



11.1

**DEPARTMENT OF  
PUBLIC WORKS**

TECHNICAL SERVICES

**CITY OF SACRAMENTO  
CALIFORNIA**

**SPECIAL DISTRICTS**

1231 I Street, Room 300  
SACRAMENTO, CA 95814  
PH 916-264-7474  
363-7480

October 17, 2000

City Council  
Sacramento, California

CONTINUED  
FROM 10-24-00  
TO 10-31-00

Honorable Members in Session:

**SUBJECT: NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES DISTRICT NO.  
2000-01 PUBLIC HEARING**

**LOCATION AND COUNCIL DISTRICT:**

The proposed Community Facilities District (CFD) will include approximately 350 acres in the North Natomas Community Plan area, located in Council District 1 (see Boundary map, Exhibit A).

**RECOMMENDATION:**

This report recommends that the City Council:

1. Conduct a Public Hearing
2. Adopt the following Resolutions after close of hearing:
  - Resolution Establishing the North Natomas Westlake Community Facilities District No. 2000-01
    - ✓ Providing for the Levy of a Special Tax
    - ✓ Calling for a Special Mailed-Ballot Election
  - Resolution Declaring the Necessity to Incur Bonded Indebtedness
    - ✓ Calling for a Special Mailed Ballot Election

**CONTACT PERSON:** Rita Goolkasian, Special Districts Analyst, 264-5236

**FOR COUNCIL MEETING OF:** October 24, 2000

City Council  
North Natomas Westlake Community Facilities District  
October 17, 2000

**SUMMARY:**

This report presents a proposal to form a Mello-Roos CFD in accordance with the North Natomas Financing Plan. The proposed North Natomas Westlake CFD will fund internal drainage improvements specific to drainage Basin 8A in Quadrant 3. The full Hearing Report is on file with the City Clerk.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

In June 1997, the City Council in conjunction with North Natomas property owners successfully completed the formation of CFD 97-01 that increased conveyance capacity to the Sacramento River in the existing Reclamation District 1000 system. Those improvements and completion of other drainage improvements specific to each individual drainage basin identified in the North Natomas Comprehensive Drainage Plan allow the 5,800 acres in the North Natomas Community Plan area (NNCP) to be removed from the underlying 100-year floodplain. The North Natomas Westlake CFD will fund the improvements required for Drainage Basin 8A.

The boundary of the proposed CFD, as shown on Exhibit A, includes approximately 350 acres of land.

On September 26, 2000, the public hearing was opened for the Westlake CFD 2000-01 at which time differing opinions were raised regarding the funding of certain secondary facilities. The City and principal property owner have met and resolved the issue of secondary facilities funding and have entered into a Memorandum of Understanding embodying the agreements reached pertaining to eligible secondary facilities.

Primary Facilities

The primary facilities to be funded through the Westlake CFD include drainage improvements as follows:

- A detention facility (lake)
- Conveyance systems to transmit surface water to the detention basin and ultimately the RD 1000 system
- Land acquisition of the detention facility (lake)
- Engineering, construction management, fees, administrative and city legal costs for the project

A complete list of facilities is shown in Exhibit B.

### Secondary Facilities

In addition, secondary facilities related to the construction of roadway and backbone infrastructure, and identified in Exhibit B, are included in the CFD. Secondary facilities include facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

### CFD Special Election Proceedings

The proposed district will be formed in compliance with the Community Facilities District Act of 1982. As part of the proceedings a special election is required. In this case where the vote is by landowners rather than registered voters, each acre within the proposed district is assigned one (1) vote. A 2/3 majority is required to finalize the CFD formation. A schedule for the CFD proceedings is provided on Exhibit C.

### Waiver for Election Requirements

When landowners are willing, the minimum timeframe (90 days) may be shortened for the election and waiving various other requirements. This is accomplished by conducting a mailed-ballot election of 100% of the landowners and receiving their signed Waiver and Consent form waiving such election requirements. The waivers must be received prior to the public hearing.

As of October 24, 2000, a Waiver and Consent form has been received from the five landowners in the district. Thus, the minimum time frame between the public hearing and special election will be waived.

## **FINANCIAL CONSIDERATIONS:**

There will be no impact to the General Fund.

### Bonding Capacity

The total bonding capacity is estimated at \$10.580 million and the anticipated construction proceeds yielded by the CFD is approximately \$8.8 million (in 2000 \$'s), which is less than the construction cost. Developer will privately fund the remaining cost. The total bond authorization is \$15.0 million and the appropriation limit is \$1,450,000 per fiscal year.

Method of Apportionment

Tax rates have been set for all land uses which for tax purposes have been placed into 3 categories; Single-Family Residential; Other Residential (Multi-family) and Non-Residential. Each category has been allocated a share of the total construction costs. It has not yet been determined whether bonds will be sold in one or two phases. If two bond sales occur to coincide with development, then the first bond issue will be supported by the single-family residential tax base with the second bond issue supported by multi-family and non-residential properties. If there is only one bond sale, then either all taxable properties may be levied the special tax, or only the single family residential properties will be levied for their share of facility costs with developer privately funding the portion allocated to other land uses.

Drainage fees, to be collected separately from schools and civic uses, will reimburse developer.

Special Tax Formula

The Rate and Method of Apportionment of the Special Tax is attached as Exhibit A to the Resolution establishing the CFD. The maximum special tax rates for taxable parcels are shown on Attachment 1.

The maximum tax rates are programmed to escalate 2% annually.

**ENVIRONMENTAL CONSIDERATION:**

The North Natomas comprehensive Drainage Plan EIR was approved by City Council on May 20, 1997. The City Council's action in approving this Resolution of Intention to form a CFD is solely for the purpose of initiating the process by which a CFD may ultimately be formed and is itself therefore, not a project for purposes of the California Environmental Quality act.

**POLICY CONSIDERATIONS:**

The procedures under which this district is being formed are set forth in Title 5 of the Government Code Sections 53311-53317.5 entitled "The Mello-Roos Community Facilities Act of 1982" and the City's "Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing for Infrastructure and Public Facilities", adopted June 29, 1993, Resolution No. 93-381 and updated August 9, 1994, Resolution 94-491.

Continuing Disclosure

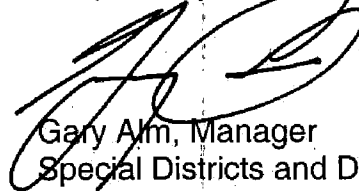
New Securities and Exchange Commission Rule 15c2-12(b)(5) created a requirement that certain third parties other than the City would provide ongoing disclosure of specified categories of information, in an effort to protect the secondary bond market. A continuing disclosure certificate may be required by certain third party landowners. This requirement will be resolved prior to bond issuance.

City Council  
North Natomas Westlake Community Facilities District  
September 18, 2000

**ESBD CONSIDERATIONS:**

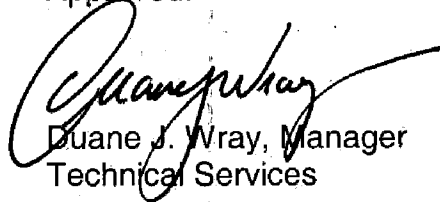
None. No goods or services are being purchased.

Respectfully submitted:



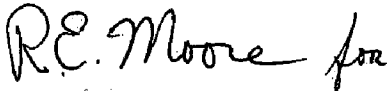
Gary Alm, Manager  
Special Districts and Development Services

Approved:



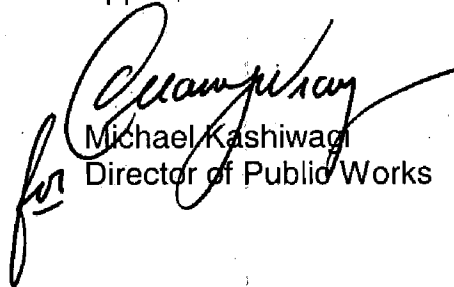
Duane J. Wray, Manager  
Technical Services

RECOMMENDATION APPROVED:



ROBERT P. THOMAS  
City Manager

Approved:



Michael Kashiwagi  
Director of Public Works

INTERSTATE 5

PROPOSED BOUNDARIES OF  
CITY OF SACRAMENTO  
NORTH NATOMAS

WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01  
SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_ DAY OF \_\_\_\_, 2000.

\_\_\_\_\_  
CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_,  
2000 BY IT'S RESOLUTION NO. \_\_\_\_.

\_\_\_\_\_  
CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

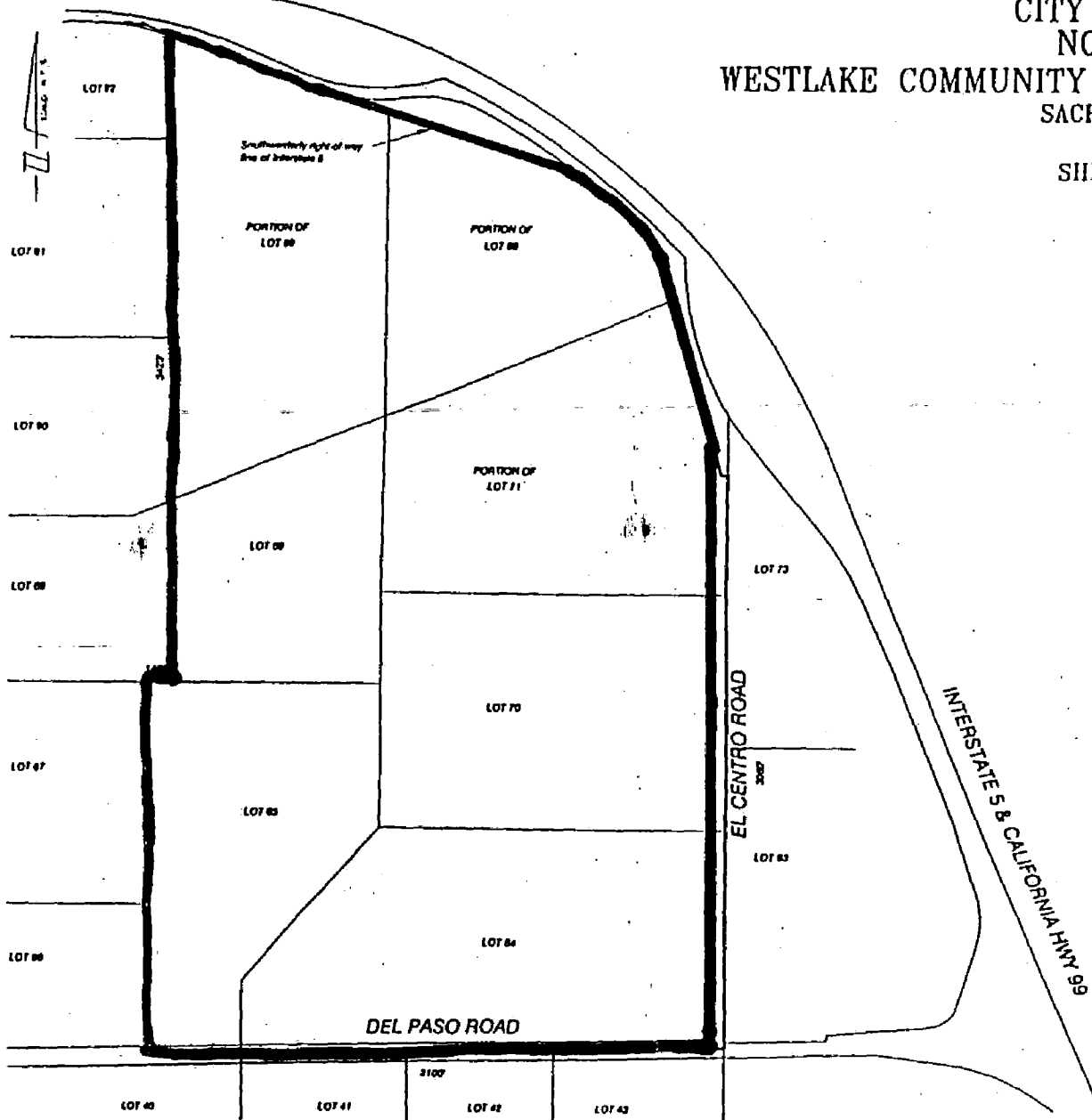
COUNTY RECORDER'S FILING STATEMENT:

FILED THIS \_\_\_\_ DAY OF \_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_ O'CLOCK \_\_\_\_ M., IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE  
\_\_\_\_ IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
OF CALIFORNIA.

\_\_\_\_\_  
COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIA

LEGEND

\_\_\_\_\_  
DISTRICT BOUNDARY



The Spink Corporation

2/2000/2000-01/2000/01-01/0000 APRIL 11, 2000 10:15

EXHIBIT A

## Exhibit B

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### List of Eligible Facilities

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The authorized costs of the eligible facilities include all those set forth in Section 53345.3 of the Act, and all costs necessary to administer any Debt, collect and administer the special taxes, and administer the Agency. The special taxes may be levied not only to pay current debt service on outstanding Debt, but also to accumulate funds for future debt service, to pay amounts delinquent on the Debt (or to become delinquent based upon past special tax delinquencies), to replenish the reserve fund to its proper level (or to reimburse payments to be made from the reserve fund based upon past special tax delinquencies), to pay authorized costs, to pay directly for any authorized facilities or to accumulate funds for that purpose. Special tax proceeds may be accumulated to pay debt service on Debt so long as such proceeds are handled in such a fashion as not to cause the Debt to become arbitrage bonds under the Tax Reform Act of 1986.

The following list of eligible facilities is classified into two groups, Primary Facilities, and Secondary Facilities. Funding for Secondary Facilities may only be authorized with remaining proceeds of the CFD after Primary Facilities have been constructed, paid for and accepted fully by the City or project is substantially complete and sufficient security exists to the satisfaction of the City in accordance with the Acquisition Agreement.

The list of secondary facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

*City of Sacramento, North Natomas  
Westlake Community Facilities District No. 2000-01  
List of Eligible Facilities 10/19/00*

**Primary Facilities eligible to be financed with proceeds from the CFD (not listed in**

- F. Habitat Conservation (HCP) fees required for construction of additional secondary facilities.
- G. Other Authorized Development Impact Fees.
- H. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for additional secondary facilities.

## EXHIBIT C

### SCHEDULE FOR NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES DISTRICT #2000-01 FOR DRAINAGE IMPROVEMENTS IN BASIN 8A

February 25, 2000 Kick-Off Meeting with Landowner, Consultants and City Staff

June 27, 2000 City Council Action – Resolution of Intention

- ROI to establish a CFD and Levy Special Tax (Sets Hearing Date & approves Boundary Map)
- Resolution of Intention to Incur Bond Indebtedness
- Resolution Approving Bond Counsel Agreement for Legal Services

August 3, 2000 City Council Action – Conduct Hearing on District Formation and Hold Special Election – **CONTINUED TO AUGUST 8, AND FURTHER CONTINUED TO AUGUST 22, SEPTEMBER 5, 19, and 26, 2000, THEN FURTHER CONTINUED TO OCTOBER 17, and 24, 2000**

October 24, 2000	City Council Action – Conduct Public Hearing
	<ul style="list-style-type: none"><li>▪ Adopt Resolution Establishing CFD and Calling for a Special Mailed Ballot Election</li><li>▪ Adopt Resolution Declaring need to Incur Bonded Indebtedness and Calling for a Special Mailed Ballot Election</li></ul>



October 31, 2000 Special Mailed Ballot Election

November 9, 2000 City Council Action –  
Declaring Results of Special Mailed Ballot Election  
Pass for Publication – Title of Ordinance to Levy the Special Tax

November 21, 2000 City Council Action –  
Adopt Ordinance to Levy Tax

To be Determined Adopt Resolution approving Legals & POS  
Adopt Resolution to issue Bonds  
Adopt Resolution approving Budget

## **RESOLUTION NO.**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SACRAMENTO ESTABLISHING THE CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES  
DISTRICT NO. 2000-01, AND PROVIDING FOR THE LEVY OF A  
SPECIAL TAX TO FINANCE THE ACQUISITION AND  
CONSTRUCTION OF CERTAIN PUBLIC DRAINAGE  
FACILITIES IN AND FOR SUCH COMMUNITY FACILITIES  
DISTRICT AND CALLING A SPECIAL MAILED-BALLOT  
ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS  
WITHIN SUCH COMMUNITY FACILITIES DISTRICT THE  
QUESTION OF LEVYING SUCH SPECIAL TAX AND  
ESTABLISHING AN APPROPRIATIONS LIMIT FOR SUCH  
COMMUNITY FACILITIES DISTRICT**

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 2000-411 (the "Resolution") on June 27, 2000, wherein the Council declared its intention to and proposed to establish a community facilities district under and 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"), to be known and designated as the "City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01" (the "Community Facilities District"), to finance the acquisition and construction of those certain public drainage facilities with an estimated useful life of five (5) years or longer in and for the Community Facilities District under and pursuant to the Act (which are public drainage facilities that the City is authorized by law to construct, own or operate and that are necessary to meet increased demands placed upon the City as a result of development occurring and anticipated to occur in the Community Facilities District) constituting primary and secondary facilities as listed in Exhibit B attached hereto and incorporated herein and made a part hereof (the "Facilities"). The list of Secondary Facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") and the Citywide Park Fee Program ("CPFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the Community Facilities District. The

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Community Facilities District may finance all or a portion of fees to be paid to the City pursuant to fee programs; the City will, in turn, use the proceeds from such fees to construct the subject secondary facility, e.g., Westlake Park. If the property owner constructs the facility otherwise to have been funded by the fee program, the fee program will reimburse the property owner for the costs of construction. If the Community Facilities District finances all or a portion of the fees to be paid to a fee program, the City will acknowledge payment of such fees by appropriate written document. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with Bond proceeds; and

**WHEREAS**, the Council declared its intention (except where funds are otherwise available) to levy a special tax in the Community Facilities District sufficient to finance the acquisition and construction of the Facilities, including the payment of interest on and principal of bonds issued to finance the acquisition and construction of the Facilities and including the repayment of funds advanced by the City for the Community Facilities District and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or reimbursement for the lesser of the value or cost of work-in-kind provided by any person for the Community Facilities District, which special tax shall be secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District and shall be annually levied by the Council within the boundaries of the Community Facilities District, and for particulars as to the rate, method of apportionment and manner of collection of such special tax reference is made to Exhibit A, attached hereto and incorporated herein and made a part hereof, which sets forth the rate, method of apportionment and manner of collection of such special tax in sufficient detail to allow each landowner or resident within the Community Facilities District to estimate the maximum amount that such person will have to pay for financing the acquisition and construction of the Facilities, and which specifies the conditions under which the obligation to pay such special tax may be prepaid and permanently satisfied; provided, that in the case of any special tax to be levied to pay for financing the acquisition and construction of the Facilities that is to be levied against any parcel of land used for private residential purposes (which use commences on the date on which an occupancy permit for private residential use is issued), (1) such maximum special tax shall be specified as a dollar amount which shall be calculated and established not later than the date on which such parcel of land is first subject to the special tax because of its use for private residential purposes, (2) after Fiscal Year 2029-2030, such special tax shall no longer be levied or collected against such parcel of land, and (3) under no circumstances shall such special tax be increased as a consequence of delinquency or default by the owner of any other parcel or parcels of land within the Community Facilities District by more than ten per cent (10%); and

**WHEREAS**, the cost of financing the acquisition and construction of the Facilities includes incidental expenses for the Facilities comprising the costs of planning and designing the Facilities, together with the costs of environmental evaluations thereof, and all costs associated with the creation of the Community Facilities District, the issuance of bonds, the

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

determination of the amount of any taxes or the collection or payment of any taxes and costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District, together with any other expenses incidental to the acquisition and construction of the Facilities; and

**WHEREAS**, the Resolution fixed a time and place for a public hearing to be held by the Council to consider the establishment of the Community Facilities District, the proposed rate, method of apportionment and manner of collection of such special tax to finance the acquisition and construction of the Facilities in and for the Community Facilities District and all other matters set forth in the Resolution; and

**WHEREAS**, a report on such proposal was prepared by the Director of Public Works of the City in accordance with the Resolution, which such report was submitted to the Council for review and has been reviewed by the Council, and which such report is incorporated herein and made a part of the record of the public hearing hereinafter referred to on the Resolution; and

**WHEREAS**, pursuant to the Resolution, a public hearing was set by the Council for Thursday, the 3rd day of August, 2000, at the hour of 2:00 o'clock P.M., at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814; and

**WHEREAS**, on August 3, 2000, the City Council continued the public hearing to August 22, 2000, at which time the City Council found that the complexity of the proposed district required additional time and further continued the public hearing to September 5, 2000, then to September 19, 2000, and to September 26, 2000, and further to October 17, 2000, to be held at the same time and place as previously notified, and a Notice of Continuance of Public Hearings was posted by the City Clerk on the bulletin board outside of the City Council Chambers no later than twenty-four (24) hours after each continuance of the public hearings, and a copy of each Notice of Continuance of Public Hearings is on file with the City Clerk; and

**WHEREAS**, on October 17, 2000, the City Council further continued the public hearing to October 24, 2000, to be held at 7:00 o'clock P.M. at the same place as previously notified, and a Notice of Continuance of Public Hearings was posted by the City Clerk on the bulletin board outside of the City Council Chambers no later than twenty-four (24) hours after the continuance of the public hearings, and a Notice of Continuance of Public Hearings is on file with the City Clerk; and

**WHEREAS**, at the continued public hearing on October 24, 2000, the Council considered the establishment of the Community Facilities District, the proposed rate, method of apportionment and manner of collection of such special tax, and all other matters set forth in the Resolution, including the Facilities proposed for the Community Facilities District, and at such public hearing all persons interested, including all taxpayers, property owners and registered

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DATE ADOPTED: \_\_\_\_\_

voters within the Community Facilities District, were given an opportunity to appear and be heard, and the testimony of all interested persons and all taxpayers, property owners and registered voters for or against the establishment of the Community Facilities District and the levy of such special tax, or the extent of the Community Facilities District, or the acquisition and construction of any of the Facilities proposed therefor, or the establishment of an appropriations limit therefor, or on any other matters set forth in the Resolution, was heard and considered, and such special tax has not been precluded by a majority protest pursuant to Section 53324 of the Government Code of the State of California, and the Council duly considered certain proposed changes to the Facilities to include the payment of authorized development fees, and the Council at the conclusion of said public hearing was fully advised in the premises, and was authorized to proceed as hereinafter provided;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, AS FOLLOWS:**

Section 1. The above recitals are true and correct, and the Council so finds and determines.

Section 2. The Council hereby reapproves and readopts the Resolution, and reconfirms all of its findings and determinations contained therein, and the rate, method of apportionment and manner of collection of the special tax in and for the Community Facilities District shall be as set forth in Exhibit A, attached hereto and incorporated herein and made a part hereof, and the Council hereby determines to change the Facilities to include the payment of authorized development fees. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of the State of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the Community Facilities District, which lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien cancelled in accordance with law or until collection of the special tax by the Council ceases.

Section 3. The Council finds and determines that written protests to the establishment of the Community Facilities District, or to the levy of such special tax, or to the extent of the Community Facilities District, or to the acquisition and construction of any of the Facilities proposed therefor, are insufficient in number and in amount under the Act, and the Council hereby further orders and determines that all protests to the establishment of the Community Facilities District therefor, or the levy of the special tax proposed to be levied therein, or the extent of the Community Facilities District, or the acquisition and construction of any of the Facilities therefor, or the establishment of an appropriations limit for the Community Facilities District, are hereby overruled.

Section 4. The Council finds and determines that all prior proceedings had and taken by the Council with respect to the establishment of the Community Facilities District are valid and in conformity with the requirements of the Act; and accordingly, the Council finds,

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

determines and orders that, consistent with the Resolution, the Community Facilities District is hereby established under and pursuant to the terms and provisions of the Act, the boundaries of which are as set forth in Exhibit C, attached hereto and incorporated herein and made a part hereof.

Section 5. Except where funds are otherwise available, a special tax sufficient to pay for the acquisition and construction of the Facilities, including the payment of interest on and principal of bonds to be issued to finance the acquisition and construction of the Facilities and including the repayment of funds advanced by the City for the Community Facilities District and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or the reimbursement for the lesser of the value or cost of work in-kind provided by any person for the Community Facilities District, which tax shall be secured by recordation of a continuing lien against all nonexempt property in the Community Facilities District, will be levied annually within the boundaries of the Community Facilities District, and for particulars as to the rate, method of apportionment and manner of collection of such special tax reference is made to Exhibit A, attached hereto and incorporated herein and made a part hereof, which sets forth the rate, method of apportionment and manner of collection of such special tax in sufficient detail to allow each landowner or resident within the Community Facilities District to estimate the maximum amount that such person will have to pay for the acquisition and construction of the Facilities.

Section 6. It is the intention of the Council, pursuant to Section 53317.3 of the Government Code of the State of California, to levy the special tax on property that is not otherwise exempt from the special tax and that is acquired by a public entity through a negotiated transaction, or by gift or devise.

Section 7. It is the intention of the Council, pursuant to Section 53317.5 of the Government Code of the State of California, to treat the special tax levied against property that is acquired by a public entity through eminent domain proceedings as if it were a special annual assessment.

Section 8. It is the intention of the Council, pursuant to Section 53340.1 of the Government Code of the State of California, to levy the special tax on the leasehold or possessory interests in property owned by a public agency (which property is otherwise exempt from the special tax) to be payable by the owner of the leasehold or possessory interests in such property.

Section 9. A special mailed-ballot election shall be and is hereby called and ordered to be held in the Community Facilities District on Tuesday, October 31, 2000, in accordance with and subject to the Act and applicable law and the terms hereof, at which special election there shall be submitted to the qualified electors within the Community Facilities District (which qualified electors constitute the landowners within the Community Facilities District) the question of levying such special tax and the establishment of an appropriations limit

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

in the amount of one million four hundred fifty thousand dollars (\$1,450,000) per fiscal year in connection therewith for the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California, and the Council hereby directs that the election at which the question of levying such special tax and establishing such appropriations limit is submitted to the landowners within the Community Facilities District shall be consolidated with the election at which the question of incurring a bonded indebtedness in the amount of fifteen million dollars (\$15,000,000) for the Community Facilities District is submitted to the landowners within the Community Facilities District, and the question of levying such special tax and establishing such appropriations limit shall be combined in one ballot proposition with the question of incurring such bonded indebtedness to finance the acquisition and construction of the Facilities and to be secured by a special tax to be levied within the Community Facilities District, all as provided by the Act.

Section 10. The City Clerk of the City is hereby designated as the official to conduct said special election, in accordance with and subject to the Act and applicable law and the following provisions:

(a) Said special election shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined, as provided herein; and in all particulars not prescribed by this resolution said special election shall be held and conducted and the votes received and canvassed in the manner provided by law for the holding of special elections in the City and consistent with the Act.

