

Meeting Date: 4/28/2015

Report Type: Public Hearing

Report ID: 2015-00229

Title: McKinley Village Community Facilities District No. 2014-03 (Services) Public Hearing and Resolution of Formation (Noticed 04/17/2015)

Location: District 3

Recommendation: Conduct a public hearing and upon conclusion pass a Resolution 1) establishing the McKinley Village Community Facilities District No. 2014-03 (Services); 2) providing for Levy of Special Tax; and 3) calling for a Special Election on May 5, 2015.

Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

Presenter: Sheri Smith, Program Specialist, (916) 808-7204, Department of Finance

Department: Finance

Division: Public Improvement Finance

Dept ID: 06001321

Attachments:

- 1-Description/Analysis
- 2- Background
- 3-Schedule of Performances
- 4-Resolution of Formation
- 5-Exhibit A (Hearing Report)
- 6-Exhibit B (RMA)
- 7-Exhibit C (List of Services)
- 8-Exhibit D (Boundary Map)

City Attorney Review

Approved as to Form
Michael W. Voss
4/15/2015 2:34:33 PM

Approvals/Acknowledgements

Department Director or Designee: Leyne Milstein - 4/9/2015 3:50:51 PM

Description/Analysis

Issue Detail: Under the conditions of approval for the McKinley Village Development Project (Project), the property owners are required, before recordation of the final subdivision map, to annex the project area to an existing landscape maintenance district or other financing mechanism acceptable to the City. Establishing the McKinley Village Community Facilities District No. 2014-03 (District) will satisfy this requirement by authorizing the City to levy special taxes in an amount sufficient to provide funding for maintenance and operation of parks, drainage basin landscaping, open space landscaping and sound wall repair and maintenance should the Project developer and Homeowners' Association (HOA) fall short of their required responsibilities.

On March 24, 2015, the Council approved Agreement No. 2015-0358 (Maintenance Agreement) requiring the Project developer and HOA to provide maintenance of the public improvements at, or above City standards. If maintenance of the public improvements falls below the levels outlined in the Maintenance Agreement, the City will levy the special tax and provide maintenance of the public facilities.

Policy Considerations: The recommended action will provide funding for maintenance and repair of public amenities, facilities, and improvements in the event the City is required to maintain the public improvements.

Environmental Considerations: Under the California Environmental Quality Act Guidelines, formation of a district and continuing administrative activities do not constitute a project and are therefore exempt from review.

Rationale for Recommendation: The actions in the Resolution are required by the Mello-Roos Community Facilities Act of 1982 (Government Code sections 53311-53368.3) for formation of a new district.

Financial Considerations: The property owners will pay all costs associated with the District. The maximum special tax for each Assessor's Parcel shall be the amounts shown below for Fiscal Year (FY) 2015-16.

Single-Family Residential Units	\$427/Unit
Condominium Residential Units	\$427/Unit
Final and Undeveloped Parcels	\$427/Unit

The maximum special tax may increase by the Consumer Price Index, but by no more than four percent annually. A detailed explanation of the proposed special tax is in the Rate and Method of Apportionment, which is attached to the Resolution as Exhibit C.

Local Business Enterprise (LBE): Not applicable.

Background

The Project site was in agricultural use and under cultivation until at least the late 1980s as part of Mize's Farm. The eastern portion of the site was planted with a peach orchard and the remainder of the site was regularly plowed and planted with an assortment of vegetables. The orchard was removed from the site in late 2006.

The site has had multiple development proposals since the 1990s including a discount shopping mall and two other residential developments with higher densities than the McKinley Village project. The Project as approved by council on April 29, 2014 will result in a 336 unit residential subdivision with a 4,200 square foot recreation center, multiple neighborhood parks and approximately 48.8 acres of open space. The Project is comprised of several types of housing including single family detached units, condominiums and optional second units.

Purpose of the District

The proposed District will provide backstop funding for maintenance and operation of parks, drainage basin landscaping, open space landscaping and sound wall repair and maintenance in the event maintenance by the homeowner's association and developer falls below City standards. The List of Authorized Services is shown in Exhibit C to the Resolution of Formation.

District Special Election Proceedings

The proposed District will be formed in compliance with the Mello-Roos Community Facilities District Act of 1982. As part of the formation proceedings a special election on the special tax is required. In this case, where there are fewer than 12 registered voters, the vote is by landowners with each landowner having one vote for each acre or portion of an acre owned within the proposed District. There is one landowner within this proposed District. The City is prohibited from levying the tax unless at least two-thirds of the votes cast are in favor of formation.

The ballot question has two parts:

- Should the City be authorized to levy a special tax to pay for maintenance services; and
- Should the appropriation limit of the District be set at \$285,000?

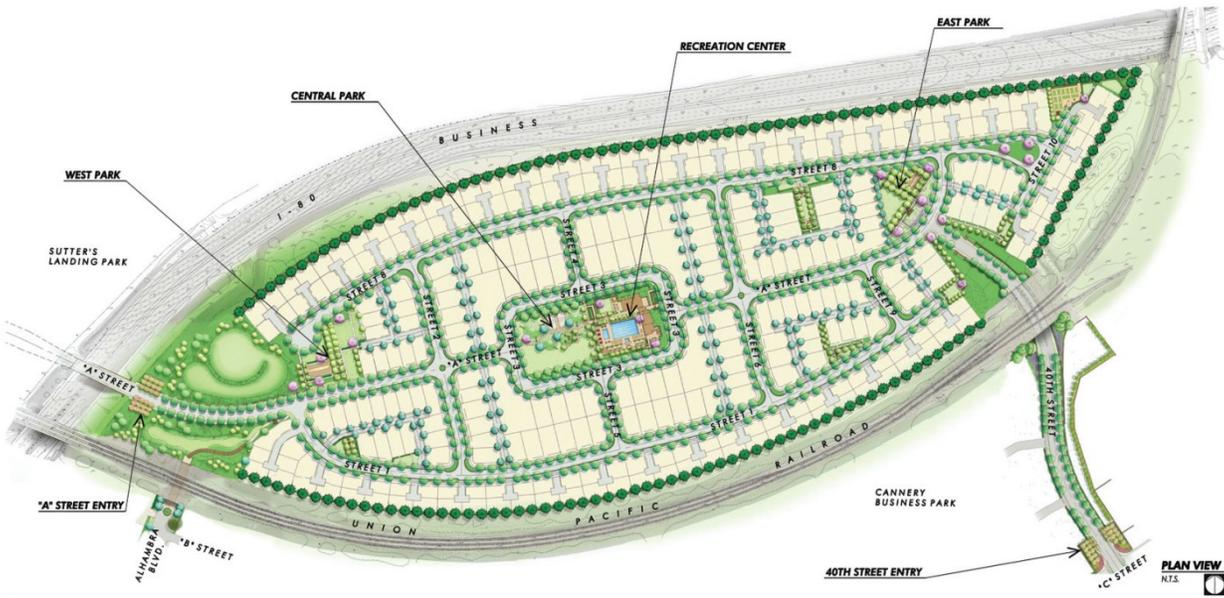
The appropriation limit is the amount that can be appropriated in any one year.

The ballots are due in the City Clerk's office before 5:00 pm on May 5, 2015. An entire schedule for the CFD proceedings is provided on the following pages.

Special Tax Formula

The rate and method of apportionment (RMA) of the special tax is attached as Exhibit B to the Resolution of Formation to establish the District. The special tax is applied to both developed and undeveloped properties. The maximum special tax rates for developed properties are shown in Exhibit B, Attachment 1 to the Resolution of Intention. The initial maximum annual special tax for single-family parcels in Fiscal Year (FY) 2015/16 is \$427 per residential unit.

