |
| Area 4  | 800.36                               | 683.38                              | 116.96                    | 110.38                    | 70.96                         | 116.96                   |
| Area 5  | 642.64                               | 563.80                              | 56.50                     | 48.62                     | 38.10                         | 56.50                    |
| Area 6  | 688.64                               | 622.94                              | 52.56                     | 52.56                     | 28.90                         | 52.56                    |
| Area 7  | 921.26                               | 788.52                              | 152.44                    | 151.12                    | 88.04                         | 152.44                   |
| Area 9  | 845.04                               | 714.92                              | 137.98                    | 130.10                    | 84.10                         | 137.98                   |
| Area 10 | 630.82                               | 561.16                              | 45.98                     | 40.74                     | 30.22                         | 45.98                    |
| Area 11 | 838.46                               | 712.30                              | 132.72                    | 126.16                    | 80.16                         | 132.72                   |
| Area 12 | 575.62                               | 527.00                              | 18.38                     | 15.76                     | 13.14                         | 18.38                    |
| Area 13 | 779.32                               | 619.00                              | 152.44                    | 131.42                    | 105.12                        | 152.44                   |
| Area 14 | 662.36                               | 565.10                              | 74.90                     | 64.38                     | 52.56                         | 74.90                    |
| Area 15 | 829.26                               | 720.18                              | 114.32                    | 113.02                    | 65.70                         | 114.32                   |
| Area 16 | 728.52                               | 618.98                              | 98.06                     | 89.14                     | 63.68                         | 98.06                    |
| Area 17 | 672.48                               | 557.86                              | 92.96                     | 77.68                     | 66.22                         | 92.96                    |
| Area 18 | 813.86                               | 673.76                              | 140.10                    | 127.36                    | 90.42                         | 140.10                   |
| Area 19 | 551.48                               | 519.64                              | N/A                       | N/A                       | N/A                           | N/A                      |
| Area 20 | 551.48                               | 519.64                              | N/A                       | N/A                       | N/A                           | N/A                      |
| Area 21 | 880.08                               | 697.96                              | 189.76                    | 169.38                    | 124.80                        | 189.76                   |
| Area 22 | 957.78                               | 793.48                              | 187.22                    | 178.30                    | 113.34                        | 187.22                   |
| Area 23 | 985.80                               | 757.82                              | 247.08                    | 221.60                    | 163.02                        | 247.08                   |
| Area 24 | 927.22                               | 771.82                              | 174.48                    | 165.56                    | 105.70                        | 174.48                   |
| Area 25 | 1,164.12                             | 938.68                              | 277.64                    | 266.18                    | 166.84                        | 277.64                   |
| Area 26 | 1,206.14                             | 946.32                              | 286.56                    | 273.82                    | 171.94                        | 286.56                   |
| Area 27 | 1,062.22                             | 891.56                              | 211.42                    | 208.88                    | 120.98                        | 211.42                   |
| Area 28 | 1,206.14                             | 946.32                              | 286.56                    | 273.82                    | 171.94                        | 286.56                   |
| Area 29 | 1,283.84                             | 970.52                              | 374.44                    | 345.16                    | 236.90                        | 374.44                   |
| Area 30 | 827.86                               | 709.42                              | 123.54                    | 118.44                    | 73.86                         | 123.54                   |
| Area 31 | 219.06                               | 177.02                              | 75.14                     | 78.96                     | 38.20                         | 75.14                    |
| Area 32 | 1,258.36                             | 1,132.28                            | 205.04                    | 230.52                    | 90.42                         | 230.52                   |

Note: Merced County's property tax payments are due in two installments annually; therefore, the above rates are rounded to the nearest whole cent divisible by two to accommodate this process.

|                                           | <u>February 2015</u> | <u>February 2016</u> | <u>Percentages Change</u> |
|-------------------------------------------|----------------------|----------------------|---------------------------|
| CPI Urban Wage Earners United States City | 229.421              | 230.972              | 0.676%                    |
| CPI Urban Wage Earners San Francisco      | 249.809              | 257.141              | <u>2.935%</u>             |
| Average                                   |                      |                      | <u>1.806%</u>             |