(b) All landowners within the Community Facilities District upon the date of the special election herein provided for shall be qualified to vote upon the proposition to be submitted at said special election.

(c) Said special election shall be conducted as a mailed-ballot election, in accordance with the provisions of Sections 1340 et seq. and Section 23511.1 of the Elections Code of the State of California and the prior proceedings of the City taken thereunder, and there shall be no polling places for said special election. All ballots shall be delivered by the City Clerk of the City to such landowners, and all voted ballots are required to be received at the office of the City Clerk of the City not later than 5:00 o'clock P.M. on the day of the election in order to be counted, except that if all qualified electors have voted on the proposition hereby submitted, the election shall be closed.

(d) Each voter to vote for the proposition to be submitted at said special election and for levying such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall mark a cross (+) in the blank space opposite the word "YES" on the ballot to the right of said proposition, and to vote against said proposition and against levying such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall mark a cross (+) in the blank space opposite the word "NO" on the ballot to the right of said proposition, which cross (+) may be marked with either pen or pencil.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(e) The City Clerk of the City shall commence the canvass of the returns of said special election at or prior to 5:00 P.M. on Tuesday, October 31, 2000, at the office of the City Clerk of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, and at the conclusion thereof shall determine the results of said special election; provided, that if all the qualified voters have voted prior to such date and time, the City Clerk of the City shall close said special election and thereupon shall proceed to canvass the returns of said special election and to determine the results thereof.

(f) The Council shall meet as soon after the receipt of such canvass as possible at its usual meeting place and declare the results of said special election, and shall cause to be spread upon its minutes a statement of the results of said special election as ascertained by said canvass.

Section 11. If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing such appropriations limit are cast in favor of levying such special tax and establishing such appropriations limit, as determined by the Council after reviewing the canvass of the returns of such consolidated election, the Council may levy such special tax within the territory of the Community Facilities District under the Act in the amount and for the purposes specified in this resolution, and such appropriations limit shall be established for the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California. Such 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 such special tax may be levied at a rate lower than that specified herein. Such special tax may be levied only so long as it is needed to pay for the acquisition and construction of the Facilities referred to in Section 5 of this resolution, or so long as it is needed to pay the principal of and interest on the bonded indebtedness incurred in order to finance the acquisition and construction of the Facilities (including the repayment of funds advanced for the Community Facilities District).

Section 12. The Special Districts Analyst, Department of Public Works of the City, at 1231 I Street, Room 300, Sacramento, California 95814 (telephone 916/264-5236) will be responsible for preparing annually a current roll of special tax levy obligations by Sacramento County Assessor's parcel numbers, and will be responsible for estimating future special tax levies pursuant to Section 53340.1 of the Government Code of the State of California.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

**PASSED AND ADOPTED** by the Council of the City of Sacramento this 24th day of October, 2000, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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Mayor of the City of Sacramento

ATTEST:

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City Clerk of the City of Sacramento

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit A

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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##### 1. BASIS OF SPECIAL TAX LEVY

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in the City of Sacramento (the "City") North Natomas Westlake Community Facilities District No. 2000-01 (the "CFD") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

##### 2. DEFINITIONS

**"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 determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants, legal counsel, corporate bond-paying agents, fiscal agents, and bond trustees; the costs of collecting installments of the Special Taxes upon the general tax rolls; cost of arbitrage calculation and arbitrage rebates, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Anticipated Construction Proceeds"** means \$8,800,000 from issuance of bonds.

**"Annual Costs"** means, for any Fiscal Year, the total of (i) Debt Service for the Calendar Year commencing January 1 of such Fiscal Year through December 31 of the following Fiscal Year; (ii) Administrative Expenses for such Fiscal Year; (iii) any amounts needed to replenish any bond reserve fund for bonds of the City issued for the CFD to the level required under the documents pursuant to which such bonds were issued; (iv) an amount equal to the amount of delinquencies in payments of Special Taxes levied in the previous Fiscal Year and an amount for anticipated delinquencies for the current Fiscal Year; (v) pay-as-you-go expenditures for authorized facilities to be constructed or acquired by the CFD, less any credit from earnings on the bond reserve fund, less any reimbursements, and/or less any grants/other project funding.

**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Facilities"** means those improvements, as listed in the Resolution forming the CFD.

**"Base Year"** means Fiscal Year 2000-2001.

**"Benefit Share"** means the Maximum Annual Special Tax for a Taxable Parcel divided by the Maximum CFD Revenue.

**"Bond Year"** means the 12-month period ending on the second bond payment date of each calendar year as defined in the resolution authorizing the issuance of bonds.

**"CFD"** means the City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01.

**"City"** means City of Sacramento, California.

**"Council"** means the City Council of the City acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Debt Service"** means for each Fiscal Year or Bond Year, the total amount of principal and interest payable for any bonds or notes of the CFD during that Fiscal Year or Bond Year, less any applicable credits that may be available from any other sources available to the City to pay principal and interest for the previous or current Fiscal Year or Bond Year.

**"Development Year"** means the Fiscal Year in which the Parcel changes classification from Master Parcel Map to Final Subdivision Map Parcel.

**"Estimated Net Acreage"** means the actual Net Acreage of a Parcel or an approximation of the Net Acreage by the City based upon the total gross developable acres less an allowance for minor streets of a Parcel as indicated in the North Natomas Community Plan.

**"Final Subdivision Map"** means a recorded map designating the final Parcel splits for individual single-family residential Parcels.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Individual Lot"** means a buildable area of land created by a final subdivision map for the purpose of building a single-family residential dwelling unit.

**"Low-Density Residential Parcel"** means a Taxable Parcel with an approved land use for a single-family-detached residential dwelling unit that lies within a specific Residential Village as shown on Map 1.

**"Master Parcel Map"** means a map that subdivides large tracts of land into smaller Parcels for the purpose of selling or otherwise transferring the Parcels for further subdivision in accordance with City procedures, or for the purpose of securing financing, together with planning and construction of infrastructure elements, but not for the purpose of creating either individual residential lots for sale to end-user homeowners, and not for the purpose of allowing construction or other improvements on Non-Residential Parcels.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Taxable Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the relevant acres or units of the Taxable Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a given Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Taxable Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Maximum Annual CFD Revenue"** means the sum of the Maximum Annual Special Tax for all of the Taxable Parcels in the CFD.

**"Medium-Density Residential Parcel"** means a single family residential Parcel on Map 1 designated as medium density by the City according the North Natomas Community Plan.

**"Net Acre"** is the area of a Parcel associated with residential and non-residential uses after dedication of all public uses and rights-of-way.

**"Non-Residential Parcel"** means a Taxable Parcel designated for retail, commercial, office, industrial, institutional, or similar use as defined in the North Natomas Community Plan.

**"Other Residential Parcel"** means a Taxable Parcel with an approved land use for other than Low-Density Residential Parcel or Medium Density Residential Parcel, such as three or more attached residential units owned in common. If Low Density or Medium-Density Residential Parcels are created that are not consistent with the village shown in Map 1, these Parcels will be classified as Other Residential Parcels.

**"Outstanding Bonds"** means the total principal amount of bonds that have been issued by the CFD and not retired or defeased.

**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Prepayment"** means the permanent satisfaction of the entire Special Tax obligation for one or more Parcels by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6. Prepayment may occur before or after the initial bond sale, with differing criteria.

**"Prepayment Parcel"** means a Parcel that has permanently satisfied the entire Special Tax obligation by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6.

**"Public Parcel"** means any Parcel, in its entirety, that is or is intended to be publicly owned as designated by the City that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways including drainage basins, lakes, public landscaping, wetlands, greenbelts, and public open space. These Parcels are exempt from the levy of Special Taxes as described below. Any such Parcel shall be a Tax-Exempt Parcel, except for Taxable Parcels that are acquired by a public agency, in which case the Special Tax obligation for such Parcels shall be required to be permanently satisfied pursuant to Sections 53317.3 and 53317.5 of the Government Code by the procedure described in Section 6.

**"Remaining Facility Cost Share"** means the Total Facility Cost Share for a Parcel less facility costs funded through CFD bonds or on a pay-as-you-go basis.

**"Residential Village"** means a designated geographic area within the Master Parcel Map containing residential development. The village designations are either Village 1, Village 2, Village 3, Village 4A, Village 4B, Village 5, or Village 6, as shown on Map 1.

**"Reserve Fund"** means the total amount held in the bond reserve funds by the City for all Outstanding Bonds.

**"Reserve Fund Share"** means the lesser of (i) the reserve requirement on all Outstanding Bonds, or (ii) the Reserve Fund balance on all Outstanding Bonds, multiplied by the Benefit Share for a given Parcel.

**"Special Tax(es)"** mean(s) any tax levy under the Act.

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

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

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RESOLUTION NO.: \_\_\_\_\_

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels include: (i) Public Parcels (subject to the limitations set forth in Section 4, below), (ii) Prepayment Parcels, and (iii) Parcels that are open space, recreation, clubhouse etc, owned by a Condominium or Home Owners Association. Certain non-developable privately owned Parcels may also be exempt from the levy of Special Taxes as determined by the City such as common areas, wetlands, and open space.

**"Tentative Subdivision Map"** means a tentative subdivision map defined under the California Subdivision Map Act and Title 40 of the Sacramento City Code.

**"Total Facility Cost Share"** means the Benefit Share for a Parcel multiplied by the Anticipated Construction Proceeds for the CFD.

### 3. TERMINATION OF THE SPECIAL TAX

The Special Tax will be levied on and collected from Taxable Parcels in the CFD for as long as needed to pay the principal and interest on debt for the Bonds issued to fund Authorized Facilities. However, in no event shall the Special Tax be levied after Fiscal Year 2029-30.

When all of the bonds issued to pay for Authorized Facilities have been retired, the Special Tax shall cease to be levied. The City shall 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.

### 4. ASSIGNMENT OF MAXIMUM ANNUAL SPECIAL TAX

A. Classification of Parcels. By May 1 of each Fiscal Year, using the Definitions above, the Parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall cause:

1. Each Parcel to be classified as a Tax-Exempt Parcel or Taxable Parcel.
2. Each Taxable Parcel to be further classified as a Low-Density Residential Parcel, Medium-Density Residential Parcel, Other Residential Parcel, or Non-Residential Parcel.
3. Each Low-Density Residential Parcel to be identified according to its Residential Village.

B. Assignment of Maximum Annual Special Tax. The City shall assign the appropriate Maximum Annual Special Tax to each Taxable Parcel as follows:

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

1. Low-Density Residential Parcels (identified on Map 1)

The Maximum Annual Special Tax Rate for a Low-Density Residential Parcel within a Residential Village is shown on Attachment 1.

2. Medium-Density Residential Parcels

For Medium-Density Residential Parcels, the Maximum Annual Special Tax will be calculated by the following steps:

- a) Prior to Subdivision into Individual Lots—Calculate the Maximum Annual Special Tax Revenue by multiplying the Net Acres for the Medium-Density Residential Parcel by the Maximum Annual Special Tax per acre shown on Attachment 1.
- b) Following Subdivision into Individual Lots—Divide the Maximum Annual Special Tax from a) above by the total number of Individual Lots created in the Final Subdivision Map or Master Parcel Map to arrive at the Maximum Annual Special Tax per Individual Lot.

3. Other Residential and Non-Residential Parcels

Calculate the Maximum Annual Special Tax for Other Residential Parcels, and Non-Residential Parcels by multiplying the Maximum Annual Special Tax per Net Acre, as shown on Attachment 1, by the Net Acres for the Parcel. Other Residential Parcels that are created as condominiums or Individual Lots will have the Maximum Annual Special Tax per Parcel calculated according the procedures in 4.a. and 4.b. above.

- C. Conversion of a Public Parcel to a Taxable Parcel. If a Public Parcel is not needed for public use and is converted to a taxable use, it shall become subject to the Special Tax. The Maximum Annual Special Tax for such a Parcel shall be assigned according to Section 4.A and Section 4.B above.

- D. Taxable Parcels Acquired by a Public Agency — A Taxable Parcel that is acquired by a public agency after the CFD is formed will remain subject to the applicable Special Tax unless the Special Tax obligation is satisfied pursuant to Section 53317.5 of the Government Code. An exception to this may be made if a Public Parcel within the CFD is relocated to a Taxable Parcel, the previously Tax-Exempt Parcel of comparable acreage becomes a Taxable Parcel, and the Maximum Special Tax from the previously Taxable Parcel is transferred to the newly Taxable Parcel. This trading of Parcels will be permitted to the extent that there is no net loss in Maximum CFD Revenue.

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RESOLUTION NO.: \_\_\_\_\_

## **5. CALCULATING ANNUAL SPECIAL TAX LEVY**

The City shall compute the Annual Costs for each land use category, and determine the Maximum Annual Special Tax for each Parcel based on the assignment in the Special Tax in Section 4. The City will then determine the tax levy for each Parcel using the following process:

- A. Compute the Annual Costs using the definitions in Section 2.
- B. Calculate the Maximum CFD Revenue by taxing each Taxable Parcel at 100% of its Maximum Annual Special Tax (Attachment 2 shows the estimated maximum special tax revenues at buildout based on the Base Year tax rates). If revenues are greater than the Annual Costs, reduce the tax proportionately until the tax levy is set at an amount sufficient to cover Annual Costs.
- C. Levy on each Taxable Parcel the amount calculated above.
- D. Prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall 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.

## **6. PREPAYMENT OF SPECIAL TAX OBLIGATION**

With a Prepayment, a landowner may permanently satisfy the Special Tax obligation for one or more Parcels. By exercising the right to Prepayment, a landowner can eliminate the future annual Special Tax liability for one or more Parcels.

Prepayment is permitted only under the following conditions:

- The City determines that the Prepayment does not jeopardize the ability to make timely payments of Debt Service on outstanding bonds.
- Any landowner who wishes to exercise the right to a Prepayment for a Parcel must pay any and all delinquent Special Taxes and penalties.
- Prepayment shall be made on or before June 1 in order to prevent the levy of special taxes due during the Fiscal Year beginning July 1.

The total Prepayment amount will include the Parcel's proportionate share of all estimated costs necessary to construct the Authorized Facilities (the "base Prepayment amount") plus any additional administrative and financing costs necessary to redeem bonds and calculate the Prepayment. These calculations are described below.

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RESOLUTION NO.: \_\_\_\_\_

## CALCULATE PREPAYMENT AMOUNT

### Part A: Prepayment of Outstanding Bond Share

- Step A.1: Determine the Maximum Special Tax for the Parcel based on the assignment of the Maximum Special Tax described in Section 4 above.
- Step A.2: Determine the Benefit Share by dividing the Maximum Special Tax determined in Step A.1 by the Maximum CFD Revenue for all Parcels in the CFD.
- Step A.3: Determine the Bond Share for the Parcel by multiplying the Benefit Share From Step A.2 by the total amount of Outstanding Bonds issued by the CFD.
- Step A.4: Calculate the Reserve Fund Share associated with the Bond Share determined in Step A.3 and reduce the Bond Share by the amount of the Reserve Fund Share. The Reserve Fund Share is equal to the reserve requirement on all outstanding bonds multiplied by the Benefit Share. At the City's discretion, the Reserve Fund Share may be withheld from the Prepayment calculation and refunded to the Prepaying landowner at the time that bonds are called.
- Step A.5: Determine the Outstanding Bond Share by adding to the amount calculated in Step A.4 any fees, call premiums, amounts necessary to cover negative arbitrage from the date of the prepayment to first call date on the bonds, and expenses incurred by the City in connection with the prepayment calculation or the application of the proceeds of the prepayment.

### Part B. Remaining Facility Cost Share

- Step B.1: Determine the Total Facility Cost Share for the Parcel by multiplying the Benefit Share from Part A, Step A.2 above by the Anticipated Construction Proceeds.
- Step B.2: Determine the share of facilities funded by bonds already issued by the CFD for the Parcel by multiplying the Benefit Share by the construction proceeds made available from all such bonds issued by the CFD. These amounts shall be adjusted to the year of Prepayment by using the Engineering News Record Construction Cost Index.
- Step B.3: Determine the share of facilities already funded by Special Tax revenues on a pay-as-you-go basis by multiplying the Benefit Share by the total amount of pay-as-you-go funding used to acquire authorized facilities.
- Step B.4: Determine the Remaining Facility Cost Share for the Parcel by subtracting the results from Steps B.2 and B.3 from the Total Facility Cost Share determined in Step B.1. (Notwithstanding the above, once the City has funded all authorized

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RESOLUTION NO.: \_\_\_\_\_

CFD facilities, the Remaining Facility Cost Share shall be set to zero for purposes of this prepayment calculation.)

Step B.5 Combine the amount from Part A Step A.5 with the amount from Part B Step B.4 to arrive at the Full Prepayment amount.

## **7. RECORDS MAINTAINED FOR THE CFD**

As development and subdivision of North Natomas takes place, the City will maintain a file containing records of the following information for each Parcel:

- the current Parcel Number,
- the Residential Village in which a Low-Density Residential Parcel lies,
- the Parcel acreage (gross, gross developable or net),
- the Maximum Annual Special Taxes which applied in each Fiscal Year,
- the authorized Special Taxes levied in each Fiscal Year; and
- the Development Year.

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

## **8. APPEALS**

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the City appealing the levy of the Special Tax. The City will then promptly review the appeal, and if necessary, meet with the applicant. If the City verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall 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, the classification of properties or any definition applicable to the CFD.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

Attachment 1  
North Natomas Westlake CFD No. 2000-01  
Maximum Special Taxes

Fiscal Year Ending	Low-Density Residential							Medium-Density Residential	Other Residential & Non-Residential
	Village 1	Village 2	Village 3	Village 4A	Village 4B	Village 5	Village 6	[1]	
			<i>Per unit</i>					<i>Per net acre</i>	<i>Per net acre</i>
2001	\$620	\$1,160	\$1,010	\$720	\$920	\$920	\$830	\$3,600	\$3,600
2002	\$632	\$1,183	\$1,030	\$734	\$938	\$938	\$847	\$3,672	\$3,672
2003	\$645	\$1,207	\$1,051	\$749	\$957	\$957	\$864	\$3,745	\$3,745
2004	\$658	\$1,231	\$1,072	\$764	\$976	\$976	\$881	\$3,820	\$3,820
2005	\$671	\$1,256	\$1,093	\$779	\$996	\$996	\$898	\$3,897	\$3,897
2006	\$685	\$1,281	\$1,115	\$795	\$1,016	\$1,016	\$916	\$3,975	\$3,975
2007	\$698	\$1,306	\$1,137	\$811	\$1,036	\$1,036	\$935	\$4,054	\$4,054
2008	\$712	\$1,332	\$1,160	\$827	\$1,057	\$1,057	\$953	\$4,135	\$4,135
2009	\$726	\$1,359	\$1,183	\$844	\$1,078	\$1,078	\$972	\$4,218	\$4,218
2010	\$741	\$1,386	\$1,207	\$860	\$1,099	\$1,099	\$992	\$4,302	\$4,302
2011	\$756	\$1,414	\$1,231	\$878	\$1,121	\$1,121	\$1,012	\$4,388	\$4,388
2012	\$771	\$1,442	\$1,258	\$895	\$1,144	\$1,144	\$1,032	\$4,476	\$4,476
2013	\$786	\$1,471	\$1,281	\$913	\$1,167	\$1,167	\$1,053	\$4,566	\$4,566
2014	\$802	\$1,501	\$1,307	\$931	\$1,190	\$1,190	\$1,074	\$4,657	\$4,657
2015	\$818	\$1,531	\$1,333	\$950	\$1,214	\$1,214	\$1,095	\$4,750	\$4,750
2016	\$834	\$1,561	\$1,359	\$969	\$1,238	\$1,238	\$1,117	\$4,845	\$4,845
2017	\$851	\$1,592	\$1,387	\$988	\$1,263	\$1,263	\$1,139	\$4,942	\$4,942
2018	\$868	\$1,624	\$1,414	\$1,008	\$1,288	\$1,288	\$1,162	\$5,041	\$5,041
2019	\$886	\$1,657	\$1,443	\$1,028	\$1,314	\$1,314	\$1,185	\$5,142	\$5,142
2020	\$903	\$1,690	\$1,471	\$1,049	\$1,340	\$1,340	\$1,209	\$5,245	\$5,245
2021	\$921	\$1,724	\$1,501	\$1,070	\$1,367	\$1,367	\$1,233	\$5,349	\$5,349
2022	\$940	\$1,758	\$1,531	\$1,091	\$1,394	\$1,394	\$1,258	\$5,458	\$5,458
2023	\$959	\$1,793	\$1,561	\$1,113	\$1,422	\$1,422	\$1,283	\$5,566	\$5,566
2024	\$978	\$1,829	\$1,593	\$1,135	\$1,451	\$1,451	\$1,309	\$5,677	\$5,677
2025	\$997	\$1,866	\$1,625	\$1,158	\$1,480	\$1,480	\$1,335	\$5,790	\$5,790
2026	\$1,017	\$1,903	\$1,657	\$1,181	\$1,509	\$1,509	\$1,362	\$5,906	\$5,906
2027	\$1,038	\$1,941	\$1,690	\$1,205	\$1,540	\$1,540	\$1,389	\$6,024	\$6,024
2028	\$1,058	\$1,980	\$1,724	\$1,229	\$1,570	\$1,570	\$1,417	\$6,145	\$6,145
2029	\$1,079	\$2,020	\$1,758	\$1,254	\$1,602	\$1,602	\$1,445	\$6,268	\$6,268
2030	\$1,101	\$2,060	\$1,794	\$1,279	\$1,634	\$1,634	\$1,474	\$6,393	\$6,393

[1] Medium-Density Residential Maximum Annual Special Taxes per unit are determined when a Parcel records a Final Subdivision Map.

Note: Tax Rates are escalated annually at 2%.

FOR CITY CLERK USE ONLY

**Attachment 2**  
**North Natomas Westlake CFD No. 2000-01**  
**Base Year Estimated Maximum Special Tax Revenue**

Item	Net Acres	Units	Median Lot Size (sq. ft.)	Maximum Special Tax Rate per Unit/Acre (Base Year 2000-01)	Estimated Maximum Special Tax Revenue
<b>Low Density Residential</b>					
Village 1	19.1	133	5,250	\$620 per unit	\$82,460
Village 2	31.6	111	8,800	\$1,160 per unit	\$128,760
Village 3	26.5	104	7,700	\$1,010 per unit	\$105,040
Village 4A	17.6	86	5,775	\$720 per unit	\$61,920
Village 4B	15.6	76	6,825	\$920 per unit	\$69,920
Village 5	25.0	108	6,825	\$920 per unit	\$99,360
Village 6	17.5	84	6,300	\$830 per unit	\$69,720
Subtotal Low Density	152.9	702			
Medium Density Residential	30.5			\$3,600 per net acre	\$109,800
Other Residential & Non-Residential	45.5			\$3,600 per net acre	\$163,800
<b>TOTAL</b>	<b>228.9</b>	<b>702</b>			<b>\$890,780</b>

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(f) The Council shall meet as soon after the receipt of such canvass as possible at its usual meeting place and declare the results of said special election, and shall cause to be spread upon its minutes a statement of the results of said special election as ascertained by said canvass.

Section 11. If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing such appropriations limit are cast in favor of levying such special tax and establishing such appropriations limit, as determined by the Council after reviewing the canvass of the returns of such consolidated election, the Council may levy such special tax within the territory of the Community Facilities District under the Act in the amount and for the purposes specified in this resolution, and such appropriations limit shall be established for the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California. Such 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 such special tax may be levied at a rate lower than that specified herein. Such special tax may be levied only so long as it is needed to pay for the acquisition and construction of the Facilities referred to in Section 5 of this resolution, or so long as it is needed to pay the principal of and interest on the bonded indebtedness incurred in order to finance the acquisition and construction of the Facilities (including the repayment of funds advanced for the Community Facilities District).

Section 12. The Special Districts Analyst, Department of Public Works of the City, at 1231 I Street, Room 300, Sacramento, California 95814 (telephone 916/264-5236) will be responsible for preparing annually a current roll of special tax levy obligations by Sacramento County Assessor's parcel numbers, and will be responsible for estimating future special tax levies pursuant to Section 53340.1 of the Government Code of the State of California.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED \_\_\_\_\_

**PASSED AND ADOPTED** by the Council of the City of Sacramento this 26th day of September, 2000, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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Mayor of the City of Sacramento

ATTEST:

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City Clerk of the City of Sacramento

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit A

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

## RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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### 1. BASIS OF SPECIAL TAX LEVY

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in the City of Sacramento (the "City") North Natomas Westlake Community Facilities District No. 2000-01 (the "CFD") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

### 2. DEFINITIONS

"**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 determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants, legal counsel, corporate bond-paying agents, fiscal agents, and bond trustees; the costs of collecting installments of the Special Taxes upon the general tax rolls; cost of arbitrage calculation and arbitrage rebates, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"**Anticipated Construction Proceeds**" means \$8,800,000 from issuance of bonds.

"**Annual Costs**" means, for any Fiscal Year, the total of (i) Debt Service for the Calendar Year commencing January 1 of such Fiscal Year through December 31 of the following Fiscal Year; (ii) Administrative Expenses for such Fiscal Year; (iii) any amounts needed to replenish any bond reserve fund for bonds of the City issued for the CFD to the level required under the documents pursuant to which such bonds were issued; (iv) an amount equal to the amount of delinquencies in payments of Special Taxes levied in the previous Fiscal Year and an amount for anticipated delinquencies for the current Fiscal Year; (v) pay-as-you-go expenditures for authorized facilities to be constructed or acquired by the CFD, less any credit from earnings on the bond reserve fund, less any reimbursements, and/or less any grants/other project funding.

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**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Facilities"** means those improvements, as listed in the Resolution forming the CFD.

**"Base Year"** means Fiscal Year 2000-2001.

**"Benefit Share"** means the Maximum Annual Special Tax for a Taxable Parcel divided by the Maximum CFD Revenue.

**"Bond Year"** means the 12-month period ending on the second bond payment date of each calendar year as defined in the resolution authorizing the issuance of bonds.

**"CFD"** means the City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01.

**"City"** means City of Sacramento, California.

**"Council"** means the City Council of the City acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Debt Service"** means for each Fiscal Year or Bond Year, the total amount of principal and interest payable for any bonds or notes of the CFD during that Fiscal Year or Bond Year, less any applicable credits that may be available from any other sources available to the City to pay principal and interest for the previous or current Fiscal Year or Bond Year.

**"Development Year"** means the Fiscal Year in which the Parcel changes classification from Master Parcel Map to Final Subdivision Map Parcel.

**"Estimated Net Acreage"** means the actual Net Acreage of a Parcel or an approximation of the Net Acreage by the City based upon the total gross developable acres less an allowance for minor streets of a Parcel as indicated in the North Natomas Community Plan.