Site Plan



SCHEDULE OF PROCEEDINGS

MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT (CFD) NO. 2014-03 (SERVICES)

- March 4, 2015 City Clerk certification of registered voters
Staff Report loaded to ADRS for City Clerk process
100% Consent waivers due to City
Rate and Method of Apportionment in final form
Maintenance Agreement, executed by developer for staff report
- March 24, 2015 City Council
- Approve Maintenance Agreement
 - Pass Resolution of Intention (ROI) and set hearing date
- March 25, 2015 Mail Notice of Hearing and Record Boundary Map
- April 17, 2015 City Clerk publish Notice of Public Hearing
- April 28, 2015 City Council**
- Conduct Public Hearing (> 30 days from ROI)
 - Pass Resolution of Formation
 - Pass Resolution Calling Special Election
- May 5, 2015 Ballots Due
- May 5, 2015 City Council
- Pass Resolution Declaring Results of Special Election
 - Pass for Publication Ordinance to Levy Tax
- May 12, 2015 Record Notice of Special Tax
- May 26, 2015 City Council
- Adopt Ordinance to Levy Special Tax

RESOLUTION NO.

Adopted by the Sacramento City Council

ESTABLISHING THE MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2014-03 (SERVICES); PROVIDING FOR THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE MAINTENANCE SERVICES; AND CALLING A SPECIAL ELECTION ON THE QUESTION OF LEVYING THE SPECIAL TAX AND ESTABLISHING AN APPROPRIATIONS LIMIT

BACKGROUND

- A. On March 24, 2015, the City Council adopted Resolution No. 2015-0077 (Resolution of Intention) declaring its intention to establish the McKinley Village Community Facilities District (District) No. 2014-03 (Services) and describing the boundaries of the territory proposed for inclusion in the District.
- B. The City Council has duly considered the advisability and necessity of establishing a community facilities district and levying a special tax therein to pay for maintenance and related services to be provided within the District, all under the Mello-Roos Community Facilities Act of 1982 (Act) and chapter 3.124 of the Sacramento City Code (Chapter 3.124).
- C. The Resolution of Intention fixed a time and place for a public hearing at which the City Council would consider: (1) the establishment of the District; (2) the proposed rate, method of apportionment, and manner of collection of a special tax to finance providing the services for the District; and (3) all other matters set forth in the Resolution of Intention.
- D. The City's Public Improvement Finance Manager caused a report on the proposal to establish the District in accordance with the Resolution of Intention. The City Council has reviewed the report, which is incorporated into this resolution as Exhibit A and made a part of the record of the public hearing on the Resolution of Intention.
- E. In accordance with the Resolution of Intention, a public hearing was scheduled for 6:00 p.m. on Tuesday, April 28, 2015, in the City Council's regular meeting place: City Council Chambers, New City Hall, 915 I Street, first floor, Sacramento, California. At the hearing, the City Council considered the establishment of the District; the proposed rate, method of apportionment, and manner of collection of the special tax; and all other matters set forth in the Resolution of Intention. All persons interested in these matters, including all taxpayers, property owners, and registered voters within the District, were given an opportunity to appear and be heard, and the City Council heard and considered the testimony of all such interested persons for or against the following: the establishment of the District; the levy of the special tax; the extent of the District's territory; the types of services proposed to be provided within the District, and any other matters set forth in the Resolution of Intention. The special tax was not precluded by a majority protest under Government Code section 53339.6, and at the conclusion of the hearing the City Council was fully advised in the premises and was authorized to proceed as provided in this resolution.
- F. All owners of property within the proposed boundaries of the District have agreed to waive the following time limits and other requirements, but only with regard to proceedings to establish the District and conduct the special election: (a) all time limits specified in section 53326, subdivision (a), of the Act (pertaining to the election on the proposed special tax); (b) preparation of an impartial analysis of the ballot measure that submits the special tax to the qualified electors of

the District, as well as preparation of arguments for and against the measure; (c) the requirements in Elections Code section 4101 regarding the time to mail ballots to the qualified electors; (d) the requirements in section 53327.5 of the Act regarding “identification envelopes” for the return of mailed ballots; (e) any defects of notice or procedure in the conduct of the election, whether known or unknown, so long as the defects do not infringe the right to vote and have the ballots fairly counted.

- G. On the basis of all the foregoing, the City Council has determined to call an election within the District to authorize the following: (1) the levy of a special tax on real property within the District to pay for the services proposed to be provided for the District (the rate, method of apportionment, and manner of collection of the tax are more particularly described in Exhibit B to this resolution); and (2) the establishment of an appropriations limit for the District.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1 The City Council finds and determines that the recitals set forth above are true.
- Section 2 The City Council approves the Resolution of Intention and confirms all of its determinations and findings. Attachment 2 to the rate and method of apportionment, adopted with the Resolution of Intention, is corrected to replace water pump facilities with sewer storage and pump facilities as an authorized service. The modification does not increase the probable special tax to be paid by the owner of any lot or parcel because it was the service initially contemplated within the District. The rate, method of apportionment, and manner of collection of the special tax for the District are set forth in Exhibit B to this resolution. Upon recordation of a notice of special-tax lien in accordance with Streets and Highways Code section 3114.5, a continuing lien to secure each levy of the special tax will attach to all nonexempt real property in the District. The lien will continue in perpetuity or until such time as the City determines it no longer needs the special-tax to fund authorized services of the District.
- Section 3 The City Council determines and finds that written protests against the establishment of the District, the levy of the special tax, the extent of the District, and the types of services to be provided as set forth in Exhibit C do not constitute a majority protest under the Act. Accordingly, the City Council overrules all protests to the establishment of the District, to the levy of the special tax, the extent of the District, the types of services to be provided, or the establishment of an appropriations limit for the District.
- Section 4 The City Council determines and finds that all of its prior proceedings with respect to the establishment of the District are valid and conform to the requirements of the Act. Accordingly, the City Council determines and orders, consistent with the Resolution of Intention and in accordance with the Act, that the boundaries of the District are as set forth in Exhibit D to this resolution and as recorded in the office of the Sacramento County Clerk/Recorder on –March 27, 2015, in Book 118 of Maps of Assessment and Community Facilities Districts at Page 0012, Document BK 20150327PG0197.
- Section 5 Except when funds are otherwise available, a special tax will be levied annually on real property within the District in an amount sufficient to do the following, as appropriate: (a) pay for the services set forth in Exhibit C; (b) repay funds the City advances for the District; and (c) repay advances of funds or reimburse the value or cost (whichever is less) of work provided in kind for the District under agreements between the City and the persons or entities advancing the funds or providing the work (these agreements will

not constitute debts or liabilities of the City). The special tax will be secured by recordation of a continuing lien against all nonexempt property in the District. Exhibit B to this resolution sets forth the rate, method of apportionment, and manner of collection of the special tax in sufficient detail to allow each landowner or resident within the District to estimate the maximum amount that the landowner or resident will have to pay.

Section 6 A special election is ordered to be held, in accordance with the Act, applicable law, and this resolution, on **Tuesday, May 5, 2015**, in the territory comprised by the District. At the special election, the question of levying the special tax on real property within the District and establishing an appropriations limit (as defined by article XIII B, section 8, subdivision (h) of the California Constitution) for the District in the amount of **\$285,000** per fiscal year will be submitted to the landowners within the District (who are the electors and persons qualified to vote at the special election).