**"Final Subdivision Map"** means a recorded map designating the final Parcel splits for individual single-family residential Parcels.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Individual Lot"** means a buildable area of land created by a final subdivision map for the purpose of building a single-family residential dwelling unit.

**"Low-Density Residential Parcel"** means a Taxable Parcel with an approved land use for a single-family-detached residential dwelling unit that lies within a specific Residential Village as shown on Map 1.

**"Master Parcel Map"** means a map that subdivides large tracts of land into smaller Parcels for the purpose of selling or otherwise transferring the Parcels for further subdivision in accordance with City procedures, or for the purpose of securing financing, together with planning and construction of infrastructure elements, but not for the purpose of creating either individual residential lots for sale to end-user homeowners, and not for the purpose of allowing construction or other improvements on Non-Residential Parcels.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Taxable Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the relevant acres or units of the Taxable Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a given Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Taxable Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Maximum Annual CFD Revenue"** means the sum of the Maximum Annual Special Tax for all of the Taxable Parcels in the CFD.

**"Medium-Density Residential Parcel"** means a single family residential Parcel on Map 1 designated as medium density by the City according the North Natomas Community Plan.

**"Net Acre"** is the area of a Parcel associated with residential and non-residential uses after dedication of all public uses and rights-of-way.

**"Non-Residential Parcel"** means a Taxable Parcel designated for retail, commercial, office, industrial, institutional, or similar use as defined in the North Natomas Community Plan.

**"Other Residential Parcel"** means a Taxable Parcel with an approved land use for other than Low-Density Residential Parcel or Medium Density Residential Parcel, such as three or more attached residential units owned in common. If Low Density or Medium-Density Residential Parcels are created that are not consistent with the village shown in Map 1, these Parcels will be classified as Other Residential Parcels.

**"Outstanding Bonds"** means the total principal amount of bonds that have been issued by the CFD and not retired or defeased.

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**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Prepayment"** means the permanent satisfaction of the entire Special Tax obligation for one or more Parcels by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6. Prepayment may occur before or after the initial bond sale, with differing criteria.

**"Prepayment Parcel"** means a Parcel that has permanently satisfied the entire Special Tax obligation by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6.

**"Public Parcel"** means any Parcel, in its entirety, that is or is intended to be publicly owned as designated by the City that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways including drainage basins, lakes, public landscaping, wetlands, greenbelts, and public open space. These Parcels are exempt from the levy of Special Taxes as described below. Any such Parcel shall be a Tax-Exempt Parcel, except for Taxable Parcels that are acquired by a public agency, in which case the Special Tax obligation for such Parcels shall be required to be permanently satisfied pursuant to Sections 53317.3 and 53317.5 of the Government Code by the procedure described in Section 6.

**"Remaining Facility Cost Share"** means the Total Facility Cost Share for a Parcel less facility costs funded through CFD bonds or on a pay-as-you-go basis.

**"Residential Village"** means a designated geographic area within the Master Parcel Map containing residential development. The village designations are either Village 1, Village 2, Village 3, Village 4A, Village 4B, Village 5, or Village 6, as shown on Map 1.

**"Reserve Fund"** means the total amount held in the bond reserve funds by the City for all Outstanding Bonds.

**"Reserve Fund Share"** means the lesser of (i) the reserve requirement on all Outstanding Bonds, or (ii) the Reserve Fund balance on all Outstanding Bonds, multiplied by the Benefit Share for a given Parcel.

**"Special Tax(es)"** mean(s) any tax levy under the Act.

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

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

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**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels include: (i) Public Parcels (subject to the limitations set forth in Section 4, below), (ii) Prepayment Parcels, and (iii) Parcels that are open space, recreation, clubhouse etc, owned by a Condominium or Home Owners Association. Certain non-developable privately owned Parcels may also be exempt from the levy of Special Taxes as determined by the City such as common areas, wetlands, and open space.

**"Tentative Subdivision Map"** means a tentative subdivision map defined under the California Subdivision Map Act and Title 40 of the Sacramento City Code.

**"Total Facility Cost Share"** means the Benefit Share for a Parcel multiplied by the Anticipated Construction Proceeds for the CFD.

### 3. TERMINATION OF THE SPECIAL TAX

The Special Tax will be levied on and collected from Taxable Parcels in the CFD for as long as needed to pay the principal and interest on debt for the Bonds issued to fund Authorized Facilities. However, in no event shall the Special Tax be levied after Fiscal Year 2029-30.

When all of the bonds issued to pay for Authorized Facilities have been retired, the Special Tax shall cease to be levied. The City shall 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.

### 4. ASSIGNMENT OF MAXIMUM ANNUAL SPECIAL TAX

A. Classification of Parcels. By May 1 of each Fiscal Year, using the Definitions above, the Parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall cause:

1. Each Parcel to be classified as a Tax-Exempt Parcel or Taxable Parcel.
2. Each Taxable Parcel to be further classified as a Low-Density Residential Parcel, Medium-Density Residential Parcel, Other Residential Parcel, or Non-Residential Parcel.
3. Each Low-Density Residential Parcel to be identified according to its Residential Village.

B. Assignment of Maximum Annual Special Tax. The City shall assign the appropriate Maximum Annual Special Tax to each Taxable Parcel as follows:

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1. Low-Density Residential Parcels (identified on Map 1)

The Maximum Annual Special Tax Rate for a Low-Density Residential Parcel within a Residential Village is shown on **Attachment 1**.

2. Medium-Density Residential Parcels

For Medium-Density Residential Parcels, the Maximum Annual Special Tax will be calculated by the following steps:

- a) Prior to Subdivision into Individual Lots--Calculate the Maximum Annual Special Tax Revenue by multiplying the Net Acres for the Medium-Density Residential Parcel by the Maximum Annual Special Tax per acre shown on **Attachment 1**.
- b) Following Subdivision into Individual Lots--Divide the Maximum Annual Special Tax from a) above by the total number of Individual Lots created in the Final Subdivision Map or Master Parcel Map to arrive at the Maximum Annual Special Tax per Individual Lot.

3. Other Residential and Non-Residential Parcels

Calculate the Maximum Annual Special Tax for Other Residential Parcels, and Non-Residential Parcels by multiplying the Maximum Annual Special Tax per Net Acre, as shown on **Attachment 1**, by the Net Acres for the Parcel. Other Residential Parcels that are created as condominiums or Individual Lots will have the Maximum Annual Special Tax per Parcel calculated according the procedures in 4.a. and 4.b. above.

- C. Conversion of a Public Parcel to a Taxable Parcel. If a Public Parcel is not needed for public use and is converted to a taxable use, it shall become subject to the Special Tax. The Maximum Annual Special Tax for such a Parcel shall be assigned according to Section 4.A and Section 4.B above.

- D. Taxable Parcels Acquired by a Public Agency — A Taxable Parcel that is acquired by a public agency after the CFD is formed will remain subject to the applicable Special Tax unless the Special Tax obligation is satisfied pursuant to Section 53317.5 of the Government Code. An exception to this may be made if a Public Parcel within the CFD is relocated to a Taxable Parcel, the previously Tax-Exempt Parcel of comparable acreage becomes a Taxable Parcel, and the Maximum Special Tax from the previously Taxable Parcel is transferred to the newly Taxable Parcel. This trading of Parcels will be permitted to the extent that there is no net loss in Maximum CFD Revenue.

## **5. CALCULATING ANNUAL SPECIAL TAX LEVY**

The City shall compute the Annual Costs for each land use category, and determine the Maximum Annual Special Tax for each Parcel based on the assignment in the Special Tax in Section 4. The City will then determine the tax levy for each Parcel using the following process:

- A. Compute the Annual Costs using the definitions in Section 2.
- B. Calculate the Maximum CFD Revenue by taxing each Taxable Parcel at 100% of its Maximum Annual Special Tax (Attachment 2 shows the estimated maximum special tax revenues at buildout based on the Base Year tax rates). If revenues are greater than the Annual Costs, reduce the tax proportionately until the tax levy is set at an amount sufficient to cover Annual Costs.
- C. Levy on each Taxable Parcel the amount calculated above.
- D. Prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall 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.

## **6. PREPAYMENT OF SPECIAL TAX OBLIGATION**

With a Prepayment, a landowner may permanently satisfy the Special Tax obligation for one or more Parcels. By exercising the right to Prepayment, a landowner can eliminate the future annual Special Tax liability for one or more Parcels.

Prepayment is permitted only under the following conditions:

- The City determines that the Prepayment does not jeopardize the ability to make timely payments of Debt Service on outstanding bonds.
- Any landowner who wishes to exercise the right to a Prepayment for a Parcel must pay any and all delinquent Special Taxes and penalties.
- Prepayment shall be made on or before June 1 in order to prevent the levy of special taxes due during the Fiscal Year beginning July 1.

The total Prepayment amount will include the Parcel's proportionate share of all estimated costs necessary to construct the Authorized Facilities (the "base Prepayment amount") plus any additional administrative and financing costs necessary to redeem bonds and calculate the Prepayment. These calculations are described below.

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**CALCULATE PREPAYMENT AMOUNT**

**Part A: Prepayment of Outstanding Bond Share**

- Step A.1: Determine the Maximum Special Tax for the Parcel based on the assignment of the Maximum Special Tax described in Section 4 above.
- Step A.2: Determine the Benefit Share by dividing the Maximum Special Tax determined in Step A.1 by the Maximum CFD Revenue for all Parcels in the CFD.
- Step A.3: Determine the Bond Share for the Parcel by multiplying the Benefit Share From Step A.2 by the total amount of Outstanding Bonds issued by the CFD.
- Step A.4: Calculate the Reserve Fund Share associated with the Bond Share determined in Step A.3 and reduce the Bond Share by the amount of the Reserve Fund Share. The Reserve Fund Share is equal to the reserve requirement on all outstanding bonds multiplied by the Benefit Share. At the City's discretion, the Reserve Fund Share may be withheld from the Prepayment calculation and refunded to the Prepaying landowner at the time that bonds are called.
- Step A.5: Determine the Outstanding Bond Share by adding to the amount calculated in Step A.4 any fees, call premiums, amounts necessary to cover negative arbitrage from the date of the prepayment to first call date on the bonds, and expenses incurred by the City in connection with the prepayment calculation or the application of the proceeds of the prepayment.

**Part B. Remaining Facility Cost Share**

- Step B.1: Determine the Total Facility Cost Share for the Parcel by multiplying the Benefit Share from Part A, Step A.2 above by the Anticipated Construction Proceeds.
- Step B.2: Determine the share of facilities funded by bonds already issued by the CFD for the Parcel by multiplying the Benefit Share by the construction proceeds made available from all such bonds issued by the CFD. These amounts shall be adjusted to the year of Prepayment by using the Engineering News Record Construction Cost Index.
- Step B.3: Determine the share of facilities already funded by Special Tax revenues on a pay-as-you-go basis by multiplying the Benefit Share by the total amount of pay-as-you-go funding used to acquire authorized facilities.
- Step B.4: Determine the Remaining Facility Cost Share for the Parcel by subtracting the results from Steps B.2 and B.3 from the Total Facility Cost Share determined in Step B.1. (Notwithstanding the above, once the City has funded all authorized

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CFD facilities, the Remaining Facility Cost Share shall be set to zero for purposes of this prepayment calculation.)

Step B.5 Combine the amount from Part A Step A.5 with the amount from Part B Step B.4 to arrive at the Full Prepayment amount.

## **7. RECORDS MAINTAINED FOR THE CFD**

As development and subdivision of North Natomas takes place, the City will maintain a file containing records of the following information for each Parcel:

- the current Parcel Number,
- the Residential Village in which a Low-Density Residential Parcel lies,
- the Parcel acreage (gross, gross developable or net),
- the Maximum Annual Special Taxes which applied in each Fiscal Year,
- the authorized Special Taxes levied in each Fiscal Year; and
- the Development Year.

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

## **8. APPEALS**

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the City appealing the levy of the Special Tax. The City will then promptly review the appeal, and if necessary, meet with the applicant. If the City verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall 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, the classification of properties or any definition applicable to the CFD.

Attachment 1  
North Natomas Westlake CFD No. 2000-01  
Maximum Special Taxes

Fiscal Year Ending	Low-Density Residential							Medium-Density Residential	Other Residential & Non-Residential
	Village 1	Village 2	Village 3	Village 4A	Village 4B	Village 5	Village 6	[1] Per net acre	Per net acre
				Per unit					
2001	\$620	\$1,160	\$1,010	\$720	\$920	\$920	\$830	\$3,600	\$3,600
2002	\$632	\$1,183	\$1,030	\$734	\$938	\$938	\$847	\$3,672	\$3,672
2003	\$645	\$1,207	\$1,051	\$749	\$957	\$957	\$864	\$3,745	\$3,745
2004	\$658	\$1,231	\$1,072	\$764	\$976	\$976	\$881	\$3,820	\$3,820
2005	\$671	\$1,256	\$1,093	\$779	\$996	\$996	\$898	\$3,897	\$3,897
2006	\$685	\$1,281	\$1,115	\$795	\$1,016	\$1,016	\$916	\$3,975	\$3,975
2007	\$698	\$1,306	\$1,137	\$811	\$1,036	\$1,036	\$935	\$4,054	\$4,054
2008	\$712	\$1,332	\$1,160	\$827	\$1,057	\$1,057	\$953	\$4,135	\$4,135
2009	\$726	\$1,359	\$1,183	\$844	\$1,078	\$1,078	\$972	\$4,218	\$4,218
2010	\$741	\$1,386	\$1,207	\$860	\$1,099	\$1,099	\$992	\$4,302	\$4,302
2011	\$756	\$1,414	\$1,231	\$878	\$1,121	\$1,121	\$1,012	\$4,388	\$4,388
2012	\$771	\$1,442	\$1,256	\$895	\$1,144	\$1,144	\$1,032	\$4,476	\$4,476
2013	\$786	\$1,471	\$1,281	\$913	\$1,167	\$1,167	\$1,053	\$4,566	\$4,566
2014	\$802	\$1,501	\$1,307	\$931	\$1,190	\$1,190	\$1,074	\$4,657	\$4,657
2015	\$818	\$1,531	\$1,333	\$950	\$1,214	\$1,214	\$1,095	\$4,750	\$4,750
2016	\$834	\$1,561	\$1,359	\$969	\$1,238	\$1,238	\$1,117	\$4,845	\$4,845
2017	\$851	\$1,592	\$1,387	\$988	\$1,263	\$1,263	\$1,139	\$4,942	\$4,942
2018	\$868	\$1,624	\$1,414	\$1,008	\$1,288	\$1,288	\$1,162	\$5,041	\$5,041
2019	\$886	\$1,657	\$1,443	\$1,028	\$1,314	\$1,314	\$1,185	\$5,142	\$5,142
2020	\$903	\$1,690	\$1,471	\$1,049	\$1,340	\$1,340	\$1,209	\$5,245	\$5,245
2021	\$921	\$1,724	\$1,501	\$1,070	\$1,367	\$1,367	\$1,233	\$5,349	\$5,349
2022	\$940	\$1,758	\$1,531	\$1,091	\$1,394	\$1,394	\$1,258	\$5,456	\$5,456
2023	\$959	\$1,793	\$1,561	\$1,113	\$1,422	\$1,422	\$1,283	\$5,566	\$5,566
2024	\$978	\$1,829	\$1,593	\$1,135	\$1,451	\$1,451	\$1,309	\$5,677	\$5,677
2025	\$997	\$1,866	\$1,625	\$1,158	\$1,480	\$1,480	\$1,335	\$5,790	\$5,790
2026	\$1,017	\$1,903	\$1,657	\$1,181	\$1,509	\$1,509	\$1,362	\$5,906	\$5,906
2027	\$1,038	\$1,941	\$1,690	\$1,205	\$1,540	\$1,540	\$1,389	\$6,024	\$6,024
2028	\$1,058	\$1,980	\$1,724	\$1,229	\$1,570	\$1,570	\$1,417	\$6,145	\$6,145
2029	\$1,079	\$2,020	\$1,758	\$1,254	\$1,602	\$1,602	\$1,445	\$6,268	\$6,268
2030	\$1,101	\$2,060	\$1,794	\$1,279	\$1,634	\$1,634	\$1,474	\$6,393	\$6,393

[1] Medium-Density Residential Maximum Annual Special Taxes per unit are determined when a Parcel records a Final Subdivision Map.

Note: Tax Rates are escalated annually at 2%.

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**Attachment 2**  
**North Natomas Westlake CFD No. 2000-01**  
**Base Year Estimated Maximum Special Tax Revenue**

Item	Net Acres	Units	Median Lot Size (sq. ft.)	Maximum Special Tax Rate per Unit/Acre (Base Year 2000-01)	Estimated Maximum Special Tax Revenue
Low Density Residential					
Village 1	19.1	133	5,250	\$620 per unit	\$82,460
Village 2	31.6	111	8,800	\$1,160 per unit	\$128,760
Village 3	26.5	104	7,700	\$1,010 per unit	\$105,040
Village 4A	17.6	86	5,775	\$720 per unit	\$61,920
Village 4B	15.6	76	6,825	\$920 per unit	\$69,920
Village 5	25.0	108	6,825	\$920 per unit	\$99,360
Village 6	17.5	84	6,300	\$830 per unit	\$69,720
Subtotal Low Density	152.9	702			
Medium Density Residential	30.5			\$3,600 per net acre	\$109,800
Other Residential & Non-Residential	45.5			\$3,600 per net acre	\$163,800
<b>TOTAL</b>	<b>228.9</b>	<b>702</b>			<b>\$890,780</b>

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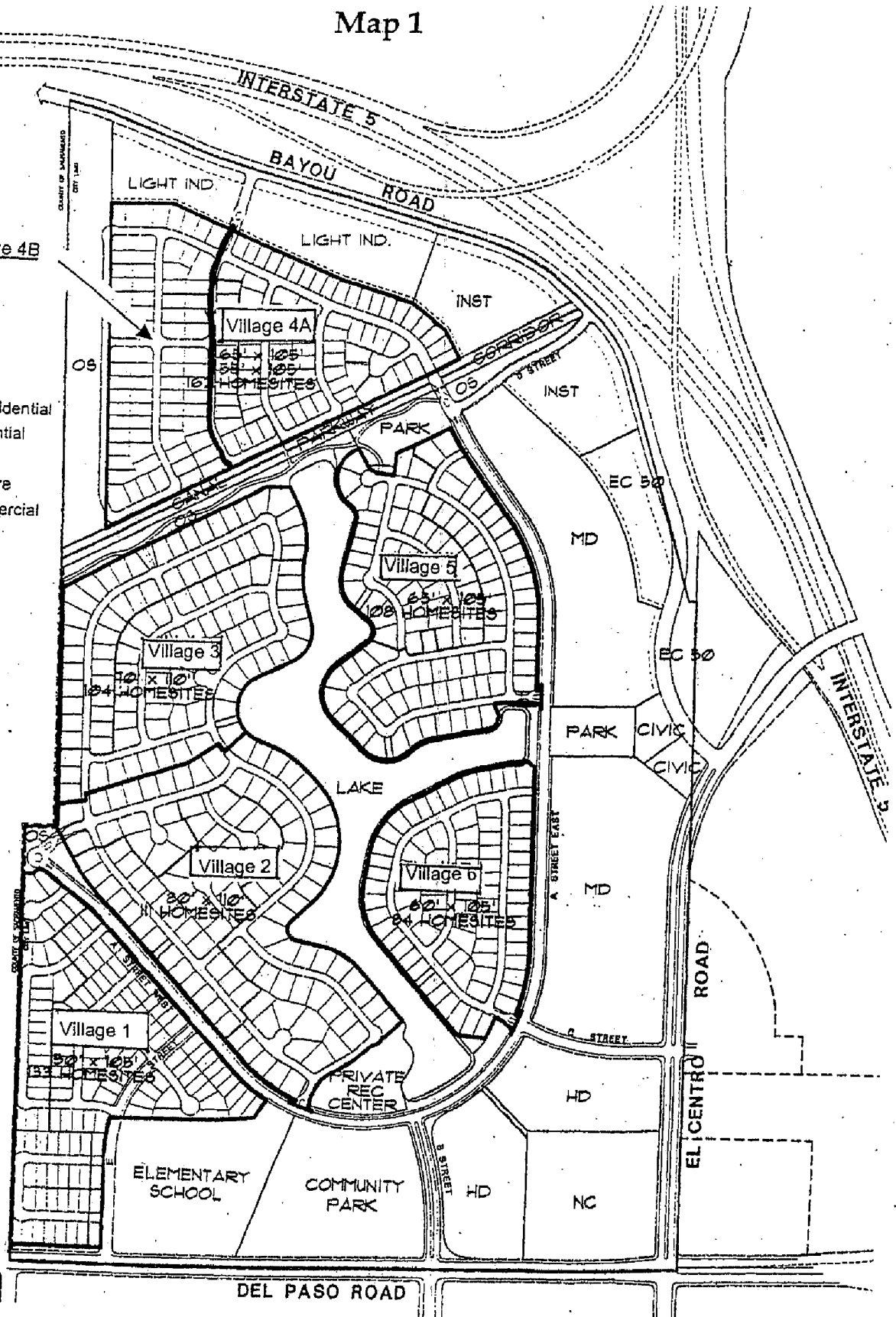
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# Map 1

## Zoning Code

OS	Open Space
LIGHT IND	Light Industrial
MD	Medium Density Residential
HD	High Density Residential
EC 50	Employment Center 50 employees per acre
NC	Neighborhood Commercial
INST	Institutional

Village 4B



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## Exhibit B

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### List of Eligible Facilities

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The authorized costs of the eligible facilities include all those set forth in Section 53345.3 of the Act, and all costs necessary to administer any Debt, collect and administer the special taxes, and administer the Agency. The special taxes may be levied not only to pay current debt service on outstanding Debt, but also to accumulate funds for future debt service, to pay amounts delinquent on the Debt (or to become delinquent based upon past special tax delinquencies), to replenish the reserve fund to its proper level (or to reimburse payments to be made from the reserve fund based upon past special tax delinquencies), to pay authorized costs, to pay directly for any authorized facilities or to accumulate funds for that purpose. Special tax proceeds may be accumulated to pay debt service on Debt so long as such proceeds are handled in such a fashion as not to cause the Debt to become arbitrage bonds under the Tax Reform Act of 1986.

The following list of eligible facilities is classified into two groups, Primary Facilities, and Secondary Facilities. Funding for Secondary Facilities may only be authorized with remaining proceeds of the CFD after Primary Facilities have been constructed, paid for and accepted fully by the City or project is substantially complete and sufficient security exists to the satisfaction of the City in accordance with the Acquisition Agreement.

The list of secondary facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD. Conversely, if facilities eligible for reimbursement through fee programs are initially funded with CFD funds, as soon as funds are available from the particular fee program, the CFD shall be reimbursed with funds from the particular fee program. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

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**Primary Facilities eligible to be financed with proceeds from the CFD (not listed in any specific order):**

- A. Excavation of the detention facility / lake. Construction of the detention facility / lake including clay liner, lake access ramps, and other necessary appurtenances. Construction of outfalls defined in the Master Drainage Plan for Westlake, including drainage pipes, manholes, junction box, cutoff walls, and other necessary appurtenances. Construction of drainage outlets including drainage pipes, manholes, junction box, headwalls, erosion control, and any other necessary appurtenances. Dewatering and measures to control groundwater during both construction and operation of the facilities. Land acquisition for the detention facility / lake, as determined by the appraisal for the lake. Habitat Conservation (HCP) fees for construction of the detention facility / lake. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.
- B. Trunk drain pipes and other appurtenances defined as common drainage facilities in the Westlake Master Drainage Plan for conveyance of storm drainage to the detention facility / lake, including manholes. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.

**Secondary Facilities eligible to be financed with remaining proceeds of the CFD (not listed in any specific order):**

- A. Construction of sanitary sewer trunk and interceptor lines, including pipes, manholes, and all necessary appurtenances.
- B. Construction of Del Paso Road from El Centro Road to the westerly property boundary (city limits) of the project and other major roads that are eligible for funding under the guidelines set forth in the City's Policies and Procedures for Use of Special Assessment and Mello Roos Community Facilities District Financing, as may be amended; improvements include clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping where appropriate, storm drainage facilities, street signs, street lights, widening at intersections, traffic signals, corridor landscaping and sound walls, major utility conduits, utility conduit crossings, right-of-way acquisition, and all necessary appurtenances to the mentioned roads.
- C. Neighborhood and community park landscaping, equipment, and facilities.
- D. Landscaping and soundwalls in landscape corridors, streetlights, and entryway signs and monuments in entryways along Del Paso Road.
- E. Public dry utilities (electric, telephone, natural gas, and CATV).

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- F. Habitat Conservation (HCP) fees required for construction of additional secondary facilities.
- G. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for additional secondary facilities.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**The Spink Corporation**

**RESOLUTION NO.:**

DATE ADOPTED:

**FOR CITY CLERK USE ONLY**

## **RESOLUTION NO.**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

**ON DATE OF \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SACRAMENTO DECLARING THE NECESSITY TO INCUR A BONDED  
INDEBTEDNESS TO FINANCE THE ACQUISITION AND  
CONSTRUCTION OF CERTAIN PUBLIC DRAINAGE FACILITIES IN  
AND FOR THE CITY OF SACRAMENTO NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, AND  
CALLING A SPECIAL MAILED-BALLOT ELECTION TO SUBMIT TO  
THE QUALIFIED ELECTORS OF SUCH COMMUNITY FACILITIES  
DISTRICT THE PROPOSITION OF INCURRING SUCH BONDED  
INDEBTEDNESS**

**WHEREAS**, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 2000-411 on June 27, 2000, wherein the Council declared its intention to and proposed to establish a community facilities district under and 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"), to be known and designated as the "City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01" (the "Community Facilities District"), to finance the acquisition and construction of those certain public drainage facilities with an estimated useful life of five (5) years or longer in and for the Community Facilities District under and pursuant to the Act (which are public drainage facilities that the City is authorized by law to construct, own or operate and that are necessary to meet increased demands placed upon the City as a result of development occurring and anticipated to occur in the Community Facilities District) constituting primary and secondary facilities as listed in Exhibit B attached hereto and incorporated herein and made a part hereof (the "Facilities"). The list of Secondary Facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the Community Facilities District. Conversely, if facilities eligible for reimbursement through fee programs are initially funded with Community Facilities District funds, as soon as funds are available from the particular fee program, the Community Facilities District shall be reimbursed with funds from

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**DATE ADOPTED:** \_\_\_\_\_

the particular fee program. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with Bond proceeds; and

**WHEREAS**, the Council declared its intention (except where funds are otherwise available) to levy a special tax in the Community Facilities District sufficient to finance the acquisition and construction of the Facilities, including the payment of interest on and principal of bonds issued to finance the acquisition and construction of the Facilities and including the repayment of funds advanced by the City for the Community Facilities District and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or reimbursement for the lesser of the value or cost of work-in-kind provided by any person for the Community Facilities District, which special tax shall be secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District and shall be annually levied by the Council within the boundaries of the Community Facilities District, and for particulars as to the rate, method of apportionment and manner of collection of such special tax reference is made to Exhibit A, attached hereto and incorporated herein and made a part hereof, which sets forth the rate, method of apportionment and manner of collection of such special tax in sufficient detail to allow each landowner or resident within the Community Facilities District to estimate the maximum amount that such person will have to pay for financing the acquisition and construction of the Facilities, and which specifies the conditions under which the obligation to pay such special tax may be prepaid and permanently satisfied; provided, that in the case of any special tax to be levied to pay for financing the acquisition and construction of the Facilities that is to be levied against any parcel of land used for private residential purposes (which use commences on the date on which an occupancy permit for private residential use is issued), (1) such maximum special tax shall be specified as a dollar amount which shall be calculated and established not later than the date on which such parcel of land is first subject to the special tax because of its use for private residential purposes, (2) after Fiscal Year 2029-2030, such special tax shall no longer be levied or collected against such parcel of land, and (3) under no circumstances shall such special tax be increased as a consequence of delinquency or default by the owner of any other parcel or parcels of land within the Community Facilities District by more than ten per cent (10%); and

**WHEREAS**, the Council duly adopted Resolution No. 2000-412 (the "Resolution") on June 27, 2000, declaring its intention to incur a bonded indebtedness in the amount of thirteen million dollars (\$13,000,000) to finance the acquisition and construction of the Facilities in and for the Community Facilities District; and

**WHEREAS**, pursuant to the Resolution, a public hearing was set by the Council for Thursday, the 3rd day of August, 2000, at the hour of 2:00 o'clock P.M., at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814; and

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DATE ADOPTED: \_\_\_\_\_

**WHEREAS**, on August 3, 2000, the City Council continued the public hearing to August 22, 2000, at which time it was further continued to September 5, 2000, then to September 19, 2000, and further to September 26, 2000, to be held at the same time and place as previously notified, and a Notice of Continuance of Public Hearings was posted by the City Clerk on the bulletin board outside of the City Council Chambers no later than twenty-four (24) hours after each continuance of the public hearings and a copy of each Notice of Continuance of Public Hearings is on file with the City Clerk; and

**WHEREAS**, at the continued public hearing on September 26, 2000, all persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, were given an opportunity to appear and be heard on the proposed debt issue or on any other matters set forth in the Resolution, and they were permitted to present any matters relating to the necessity for incurring such bonded indebtedness to finance the costs of the acquisition and construction of the Facilities, and the Council at the conclusion of said public hearing was fully advised in the premises, and was authorized to proceed as hereinafter provided;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, AS FOLLOWS:**

Section 1. The above recitals are true and correct, and the Council so finds and determines.

Section 2. The Council hereby finds and determines that the public convenience and necessity require and it is necessary that a bonded indebtedness be incurred to finance the acquisition and construction of the Facilities.

Section 3. The whole of the territory within the Community Facilities District will be benefited by such bonded indebtedness and will be subject to the special tax to pay for such bonded indebtedness.

Section 4. The amount of the proposed bonded indebtedness to be incurred to finance the acquisition and construction of the Facilities (including incidental expenses as authorized by the Act) is thirteen million dollars (\$13,000,000).

Section 5. The maximum term of the bonds shall not exceed forty (40) years from the date of the bonds, or the date of any series thereof.

Section 6. The maximum annual rate or rates of interest to be paid on the bonds shall not exceed twelve percent (12%) per annum, payable annually the first year and semiannually thereafter.

Section 7. The Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot

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DATE ADOPTED: \_\_\_\_\_

Election in the Community Facilities District, a copy of which is attached hereto as Exhibit C. The Council hereby finds that the rights, procedures and time periods therein waived are solely for the protection of the voters, may be waived under Government Code Section 53326(a), and that the waiver constitutes a full and knowing waiver, by any voter who has executed the form, of those rights, procedures and time periods, and the Council hereby determines that all of the voters eligible to vote in this election have delivered to the City Clerk properly executed waivers in the form of Exhibit C.

Section 8. A special mailed-ballot election shall be and is hereby called and ordered to be held in the Community Facilities District on Tuesday, October 17, 2000, in accordance with and subject to the Act and applicable law and the terms hereof, at which special mailed-ballot election there shall be submitted to the qualified electors within the Community Facilities District (which qualified electors constitute the landowners within the Community Facilities District) the question of incurring a bonded indebtedness in the amount of thirteen million dollars (\$13,000,000) for the Community Facilities District, and the Council hereby directs that the question of incurring such bonded indebtedness shall be combined in one ballot proposition with the question of levying such special tax within the Community Facilities District and the establishment of an appropriations limit in the amount of one million four hundred fifty thousand dollars (\$1,450,000) per fiscal year in connection therewith, all in accordance with and subject to the Act, all the terms of which shall be applicable to such election. The combined ballot proposition of levying such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall read as follows:

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

MEASURE (A): Shall the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 be authorized to finance, as provided in Resolution No. 2000-\_\_\_ adopted by City Council of the City of Sacramento on September 26, 2000, the acquisition and construction of those certain primary and secondary public drainage facilities constituting detention facility/lake, outfalls, drainage outlets, trunk drainage pipes, sanitary sewer trunk and interceptor lines, street improvements, water transmission lines, landscaping and soundwalls, public dry utilities, and necessary appurtenances, recognizing that some facilities previously paid for and acquired by the City of Sacramento from fee credits or cash reimbursements from a fee program, including the Public Facilities Fee for the actual eligible costs of construction, shall be not be financed, by incurring a bonded indebtedness in the principal amount of thirteen million dollars (\$13,000,000), and shall an appropriations limit in the amount of one million four hundred fifty thousand dollars (\$1,450,000) per fiscal year in connection therewith be established for the Community Facilities District, and shall a special tax with a maximum rate and method of apportionment as provided in said Resolution No. 2000-\_\_\_, which is incorporated herein by reference, be levied to pay for the acquisition and construction of such facilities, including the payment of principal of and interest on such bonds and including the repayment of funds advanced for the Community Facilities District?

Section 9. If the combined proposition for the levying of such special tax and the establishment of such appropriations limit and the incurring of such bonded indebtedness receives the approval of more than two-thirds (2/3) of the votes cast on the proposition, the bonds may be issued and sold for the purpose for which they were authorized, and the bonds (except where funds are otherwise available) shall be paid exclusively from the annual levy of such special tax and are not and shall not be secured by any other taxing power or funds of the City or the Community Facilities District.

Section 10. The City Clerk is hereby designated as the official to conduct the special mailed-ballot election pursuant to Elections Code Sections 14 and 15. In order to be counted, ballots must be returned to, and be physically received by, the City Clerk before 5:00 p.m. on Tuesday, October 17, 2000; provided, that if all authorized ballots are received by the City Clerk prior to that time, the City Clerk shall, pursuant to Government Code Section 53326(d), immediately close the election and declare the results.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**PASSED AND ADOPTED** by the Council of the City of Sacramento this 26th day of September, 2000, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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Mayor of the City of Sacramento

ATTEST:

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City Clerk of the City of Sacramento

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit A

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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##### 1. BASIS OF SPECIAL TAX LEVY

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in the City of Sacramento (the "City") North Natomas Westlake Community Facilities District No. 2000-01 (the "CFD") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

##### 2. DEFINITIONS

"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 determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants, legal counsel, corporate bond-paying agents, fiscal agents, and bond trustees; the costs of collecting installments of the Special Taxes upon the general tax rolls; cost of arbitrage calculation and arbitrage rebates, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"Anticipated Construction Proceeds" means \$8,800,000 from issuance of bonds.

"Annual Costs" means, for any Fiscal Year, the total of (i) Debt Service for the Calendar Year commencing January 1 of such Fiscal Year through December 31 of the following Fiscal Year; (ii) Administrative Expenses for such Fiscal Year; (iii) any amounts needed to replenish any bond reserve fund for bonds of the City issued for the CFD to the level required under the documents pursuant to which such bonds were issued; (iv) an amount equal to the amount of delinquencies in payments of Special Taxes levied in the previous Fiscal Year and an amount for anticipated delinquencies for the current Fiscal Year; (v) pay-as-you-go expenditures for authorized facilities to be constructed or acquired by the CFD, less any credit from earnings on the bond reserve fund, less any reimbursements, and/or less any grants/other project funding.

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**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Facilities"** means those improvements, as listed in the Resolution forming the CFD.

**"Base Year"** means Fiscal Year 2000-2001.

**"Benefit Share"** means the Maximum Annual Special Tax for a Taxable Parcel divided by the Maximum CFD Revenue.

**"Bond Year"** means the 12-month period ending on the second bond payment date of each calendar year as defined in the resolution authorizing the issuance of bonds.

**"CFD"** means the City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01.

**"City"** means City of Sacramento, California.

**"Council"** means the City Council of the City acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Debt Service"** means for each Fiscal Year or Bond Year, the total amount of principal and interest payable for any bonds or notes of the CFD during that Fiscal Year or Bond Year, less any applicable credits that may be available from any other sources available to the City to pay principal and interest for the previous or current Fiscal Year or Bond Year.

**"Development Year"** means the Fiscal Year in which the Parcel changes classification from Master Parcel Map to Final Subdivision Map Parcel.

**"Estimated Net Acreage"** means the actual Net Acreage of a Parcel or an approximation of the Net Acreage by the City based upon the total gross developable acres less an allowance for minor streets of a Parcel as indicated in the North Natomas Community Plan.

**"Final Subdivision Map"** means a recorded map designating the final Parcel splits for individual single-family residential Parcels.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Individual Lot"** means a buildable area of land created by a final subdivision map for the purpose of building a single-family residential dwelling unit.

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**"Low-Density Residential Parcel"** means a Taxable Parcel with an approved land use for a single-family-detached residential dwelling unit that lies within a specific Residential Village as shown on Map 1.

**"Master Parcel Map"** means a map that subdivides large tracts of land into smaller Parcels for the purpose of selling or otherwise transferring the Parcels for further subdivision in accordance with City procedures, or for the purpose of securing financing, together with planning and construction of infrastructure elements, but not for the purpose of creating either individual residential lots for sale to end-user homeowners, and not for the purpose of allowing construction or other improvements on Non-Residential Parcels.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Taxable Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the relevant acres or units of the Taxable Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a given Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Taxable Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Maximum Annual CFD Revenue"** means the sum of the Maximum Annual Special Tax for all of the Taxable Parcels in the CFD.

**"Medium-Density Residential Parcel"** means a single family residential Parcel on Map 1 designated as medium density by the City according the North Natomas Community Plan.

**"Net Acre"** is the area of a Parcel associated with residential and non-residential uses after dedication of all public uses and rights-of-way.

**"Non-Residential Parcel"** means a Taxable Parcel designated for retail, commercial, office, industrial, institutional, or similar use as defined in the North Natomas Community Plan.

**"Other Residential Parcel"** means a Taxable Parcel with an approved land use for other than Low-Density Residential Parcel or Medium Density Residential Parcel, such as three or more attached residential units owned in common. If Low Density or Medium-Density Residential Parcels are created that are not consistent with the village shown in Map 1, these Parcels will be classified as Other Residential Parcels.

**"Outstanding Bonds"** means the total principal amount of bonds that have been issued by the CFD and not retired or defeased.

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**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Prepayment"** means the permanent satisfaction of the entire Special Tax obligation for one or more Parcels by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6. Prepayment may occur before or after the initial bond sale, with differing criteria.

**"Prepayment Parcel"** means a Parcel that has permanently satisfied the entire Special Tax obligation by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6.

**"Public Parcel"** means any Parcel, in its entirety, that is or is intended to be publicly owned as designated by the City that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways including drainage basins, lakes, public landscaping, wetlands, greenbelts, and public open space. These Parcels are exempt from the levy of Special Taxes as described below. Any such Parcel shall be a Tax-Exempt Parcel, except for Taxable Parcels that are acquired by a public agency, in which case the Special Tax obligation for such Parcels shall be required to be permanently satisfied pursuant to Sections 53317.3 and 53317.5 of the Government Code by the procedure described in Section 6.

**"Remaining Facility Cost Share"** means the Total Facility Cost Share for a Parcel less facility costs funded through CFD bonds or on a pay-as-you-go basis.

**"Residential Village"** means a designated geographic area within the Master Parcel Map containing residential development. The village designations are either Village 1, Village 2, Village 3, Village 4A, Village 4B, Village 5, or Village 6, as shown on Map 1.

**"Reserve Fund"** means the total amount held in the bond reserve funds by the City for all Outstanding Bonds.

**"Reserve Fund Share"** means the lesser of (i) the reserve requirement on all Outstanding Bonds, or (ii) the Reserve Fund balance on all Outstanding Bonds, multiplied by the Benefit Share for a given Parcel.

**"Special Tax(es)"** mean(s) any tax levy under the Act.

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

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

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**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels include: (i) Public Parcels (subject to the limitations set forth in Section 4, below), (ii) Prepayment Parcels, and (iii) Parcels that are open space, recreation, clubhouse etc, owned by a Condominium or Home Owners Association. Certain non-developable privately owned Parcels may also be exempt from the levy of Special Taxes as determined by the City such as common areas, wetlands, and open space.

**"Tentative Subdivision Map"** means a tentative subdivision map defined under the California Subdivision Map Act and Title 40 of the Sacramento City Code.

**"Total Facility Cost Share"** means the Benefit Share for a Parcel multiplied by the Anticipated Construction Proceeds for the CFD.

### 3. TERMINATION OF THE SPECIAL TAX

The Special Tax will be levied on and collected from Taxable Parcels in the CFD for as long as needed to pay the principal and interest on debt for the Bonds issued to fund Authorized Facilities. However, in no event shall the Special Tax be levied after Fiscal Year 2029-30.

When all of the bonds issued to pay for Authorized Facilities have been retired, the Special Tax shall cease to be levied. The City shall 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.

### 4. ASSIGNMENT OF MAXIMUM ANNUAL SPECIAL TAX

A. Classification of Parcels. By May 1 of each Fiscal Year, using the Definitions above, the Parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall cause:

1. Each Parcel to be classified as a Tax-Exempt Parcel or Taxable Parcel.
2. Each Taxable Parcel to be further classified as a Low-Density Residential Parcel, Medium-Density Residential Parcel, Other Residential Parcel, or Non-Residential Parcel.
3. Each Low-Density Residential Parcel to be identified according to its Residential Village.

B. Assignment of Maximum Annual Special Tax. The City shall assign the appropriate Maximum Annual Special Tax to each Taxable Parcel as follows:

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DATE ADOPTED: \_\_\_\_\_

1. Low-Density Residential Parcels (identified on Map 1)

The Maximum Annual Special Tax Rate for a Low-Density Residential Parcel within a Residential Village is shown on **Attachment 1**.

2. Medium-Density Residential Parcels

For Medium-Density Residential Parcels, the Maximum Annual Special Tax will be calculated by the following steps:

- a) Prior to Subdivision into Individual Lots—Calculate the Maximum Annual Special Tax Revenue by multiplying the Net Acres for the Medium-Density Residential Parcel by the Maximum Annual Special Tax per acre shown on **Attachment 1**.
- b) Following Subdivision into Individual Lots—Divide the Maximum Annual Special Tax from a) above by the total number of Individual Lots created in the Final Subdivision Map or Master Parcel Map to arrive at the Maximum Annual Special Tax per Individual Lot.

3. Other Residential and Non-Residential Parcels

Calculate the Maximum Annual Special Tax for Other Residential Parcels, and Non-Residential Parcels by multiplying the Maximum Annual Special Tax per Net Acre, as shown on **Attachment 1**, by the Net Acres for the Parcel. Other Residential Parcels that are created as condominiums or Individual Lots will have the Maximum Annual Special Tax per Parcel calculated according to the procedures in 4.a. and 4.b. above.

- C. Conversion of a Public Parcel to a Taxable Parcel. If a Public Parcel is not needed for public use and is converted to a taxable use, it shall become subject to the Special Tax. The Maximum Annual Special Tax for such a Parcel shall be assigned according to Section 4.A and Section 4.B above.

- D. Taxable Parcels Acquired by a Public Agency — A Taxable Parcel that is acquired by a public agency after the CFD is formed will remain subject to the applicable Special Tax unless the Special Tax obligation is satisfied pursuant to Section 53317.5 of the Government Code. An exception to this may be made if a Public Parcel within the CFD is relocated to a Taxable Parcel, the previously Tax-Exempt Parcel of comparable acreage becomes a Taxable Parcel, and the Maximum Special Tax from the previously Taxable Parcel is transferred to the newly Taxable Parcel. This trading of Parcels will be permitted to the extent that there is no net loss in Maximum CFD Revenue.

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DATE ADOPTED: \_\_\_\_\_ *VB*

## 5. CALCULATING ANNUAL SPECIAL TAX LEVY

The City shall compute the Annual Costs for each land use category, and determine the Maximum Annual Special Tax for each Parcel based on the assignment in the Special Tax in Section 4. The City will then determine the tax levy for each Parcel using the following process:

- A. Compute the Annual Costs using the definitions in Section 2.
- B. Calculate the Maximum CFD Revenue by taxing each Taxable Parcel at 100% of its Maximum Annual Special Tax (Attachment 2 shows the estimated maximum special tax revenues at buildout based on the Base Year tax rates). If revenues are greater than the Annual Costs, reduce the tax proportionately until the tax levy is set at an amount sufficient to cover Annual Costs.
- C. Levy on each Taxable Parcel the amount calculated above.
- D. Prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall 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.

## 6. PREPAYMENT OF SPECIAL TAX OBLIGATION

With a Prepayment, a landowner may permanently satisfy the Special Tax obligation for one or more Parcels. By exercising the right to Prepayment, a landowner can eliminate the future annual Special Tax liability for one or more Parcels.

Prepayment is permitted only under the following conditions:

- The City determines that the Prepayment does not jeopardize the ability to make timely payments of Debt Service on outstanding bonds.
- Any landowner who wishes to exercise the right to a Prepayment for a Parcel must pay any and all delinquent Special Taxes and penalties.
- Prepayment shall be made on or before June 1 in order to prevent the levy of special taxes due during the Fiscal Year beginning July 1.

The total Prepayment amount will include the Parcel's proportionate share of all estimated costs necessary to construct the Authorized Facilities (the "base Prepayment amount") plus any additional administrative and financing costs necessary to redeem bonds and calculate the Prepayment. These calculations are described below.

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**CALCULATE PREPAYMENT AMOUNT**

**Part A: Prepayment of Outstanding Bond Share**

- Step A.1: Determine the Maximum Special Tax for the Parcel based on the assignment of the Maximum Special Tax described in Section 4 above.
- Step A.2: Determine the Benefit Share by dividing the Maximum Special Tax determined in Step A.1 by the Maximum CFD Revenue for all Parcels in the CFD.
- Step A.3: Determine the Bond Share for the Parcel by multiplying the Benefit Share From Step A.2 by the total amount of Outstanding Bonds issued by the CFD.
- Step A.4: Calculate the Reserve Fund Share associated with the Bond Share determined in Step A.3 and reduce the Bond Share by the amount of the Reserve Fund Share. The Reserve Fund Share is equal to the reserve requirement on all outstanding bonds multiplied by the Benefit Share. At the City's discretion, the Reserve Fund Share may be withheld from the Prepayment calculation and refunded to the Prepaying landowner at the time that bonds are called.
- Step A.5: Determine the Outstanding Bond Share by adding to the amount calculated in Step A.4 any fees, call premiums, amounts necessary to cover negative arbitrage from the date of the prepayment to first call date on the bonds, and expenses incurred by the City in connection with the prepayment calculation or the application of the proceeds of the prepayment.

**Part B. Remaining Facility Cost Share**

- Step B.1: Determine the Total Facility Cost Share for the Parcel by multiplying the Benefit Share from Part A, Step A.2 above by the Anticipated Construction Proceeds.
- Step B.2: Determine the share of facilities funded by bonds already issued by the CFD for the Parcel by multiplying the Benefit Share by the construction proceeds made available from all such bonds issued by the CFD. These amounts shall be adjusted to the year of Prepayment by using the Engineering News Record Construction Cost Index.
- Step B.3: Determine the share of facilities already funded by Special Tax revenues on a pay-as-you-go basis by multiplying the Benefit Share by the total amount of pay-as-you-go funding used to acquire authorized facilities.
- Step B.4: Determine the Remaining Facility Cost Share for the Parcel by subtracting the results from Steps B.2 and B.3 from the Total Facility Cost Share determined in Step B.1. (Notwithstanding the above, once the City has funded all authorized

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CFD facilities, the Remaining Facility Cost Share shall be set to zero for purposes of this prepayment calculation.)

Step B.5 Combine the amount from Part A Step A.5 with the amount from Part B Step B.4 to arrive at the Full Prepayment amount.

## 7. RECORDS MAINTAINED FOR THE CFD

As development and subdivision of North Natomas takes place, the City will maintain a file containing records of the following information for each Parcel:

- the current Parcel Number,
- the Residential Village in which a Low-Density Residential Parcel lies,
- the Parcel acreage (gross, gross developable or net),
- the Maximum Annual Special Taxes which applied in each Fiscal Year,
- the authorized Special Taxes levied in each Fiscal Year; and
- the Development Year.

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

## 8. APPEALS

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the City appealing the levy of the Special Tax. The City will then promptly review the appeal, and if necessary, meet with the applicant. If the City verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall 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, the classification of properties or any definition applicable to the CFD.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Attachment 1  
North Natomas Westlake CFD No. 2000-01  
Maximum Special Taxes

Fiscal Year Ending	Low-Density Residential							Medium-Density Residential	Other Residential & Non-Residential
	Village 1	Village 2	Village 3	Village 4A	Village 4B	Village 5	Village 6	[1] Per net acre	Per net acre
				Per unit					
2001	\$620	\$1,160	\$1,010	\$720	\$920	\$920	\$830	\$3,600	\$3,600
2002	\$632	\$1,183	\$1,030	\$734	\$938	\$938	\$847	\$3,672	\$3,672
2003	\$645	\$1,207	\$1,051	\$749	\$957	\$957	\$864	\$3,745	\$3,745
2004	\$658	\$1,231	\$1,072	\$764	\$976	\$976	\$881	\$3,820	\$3,820
2005	\$671	\$1,256	\$1,093	\$779	\$996	\$996	\$898	\$3,897	\$3,897
2006	\$685	\$1,281	\$1,115	\$795	\$1,016	\$1,016	\$916	\$3,975	\$3,975
2007	\$698	\$1,306	\$1,137	\$811	\$1,036	\$1,036	\$935	\$4,054	\$4,054
2008	\$712	\$1,332	\$1,160	\$827	\$1,057	\$1,057	\$953	\$4,135	\$4,135
2009	\$726	\$1,359	\$1,183	\$844	\$1,078	\$1,078	\$972	\$4,218	\$4,218
2010	\$741	\$1,386	\$1,207	\$860	\$1,099	\$1,099	\$992	\$4,302	\$4,302
2011	\$756	\$1,414	\$1,231	\$878	\$1,121	\$1,121	\$1,012	\$4,388	\$4,388
2012	\$771	\$1,442	\$1,256	\$895	\$1,144	\$1,144	\$1,032	\$4,476	\$4,476
2013	\$786	\$1,471	\$1,281	\$913	\$1,167	\$1,167	\$1,053	\$4,566	\$4,566
2014	\$802	\$1,501	\$1,307	\$931	\$1,190	\$1,190	\$1,074	\$4,657	\$4,657
2015	\$818	\$1,531	\$1,333	\$950	\$1,214	\$1,214	\$1,095	\$4,750	\$4,750
2016	\$834	\$1,561	\$1,359	\$969	\$1,238	\$1,238	\$1,117	\$4,845	\$4,845
2017	\$851	\$1,592	\$1,387	\$988	\$1,263	\$1,263	\$1,139	\$4,942	\$4,942
2018	\$868	\$1,624	\$1,414	\$1,008	\$1,288	\$1,288	\$1,162	\$5,041	\$5,041
2019	\$886	\$1,657	\$1,443	\$1,028	\$1,314	\$1,314	\$1,185	\$5,142	\$5,142
2020	\$903	\$1,690	\$1,471	\$1,049	\$1,340	\$1,340	\$1,209	\$5,245	\$5,245
2021	\$921	\$1,724	\$1,501	\$1,070	\$1,367	\$1,367	\$1,233	\$5,349	\$5,349
2022	\$940	\$1,758	\$1,531	\$1,091	\$1,394	\$1,394	\$1,258	\$5,456	\$5,456
2023	\$959	\$1,793	\$1,561	\$1,113	\$1,422	\$1,422	\$1,283	\$5,566	\$5,566
2024	\$978	\$1,829	\$1,593	\$1,135	\$1,451	\$1,451	\$1,309	\$5,677	\$5,677
2025	\$997	\$1,866	\$1,625	\$1,158	\$1,480	\$1,480	\$1,335	\$5,790	\$5,790
2026	\$1,017	\$1,903	\$1,657	\$1,181	\$1,509	\$1,509	\$1,362	\$5,906	\$5,906
2027	\$1,038	\$1,941	\$1,690	\$1,205	\$1,540	\$1,540	\$1,389	\$6,024	\$6,024
2028	\$1,058	\$1,980	\$1,724	\$1,229	\$1,570	\$1,570	\$1,417	\$6,145	\$6,145
2029	\$1,079	\$2,020	\$1,758	\$1,254	\$1,602	\$1,602	\$1,445	\$6,268	\$6,268
2030	\$1,101	\$2,060	\$1,794	\$1,279	\$1,634	\$1,634	\$1,474	\$6,393	\$6,393

[1] Medium-Density Residential Maximum Annual Special Taxes per unit are determined when a Parcel records a Final Subdivision Map.

Note: Tax Rates are escalated annually at 2%.