Section 7 The City Clerk is designated as the official to conduct the special election in accordance with the Act, applicable law, and the following provisions:

- (a) The special election shall be held and conducted, the votes canvassed and the returns made, and the results ascertained and determined, all as provided in this section. In all particulars not prescribed by this resolution, the special election shall be held and conducted and the votes received and canvassed in the manner provided by law for holding of general elections in the City and consistent with the Act.
- (b) All landowners within the District on the date of the special election will be qualified to vote on the proposition submitted at the special election.
- (c) The special election shall be conducted as a mailed-ballot election in accordance with Elections Code sections 4000, 4002, 4003, 4004, and 4108 and the City's prior proceedings under those sections, and there will be no polling places for the special election. The City Clerk shall deliver all ballots to the qualified electors, and all voted ballots must be received at the City Clerk's office **by 5:00 p.m. on the election day** to be counted. If, however, all qualified electors have voted before that date and time, then the election will be closed.
- (d) To vote for levying the special tax and establishing the appropriations limit, a voter must mark a cross (X) in the blank space opposite the word "YES" on the ballot to the right of the proposition. To vote against levying the special tax and establishing the appropriations limit, a voter must mark a cross (X) in the blank space opposite the word "NO" on the ballot to the right of the proposition. The cross (X) or similar mark may be marked with either pen or pencil.
- (e) The City Clerk shall commence the canvass of the returns of the special election at **5:00 p.m. on Tuesday, May 5, 2015**, at the City Clerk's office, 915 I Street, fifth floor, Sacramento, California, and at the conclusion of the canvass shall determine the results of the special election. If all the qualified voters have voted before that date and time, then the City Clerk shall close the special election and proceed to canvass the returns and determine the results.
- (f) The City Council shall meet at its regular meeting on **Tuesday, May 5, 2015, at 6:00 p.m.** at its usual meeting place and declare the results of the special election.

and shall include in its minutes a statement of the results of the special election as ascertained by the canvass.

Section 8 If two-thirds of the votes cast upon the question of levying the special tax and establishing the appropriations limit are cast in favor of levying the special tax and establishing the appropriations limit, as determined by the City Council after reviewing the canvass of the returns of the election, then the City Council may levy the special tax within the territory of the District in accordance with the Act, in the amount and for the purposes specified in this resolution, and the appropriations limit, as defined by article XIII B, section 8, subdivision (h) of the California Constitution, will be established for the District. The special tax may be levied only at the rate and may be apportioned only in the manner specified in this resolution, subject to the Act, except that the special tax may be levied at a rate lower than the rate specified in Exhibit B. The special tax may be levied only so long as it is needed to pay for the services identified in Exhibit C (including the repayment of funds advanced for the District).

Section 9 The City's Manager of the Public Improvement Financing Division, Department of Finance, 915 I Street, 3rd Floor, Sacramento, California 95814 (telephone 916-808-8788) shall annually prepare a current roll of special-tax levy obligations by the Sacramento County Assessor's parcel numbers and shall estimate future special-tax levies in accordance with Government Code section 53340.2.

Section 10 Exhibits A, B, C, and D are part of this resolution.

Table of Contents:

Exhibit A: Hearing Report

Exhibit B: Rate and Method of Apportionment of Special Tax

Exhibit C: List of Authorized Services

Exhibit D: Area Map of Proposed Boundary

EXHIBIT A



HEARING REPORT

City of Sacramento
McKinley Village
Community Facilities District (CFD) No. 2014-03 (Services)

TABLE OF CONTENTS

	<u>Page</u>
<i>I. Introduction</i>	1
Background	1
Purpose of the Analysis	2
Organization of the Report.....	2
<i>II. Annual Maintenance Costs and Maximum Annual Special Tax</i>	3
Maintenance Costs and Cost Allocation	3
Maximum Annual Special Tax	4
<i>III. Structure of the Proposed CFD</i>	4
Description of the Community Facilities District.....	4
CFD Boundaries	4
Annual Costs to be Funded by the CFD	4
Determination of Parcels Subject to Special Tax.....	5
Termination of the Special Tax.....	5
Setting the Annual Special Tax Rate	5
Prepayment of Special Tax Obligation.....	5
Manner of Collection.....	6

Exhibits

- Exhibit A: Rate and Method of Apportionment of Special Tax
- Exhibit B: List of Authorized Services
- Exhibit C: Proposed Boundary Map

LIST OF FIGURES

	<u>Page</u>
Figure 1 Proposed Boundaries and Location of Detention Basin and Pedestrian Bridge	1
Figure 2 McKinley Village CFD – Maximum Annual Special Tax by Category	3

I. INTRODUCTION

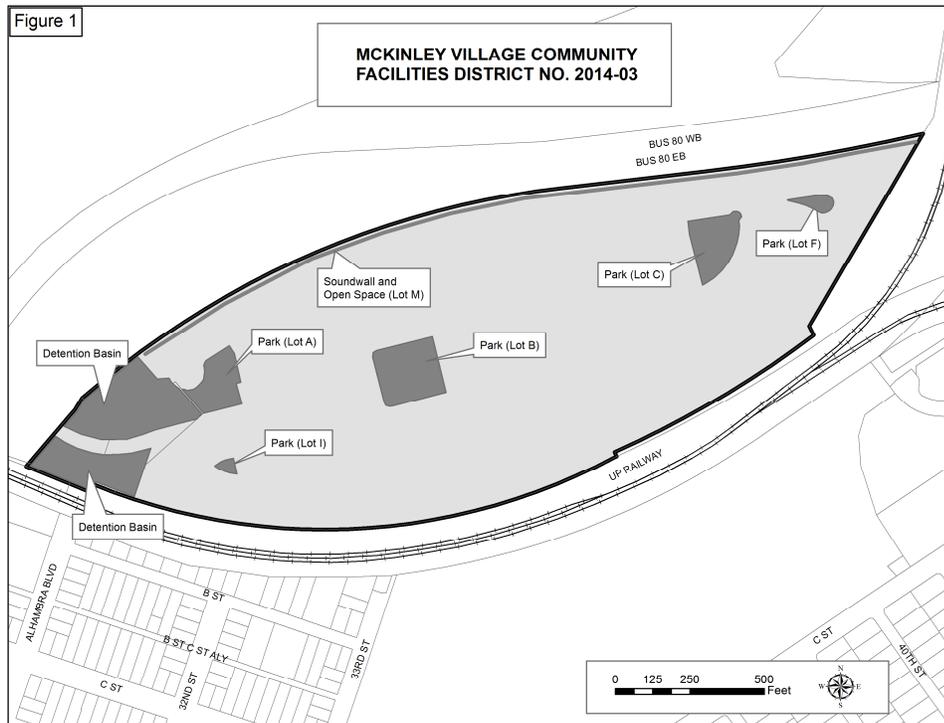
Background

The property owner of the McKinley Village Development Project has requested the establishment of a community facilities district to provide for the maintenance of parks, storm water drainage facilities, sound walls, and/or landscape areas within public rights-of-way.

The project site was in agricultural use and under cultivation until at least the late 1980s as part of Mize’s Farm. The eastern portion of the site was planted with a peach orchard and the remainder of the site was regularly plowed and planted with an assortment of vegetables. The orchard was removed from the site in late 2006. The project site is located east of Sutter’s Landing Park and north of McKinley Park in the East Sacramento Neighborhood.

The facilities to be maintained by the CFD include five parks interior to the development that total 2.5 acres, a sound-wall that borders the Business-80 freeway, an open space corridor running along the sound wall, a pump station, as well as a 2.7 acre detention basin at the westerly edge of the development.

The boundaries of the project and locations of the amenities to be maintained are as follows:



PURPOSE OF THE ANALYSIS

The purpose of this report is to present a discussion of City of Sacramento CFD No. 2014-03 (CFD) that will be used to fund maintenance of open space areas, sound-walls, parks, storm water drainage facilities and/or landscape areas within public rights-of-way located in the McKinley Village development project.

This report serves as the Hearing Report required by the Mello-Roos Act. It discusses the public services and facilities to be funded, the structure of the CFD, and the maximum annual special taxes.

ORGANIZATION OF THE REPORT

Chapter II describes the annual maintenance costs and determination of the maximum annual special tax. **Chapter III** describes the structure of the proposed CFD and the Rate and Method of Apportionment of Special Tax (“Special Tax Formula”).

Three exhibits are attached to this report. **Exhibit A** is the Rate and Method of Apportionment (the “Tax Formula”). **Exhibit B** is the list of authorized services to be funded by the CFD. **Exhibit C** provides the boundary map for the proposed CFD.

II. ANNUAL MAINTENANCE COSTS AND MAXIMUM ANNUAL SPECIAL TAX

The CFD is being formed to fund maintenance of open space areas, sound-walls, parks, storm water drainage facilities and/or landscape areas within public rights-of-way located in the McKinley Village development project. The special tax will be levied on all parcels within the CFD based on each parcel’s classification: Developed Parcel, Final Use Parcel, or Undeveloped Parcel. Each parcel category will be assigned total residential units.