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

**Attachment 2**  
**North Natomas Westlake CFD No. 2000-01**  
**Base Year Estimated Maximum Special Tax Revenue**

Item	Net Acres	Units	Median Lot Size (sq. ft.)	Maximum Special Tax Rate per Unit/Acre (Base Year 2000-01)	Estimated Maximum Special Tax Revenue
Low Density Residential					
Village 1	19.1	133	5,250	\$620 per unit	\$82,460
Village 2	31.6	111	8,800	\$1,160 per unit	\$128,760
Village 3	26.5	104	7,700	\$1,010 per unit	\$105,040
Village 4A	17.6	86	5,775	\$720 per unit	\$61,920
Village 4B	15.6	76	6,825	\$920 per unit	\$69,920
Village 5	25.0	108	6,825	\$920 per unit	\$99,360
Village 6	17.5	84	6,300	\$830 per unit	\$69,720
Subtotal Low Density	152.9	702			
Medium Density Residential	30.5			\$3,600 per net acre	\$109,800
Other Residential & Non-Residential	45.5			\$3,600 per net acre	\$163,800
<b>TOTAL</b>	<b>228.9</b>	<b>702</b>			<b>\$890,780</b>

FOR CITY CLERK USE ONLY

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

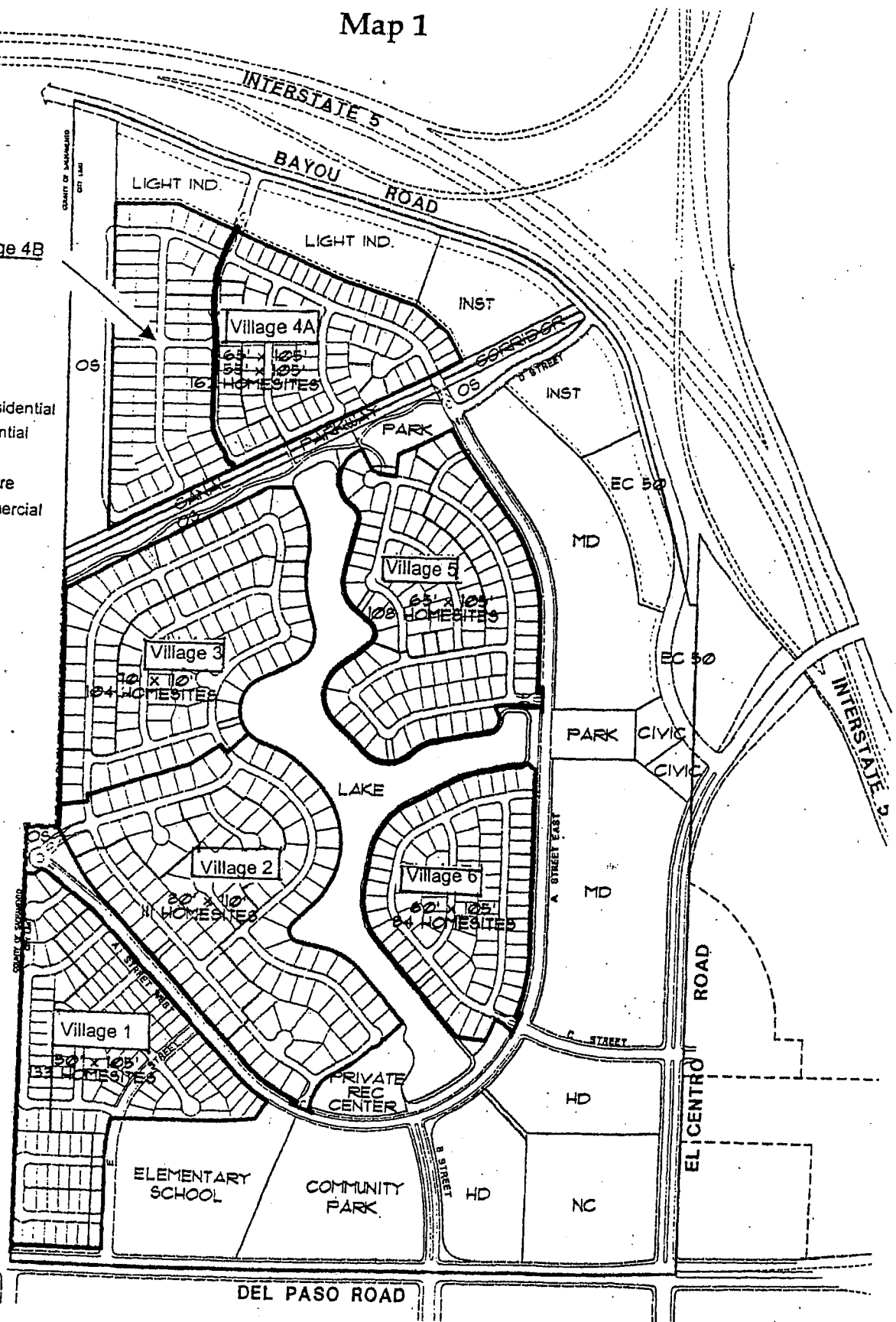
DATE ADOPTED: \_\_\_\_\_

# Map 1

## Zoning Code

OS	Open Space
LIGHT IND	Light Industrial
MD	Medium Density Residential
HD	High Density Residential
EC 50	Employment Center 50 employees per acre
NC	Neighborhood Commercial
INST	Institutional

Village 4B



FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit B

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### List of Eligible Facilities

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The authorized costs of the eligible facilities include all those set forth in Section 53345.3 of the Act, and all costs necessary to administer any Debt, collect and administer the special taxes, and administer the Agency. The special taxes may be levied not only to pay current debt service on outstanding Debt, but also to accumulate funds for future debt service, to pay amounts delinquent on the Debt (or to become delinquent based upon past special tax delinquencies), to replenish the reserve fund to its proper level (or to reimburse payments to be made from the reserve fund based upon past special tax delinquencies), to pay authorized costs, to pay directly for any authorized facilities or to accumulate funds for that purpose. Special tax proceeds may be accumulated to pay debt service on Debt so long as such proceeds are handled in such a fashion as not to cause the Debt to become arbitrage bonds under the Tax Reform Act of 1986.

The following list of eligible facilities is classified into two groups, Primary Facilities, and Secondary Facilities. Funding for Secondary Facilities may only be authorized with remaining proceeds of the CFD after Primary Facilities have been constructed, paid for and accepted fully by the City or project is substantially complete and sufficient security exists to the satisfaction of the City in accordance with the Acquisition Agreement.

The list of secondary facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD. Conversely, if facilities eligible for reimbursement through fee programs are initially funded with CFD funds, as soon as funds are available from the particular fee program, the CFD shall be reimbursed with funds from the particular fee program. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

53-47

**Primary Facilities eligible to be financed with proceeds from the CFD (not listed in any specific order):**

- A. Excavation of the detention facility / lake. Construction of the detention facility / lake including clay liner, lake access ramps, and other necessary appurtenances. Construction of outfalls defined in the Master Drainage Plan for Westlake, including drainage pipes, manholes, junction box, cutoff walls, and other necessary appurtenances. Construction of drainage outlets including drainage pipes, manholes, junction box, headwalls, erosion control, and any other necessary appurtenances. Dewatering and measures to control groundwater during both construction and operation of the facilities. Land acquisition for the detention facility / lake, as determined by the appraisal for the lake. Habitat Conservation (HCP) fees for construction of the detention facility / lake. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.
- B. Trunk drain pipes and other appurtenances defined as common drainage facilities in the Westlake Master Drainage Plan for conveyance of storm drainage to the detention facility / lake, including manholes. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.

**Secondary Facilities eligible to be financed with remaining proceeds of the CFD (not listed in any specific order):**

- A. Construction of sanitary sewer trunk and interceptor lines, including pipes, manholes, and all necessary appurtenances.
- B. Construction of Del Paso Road from El Centro Road to the westerly property boundary (city limits) of the project and other major roads that are eligible for funding under the guidelines set forth in the City's Policies and Procedures for Use of Special Assessment and Mello Roos Community Facilities District Financing, as may be amended; improvements include clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping where appropriate, storm drainage facilities, street signs, street lights, widening at intersections, traffic signals, corridor landscaping and sound walls, major utility conduits, utility conduit crossings, right-of-way acquisition, and all necessary appurtenances to the mentioned roads.
- C. Neighborhood and community park landscaping, equipment, and facilities.
- D. Landscaping and soundwalls in landscape corridors, streetlights, and entryway signs and monuments in entryways along Del Paso Road.
- E. Public dry utilities (electric, telephone, natural gas, and CATV).

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- F. Habitat Conservation (HCP) fees required for construction of additional secondary facilities.
- G. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for additional secondary facilities.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

EXHIBIT C

WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento that is designated on the current (Fiscal Year 1999-2000) assessment roll of the County of Sacramento as the Assessor's Parcel Number indicated next to the undersigned's signature hereto, which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Proposed Boundaries of the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01," designated Exhibit A, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code,

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_


DATE ADOPTED: \_\_\_\_\_

5/6

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.


The undersigned hereby further agrees to accept either mailed service or personal service of the ballot, and the undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots pursuant to Section 53327.5 of the California Government Code, and the undersigned further waives any and all defects in notice or procedure in the conduct of such election, whether known or unknown (other than the right to have ballots accurately counted), and the undersigned hereby states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

Dated: \_\_\_\_\_, 2000

By   
(signature)

Thomas P. Winn, VP

(print name of Authorized Representative)

Lennar Homes of California, Inc.  


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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

57 53

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

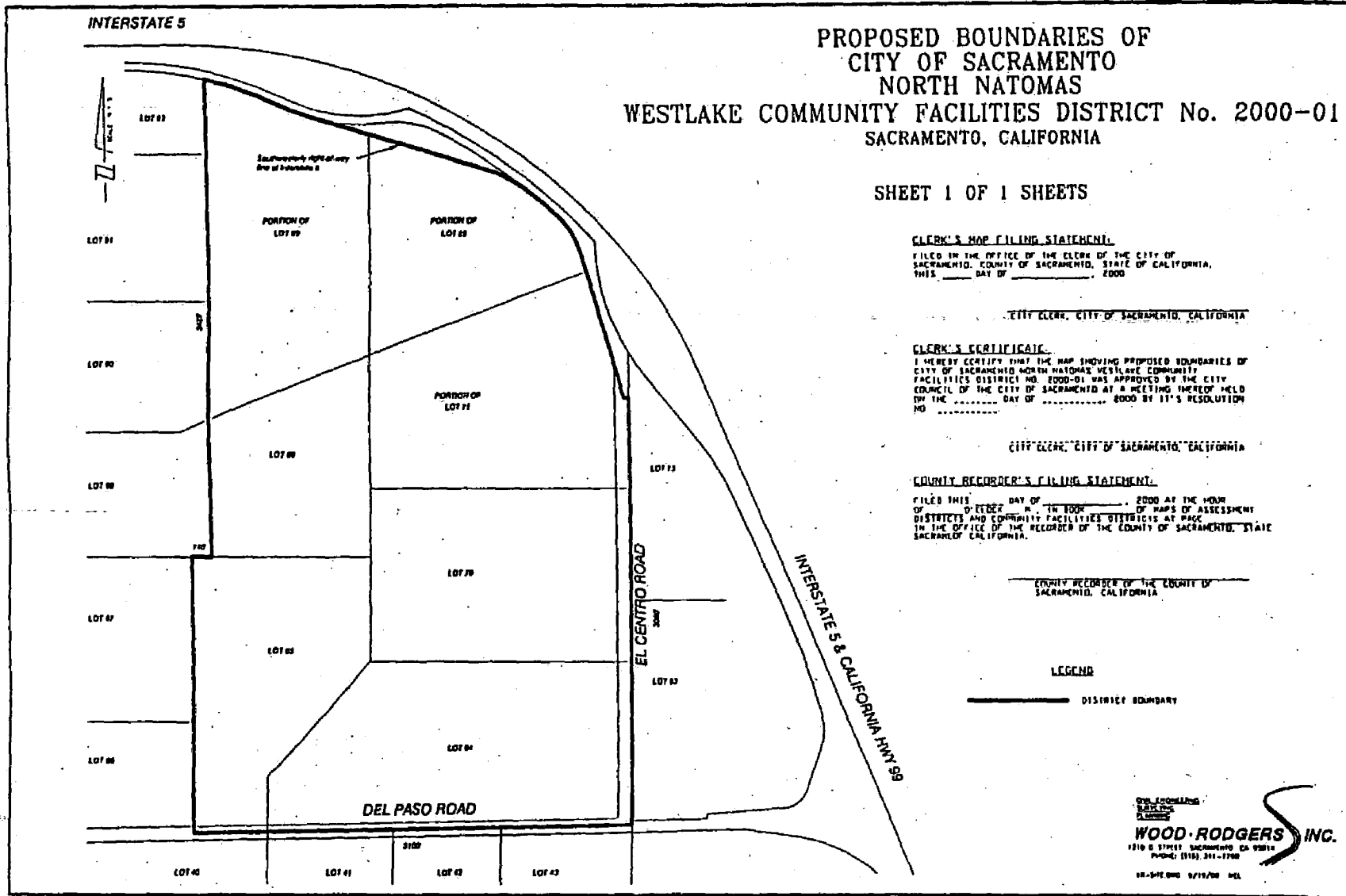
<u>NAME OF OWNER</u>	<u>SACRAMENTO COUNTY ASSESSOR'S PARCEL NUMBER</u>	<u>SIGNATURE</u>
Winncrest Natomas, LLC	That certain property situated in the State of California, County of Sacramento, County of Sacramento, City of Sacramento, described as follows: Parcels 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15, 16,17,18,19,20,21,22,23,24,25,28, 29,30,31,32 and Lots A,B,C,D,E,F,G,H and I as shown on the "Master Parcel Map of Westborough", filed June 14, 2000, in Book 158 of Parcel Maps, Map No. 1, Sacramento County Records	 By: Thomas P. Winn, VP Lennar Homes of California Inc 

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

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The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code,

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

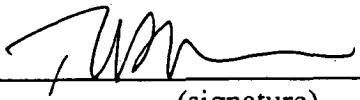
DATE ADOPTED: \_\_\_\_\_

6056

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

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Dated: \_\_\_\_\_, 2000

By   
(signature)

Thomas P. Winn, VP

(print name of Authorized Representative)  
Lennar Homes of California, Inc.  
Manager of LW1, LLC

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

0.1 57

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

NAME OF  
OWNER

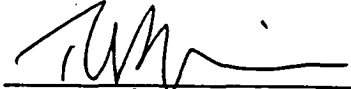
SACRAMENTO COUNTY  
ASSESSOR'S PARCEL NUMBER

SIGNATURE

LW1, LLC, a Delaware Ltd.  
Liability Company

That Certain property situated in  
the State of California, County of  
Sacramento, County of Sacramento,  
City of Sacramento, described as  
follows:

Parcel ~~23~~<sup>23</sup> as shown on the "Master  
Parcel Map of Westborough", Filed  
June 14, 2000, in book 158 of  
Parcel Maps, Map No. 1,  
Sacramento County Records

  
By: Thomas P. Winn, VP  
Lennar Homes of California  
Inc  
Manager of LW1, LLC

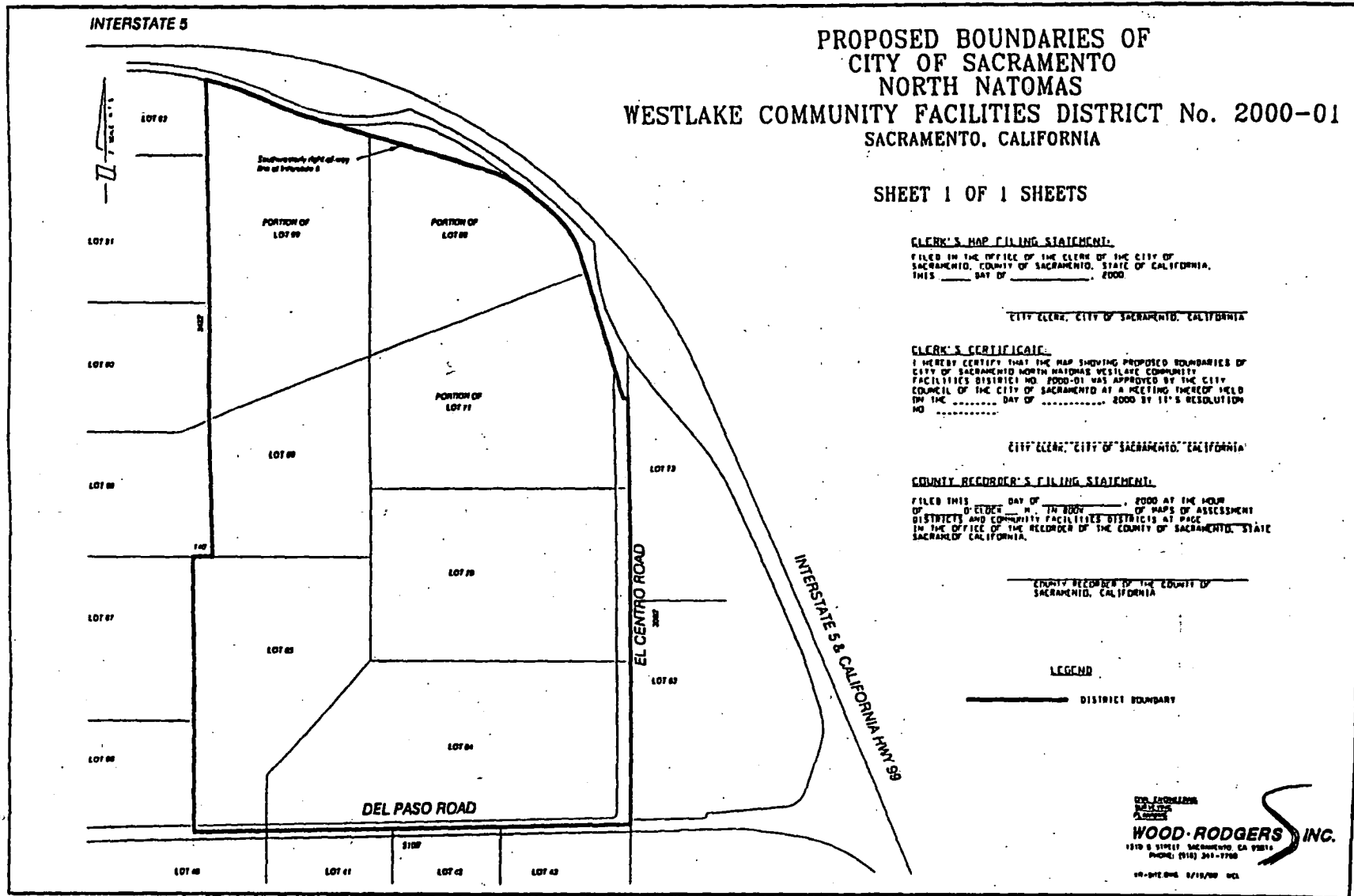
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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

62 - 58



FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento that is designated on the current (Fiscal Year 1999-2000) assessment roll of the County of Sacramento as the Assessor's Parcel Number indicated next to the undersigned's signature hereto, which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Proposed Boundaries of the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01," designated Exhibit A, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

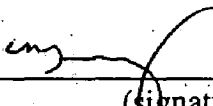
DATE ADOPTED: \_\_\_\_\_

64 60

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees to accept either mailed service or personal service of the ballot, and the undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots pursuant to Section 53327.5 of the California Government Code, and the undersigned further waives any and all defects in notice or procedure in the conduct of such election, whether known or unknown (other than the right to have ballots accurately counted), and the undersigned hereby states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

Dated: ✓ August 8, 2000

By ✓   
(signature)

Kenneth B. Murray  
(print name of Authorized Representative)

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

65-64

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

NAME OF  
OWNER

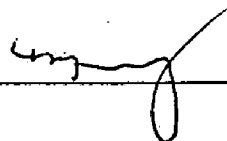
JTS Communities, a  
California Corporation

SACRAMENTO COUNTY  
ASSESSOR'S PARCEL NUMBER

That Certain property situated in  
the State of California, County of  
Sacramento, County of Sacramento,  
City of Sacramento, described as  
follows:

Parcel 26 as shown on the "Master  
Parcel Map of Westborough", Filed  
June 14, 2000, in book 158 of  
Parcel Maps, Map No. 1,  
Sacramento County Records

SIGNATURE



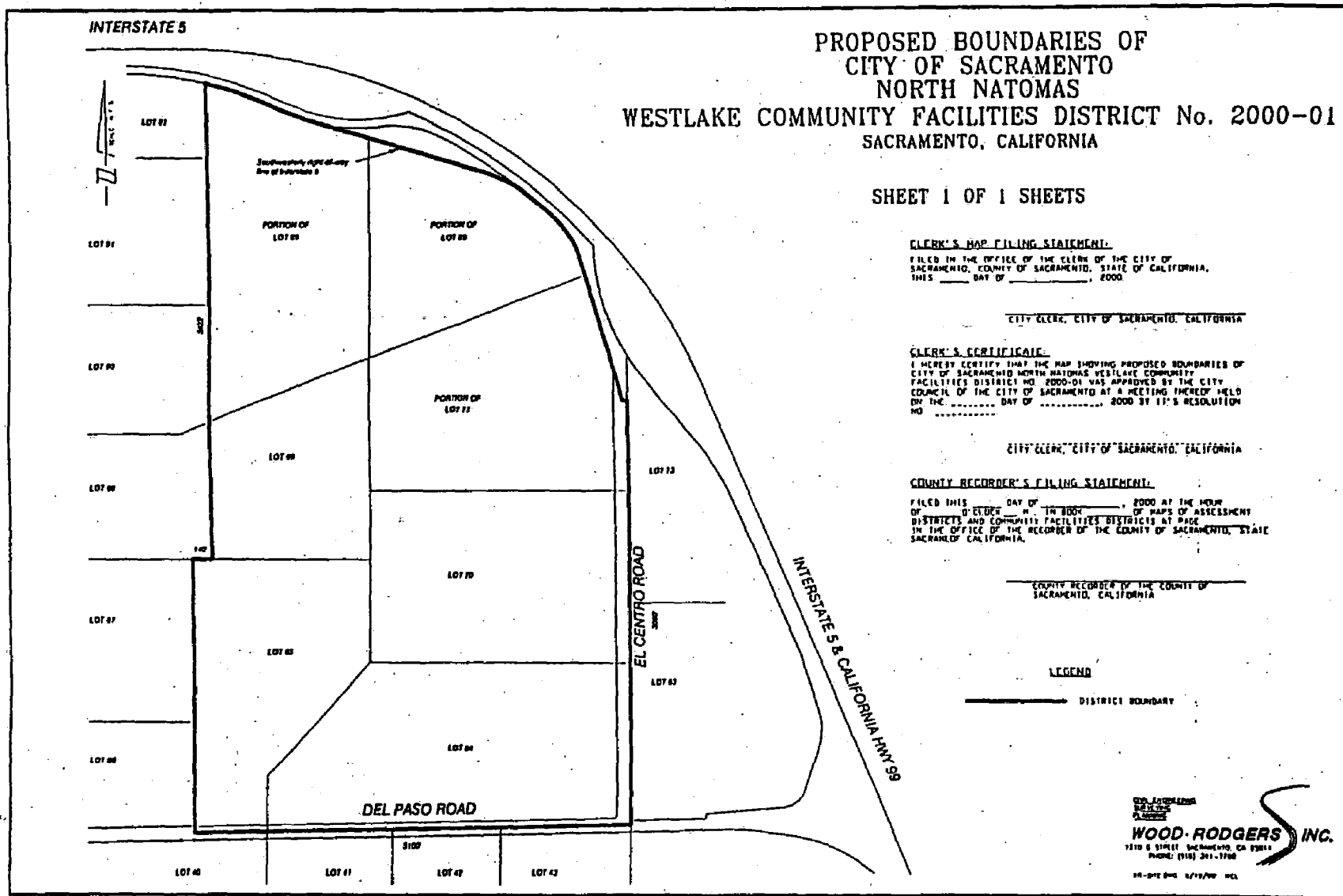
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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

66



FOR CITY CLERK USE ONLY

RESOLUTION NO.:

DATE ADOPTED:

67 49

CERTIFICATE OF CLERK  
RE WAIVER AND CONSENT

CITY OF SACRAMENTO NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01

Valerie A. Burrowes, being first duly sworn, deposes and says:

That she is now and at all times herein mentioned was the City Clerk of the City of Sacramento;

That she has examined the Certificate Relative to Voters filed in the proceedings on September 26, 2000, and in particular the list of landowner voters within the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 ("the Community Facilities District"); and

That she has received, and now has in her possession as a permanent part of the City's record of this special mailed-ballot election, waivers, in the form attached hereto as Exhibit 1 executed by all of the landowners listed on the attachment to the Certificate Relative to Voters, and in each case where a representative is acting for the property owner, she has in her possession written evidence of the authority of that representative to act for the owner.

*Valerie A. Burrowes*

City Clerk of the City of Sacramento

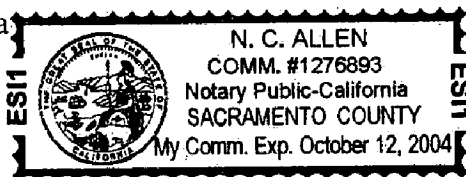
Subscribed and sworn to before me  
this 2nd day of ~~September~~, 2000.

*October NA.*

*N. C. Allen*

NOTARY PUBLIC  
State of California

[Notarial Seal]



## EXHIBIT 1

WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento that is designated on the current (Fiscal Year 1999-2000) assessment roll of the County of Sacramento as the Assessor's Parcel Number indicated next to the undersigned's signature hereto, which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Proposed Boundaries of the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01," designated Exhibit A, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

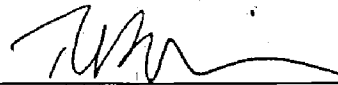
The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code,

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees to accept either mailed service or personal service of the ballot, and the undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots pursuant to Section 53327.5 of the California Government Code, and the undersigned further waives any and all defects in notice or procedure in the conduct of such election, whether known or unknown (other than the right to have ballots accurately counted), and the undersigned hereby states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

Dated: \_\_\_\_\_, 2000

By \_\_\_\_\_



(signature)

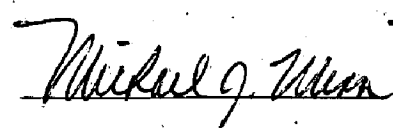
Thomas P. Winn, VP

(print name of Authorized Representative)

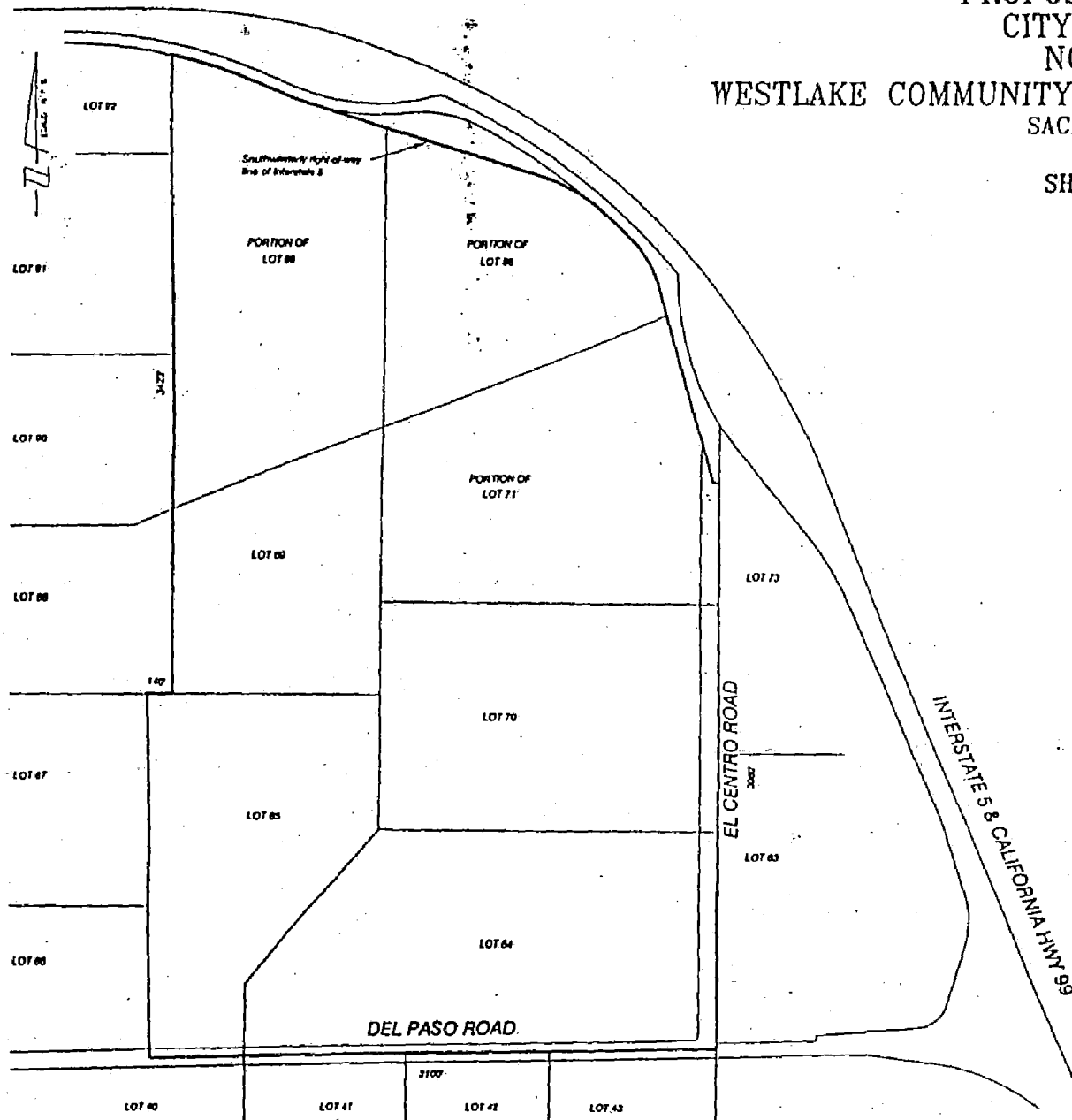
Lennar Homes of California, Inc.

\_\_\_\_\_  
[Redacted]

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

<u>NAME OF OWNER</u>	<u>SACRAMENTO COUNTY ASSESSOR'S PARCEL NUMBER</u>	<u>SIGNATURE</u>
Winncrest Natomas, LLC a Nevada Limited Liability Company	That certain property situated in the State of California, County of Sacramento, City of Sacramento, described as follows: Parcels 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15, 16,17,18,19,20,21,22,24,25, 28, 29,30,31,32 and Lots A,B,C,D,E,F,G,H and I as shown on the "Master Parcel Map of Westborough", filed June 14, 2000, in Book 158 of Parcel Maps, Map No. 1, Sacramento County Records	

INTERSTATE 5



PROPOSED BOUNDARIES OF  
CITY OF SACRAMENTO  
NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01  
SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000.

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_  
2000 BY IT'S RESOLUTION NO. \_\_\_\_\_

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

COUNTY RECORDER'S FILING STATEMENT:

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_ O'CLOCK \_\_\_\_ M., IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_  
IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
SACRAMENTO, CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIALEGEND

\_\_\_\_ DISTRICT BOUNDARY

The Spink Corporation

APPOINTMENT OF REPRESENTATIVE TO CAST BALLOT  
IN MAILED-BALLOT, LANDOWNER ELECTION

I [we], Winncrest Natomas, LLC

(print name[s])

declare: I [we] am [are] all of the owner[s] of that certain property situated in the State of California, County of Sacramento, County of Sacramento, City of Sacramento, described as follows, which is within the proposed boundaries of the City of Sacramento *North Natomas Westlake Community Facilities District No. 2000-01*, City of Sacramento, County of Sacramento, State of California (the "CFD").

Parcel 1.2.3.4.5.6.7.8.9.10.11.12.13.14.15.16.17.18.19.20.21.22 ~~23~~ 24.25.28.29.30.31.32

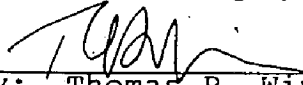
and Lots A.B.C.D.E.F.G.H and I as shown on the "Master Parcel Map of Westborough".

Filed June 14, 2000. in Book 158 of Parcel Maps. Map No. 1. Sacramento County

Records

I [we] hereby authorize Larry Gualco and/or Mike Winn  
to act in all respects for the listed property and for ourselves (including casting our votes, executing our ballot, and executing any waiver of election requirements other than our right to have the ballots fairly counted) with respect to the mailed-ballot, landowner election which has been called to determine whether the CFD shall be authorized to levy a special tax.

I [we] declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Appointment is signed by myself (each of us) on the date following my [each] signature.

 date: \_\_\_\_\_  
By: Thomas P. Winn, VP

Lennar Homes of California, Inc. date: \_\_\_\_\_  
[REDACTED]

\_\_\_\_\_ date: \_\_\_\_\_

\_\_\_\_\_ date: \_\_\_\_\_

\_\_\_\_\_ date: \_\_\_\_\_

EXHIBIT 1

WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

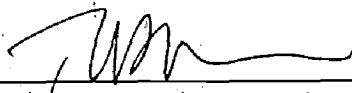
The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento that is designated on the current (Fiscal Year 1999-2000) assessment roll of the County of Sacramento as the Assessor's Parcel Number indicated next to the undersigned's signature hereto, which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Proposed Boundaries of the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01," designated Exhibit A, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code,

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees to accept either mailed service or personal service of the ballot, and the undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots pursuant to Section 53327.5 of the California Government Code, and the undersigned further waives any and all defects in notice or procedure in the conduct of such election, whether known or unknown (other than the right to have ballots accurately counted), and the undersigned hereby states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

Dated: \_\_\_\_\_, 2000

By   
(signature)

Thomas P. Winn, VP

(print name of Authorized Representative)  
Lennar Homes of California, Inc.  
Manager of LW1, LLC

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

NAME OF  
OWNER

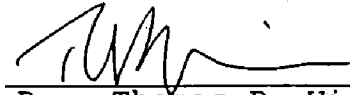
SACRAMENTO COUNTY  
ASSESSOR'S PARCEL NUMBER SIGNATURE

LW1, LLC, a Delaware Ltd.  
Liability Company

That Certain property situated in  
the State of California, County of  
Sacramento, County of Sacramento,  
City of Sacramento, described as

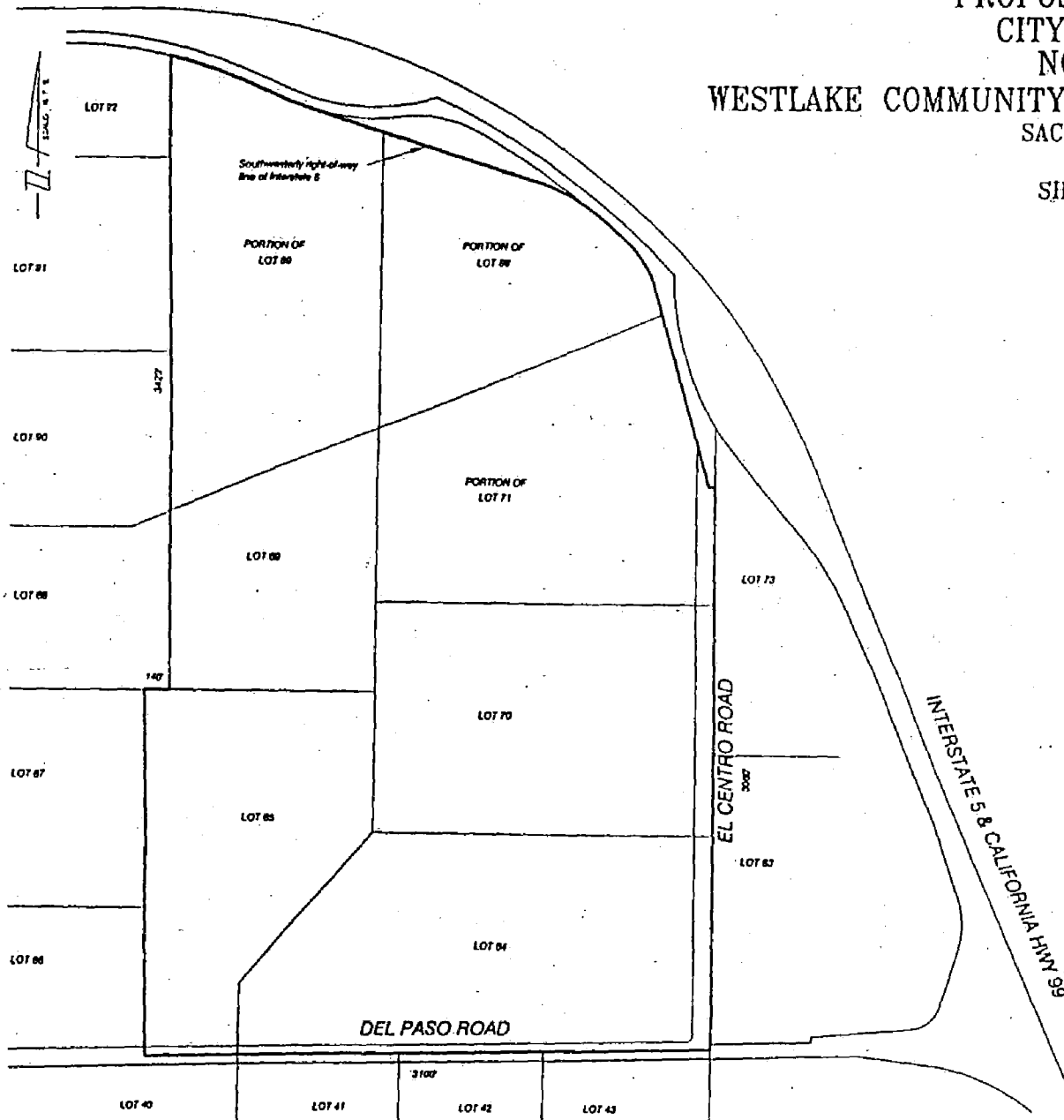
follows:

Parcel ~~23~~<sup>23</sup> as shown on the "Master  
Parcel Map of Westborough", Filed  
June 14, 2000, in book 158 of  
Parcel Maps, Map No. 1,  
Sacramento County Records



By: Thomas P. Winn, VP  
Lennar Homes of California,  
Inc.  
Manager of LW1, LLC

INTERSTATE 5



PROPOSED BOUNDARIES OF  
CITY OF SACRAMENTO  
NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01  
SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

CLERK'S MAP FILING STATEMENT

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000.

\_\_\_\_\_  
CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_  
2000 BY ITS RESOLUTION NO. \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

COUNTY RECORDER'S FILING STATEMENT

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_ M., IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE  
\_\_\_\_ IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
OF CALIFORNIA.

\_\_\_\_\_  
COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIA

LEGEND

\_\_\_\_\_  
DISTRICT BOUNDARY

**The Spink Corporation**

APPOINTMENT OF REPRESENTATIVE TO CAST BALLOT  
IN MAILED-BALLOT, LANDOWNER ELECTION

I [ we], LW1, LLC, a Delaware Ltd. Liability Company

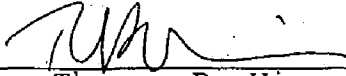
(print name[s])

declare: I [we] am [are] all of the owner[s] of that certain property situated in the State of California, County of Sacramento, County of Sacramento, City of Sacramento, described as follows, which is within the proposed boundaries of the City of Sacramento *North Natomas Westlake Community Facilities District No. 2000-01*, City of Sacramento, County of Sacramento, State of California (the "CFD").

<sup>23<sup>rd</sup></sup>  
Parcel ~~27~~<sup>23</sup> as shown on the "Master Parcel Map of Westborough", Filed June 14, 2000, in Book 158 of Parcel Maps, Map No. 1, Sacramento County Records

I [we] hereby authorize Larry Gualco and/or Mike Winn  
to act in all respects for the listed property and for ourselves (including casting our votes, executing our ballot, and executing any waiver of election requirements other than our right to have the ballots fairly counted) with respect to the mailed-ballot, landowner election which has been called to determine whether the CFD shall be authorized to levy a special tax.

I [we] declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Appointment is signed by myself (each of us) on the date following my [each] signature.

  
By: Thomas P. Winn, VP date: \_\_\_\_\_  
Lennar Homes of California, Inc. date: \_\_\_\_\_  
Manager of LW1, LLC date: \_\_\_\_\_  
date: \_\_\_\_\_  
date: \_\_\_\_\_  
date: \_\_\_\_\_

## EXHIBIT 1

**WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION**

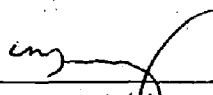
The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento that is designated on the current (Fiscal Year 1999-2000) assessment roll of the County of Sacramento as the Assessor's Parcel Number indicated next to the undersigned's signature hereto, which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Proposed Boundaries of the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01," designated Exhibit A, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code,

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

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Dated: August 8, 2000

By   
(signature)

Kenneth B. Murray  
(print name of Authorized Representative)

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

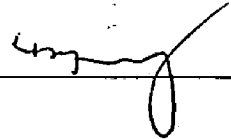
NAME OF  
OWNER

JTS Communities, a  
California Corporation

SACRAMENTO COUNTY  
ASSESSOR'S PARCEL NUMBER    SIGNATURE

That Certain property situated in  
the State of California, County of  
Sacramento, County of Sacramento,  
City of Sacramento, described as  
follows:

Parcel 26 as shown on the "Master  
Parcel Map of Westborough", Filed  
June 14, 2000, in book 158 of  
Parcel Maps, Map No. 1,  
Sacramento County Records

A handwritten signature in black ink, appearing to be "JTS", written over a horizontal line.

INTERSTATE 5

PROPOSED BOUNDARIES OF  
CITY OF SACRAMENTO  
NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01  
SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000.

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:

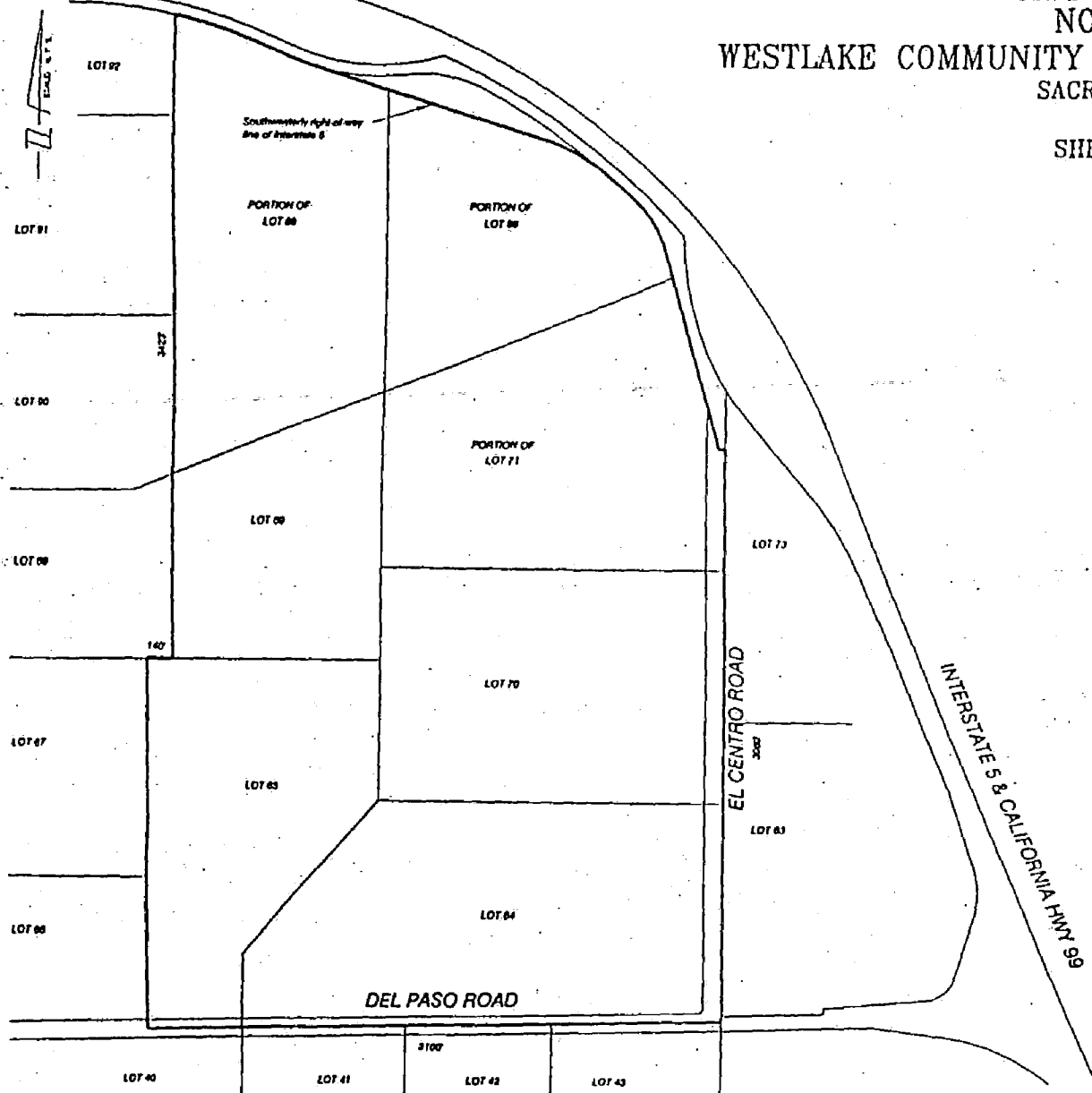
I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_  
2000 BY IT'S RESOLUTION NO. \_\_\_\_\_

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

COUNTY RECORDER'S FILING STATEMENT:

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_ O'CLOCK \_\_\_\_ M., IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_  
IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
SACRAMENTO, CALIFORNIA.

\_\_\_\_\_  
COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIA

LEGEND\_\_\_\_\_  
DISTRICT BOUNDARY

The Spink Corporation

APPOINTMENT OF REPRESENTATIVE TO CAST BALLOT  
IN MAILED-BALLOT, LANDOWNER ELECTION

I [ we], JTS Communities, a California Corporation

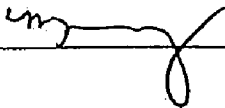
(print name[s])

declare: I [we] am [are] all of the owner[s] of that certain property situated in the State of California, County of Sacramento, County of Sacramento, City of Sacramento, described as follows, which is within the proposed boundaries of the City of Sacramento *North Natomas Westlake Community Facilities District No. 2000-01*, City of Sacramento, County of Sacramento, State of California (the "CFD").

Parcel 26 as shown on the "Master Parcel Map of Westborough", Filed June 14, 2000, in Book 158 of Parcel Maps, Map No. 1, Sacramento County Records

I [we] hereby authorize Larry Gualco and/or Mike Winn  
to act in all respects for the listed property and for ourselves (including casting our votes, executing our ballot, and executing any waiver of election requirements other than our right to have the ballots fairly counted) with respect to the mailed-ballot, landowner election which has been called to determine whether the CFD shall be authorized to levy a special tax.

I [we] declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Appointment is signed by myself (each of us) on the date following my [each] signature.

✓ 

date: ✓ 8-8-00

date:

date:

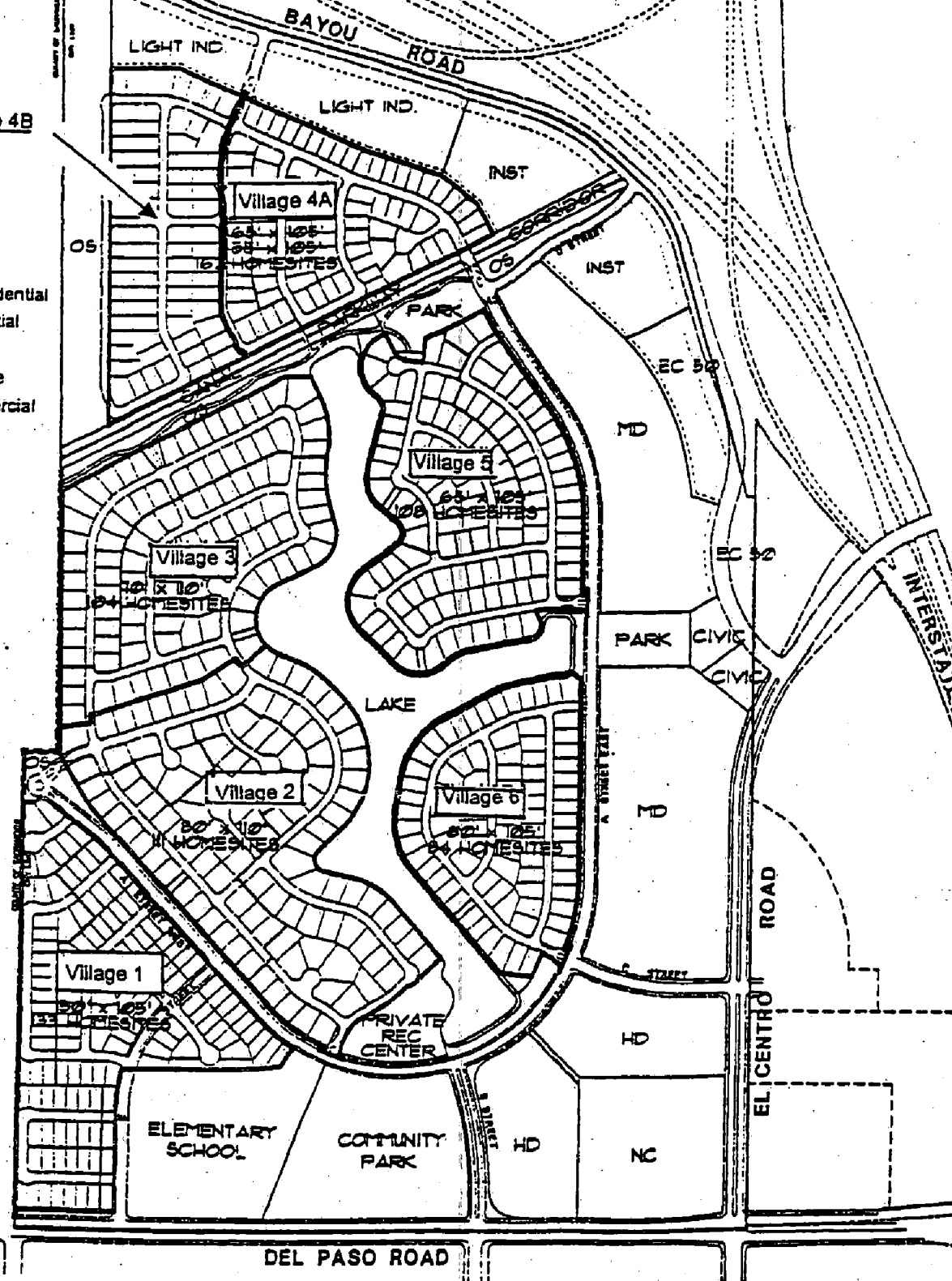
date:

# Map 1

## Zoning Code

OS	Open Space
LIGHT IND	Light Industrial
MD	Medium Density Residential
HD	High Density Residential
EC 50	Employment Center 50 employees per acre
NC	Neighborhood Commercial
INST	Institutional

Village 4B



FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

## Exhibit B

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### List of Eligible Facilities

---

The authorized costs of the eligible facilities include all those set forth in Section 53345.3 of the Act, and all costs necessary to administer any Debt, collect and administer the special taxes, and administer the Agency. The special taxes may be levied not only to pay current debt service on outstanding Debt, but also to accumulate funds for future debt service, to pay amounts delinquent on the Debt (or to become delinquent based upon past special tax delinquencies), to replenish the reserve fund to its proper level (or to reimburse payments to be made from the reserve fund based upon past special tax delinquencies), to pay authorized costs, to pay directly for any authorized facilities or to accumulate funds for that purpose. Special tax proceeds may be accumulated to pay debt service on Debt so long as such proceeds are handled in such a fashion as not to cause the Debt to become arbitrage bonds under the Tax Reform Act of 1986.

The following list of eligible facilities is classified into two groups, Primary Facilities, and Secondary Facilities. Funding for Secondary Facilities may only be authorized with remaining proceeds of the CFD after Primary Facilities have been constructed, paid for and accepted fully by the City or project is substantially complete and sufficient security exists to the satisfaction of the City in accordance with the Acquisition Agreement.

The list of secondary facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") and the Citywide Park Fee Program ("CPFP") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD.

The CFD may finance all or a portion of fees to be paid to the City pursuant to fee programs; the City will, in turn, use the proceeds from such fees to construct the subject secondary facility, e.g., Westlake Park. If the property owner constructs the facility otherwise to have been funded by the fee program, the fee program will reimburse the property owner for the cost of construction.

If the CFD finances all or a portion of the fees to be paid to a fee program, the city will acknowledge payment of such fees by appropriate written document.

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

**Primary Facilities eligible to be financed with proceeds from the CFD (not listed in any specific order):**

- A. Excavation of the detention facility / lake. Construction of the detention facility / lake including clay liner, lake access ramps, and other necessary appurtenances. Construction of outfalls defined in the Master Drainage Plan for Westlake, including drainage pipes, manholes, junction box, cutoff walls, and other necessary appurtenances. Construction of drainage outlets including drainage pipes, manholes, junction box, headwalls, erosion control, and any other necessary appurtenances. Dewatering and measures to control groundwater during both construction and operation of the facilities. Land acquisition for the detention facility / lake, as determined by the appraisal for the lake. Habitat Conservation (HCP) fees for construction of the detention facility / lake. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.
- B. Trunk drain pipes and other appurtenances defined as common drainage facilities in the Westlake Master Drainage Plan for conveyance of storm drainage to the detention facility / lake, including manholes. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.

**Secondary Facilities eligible to be financed with remaining proceeds of the CFD (not listed in any specific order):**

- A. Construction of sanitary sewer trunk and interceptor lines, including pipes, manholes, and all necessary appurtenances.
- B. Construction of Del Paso Road from El Centro Road to the westerly property boundary (city limits) of the project and other major roads that are eligible for funding under the guidelines set forth in the City's Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing, as may be amended; improvements include clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping where appropriate, storm drainage facilities, street signs, street lights, widening at intersections, traffic signals, corridor landscaping and sound walls, major utility conduits, utility conduit crossings, right-of-way acquisition, and all necessary appurtenances to the mentioned roads.
- C. Neighborhood and community park landscaping, equipment, and facilities.