MAINTENANCE COSTS AND COST ALLOCATION

The total cost of authorized services is estimated at \$142,551 in the base year of Fiscal 2015/2016. The maximum annual special tax by land use category is presented below.

**Figure 2
McKinley Village Community Facilities
District No. 2014-03
Maximum Annual Special Tax by Category (Base Year
2015-16)**

Land Use Category	Maximum Annual Special Tax [1]	
Developed Parcels		
Residential Parcels	\$427	per Unit
Final Use Parcels	\$427	per Unit
Undeveloped Parcels	\$427	per Unit

[1] The Maximum Annual Special Tax is increased by the Tax Escalation Factor in each Fiscal Year after the Base Year.

MAXIMUM ANNUAL SPECIAL TAX

The CFD's annual maintenance and services costs will be funded through the collection of special taxes levied against the property within the CFD. The maximum annual special tax for all parcels within the CFD for Fiscal Year 2015-16 is \$142,551. On July 1, 2016, and each July 1 thereafter, the maximum special tax will be increased (but not decreased) using the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index). The maximum increase in any fiscal year may not exceed four percent.

III. STRUCTURE OF THE PROPOSED CFD

DESCRIPTION OF THE COMMUNITY FACILITIES DISTRICT

Special taxes within the CFD will be levied according to the Rate and Method of Apportionment of Special Tax (the "Tax Formula"). The attached exhibits contain the formation documents for the CFD. **Exhibit A** contains the Tax Formula, and **Exhibit B** is the list of authorized services to be funded by the CFD. The purpose of the CFD is to provide funding for the maintenance of open space areas, sound-walls, parks, storm water drainage facilities and/or landscape areas within public rights-of-way located in the McKinley Village development project, as authorized by the CFD.

CFD BOUNDARIES

Exhibit C shows the proposed boundary map for the CFD. The approximate CFD boundaries are north and west of the Union Pacific rail road tracks, and south and west of the Business 80 freeway, in the East Sacramento Neighborhood.

ANNUAL COSTS TO BE FUNDED BY THE CFD

Annual costs for maintenance of open space areas, sound-walls, parks, bikeway and pedestrian paths, storm water drainage facilities and/or landscape areas within the public rights-of-way are estimated to be no more than \$142,551 in the base year of Fiscal Year 2015-16. The base maximum annual special tax will be adjusted annually by CPI (not to exceed four percent in any given year) to account for increases in maintenance, operation, and energy costs.

DETERMINATION OF PARCELS SUBJECT TO SPECIAL TAX

The City shall prepare a list of parcels subject to the special tax using the records of the City and the County Assessor. The City will classify each parcel as a developed parcel, final use parcel, undeveloped parcel, or tax exempt parcel. The City shall assign the maximum special tax to each developed parcel, final use parcel, and undeveloped parcel. All parcels shall be taxed except those that are declared tax-exempt. Taxable parcels that are acquired by a public agency after the CFD is formed will be re-classified as tax-exempt provided it is determined by the City, in the exercise of its sole discretion, that it is no longer used for private purposes. Conversely, if a tax-exempt parcel ceases to be classified as a public parcel or undeveloped parcel and is converted to a taxable use, it shall become subject to the special tax if it meets the definitions of a taxable parcel.

TERMINATION OF THE SPECIAL TAX

The special tax will be levied and collected in perpetuity.

SETTING THE ANNUAL SPECIAL TAX RATE

The City shall assign the maximum annual special tax per taxable parcel based on **Attachment 1** in Exhibit A, Rate and Method of Apportionment of Special Tax, as adjusted annually by the tax escalation factor. The City shall then create a budget for the CFD that takes into account all reasonable and allowable costs, any carryover reserves from prior years and any ending balance that is considered to be necessary for prudent financial management. Additional funding required to meet the budget will be the tax requirement and may never exceed the maximum annual special tax per residential unit for developed parcels or per acre for final use or undeveloped parcels.

Once completed, the City will prepare the tax collection schedule for each Parcel and send it to the County Auditor requesting that it be placed on the general, secured property tax roll for the following fiscal year. The tax collection schedule shall not be sent later than the date required by the Auditor for such inclusion.

PREPAYMENT OF SPECIAL TAX OBLIGATION

Prepayment of special taxes is not permitted.

MANNER OF COLLECTION

The special tax will be collected in the same manner and at the same time as *ad valorem* property taxes unless the City chooses another alternative pursuant to the Rate and Method of Apportionment of Special Tax.

Exhibits:

Exhibit A: Rate and Method of Apportionment of Special Tax

Exhibit B: List of Authorized Services

Exhibit C: Proposed Boundary Map

Exhibit A

*CITY OF SACRAMENTO, CALIFORNIA
MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2014-03
(SERVICES)*

*RATE AND METHOD OF APPORTIONMENT AND MANNER OF
COLLECTION OF SPECIAL TAXES*

1. Basis of Special Tax Levy

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (Act) applicable to the land in McKinley Village Community Facilities District No. 2014-03 (CFD) of the City of Sacramento (City) shall be levied and collected according to the tax liability determined by the City through the application of the appropriate Special Tax amount or rate, as described below.

The initial responsibility for providing the Authorized Services Activation of the CFD is governed is set forth in by City Agreement Number 2015-_____, approved by City Council on March 24, 2015 (“Public Improvement Maintenance Agreement”). If the Public Improvement Maintenance Agreement terminates, or if the City determines pursuant to the procedures set forth in the Public Improvement Maintenance Agreement that it is responsible for providing some or all of the Authorized Services, City may levy and collect the Special Taxes as described below.

2. Definitions

“**Accessory Unit**” means a second residential unit of limited size, e.g. granny flat or second unit that shares a Parcel with a single family detached unit.

“**Act**” means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

“**Administrative Expenses**” means the actual or estimated costs incurred by the City to form the CFD and to determine, levy, and collect the Special Taxes, including compensation of City employees for administrative work performed in

relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the Special Taxes on the general tax rolls or by other means, preparation of required reports, and any other costs required to establish or administer the CFD as determined by the City.

“Administrator” means the official of the City, or designee thereof, responsible for determining the Special Tax requirement and providing for the levy and collection of the Special Tax.

“Annual Costs” means for each Fiscal Year, the total of (1) Authorized Services, (2) Administrative Expenses, and (3) any amounts needed to offset actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year.

“Assessor” means the County assessor.

“Assessor’s Parcel Map” means an official map of the County Assessor designating parcels by Assessor’s Parcel Number.

“Authorized Services” mean those services authorized to be funded by the CFD as set forth in the documents adopted by Council when the CFD was formed, as identified in **Attachment 2**.

“Base Year” means the Fiscal Year 2015-16.

“Building Permit” means a single permit or set of permits, issued by the City, required to construct an entire residential or nonresidential structure.

“CFD” means the McKinley Village Community Facilities District No. 2014-03(Services) of the City of Sacramento, Sacramento County, California.

“City” means the City of Sacramento in Sacramento County, California.

“Condominium Residential Use(s)” means a multifamily Residential Use for ownership in a condominium structure.

“Council” means the City Council of the City of Sacramento acting for the CFD under the Act.

“County” means the County of Sacramento, California.

“County Assessor’s Parcel” means a lot or Parcel with an assigned Assessor’s Parcel Number in the maps used by the County Assessor in the preparation of the tax roll.

“County Recorder” means the County of Sacramento’s Office of the Recorder.

“Developed Parcel” means a Parcel for which a Building Permit has been issued, on or prior to June 30, for a Residential Building within the CFD. A Developed Parcel will be reclassified as a Final Use Parcel if a Building Permit on a Parcel is revoked, abandoned, or expired.

“Final Use Parcel” means a Residential Parcel for which no further development approval is required for the issuance of a Building Permit.

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

“Homeowners Association” or “HOA” means the homeowners association that provides services to and collects assessments, fees, taxes, or charges from property within the CFD.

“Homeowners Association Parcel” or “HOA Parcel” means a Parcel within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association.

“Maximum Annual Special Tax” means the greatest amount of Special Tax that can be levied against a Taxable Parcel.

“Maximum Annual Special Tax Revenue” means the greatest amount of Special Tax revenue that can be collected by levying the Maximum Annual Special Tax against a group of Taxable Parcels (Developed Parcels, Undeveloped Parcels, or Final Use Parcels).

“Multifamily Residential Use(s)” means a Parcel designated for attached multifamily residential uses, including Condominium Residential Use.

“Nonresidential Parcel” means a Parcel with a use designated for commercial, retail, office, community center, recreational center, community garden, church, institutional (such as hospital), or other similar land uses. Nonresidential Parcels are exempt from the Special Tax.

“**Parcel**” means any County Assessor’s Parcel in the CFD based on the equalized tax rolls of the County as of July 1 of each year.

“**Parcel Number**” means the Assessor’s Parcel Number for any Parcel based on the equalized tax rolls of the County as of July 1 of each year.

“**Planned Residential Units**” means the total number of Residential Units expected to be developed within the CFD as shown on the Tentative Map, as identified in Attachment 3.

“**Public Parcel**” means any Parcel, in its entirety, that is publicly owned that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets, schools, parks, public drainage ways & basins, public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel will be a Tax-Exempt Parcel.

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

“**Residential Building**” means a residential structure on a Residential Parcel with land uses designated for Residential Use.

“**Residential Parcel**” means a Parcel with land uses designated for residential uses such as Single-Family Residential Use, Multifamily Residential Use, or Condominium Residential Use.

“**Residential Unit**” or “**Unit(s)**” means the number of single family detached units or an individual residential unit within a multifamily structure or condominium structure, for which Building Permits have been issued, or which have been planned as Planned Residential Units, as shown on **Attachment 3**. An Accessory Unit that shares a Parcel with a Residential Building shall not be considered a Unit for purposes of this RMA.

“**Residential Use**” means use as Single-Family Residential Use, Multifamily Residential Use, or Condominium Residential Use.

“**Single Family Residential Use(s)**” means a Parcel designated for detached single family residential uses.

“**Special Tax(es)**” mean(s) any tax levy under the Act in the CFD that may be levied on a Taxable Parcel in any Fiscal Year.

“Tax Collection Schedule” means the document prepared by the Administrator for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

“Tax Escalation Factor” means an annual percentage increase in the Maximum Annual Special Tax based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index); however, the annual percentage increase shall not exceed 4 percent.

“Taxable Parcel” means any Parcel that is a Developed Parcel, Final Use Parcel, or Undeveloped Parcel.

“Tax-Exempt Parcel” means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are:

- Public Parcels
- Nonresidential Parcels
- HOA Parcels

“Tentative Map” means the small lot tentative subdivision map for the McKinley Village Project that was approved on April 29, 2014, including any adjustments or amendments that were approved prior to CFD formation.

“Undeveloped Parcel” means a Parcel that is not a Developed Parcel, Final Use Parcel, or Tax-Exempt Parcel.

3. Duration of the Special Tax

Parcels in the CFD will remain subject to the Special Tax in perpetuity.

If the Special Tax ceases to be levied, the City will direct the County Recorder to record a Notice of Cessation of Special Tax. Such notice will state that the obligation to pay the Special Tax has ceased and that the lien imposed by the Notice of Special Tax Lien is extinguished. The Notice of Cessation of Special Tax, in addition, will identify the book and page of the Book of Maps of

Assessment and Community Facilities Districts where the map of the boundaries of the CFD is recorded.

4. Assignment of Maximum Annual Special Tax

- A. Classification of Parcels. On or about July 1 of each Year, using the definitions in **Section 2** above, the Parcel records of the Assessor’s Secured Tax Roll as of July 1, and other City development approval records, the Administrator shall complete the following steps:
1. Classify each Parcel as a Developed Parcel, Final Use Parcel, Undeveloped Parcel, or Tax-Exempt Parcel
 2. Assign to each Parcel the total number of Units
- B. Determination of Maximum Annual Special Tax. **Attachment 1** shows the Maximum Annual Special Tax for the Base Year. In each Fiscal Year following the Base Year, the Maximum Annual Special Tax shall be adjusted by the Tax Escalation Factor.
- C. Assignment of Maximum Annual Special Tax. Using **Attachment 1**, the Administrator shall assign the Maximum Annual Special Tax to each Developed Parcel, Final Use Parcel, and Undeveloped Parcel using the steps below:
1. Developed Parcels
 - i. Residential Parcels: Assign the Maximum Annual Special Tax to each Unit on a Residential Parcel as shown on **Attachment 1**, as increased by the Tax Escalation Factor. To the extent that more than one Unit is assigned to the Residential Parcel, sum the Maximum Annual Special Tax assigned to each Unit to determine the Maximum Annual Special Tax for the Residential Parcel.
 2. Final Use Parcels: Assign the Maximum Annual Special Tax per Unit as shown in **Attachment 1**, as increased by the Tax Escalation Factor.
 3. Undeveloped Parcels: Assign the Maximum Annual Special Tax per Unit as shown in **Attachment 1**, as increased by the Tax Escalation Factor.

D. Conversion of a Tax-Exempt Parcel to a Taxable Parcel. If a Tax-Exempt Parcel ceases to be classified as a Public Parcel, Nonresidential Parcel, or HOA Parcel and is converted to a taxable use, it shall become subject to the Special Tax if it meets the definitions of a Taxable Parcel. The Maximum Annual Special Tax for such a Parcel will be assigned according to **Section 4.A** and **Section 4.C** above. If a Taxable Parcel is converted to a Tax- Exempt Parcel, the Parcel shall be subject to the Special Tax as if it consisted of the same number of Residential Units as shown on **Attachment 3**.

5. Calculating Annual Special Taxes

The Administrator will compute the Annual Costs and determine the Maximum Annual Special Tax for each Taxable Parcel based on the assignment of the Special Tax in **Section 4**. The Administrator then will determine the tax levy for each Taxable Parcel using the following process:

- A. Compute the Annual Costs using the definition of Annual Costs in Section 2.
- B. Calculate the Special Tax levy for each Taxable Parcel by the following steps:
 - Step 1: Compute 100 percent of the Maximum Annual Special Tax Revenue for Developed Parcels.
 - Step 2: Compare the Annual Costs with the Maximum Annual Special Tax Revenue calculated in Step 1.
 - Step 3: If the Annual Costs are lower than the Maximum Annual Special Tax Revenue for Developed Parcels, decrease proportionately the Special Tax levy for each Developed Parcel until the revenue from the Special Tax levy equals the Annual Costs.
 - Step 4: If the Annual Costs are greater than the Maximum Annual Special Tax Revenue for Developed Parcels, increase proportionately the Special Tax levy for each Final Use Parcel until the revenue from the Special Tax levy equals the Annual Costs.

Step 5: If the Annual Costs are greater than the sum of the Maximum Annual Special Tax Revenue collected for (i) Developed Parcels and (ii) Final Use Parcels, increase proportionately the Special Tax levy for each Undeveloped Parcel until the revenue from the Special Tax levy equals the Annual Costs, or until the Maximum Annual Special Tax has been reached.

C. Levy on each Taxable Parcel the amount calculated above.

D. Prepare the Tax Collection Schedule and, unless an alternative method of collection has been selected pursuant to **Section 9**, send it to the County Auditor requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule will not be sent later than the date required by the Auditor for such inclusion.

6. Records Maintained for the CFD

As development occurs in the CFD, the Administrator will maintain a file containing records of the following information for each Parcel:

- The current County Assessor's Parcel Number
- The designated and existing uses for each parcel
- The total number of Units assigned to each Parcel
- The total number of Planned Residential Units of Final Use Parcels
- The total number of Planned Residential Units of Undeveloped Parcels
- The Maximum Annual Special Tax assigned to each Parcel

The file containing the information listed above will be available for public inspection.