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- D. Landscaping and soundwalls in landscape corridors, streetlights, and entryway signs and monuments in entryways along Del Paso Road.
- E. Public dry utilities (electric, telephone, natural gas, and CATV).
- F. Habitat Conservation (HCP) fees required for construction of additional secondary facilities.
- G. Development Impact Fees, the proceeds of which will be used to finance Eligible Facilities, including but not limited to, North Natomas Public Facilities Fees and Citywide Park Facilities Fees.
- H. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for additional secondary facilities.

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

INTERSTATE 5

PROPOSED BOUNDARIES OF  
CITY OF SACRAMENTO  
NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01  
SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000.

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:

THEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_  
2000 BY IT'S RESOLUTION NO. \_\_\_\_\_

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

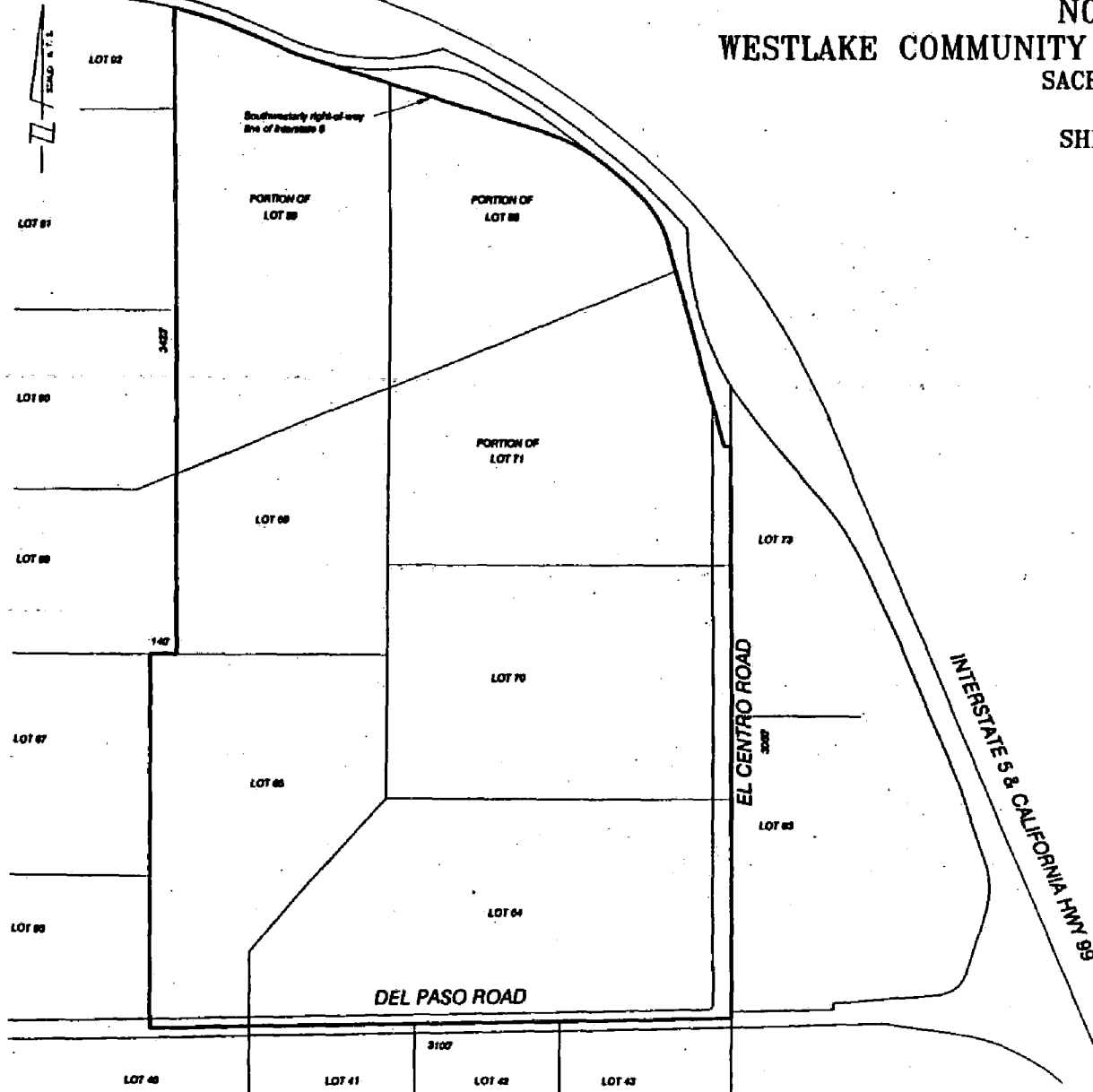
COUNTY RECORDER'S FILING STATEMENT:

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_ O'CLOCK \_\_\_\_ M., IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_  
IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIA

LEGEND

\_\_\_\_ DISTRICT BOUNDARY



The Spink Corporation

21,001,5000-51,51250075,01-912,000 APR 11, 2000 1:00

EXHIBIT C

## Exhibit A

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

## RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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### 1. BASIS OF SPECIAL TAX LEVY

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in the City of Sacramento (the "City") North Natomas Westlake Community Facilities District No. 2000-01 (the "CFD") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

### 2. DEFINITIONS

"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 determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants, legal counsel, corporate bond-paying agents, fiscal agents, and bond trustees; the costs of collecting installments of the Special Taxes upon the general tax rolls; cost of arbitrage calculation and arbitrage rebates, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"Anticipated Construction Proceeds" means \$8,800,000 from issuance of bonds.

"Annual Costs" means, for any Fiscal Year, the total of (i) Debt Service for the Calendar Year commencing January 1 of such Fiscal Year through December 31 of the following Fiscal Year; (ii) Administrative Expenses for such Fiscal Year; (iii) any amounts needed to replenish any bond reserve fund for bonds of the City issued for the CFD to the level required under the documents pursuant to which such bonds were issued; (iv) an amount equal to the amount of delinquencies in payments of Special Taxes levied in the previous Fiscal Year and an amount for anticipated delinquencies for the current Fiscal Year; (v) pay-as-you-go expenditures for authorized facilities to be constructed or acquired by the CFD, less any credit from earnings on the bond reserve fund, less any reimbursements, and/or less any grants/other project funding.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Facilities"** means those improvements, as listed in the Resolution forming the CFD.

**"Base Year"** means Fiscal Year 2000-2001.

**"Benefit Share"** means the Maximum Annual Special Tax for a Taxable Parcel divided by the Maximum CFD Revenue.

**"Bond Year"** means the 12-month period ending on the second bond payment date of each calendar year as defined in the resolution authorizing the issuance of bonds.

**"CFD"** means the City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01.

**"City"** means City of Sacramento, California.

**"Council"** means the City Council of the City acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Debt Service"** means for each Fiscal Year or Bond Year, the total amount of principal and interest payable for any bonds or notes of the CFD during that Fiscal Year or Bond Year, less any applicable credits that may be available from any other sources available to the City to pay principal and interest for the previous or current Fiscal Year or Bond Year.

**"Development Year"** means the Fiscal Year in which the Parcel changes classification from Master Parcel Map to Final Subdivision Map Parcel.

**"Estimated Net Acreage"** means the actual Net Acreage of a Parcel or an approximation of the Net Acreage by the City based upon the total gross developable acres less an allowance for minor streets of a Parcel as indicated in the North Natomas Community Plan.

**"Final Subdivision Map"** means a recorded map designating the final Parcel splits for individual single-family residential Parcels.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Individual Lot"** means a buildable area of land created by a final subdivision map for the purpose of building a single-family residential dwelling unit.

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DATE ADOPTED: \_\_\_\_\_

**"Low-Density Residential Parcel"** means a Taxable Parcel with an approved land use for a single-family-detached residential dwelling unit that lies within a specific Residential Village as shown on Map 1.

**"Master Parcel Map"** means a map that subdivides large tracts of land into smaller Parcels for the purpose of selling or otherwise transferring the Parcels for further subdivision in accordance with City procedures, or for the purpose of securing financing, together with planning and construction of infrastructure elements, but not for the purpose of creating either individual residential lots for sale to end-user homeowners, and not for the purpose of allowing construction or other improvements on Non-Residential Parcels.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Taxable Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the relevant acres or units of the Taxable Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a given Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Taxable Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Maximum Annual CFD Revenue"** means the sum of the Maximum Annual Special Tax for all of the Taxable Parcels in the CFD.

**"Medium-Density Residential Parcel"** means a single family residential Parcel on Map 1 designated as medium density by the City according the North Natomas Community Plan.

**"Net Acre"** is the area of a Parcel associated with residential and non-residential uses after dedication of all public uses and rights-of-way.

**"Non-Residential Parcel"** means a Taxable Parcel designated for retail, commercial, office, industrial, institutional, or similar use as defined in the North Natomas Community Plan.

**"Other Residential Parcel"** means a Taxable Parcel with an approved land use for other than Low-Density Residential Parcel or Medium Density Residential Parcel, such as three or more attached residential units owned in common. If Low Density or Medium-Density Residential Parcels are created that are not consistent with the village shown in Map 1, these Parcels will be classified as Other Residential Parcels.

**"Outstanding Bonds"** means the total principal amount of bonds that have been issued by the CFD and not retired or defeased.

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DATE ADOPTED: \_\_\_\_\_

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**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Prepayment"** means the permanent satisfaction of the entire Special Tax obligation for one or more Parcels by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6. Prepayment may occur before or after the initial bond sale, with differing criteria.

**"Prepayment Parcel"** means a Parcel that has permanently satisfied the entire Special Tax obligation by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6.

**"Public Parcel"** means any Parcel, in its entirety, that is or is intended to be publicly owned as designated by the City that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways including drainage basins, lakes, public landscaping, wetlands, greenbelts, and public open space. These Parcels are exempt from the levy of Special Taxes as described below. Any such Parcel shall be a Tax-Exempt Parcel, except for Taxable Parcels that are acquired by a public agency, in which case the Special Tax obligation for such Parcels shall be required to be permanently satisfied pursuant to Sections 53317.3 and 53317.5 of the Government Code by the procedure described in Section 6.

**"Remaining Facility Cost Share"** means the Total Facility Cost Share for a Parcel less facility costs funded through CFD bonds or on a pay-as-you-go basis.

**"Residential Village"** means a designated geographic area within the Master Parcel Map containing residential development. The village designations are either Village 1, Village 2, Village 3, Village 4A, Village 4B, Village 5, or Village 6, as shown on Map 1.

**"Reserve Fund"** means the total amount held in the bond reserve funds by the City for all Outstanding Bonds.

**"Reserve Fund Share"** means the lesser of (i) the reserve requirement on all Outstanding Bonds, or (ii) the Reserve Fund balance on all Outstanding Bonds, multiplied by the Benefit Share for a given Parcel.

**"Special Tax(es)"** mean(s) any tax levy under the Act.

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

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_ 21

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels include: (i) Public Parcels (subject to the limitations set forth in Section 4, below), (ii) Prepayment Parcels, and (iii) Parcels that are open space, recreation, clubhouse etc, owned by a Condominium or Home Owners Association. Certain non-developable privately owned Parcels may also be exempt from the levy of Special Taxes as determined by the City such as common areas, wetlands, and open space.

**"Tentative Subdivision Map"** means a tentative subdivision map defined under the California Subdivision Map Act and Title 40 of the Sacramento City Code.

**"Total Facility Cost Share"** means the Benefit Share for a Parcel multiplied by the Anticipated Construction Proceeds for the CFD.

### 3. TERMINATION OF THE SPECIAL TAX

The Special Tax will be levied on and collected from Taxable Parcels in the CFD for as long as needed to pay the principal and interest on debt for the Bonds issued to fund Authorized Facilities. However, in no event shall the Special Tax be levied after Fiscal Year 2029-30.

When all of the bonds issued to pay for Authorized Facilities have been retired, the Special Tax shall cease to be levied. The City shall 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.

### 4. ASSIGNMENT OF MAXIMUM ANNUAL SPECIAL TAX

A. **Classification of Parcels.** By May 1 of each Fiscal Year, using the Definitions above, the Parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall cause:

1. Each Parcel to be classified as a Tax-Exempt Parcel or Taxable Parcel.
2. Each Taxable Parcel to be further classified as a Low-Density Residential Parcel, Medium-Density Residential Parcel, Other Residential Parcel, or Non-Residential Parcel.
3. Each Low-Density Residential Parcel to be identified according to its Residential Village.

B. **Assignment of Maximum Annual Special Tax.** The City shall assign the appropriate Maximum Annual Special Tax to each Taxable Parcel as follows:

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_ 22

1. Low-Density Residential Parcels (identified on Map 1)

The Maximum Annual Special Tax Rate for a Low-Density Residential Parcel within a Residential Village is shown on Attachment 1.

2. Medium-Density Residential Parcels

For Medium-Density Residential Parcels, the Maximum Annual Special Tax will be calculated by the following steps:

- a) Prior to Subdivision into Individual Lots—Calculate the Maximum Annual Special Tax Revenue by multiplying the Net Acres for the Medium-Density Residential Parcel by the Maximum Annual Special Tax per acre shown on Attachment 1.
- b) Following Subdivision into Individual Lots—Divide the Maximum Annual Special Tax from a) above by the total number of Individual Lots created in the Final Subdivision Map or Master Parcel Map to arrive at the Maximum Annual Special Tax per Individual Lot.

3. Other Residential and Non-Residential Parcels

Calculate the Maximum Annual Special Tax for Other Residential Parcels, and Non-Residential Parcels by multiplying the Maximum Annual Special Tax per Net Acre, as shown on Attachment 1, by the Net Acres for the Parcel. Other Residential Parcels that are created as condominiums or Individual Lots will have the Maximum Annual Special Tax per Parcel calculated according the procedures in 4.a. and 4.b. above.

- C. Conversion of a Public Parcel to a Taxable Parcel. If a Public Parcel is not needed for public use and is converted to a taxable use, it shall become subject to the Special Tax. The Maximum Annual Special Tax for such a Parcel shall be assigned according to Section 4.A and Section 4.B above.

- D. Taxable Parcels Acquired by a Public Agency — A Taxable Parcel that is acquired by a public agency after the CFD is formed will remain subject to the applicable Special Tax unless the Special Tax obligation is satisfied pursuant to Section 53317.5 of the Government Code. An exception to this may be made if a Public Parcel within the CFD is relocated to a Taxable Parcel, the previously Tax-Exempt Parcel of comparable acreage becomes a Taxable Parcel, and the Maximum Special Tax from the previously Taxable Parcel is transferred to the newly Taxable Parcel. This trading of Parcels will be permitted to the extent that there is no net loss in Maximum CFD Revenue.

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DATE ADOPTED: \_\_\_\_\_ 23

## 5. CALCULATING ANNUAL SPECIAL TAX LEVY

The City shall compute the Annual Costs for each land use category, and determine the Maximum Annual Special Tax for each Parcel based on the assignment in the Special Tax in Section 4. The City will then determine the tax levy for each Parcel using the following process:

- A. Compute the Annual Costs using the definitions in Section 2.
- B. Calculate the Maximum CFD Revenue by taxing each Taxable Parcel at 100% of its Maximum Annual Special Tax (Attachment 2 shows the estimated maximum special tax revenues at buildout based on the Base Year tax rates). If revenues are greater than the Annual Costs, reduce the tax proportionately until the tax levy is set at an amount sufficient to cover Annual Costs.
- C. Levy on each Taxable Parcel the amount calculated above.
- D. Prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall 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.

## 6. PREPAYMENT OF SPECIAL TAX OBLIGATION

With a Prepayment, a landowner may permanently satisfy the Special Tax obligation for one or more Parcels. By exercising the right to Prepayment, a landowner can eliminate the future annual Special Tax liability for one or more Parcels.

Prepayment is permitted only under the following conditions:

- The City determines that the Prepayment does not jeopardize the ability to make timely payments of Debt Service on outstanding bonds.
- Any landowner who wishes to exercise the right to a Prepayment for a Parcel must pay any and all delinquent Special Taxes and penalties.
- Prepayment shall be made on or before June 1 in order to prevent the levy of special taxes due during the Fiscal Year beginning July 1.

The total Prepayment amount will include the Parcel's proportionate share of all estimated costs necessary to construct the Authorized Facilities (the "base Prepayment amount") plus any additional administrative and financing costs necessary to redeem bonds and calculate the Prepayment. These calculations are described below.

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DATE ADOPTED: \_\_\_\_\_ 24

## CALCULATE PREPAYMENT AMOUNT

### Part A: Prepayment of Outstanding Bond Share

- Step A.1: Determine the Maximum Special Tax for the Parcel based on the assignment of the Maximum Special Tax described in Section 4 above.
- Step A.2: Determine the Benefit Share by dividing the Maximum Special Tax determined in Step A.1 by the Maximum CFD Revenue for all Parcels in the CFD.
- Step A.3: Determine the Bond Share for the Parcel by multiplying the Benefit Share From Step A.2 by the total amount of Outstanding Bonds issued by the CFD.
- Step A.4: Calculate the Reserve Fund Share associated with the Bond Share determined in Step A.3 and reduce the Bond Share by the amount of the Reserve Fund Share. The Reserve Fund Share is equal to the reserve requirement on all outstanding bonds multiplied by the Benefit Share. At the City's discretion, the Reserve Fund Share may be withheld from the Prepayment calculation and refunded to the Prepaying landowner at the time that bonds are called.
- Step A.5: Determine the Outstanding Bond Share by adding to the amount calculated in Step A.4 any fees, call premiums, amounts necessary to cover negative arbitrage from the date of the prepayment to first call date on the bonds, and expenses incurred by the City in connection with the prepayment calculation or the application of the proceeds of the prepayment.

### Part B. Remaining Facility Cost Share

- Step B.1: Determine the Total Facility Cost Share for the Parcel by multiplying the Benefit Share from Part A, Step A.2 above by the Anticipated Construction Proceeds.
- Step B.2: Determine the share of facilities funded by bonds already issued by the CFD for the Parcel by multiplying the Benefit Share by the construction proceeds made available from all such bonds issued by the CFD. These amounts shall be adjusted to the year of Prepayment by using the Engineering News Record Construction Cost Index.
- Step B.3: Determine the share of facilities already funded by Special Tax revenues on a pay-as-you-go basis by multiplying the Benefit Share by the total amount of pay-as-you-go funding used to acquire authorized facilities.
- Step B.4: Determine the Remaining Facility Cost Share for the Parcel by subtracting the results from Steps B.2 and B.3 from the Total Facility Cost Share determined in Step B.1. (Notwithstanding the above, once the City has funded all authorized

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DATE ADOPTED: \_\_\_\_\_

CFD facilities, the Remaining Facility Cost Share shall be set to zero for purposes of this prepayment calculation.)

Step B.5 Combine the amount from Part A Step A.5 with the amount from Part B Step B.4 to arrive at the Full Prepayment amount.

## 7. RECORDS MAINTAINED FOR THE CFD

As development and subdivision of North Natomas takes place, the City will maintain a file containing records of the following information for each Parcel:

- the current Parcel Number,
- the Residential Village in which a Low-Density Residential Parcel lies,
- the Parcel acreage (gross, gross developable or net),
- the Maximum Annual Special Taxes which applied in each Fiscal Year,
- the authorized Special Taxes levied in each Fiscal Year; and
- the Development Year.

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

## 8. APPEALS

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the City appealing the levy of the Special Tax. The City will then promptly review the appeal, and if necessary, meet with the applicant. If the City verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall 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, the classification of properties or any definition applicable to the CFD.

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DATE ADOPTED: \_\_\_\_\_ 26

Attachment 1  
North Natomas Westlake CFD No. 2000-01  
Maximum Special Taxes

Fiscal Year Ending	Low-Density Residential							Medium-Density Residential	Other Residential & Non-Residential
	Village 1	Village 2	Village 3	Village 4A	Village 4B	Village 5	Village 6		
	<i>Per unit</i>							[1] <i>Per net acre</i>	<i>Per net acre</i>
2001	\$620	\$1,160	\$1,010	\$720	\$920	\$920	\$830	\$3,600	\$3,600
2002	\$632	\$1,183	\$1,030	\$734	\$938	\$938	\$847	\$3,672	\$3,672
2003	\$645	\$1,207	\$1,051	\$749	\$957	\$957	\$864	\$3,745	\$3,745
2004	\$658	\$1,231	\$1,072	\$764	\$976	\$976	\$881	\$3,820	\$3,820
2005	\$671	\$1,256	\$1,093	\$779	\$996	\$996	\$898	\$3,897	\$3,897
2006	\$685	\$1,281	\$1,115	\$795	\$1,016	\$1,016	\$916	\$3,975	\$3,975
2007	\$698	\$1,306	\$1,137	\$811	\$1,036	\$1,036	\$935	\$4,054	\$4,054
2008	\$712	\$1,332	\$1,160	\$827	\$1,057	\$1,057	\$953	\$4,135	\$4,135
2009	\$726	\$1,359	\$1,183	\$844	\$1,078	\$1,078	\$972	\$4,218	\$4,218
2010	\$741	\$1,386	\$1,207	\$860	\$1,099	\$1,099	\$992	\$4,302	\$4,302
2011	\$756	\$1,414	\$1,231	\$878	\$1,121	\$1,121	\$1,012	\$4,388	\$4,388
2012	\$771	\$1,442	\$1,256	\$895	\$1,144	\$1,144	\$1,032	\$4,476	\$4,476
2013	\$786	\$1,471	\$1,281	\$913	\$1,167	\$1,167	\$1,053	\$4,566	\$4,566
2014	\$802	\$1,501	\$1,307	\$931	\$1,190	\$1,190	\$1,074	\$4,657	\$4,657
2015	\$818	\$1,531	\$1,333	\$950	\$1,214	\$1,214	\$1,095	\$4,750	\$4,750
2016	\$834	\$1,561	\$1,359	\$969	\$1,238	\$1,238	\$1,117	\$4,845	\$4,845
2017	\$851	\$1,592	\$1,387	\$988	\$1,263	\$1,263	\$1,139	\$4,942	\$4,942
2018	\$868	\$1,624	\$1,414	\$1,008	\$1,288	\$1,288	\$1,162	\$5,041	\$5,041
2019	\$886	\$1,657	\$1,443	\$1,028	\$1,314	\$1,314	\$1,185	\$5,142	\$5,142
2020	\$903	\$1,690	\$1,471	\$1,049	\$1,340	\$1,340	\$1,209	\$5,245	\$5,245
2021	\$921	\$1,724	\$1,501	\$1,070	\$1,367	\$1,367	\$1,233	\$5,349	\$5,349
2022	\$940	\$1,758	\$1,531	\$1,091	\$1,394	\$1,394	\$1,258	\$5,456	\$5,456
2023	\$959	\$1,793	\$1,561	\$1,113	\$1,422	\$1,422	\$1,283	\$5,566	\$5,566
2024	\$978	\$1,829	\$1,593	\$1,135	\$1,451	\$1,451	\$1,309	\$5,677	\$5,677
2025	\$997	\$1,866	\$1,625	\$1,158	\$1,480	\$1,480	\$1,335	\$5,790	\$5,790
2026	\$1,017	\$1,903	\$1,657	\$1,181	\$1,509	\$1,509	\$1,362	\$5,906	\$5,906
2027	\$1,038	\$1,941	\$1,690	\$1,205	\$1,540	\$1,540	\$1,389	\$6,024	\$6,024
2028	\$1,058	\$1,980	\$1,724	\$1,229	\$1,570	\$1,570	\$1,417	\$6,145	\$6,145
2029	\$1,079	\$2,020	\$1,758	\$1,254	\$1,602	\$1,602	\$1,445	\$6,268	\$6,268
2030	\$1,101	\$2,060	\$1,794	\$1,279	\$1,634	\$1,634	\$1,474	\$6,393	\$6,393

[1] Medium-Density Residential Maximum Annual Special Taxes per unit are determined when a Parcel records a Final Subdivision Map.

Note: Tax Rates are escalated annually at 2%.