7. Interpretation, Application, and Appeal of Special Tax Formula and Procedures

The Administrator will make every effort to correctly calculate the Special Tax for each Parcel. It will be the burden of the taxpayer to correct any errors in the determination of the Parcels subject to the tax and their Special Tax assignments. Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the Administrator

appealing the levy of the Special Tax. The Administrator then will promptly review the appeal and, if necessary, meet with the applicant. If the Administrator verifies that the tax should be modified or changed, the Special Tax levy will be corrected, and if applicable in any case, a refund will be granted.

Interpretations may be made by resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, or any definition applicable to the CFD.

Without Council approval, the Administrator may make minor, non-substantive administrative and technical changes to the provisions of this Exhibit that do not materially affect the rate, method of apportionment, and manner of collection of the Special Tax for purposes of the administrative efficiency or convenience or to comply with new applicable federal, state, or local law.

8. Prepayment of the Special Tax Obligation

The Maximum Annual Special Tax for a Taxable Parcel may not be prepaid. The Special Tax is collected to fund Authorized Services in perpetuity, or until the Council determines that the Special Tax should no longer be collected.

9. Manner of Collection

The Special Tax will be collected in the same manner and at the same time as ad valorem property taxes, provided, however, that the Administrator or its designee may directly bill the Special Tax and may collect the Special Tax at a different time, such as on a monthly or other periodic basis, or in a different manner, if necessary, to meet the City's financial obligations.

**Attachment 1
McKinley Village Community Facilities
District No. 2014-03
Maximum Annual Special Tax by Category (Base Year
2015-16)**

Land Use Category	Maximum Annual Special Tax [1]
Developed Parcels	
Residential Parcels	\$427 per Unit
Final Use Parcels	\$427 per Unit
Undeveloped Parcels	\$427 per Unit

[1] The Maximum Annual Special Tax is increased by the Tax Escalation Factor in each Fiscal Year after the Base Year.

Attachment 2

McKinley Village Community Facilities District (CFD) No. 2014-03 (Services) List of Authorized Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annually administering the CFD. The authorized services to be funded include:

1. Maintenance and operation of drainage basin landscaping and sewer pump station detention facility.
2. Maintenance and operation of public parks: Lots A, B, C, F and I
3. Maintenance and operation of public soundwalls and open space: Lot M
4. Miscellaneous costs related to any of the items described above including planning, engineering, and legal and administration costs.
5. The levy of Special Taxes to accumulate funds for anticipated future repair or replacement costs of facilities maintained by the CFD, as determined by the Administrator.

Attachment 3

McKinley Village Tentative Subdivision Map

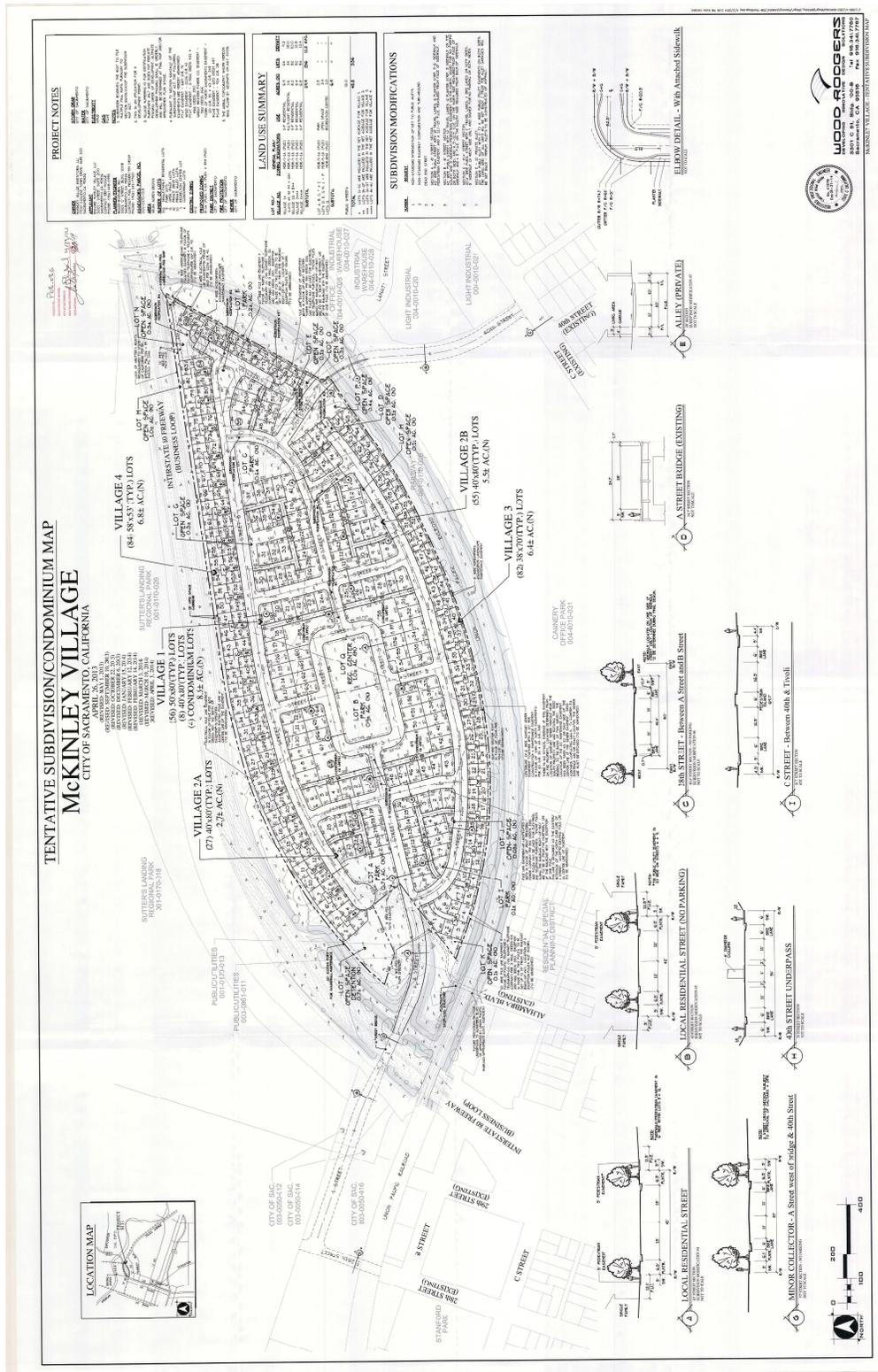


Exhibit B

McKinley Village Community Facilities District (CFD) No. 2014-03 List of Authorized Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annually administering the CFD. The authorized services to be funded include:

1. Maintenance and operation of drainage basin landscaping and sewer pump station detention facility.
2. Maintenance and operation of public parks: Lots A, B, C, F and I
3. Maintenance and operation of public soundwalls and open space: Lot M
4. Miscellaneous costs related to any of the items described above including planning, engineering, and legal and administration costs.
5. The levy of Special Taxes to accumulate funds for anticipated future repair or replacement costs of facilities maintained by the CFD, as determined by the Administrator.

Exhibit C

BOUNDARY MAP
MCKINLEY VILLAGE COMMUNITY
FACILITIES DISTRICT NO. 2014-03
CITY OF SACRAMENTO, COUNTY OF SACRAMENTO,
STATE OF CALIFORNIA

SHEET 1 OF 1

CLERK'S MAP FILING STATEMENT:
FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS _____ DAY OF _____, 2015

CITY CLERK:
CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:
I HEREBY CERTIFY THAT THE MAP SHOWING THE BOUNDARY MAP OF MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2014-03, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2015, BY ITS RESOLUTION NO. _____

CITY CLERK:
CITY OF SACRAMENTO, CALIFORNIA

COUNTY RECORDER'S FILING STATEMENT:
FILED THIS _____ DAY OF _____, 2015 AT THE HOUR OF _____ O'CLOCK, _____ M., IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

COUNTY RECORDER:
OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: DEPUTY _____ DOCUMENT NO. _____

APN: 001-0170-028-0000

CITY OF SACRAMENTO
Finance Department

S:\SERIAL_001\0170-028-0000\Map\0170-028-0000-0001.dwg (11/18/14) 11:53:51 AM

Exhibit B

CITY OF SACRAMENTO, CALIFORNIA
MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2014-03
(SERVICES)

RATE AND METHOD OF APPORTIONMENT AND MANNER OF
COLLECTION OF SPECIAL TAXES

1. Basis of Special Tax Levy

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (Act) applicable to the land in McKinley Village Community Facilities District No. 2014-03 (CFD) of the City of Sacramento (City) shall be levied and collected according to the tax liability determined by the City through the application of the appropriate Special Tax amount or rate, as described below.

The initial responsibility for providing the Authorized Services Activation of the CFD is governed is set forth in by City Agreement Number 2015-0358, approved by City Council on March 24, 2015 ("Public Improvement Maintenance Agreement"). If the Public Improvement Maintenance Agreement terminates, or if the City determines pursuant to the procedures set forth in the Public Improvement Maintenance Agreement that it is responsible for providing some or all of the Authorized Services, City may levy and collect the Special Taxes as described below.

2. Definitions

"Accessory Unit" means a second residential unit of limited size, e.g. granny flat or second unit that shares a Parcel with a single family detached unit.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

"Administrative Expenses" means the actual or estimated costs incurred by the City to form the CFD and to determine, levy, and collect the Special Taxes, including compensation of City employees for administrative work performed in

relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the Special Taxes on the general tax rolls or by other means, preparation of required reports, and any other costs required to establish or administer the CFD as determined by the City.

“**Administrator**” means the official of the City, or designee thereof, responsible for determining the Special Tax requirement and providing for the levy and collection of the Special Tax.

“**Annual Costs**” means for each Fiscal Year, the total of (1) Authorized Services, (2) Administrative Expenses, and (3) any amounts needed to offset actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year.

“**Assessor**” means the County assessor.

“**Assessor’s Parcel Map**” means an official map of the County Assessor designating parcels by Assessor’s Parcel Number.

“**Authorized Services**” mean those services authorized to be funded by the CFD as set forth in the documents adopted by Council when the CFD was formed, as identified in **Attachment 2**.

“**Base Year**” means the Fiscal Year 2015-16.

“**Building Permit**” means a single permit or set of permits, issued by the City, required to construct an entire residential or nonresidential structure.

“**CFD**” means the McKinley Village Community Facilities District No. 2014-03(Services) of the City of Sacramento, Sacramento County, California.

“**City**” means the City of Sacramento in Sacramento County, California.

“**Condominium Residential Use(s)**” means a multifamily Residential Use for ownership in a condominium structure.

“**Council**” means the City Council of the City of Sacramento acting for the CFD under the Act.

“**County**” means the County of Sacramento, California.

“County Assessor’s Parcel” means a lot or Parcel with an assigned Assessor’s Parcel Number in the maps used by the County Assessor in the preparation of the tax roll.

“County Recorder” means the County of Sacramento’s Office of the Recorder.

“Developed Parcel” means a Parcel for which a Building Permit has been issued, on or prior to June 30, for a Residential Building within the CFD. A Developed Parcel will be reclassified as a Final Use Parcel if a Building Permit on a Parcel is revoked, abandoned, or expired.

“Final Use Parcel” means a Residential Parcel for which no further development approval is required for the issuance of a Building Permit.

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

“Homeowners Association” or “HOA” means the homeowners association that provides services to and collects assessments, fees, taxes, or charges from property within the CFD.

“Homeowners Association Parcel” or “HOA Parcel” means a Parcel within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to, a property owner association, including any master or sub-association.

“Maximum Annual Special Tax” means the greatest amount of Special Tax that can be levied against a Taxable Parcel.

“Maximum Annual Special Tax Revenue” means the greatest amount of Special Tax revenue that can be collected by levying the Maximum Annual Special Tax against a group of Taxable Parcels (Developed Parcels, Undeveloped Parcels, or Final Use Parcels).

“Multifamily Residential Use(s)” means a Parcel designated for attached multifamily residential uses, including Condominium Residential Use.

“Nonresidential Parcel” means a Parcel with a use designated for commercial, retail, office, community center, recreational center, community

garden, church, institutional (such as hospital), or other similar land uses. Nonresidential Parcels are exempt from the Special Tax.

“**Parcel**” means any County Assessor’s Parcel in the CFD based on the equalized tax rolls of the County as of July 1 of each year.

“**Parcel Number**” means the Assessor’s Parcel Number for any Parcel based on the equalized tax rolls of the County as of July 1 of each year.

“**Planned Residential Units**” means the total number of Residential Units expected to be developed within the CFD as shown on the Tentative Map, as identified in Attachment 3.

“**Public Parcel**” means any Parcel, in its entirety, that is publicly owned that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets, schools, parks, public drainage ways & basins, public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel will be a Tax-Exempt Parcel.

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

“**Residential Building**” means a residential structure on a Residential Parcel with land uses designated for Residential Use.

“**Residential Parcel**” means a Parcel with land uses designated for residential uses such as Single-Family Residential Use, Multifamily Residential Use, or Condominium Residential Use.

“**Residential Unit**” or “**Unit(s)**” means the number of single family detached units or an individual residential unit within a multifamily structure or condominium structure, for which Building Permits have been issued, or which have been planned as Planned Residential Units, as shown on **Attachment 3**. An Accessory Unit that shares a Parcel with a Residential Building shall not be considered a Unit for purposes of this RMA.

“**Residential Use**” means use as Single-Family Residential Use, Multifamily Residential Use, or Condominium Residential Use.

“**Single Family Residential Use(s)**” means a Parcel designated for detached single family residential uses.

“Special Tax(es)” mean(s) any tax levy under the Act in the CFD that may be levied on a Taxable Parcel in any Fiscal Year.

“Tax Collection Schedule” means the document prepared by the Administrator for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

“Tax Escalation Factor” means an annual percentage increase in the Maximum Annual Special Tax based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index); however, the annual percentage increase shall not exceed 4 percent.

“Taxable Parcel” means any Parcel that is a Developed Parcel, Final Use Parcel, or Undeveloped Parcel.

“Tax-Exempt Parcel” means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are:

- Public Parcels
- Nonresidential Parcels
- HOA Parcels

“Tentative Map” means the small lot tentative subdivision map for the McKinley Village Project that was approved on April 29, 2014, including any adjustments or amendments that were approved prior to CFD formation.

“Undeveloped Parcel” means a Parcel that is not a Developed Parcel, Final Use Parcel, or Tax-Exempt Parcel.

3. Duration of the Special Tax

Parcels in the CFD will remain subject to the Special Tax in perpetuity.

If the Special Tax ceases to be levied, the City will direct the County Recorder to record a Notice of Cessation of Special Tax. Such notice will state that the

obligation to pay the Special Tax has ceased and that the lien imposed by the Notice of Special Tax Lien is extinguished. The Notice of Cessation of Special Tax, in addition, will identify the book and page of the Book of Maps of Assessment and Community Facilities Districts where the map of the boundaries of the CFD is recorded.

4. Assignment of Maximum Annual Special Tax

- A. Classification of Parcels. On or about July 1 of each Year, using the definitions in **Section 2** above, the Parcel records of the Assessor's Secured Tax Roll as of July 1, and other City development approval records, the Administrator shall complete the following steps:
1. Classify each Parcel as a Developed Parcel, Final Use Parcel, Undeveloped Parcel, or Tax-Exempt Parcel
 2. Assign to each Parcel the total number of Units
- B. Determination of Maximum Annual Special Tax. **Attachment 1** shows the Maximum Annual Special Tax for the Base Year. In each Fiscal Year following the Base Year, the Maximum Annual Special Tax shall be adjusted by the Tax Escalation Factor.
- C. Assignment of Maximum Annual Special Tax. Using **Attachment 1**, the Administrator shall assign the Maximum Annual Special Tax to each Developed Parcel, Final Use Parcel, and Undeveloped Parcel using the steps below:
1. Developed Parcels
 - i. Residential Parcels: Assign the Maximum Annual Special Tax to each Unit on a Residential Parcel as shown on **Attachment 1**, as increased by the Tax Escalation Factor. To the extent that more than one Unit is assigned to the Residential Parcel, sum the Maximum Annual Special Tax assigned to each Unit to determine the Maximum Annual Special Tax for the Residential Parcel.

2. Final Use Parcels: Assign the Maximum Annual Special Tax per Unit as shown in **Attachment 1**, as increased by the Tax Escalation Factor.
 3. Undeveloped Parcels: Assign the Maximum Annual Special Tax per Unit as shown in **Attachment 1**, as increased by the Tax Escalation Factor.
- D. Conversion of a Tax-Exempt Parcel to a Taxable Parcel. If a Tax-Exempt Parcel ceases to be classified as a Public Parcel, Nonresidential Parcel, or HOA Parcel and is converted to a taxable use, it shall become subject to the Special Tax if it meets the definitions of a Taxable Parcel. The Maximum Annual Special Tax for such a Parcel will be assigned according to **Section 4.A** and **Section 4.C** above. If a Taxable Parcel is converted to a Tax- Exempt Parcel, the Parcel shall be subject to the Special Tax as if it consisted of the same number of Residential Units as shown on **Attachment 3**.

5. Calculating Annual Special Taxes

The Administrator will compute the Annual Costs and determine the Maximum Annual Special Tax for each Taxable Parcel based on the assignment of the Special Tax in **Section 4**. The Administrator then will determine the tax levy for each Taxable Parcel using the following process:

- A. Compute the Annual Costs using the definition of Annual Costs in Section 2.
- B. Calculate the Special Tax levy for each Taxable Parcel by the following steps:
 - Step 1: Compute 100 percent of the Maximum Annual Special Tax Revenue for Developed Parcels.
 - Step 2: Compare the Annual Costs with the Maximum Annual Special Tax Revenue calculated in Step 1.
 - Step 3: If the Annual Costs are lower than the Maximum Annual Special Tax Revenue for Developed Parcels, decrease proportionately the Special Tax levy for each Developed

Parcel until the revenue from the Special Tax levy equals the Annual Costs.

Step 4: If the Annual Costs are greater than the Maximum Annual Special Tax Revenue for Developed Parcels, increase proportionately the Special Tax levy for each Final Use Parcel until the revenue from the Special Tax levy equals the Annual Costs.

Step 5: If the Annual Costs are greater than the sum of the Maximum Annual Special Tax Revenue collected for (i) Developed Parcels and (ii) Final Use Parcels, increase proportionately the Special Tax levy for each Undeveloped Parcel until the revenue from the Special Tax levy equals the Annual Costs, or until the Maximum Annual Special Tax has been reached.

C. Levy on each Taxable Parcel the amount calculated above.

D. Prepare the Tax Collection Schedule and, unless an alternative method of collection has been selected pursuant to **Section 9**, send it to the County Auditor requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule will not be sent later than the date required by the Auditor for such inclusion.

6. Records Maintained for the CFD

As development occurs in the CFD, the Administrator will maintain a file containing records of the following information for each Parcel:

- The current County Assessor's Parcel Number
- The designated and existing uses for each parcel
- The total number of Units assigned to each Parcel
- The total number of Planned Residential Units of Final Use Parcels
- The total number of Planned Residential Units of Undeveloped Parcels
- The Maximum Annual Special Tax assigned to each Parcel

The file containing the information listed above will be available for public inspection.

7. Interpretation, Application, and Appeal of Special Tax Formula and Procedures

The Administrator will make every effort to correctly calculate the Special Tax for each Parcel. It will be the burden of the taxpayer to correct any errors in the determination of the Parcels subject to the tax and their Special Tax assignments. Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the Administrator appealing the levy of the Special Tax. The Administrator then will promptly review the appeal and, if necessary, meet with the applicant. If the Administrator verifies that the tax should be modified or changed, the Special Tax levy will be corrected, and if applicable in any case, a refund will be granted.

Interpretations may be made by resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, or any definition applicable to the CFD.

Without Council approval, the Administrator may make minor, non-substantive administrative and technical changes to the provisions of this Exhibit that do not materially affect the rate, method of apportionment, and manner of collection of the Special Tax for purposes of the administrative efficiency or convenience or to comply with new applicable federal, state, or local law.

8. Prepayment of the Special Tax Obligation

The Maximum Annual Special Tax for a Taxable Parcel may not be prepaid. The Special Tax is collected to fund Authorized Services in perpetuity, or until the Council determines that the Special Tax should no longer be collected.

9. Manner of Collection

The Special Tax will be collected in the same manner and at the same time as ad valorem property taxes, provided, however, that the Administrator or its designee may directly bill the Special Tax and may collect the Special Tax at a different time, such as on a monthly or other periodic basis, or in a different manner, if necessary, to meet the City's financial obligations.

McKinley Village Rate and Method of Apportionment and
Manner of Collection of Special Taxes

Attachment 1
McKinley Village Community Facilities
District No. 2014-03
Maximum Annual Special Tax by Category (Base Year
2015-16)

Land Use Category	Maximum Annual Special Tax [1]
Developed Parcels	
Residential Parcels	\$427 per Unit
Final Use Parcels	\$427 per Unit
Undeveloped Parcels	\$427 per Unit

[1] The Maximum Annual Special Tax is increased by the Tax Escalation Factor in each Fiscal Year after the Base Year.

Attachment 2

McKinley Village Community Facilities District (CFD) No. 2014-03 List of Authorized Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annually administering the CFD. The authorized services to be funded include:

1. Maintenance and operation of drainage basin landscaping and sewer pump station detention facility.
2. Maintenance and operation of public parks: Lots A, B, C, F and I
3. Maintenance and operation of public soundwalls and open space: Lot M
4. Miscellaneous costs related to any of the items described above including planning, engineering, and legal and administration costs.
5. The levy of Special Taxes to accumulate funds for anticipated future repair or replacement costs of facilities maintained by the CFD, as determined by the Administrator.

Exhibit C

McKinley Village Community Facilities District (CFD) No. 2014-03 (Services) List of Authorized Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annually administering the CFD. The authorized services to be funded include:

1. Maintenance and operation of drainage basin landscaping and sewer pump station detention facility.
2. Maintenance and operation of public parks: Lots A, B, C, F and I
3. Maintenance and operation of public soundwalls and open space: Lot M
4. Miscellaneous costs related to any of the items described above including planning, engineering, and legal and administration costs.
5. The levy of Special Taxes to accumulate funds for anticipated future repair or replacement costs of facilities maintained by the CFD, as determined by the Administrator.

Exhibit D Boundary Map

**PROPOSED BOUNDARIES OF
MCKINLEY VILLAGE COMMUNITY
FACILITIES DISTRICT NO. 2014-03
CITY OF SACRAMENTO, COUNTY OF SACRAMENTO,
STATE OF CALIFORNIA**

SHEET 1 OF 1

CLERK'S MAP FILING STATEMENT:
FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS _____ DAY OF _____, 2014

CITY CLERK: _____
CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:
I HEREBY CERTIFY THAT THE MAP SHOWING THE PROPOSED BOUNDARIES OF MCKINLEY VILLAGE COMMUNITY FACILITIES DISTRICT NO. 2014-03, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2014, BY ITS RESOLUTION NO. _____

CITY CLERK: _____
CITY OF SACRAMENTO, CALIFORNIA

COUNTY RECORDER'S FILING STATEMENT:
FILED THIS _____ DAY OF _____, 2014 AT THE HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

COUNTY RECORDER: _____
OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: _____ DEPUTY _____ DOCUMENT NO. _____