FOR CITY CLERK USE ONLY

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

DATE ADOPTED: \_\_\_\_\_

**Attachment 2**  
**North Natomas Westlake CFD No. 2000-01**  
**Base Year Estimated Maximum Special Tax Revenue**

Item	Net Acres	Units	Median Lot Size (sq. ft.)	Maximum Special Tax Rate per Unit/Acre (Base Year 2000-01)		Estimated Maximum Special Tax Revenue
<b>Low Density Residential</b>						
Village 1	19.1	133	5,250	\$620	per unit	\$82,460
Village 2	31.6	111	8,800	\$1,160	per unit	\$128,760
Village 3	26.5	104	7,700	\$1,010	per unit	\$105,040
Village 4A	17.6	86	5,775	\$720	per unit	\$61,920
Village 4B	15.6	76	6,825	\$920	per unit	\$69,920
Village 5	25.0	108	6,825	\$920	per unit	\$99,360
Village 6	17.5	84	6,300	\$830	per unit	\$69,720
Subtotal Low Density	152.9	702				
Medium Density Residential	30.5			\$3,600	per net acre	\$109,800
Other Residential & Non-Residential	45.5			\$3,600	per net acre	\$163,800
<b>TOTAL</b>	<b>228.9</b>	<b>702</b>				<b>\$890,780</b>

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

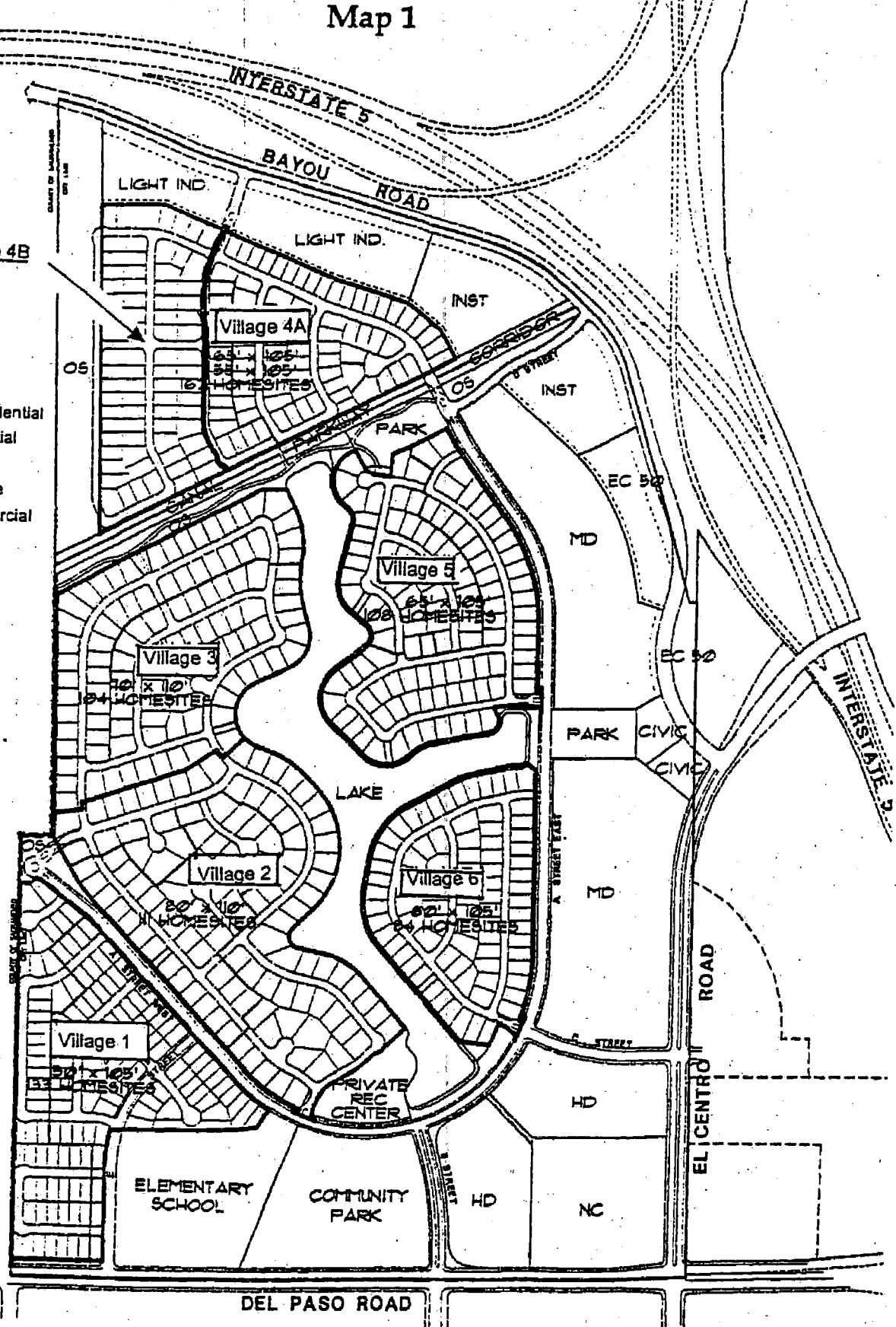
DATE ADOPTED: \_\_\_\_\_

# Map 1

## Zoning Code

OS	Open Space
LIGHT IND	Light Industrial
MD	Medium Density Residential
HD	High Density Residential
EC 50	Employment Center 50 employees per acre
NC	Neighborhood Commercial
INST	Institutional

Village 4B



FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit B

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### List of Eligible Facilities

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The authorized costs of the eligible facilities include all those set forth in Section 53345.3 of the Act, and all costs necessary to administer any Debt, collect and administer the special taxes, and administer the Agency. The special taxes may be levied not only to pay current debt service on outstanding Debt, but also to accumulate funds for future debt service, to pay amounts delinquent on the Debt (or to become delinquent based upon past special tax delinquencies), to replenish the reserve fund to its proper level (or to reimburse payments to be made from the reserve fund based upon past special tax delinquencies), to pay authorized costs, to pay directly for any authorized facilities or to accumulate funds for that purpose. Special tax proceeds may be accumulated to pay debt service on Debt so long as such proceeds are handled in such a fashion as not to cause the Debt to become arbitrage bonds under the Tax Reform Act of 1986.

The following list of eligible facilities is classified into two groups, Primary Facilities, and Secondary Facilities. Funding for Secondary Facilities may only be authorized with remaining proceeds of the CFD after Primary Facilities have been constructed, paid for and accepted fully by the City or project is substantially complete and sufficient security exists to the satisfaction of the City in accordance with the Acquisition Agreement.

The list of secondary facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

**Primary Facilities eligible to be financed with proceeds from the CFD (not listed in any specific order):**

- A. Excavation of the detention facility / lake. Construction of the detention facility / lake including clay liner, lake access ramps, and other necessary appurtenances. Construction of outfalls defined in the Master Drainage Plan for Westlake, including drainage pipes, manholes, junction box, cutoff walls, and other necessary appurtenances. Construction of drainage outlets including drainage pipes, manholes, junction box, headwalls, erosion control, and any other necessary appurtenances. Dewatering and measures to control groundwater during both construction and operation of the facilities. Land acquisition for the detention facility / lake, as determined by the appraisal for the lake. Habitat Conservation (HCP) fees for construction of the detention facility / lake. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.
- B. Trunk drain pipes and other appurtenances defined as common drainage facilities in the Westlake Master Drainage Plan for conveyance of storm drainage to the detention facility / lake, including manholes. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.

**Secondary Facilities eligible to be financed with remaining proceeds of the CFD (not listed in any specific order):**

- A. Construction of sanitary sewer trunk and interceptor lines, including pipes, manholes, and all necessary appurtenances.
- B. Construction of Del Paso Road from El Centro Road to the westerly property boundary (city limits) of the project and other major roads, that are eligible for funding under the guidelines set forth in the City's Policies and Procedures for Use of Special Assessment and Mello Roos Community Facilities District Financing, as may be amended; improvements include clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping where appropriate, storm drainage facilities, street signs, street lights, widening at intersections, traffic signals, corridor landscaping and sound walls, major utility conduits, utility conduit crossings, right-of-way acquisition, and all necessary appurtenances to the mentioned roads.
- C. Neighborhood and community park landscaping, equipment, and facilities.
- D. Landscaping and soundwalls in landscape corridors, streetlights, and entryway signs and monuments in entryways along Del Paso Road.
- E. Public dry utilities (electric, telephone, natural gas, and CATV).

- F. Habitat Conservation (HCP) fees required for construction of additional secondary facilities.
- G. Other Authorized Development Impact Fees:
- H. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for additional secondary facilities.

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INTERSTATE 5

# PROPOSED BOUNDARIES OF CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01 SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

## CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_ DAY OF \_\_\_\_, 2000.

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

## CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_  
2000 BY IT'S RESOLUTION NO. \_\_\_\_

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

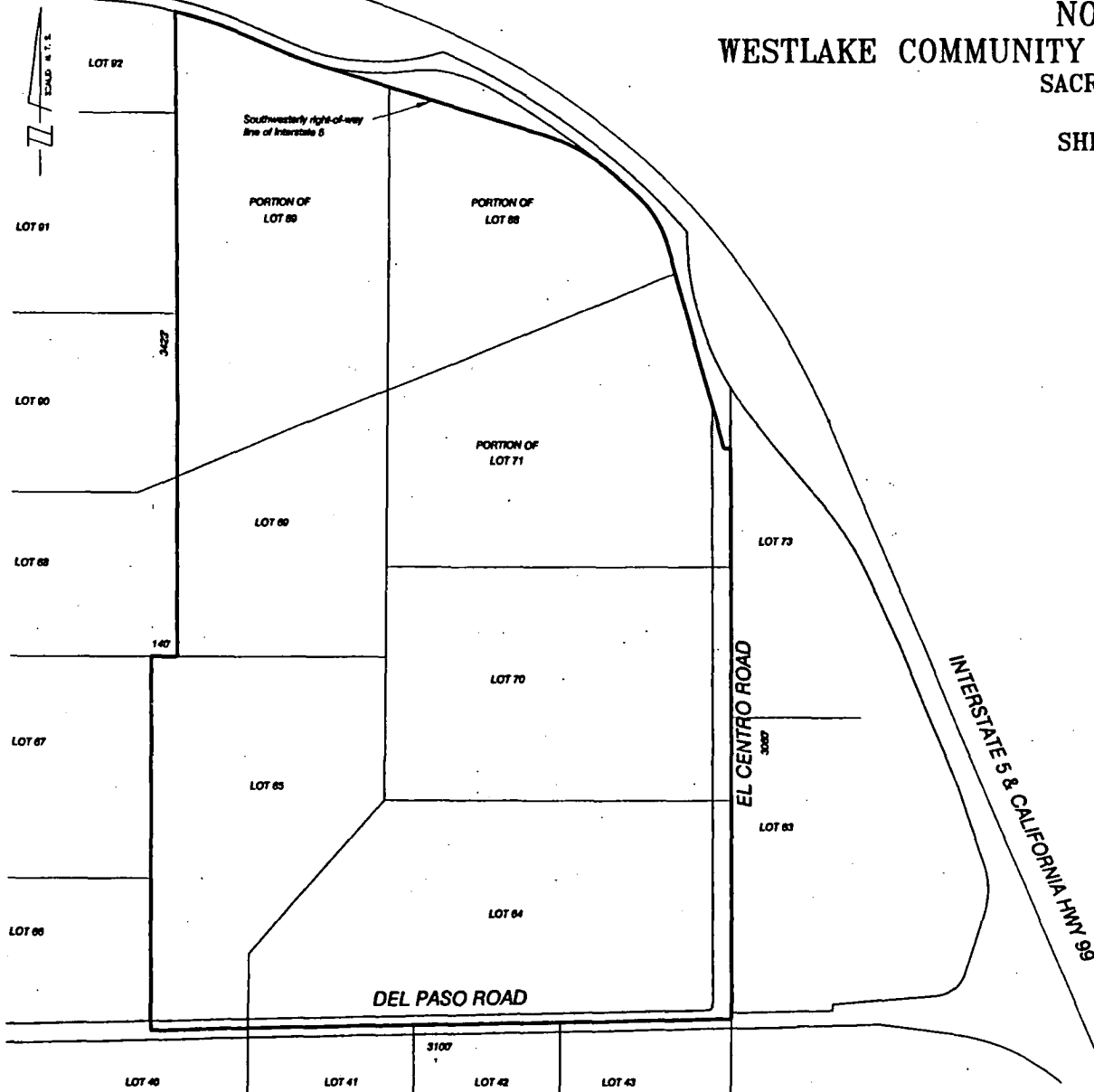
## COUNTY RECORDER'S FILING STATEMENT:

FILED THIS \_\_\_\_ DAY OF \_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_ O'CLOCK \_\_\_\_ M., IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_  
IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIA

## LEGEND

\_\_\_\_ DISTRICT BOUNDARY



The Spink Corporation

4\JOBS\0000-5\31250075\DR-WTE.DWG APRIL 11, 2000 1:10

EXHIBIT C

## **RESOLUTION NO.**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

**ON DATE OF \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SACRAMENTO DECLARING THE NECESSITY TO INCUR A BONDED  
INDEBTEDNESS TO FINANCE THE ACQUISITION AND  
CONSTRUCTION OF CERTAIN PUBLIC DRAINAGE FACILITIES IN  
AND FOR THE CITY OF SACRAMENTO NORTH NATOMAS  
WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, AND  
CALLING A SPECIAL MAILED-BALLOT ELECTION TO SUBMIT TO  
THE QUALIFIED ELECTORS OF SUCH COMMUNITY FACILITIES  
DISTRICT THE PROPOSITION OF INCURRING SUCH BONDED  
INDEBTEDNESS**

**WHEREAS**, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 2000-411 on June 27, 2000, wherein the Council declared its intention to and proposed to establish a community facilities district under and 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"), to be known and designated as the "City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01" (the "Community Facilities District"), to finance the acquisition and construction of those certain public drainage facilities with an estimated useful life of five (5) years or longer in and for the Community Facilities District under and pursuant to the Act (which are public drainage facilities that the City is authorized by law to construct, own or operate and that are necessary to meet increased demands placed upon the City as a result of development occurring and anticipated to occur in the Community Facilities District) constituting primary and secondary facilities as listed in Exhibit B attached hereto and incorporated herein and made a part hereof (the "Facilities"). The list of Secondary Facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") and the Citywide Park Fee Program ("CPFP") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the Community Facilities District. The Community Facilities District may finance all or a portion of fees to be paid to the City pursuant to fee programs; the City will, in turn, use the proceeds from such fees to construct the subject secondary facility, e.g., Westlake Park. If the property owner constructs the facility otherwise to have been funded by the fee program, the fee program will reimburse the property owner for the

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**FOR CITY CLERK USE ONLY.**

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

**DATE ADOPTED:** \_\_\_\_\_

costs of construction. If the Community Facilities District finances all or a portion of the fees to be paid to a fee program, the City will acknowledge payment of such fees by appropriate written document. Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with Bond proceeds; and

**WHEREAS**, the Council declared its intention (except where funds are otherwise available) to levy a special tax in the Community Facilities District sufficient to finance the acquisition and construction of the Facilities, including the payment of interest on and principal of bonds issued to finance the acquisition and construction of the Facilities and including the repayment of funds advanced by the City for the Community Facilities District and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or reimbursement for the lesser of the value or cost of work-in-kind provided by any person for the Community Facilities District, which special tax shall be secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District and shall be annually levied by the Council within the boundaries of the Community Facilities District, and for particulars as to the rate, method of apportionment and manner of collection of such special tax reference is made to Exhibit A, attached hereto and incorporated herein and made a part hereof, which sets forth the rate, method of apportionment and manner of collection of such special tax in sufficient detail to allow each landowner or resident within the Community Facilities District to estimate the maximum amount that such person will have to pay for financing the acquisition and construction of the Facilities, and which specifies the conditions under which the obligation to pay such special tax may be prepaid and permanently satisfied; provided, that in the case of any special tax to be levied to pay for financing the acquisition and construction of the Facilities that is to be levied against any parcel of land used for private residential purposes (which use commences on the date on which an occupancy permit for private residential use is issued), (1) such maximum special tax shall be specified as a dollar amount which shall be calculated and established not later than the date on which such parcel of land is first subject to the special tax because of its use for private residential purposes, (2) after Fiscal Year 2029-2030, such special tax shall no longer be levied or collected against such parcel of land, and (3) under no circumstances shall such special tax be increased as a consequence of delinquency or default by the owner of any other parcel or parcels of land within the Community Facilities District by more than ten per cent (10%); and

**WHEREAS**, the Council duly adopted Resolution No. 2000-412 (the "Resolution") on June 27, 2000, declaring its intention to incur a bonded indebtedness in the amount of thirteen million dollars (\$13,000,000) to finance the acquisition and construction of the Facilities in and for the Community Facilities District; and

**WHEREAS**, it has been proposed that the amount of bonded indebtedness be increased to fifteen million dollars (\$15,000,000) with consents from all of the property owners within the Community Facilities District; and

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**WHEREAS**, pursuant to the Resolution, a public hearing was set by the Council for Thursday, the 3rd day of August, 2000, at the hour of 2:00 o'clock P.M., at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814; and

**WHEREAS**, on August 3, 2000, the City Council continued the public hearing to August 22, 2000, at which time the City Council found that the complexity of the proposed district required additional time and further continued the public hearing to September 5, 2000, then to September 19, 2000, and to September 26, 2000, and further to October 17, 2000, to be held at the same time and place as previously notified, and a Notice of Continuance of Public Hearings was posted by the City Clerk on the bulletin board outside of the City Council Chambers no later than twenty-four (24) hours after each continuance of the public hearings and a copy of each Notice of Continuance of Public Hearings is on file with the City Clerk; and

**WHEREAS**, on October 17, 2000, the City Council further continued the public hearing to October 24, 2000, to be held at 7:00 o'clock P.M., at the same place as previously notified, and a Notice of Continuance of Public Hearings was posted by the City Clerk on the bulletin board outside of the City Council Chambers no later than twenty-four (24) hours after the continuance of the public hearings and a Notice of Continuance of Public Hearings is on file with the City Clerk; and

**WHEREAS**, at the continued public hearing on October 24, 2000, all persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, were given an opportunity to appear and be heard on the proposed debt issue or on any other matters set forth in the Resolution, including the Facilities proposed for the Community Facilities District and the proposed increase in the amount of bonded indebtedness, and they were permitted to present any matters relating to the necessity for incurring such bonded indebtedness to finance the costs of the acquisition and construction of the Facilities, and the Council at the conclusion of said public hearing was fully advised in the premises, and was authorized to proceed as hereinafter provided;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, AS FOLLOWS:**

Section 1. The above recitals are true and correct, and the Council so finds and determines.

Section 2. The Council hereby finds and determines that the public convenience and necessity require and it is necessary that a bonded indebtedness be incurred to finance the acquisition and construction of the Facilities and the Council hereby approves the proposed increase in the amount of bonded indebtedness to fifteen million dollars (\$15,000,000).

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Section 3. The whole of the territory within the Community Facilities District will be benefited by such bonded indebtedness and will be subject to the special tax to pay for such bonded indebtedness.

Section 4. The amount of the proposed bonded indebtedness to be incurred to finance the acquisition and construction of the Facilities (including incidental expenses as authorized by the Act) is fifteen million dollars (\$15,000,000).

Section 5. The maximum term of the bonds shall not exceed forty (40) years from the date of the bonds, or the date of any series thereof.

Section 6. The maximum annual rate or rates of interest to be paid on the bonds shall not exceed twelve percent (12%) per annum, payable annually the first year and semiannually thereafter.

Section 7. The Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot Election in the Community Facilities District, a copy of which is attached hereto as Exhibit C. The Council hereby finds that the rights, procedures and time periods therein waived are solely for the protection of the voters, may be waived under Government Code Section 53326(a), and that the waiver constitutes a full and knowing waiver, by any voter who has executed the form, of those rights, procedures and time periods. The Council hereby also approves the form of Consent of Property Owner, a copy of which is attached hereto as Exhibit D, consenting to the change to the authorized Facilities to include the payment of certain development fees and the increase in the amount of bonded indebtedness. The Council hereby determines that all of the voters eligible to vote in this election have delivered to the City Clerk properly executed waivers in the forms of Exhibit C and Exhibit D.

Section 8. A special mailed-ballot election shall be and is hereby called and ordered to be held in the Community Facilities District on Tuesday, October 31, 2000, in accordance with and subject to the Act and applicable law and the terms hereof, at which special mailed-ballot election there shall be submitted to the qualified electors within the Community Facilities District (which qualified electors constitute the landowners within the Community Facilities District) the question of incurring a bonded indebtedness in the amount of fifteen million dollars (\$15,000,000) for the Community Facilities District, and the Council hereby directs that the question of incurring such bonded indebtedness shall be combined in one ballot proposition with the question of levying such special tax within the Community Facilities District and the establishment of an appropriations limit in the amount of one million four hundred fifty thousand dollars (\$1,450,000) per fiscal year in connection therewith, all in accordance with and subject to the Act, all the terms of which shall be applicable to such election. The combined ballot proposition of levying such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall read as follows:

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

MEASURE (A): Shall the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 be authorized to finance, as provided in Resolution No. 2000-\_\_\_ adopted by City Council of the City of Sacramento on October 24, 2000, the acquisition and construction of those certain primary and secondary public drainage facilities constituting detention facility/lake, outfalls, drainage outlets, trunk drainage pipes, sanitary sewer trunk and interceptor lines, authorized development impact fees, park landscaping, equipment and facilities; street improvements, water transmission lines, landscaping and soundwalls, public dry utilities, and necessary appurtenances, by incurring a bonded indebtedness in the principal amount of fifteen million dollars (\$15,000,000), and shall an appropriations limit in the amount of one million four hundred fifty thousand dollars (\$1,450,000) per fiscal year in connection therewith be established for the Community Facilities District, and shall a special tax with a maximum rate and method of apportionment as provided in said Resolution No. 2000-\_\_\_, which is incorporated herein by reference, be levied to pay for the acquisition and construction of such facilities, including the payment of principal of and interest on such bonds and including the repayment of funds advanced for the Community Facilities District?

Section 9. If the combined proposition for the levying of such special tax and the establishment of such appropriations limit and the incurring of such bonded indebtedness receives the approval of more than two-thirds (2/3) of the votes cast on the proposition, the bonds may be issued and sold for the purpose for which they were authorized, and the bonds (except where funds are otherwise available) shall be paid exclusively from the annual levy of such special tax and are not and shall not be secured by any other taxing power or funds of the City or the Community Facilities District.

Section 10. The City Clerk is hereby designated as the official to conduct the special mailed-ballot election pursuant to Elections Code Sections 14 and 15. In order to be counted, ballots must be returned to, and be physically received by, the City Clerk before 5:00 p.m. on Tuesday, October 31, 2000; provided, that if all authorized ballots are received by the City Clerk prior to that time, the City Clerk shall, pursuant to Government Code Section 53326(d), immediately close the election and declare the results.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**PASSED AND ADOPTED** by the Council of the City of Sacramento this 24th day of October, 2000, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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Mayor of the City of Sacramento

ATTEST:

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City Clerk of the City of Sacramento

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit A

City of Sacramento, North Natomas  
Westlake Community Facilities District No. 2000-01  
(Sacramento, California)

### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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#### 1. BASIS OF SPECIAL TAX LEVY

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in the City of Sacramento (the "City") North Natomas Westlake Community Facilities District No. 2000-01 (the "CFD") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

#### 2. DEFINITIONS

"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 determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants, legal counsel, corporate bond-paying agents, fiscal agents, and bond trustees; the costs of collecting installments of the Special Taxes upon the general tax rolls; cost of arbitrage calculation and arbitrage rebates, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"Anticipated Construction Proceeds" means \$8,800,000 from issuance of bonds.

"Annual Costs" means, for any Fiscal Year, the total of (i) Debt Service for the Calendar Year commencing January 1 of such Fiscal Year through December 31 of the following Fiscal Year; (ii) Administrative Expenses for such Fiscal Year; (iii) any amounts needed to replenish any bond reserve fund for bonds of the City issued for the CFD to the level required under the documents pursuant to which such bonds were issued; (iv) an amount equal to the amount of delinquencies in payments of Special Taxes levied in the previous Fiscal Year and an amount for anticipated delinquencies for the current Fiscal Year; (v) pay-as-you-go expenditures for authorized facilities to be constructed or acquired by the CFD, less any credit from earnings on the bond reserve fund, less any reimbursements, and/or less any grants/other project funding.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Facilities"** means those improvements, as listed in the Resolution forming the CFD.

**"Base Year"** means Fiscal Year 2000-2001.

**"Benefit Share"** means the Maximum Annual Special Tax for a Taxable Parcel divided by the Maximum CFD Revenue.

**"Bond Year"** means the 12-month period ending on the second bond payment date of each calendar year as defined in the resolution authorizing the issuance of bonds.

**"CFD"** means the City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01.

**"City"** means City of Sacramento, California.

**"Council"** means the City Council of the City acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Debt Service"** means for each Fiscal Year or Bond Year, the total amount of principal and interest payable for any bonds or notes of the CFD during that Fiscal Year or Bond Year, less any applicable credits that may be available from any other sources available to the City to pay principal and interest for the previous or current Fiscal Year or Bond Year.

**"Development Year"** means the Fiscal Year in which the Parcel changes classification from Master Parcel Map to Final Subdivision Map Parcel.

**"Estimated Net Acreage"** means the actual Net Acreage of a Parcel or an approximation of the Net Acreage by the City based upon the total gross developable acres less an allowance for minor streets of a Parcel as indicated in the North Natomas Community Plan.

**"Final Subdivision Map"** means a recorded map designating the final Parcel splits for individual single-family residential Parcels.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Individual Lot"** means a buildable area of land created by a final subdivision map for the purpose of building a single-family residential dwelling unit.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**"Low-Density Residential Parcel"** means a Taxable Parcel with an approved land use for a single-family-detached residential dwelling unit that lies within a specific Residential Village as shown on Map 1.

**"Master Parcel Map"** means a map that subdivides large tracts of land into smaller Parcels for the purpose of selling or otherwise transferring the Parcels for further subdivision in accordance with City procedures, or for the purpose of securing financing, together with planning and construction of infrastructure elements, but not for the purpose of creating either individual residential lots for sale to end-user homeowners, and not for the purpose of allowing construction or other improvements on Non-Residential Parcels.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Taxable Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the relevant acres or units of the Taxable Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a given Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Taxable Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Maximum Annual CFD Revenue"** means the sum of the Maximum Annual Special Tax for all of the Taxable Parcels in the CFD.

**"Medium-Density Residential Parcel"** means a single family residential Parcel on Map 1 designated as medium density by the City according the North Natomas Community Plan.

**"Net Acre"** is the area of a Parcel associated with residential and non-residential uses after dedication of all public uses and rights-of-way.

**"Non-Residential Parcel"** means a Taxable Parcel designated for retail, commercial, office, industrial, institutional, or similar use as defined in the North Natomas Community Plan.

**"Other Residential Parcel"** means a Taxable Parcel with an approved land use for other than Low-Density Residential Parcel or Medium Density Residential Parcel, such as three or more attached residential units owned in common. If Low Density or Medium-Density Residential Parcels are created that are not consistent with the village shown in Map 1, these Parcels will be classified as Other Residential Parcels.

**"Outstanding Bonds"** means the total principal amount of bonds that have been issued by the CFD and not retired or defeased.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

**"Prepayment"** means the permanent satisfaction of the entire Special Tax obligation for one or more Parcels by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6. Prepayment may occur before or after the initial bond sale, with differing criteria.

**"Prepayment Parcel"** means a Parcel that has permanently satisfied the entire Special Tax obligation by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6.

**"Public Parcel"** means any Parcel, in its entirety, that is or is intended to be publicly owned as designated by the City that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways including drainage basins, lakes, public landscaping, wetlands, greenbelts, and public open space. These Parcels are exempt from the levy of Special Taxes as described below. Any such Parcel shall be a Tax-Exempt Parcel, except for Taxable Parcels that are acquired by a public agency, in which case the Special Tax obligation for such Parcels shall be required to be permanently satisfied pursuant to Sections 53317.3 and 53317.5 of the Government Code by the procedure described in Section 6.

**"Remaining Facility Cost Share"** means the Total Facility Cost Share for a Parcel less facility costs funded through CFD bonds or on a pay-as-you-go basis.

**"Residential Village"** means a designated geographic area within the Master Parcel Map containing residential development. The village designations are either Village 1, Village 2, Village 3, Village 4A, Village 4B, Village 5, or Village 6, as shown on Map 1.

**"Reserve Fund"** means the total amount held in the bond reserve funds by the City for all Outstanding Bonds.

**"Reserve Fund Share"** means the lesser of (i) the reserve requirement on all Outstanding Bonds, or (ii) the Reserve Fund balance on all Outstanding Bonds, multiplied by the Benefit Share for a given Parcel.

**"Special Tax(es)"** mean(s) any tax levy under the Act.

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

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels include: (i) Public Parcels (subject to the limitations set forth in Section 4, below), (ii) Prepayment Parcels, and (iii) Parcels that are open space, recreation, clubhouse etc, owned by a Condominium or Home Owners Association. Certain non-developable privately owned Parcels may also be exempt from the levy of Special Taxes as determined by the City such as common areas, wetlands, and open space.

**"Tentative Subdivision Map"** means a tentative subdivision map defined under the California Subdivision Map Act and Title 40 of the Sacramento City Code.

**"Total Facility Cost Share"** means the Benefit Share for a Parcel multiplied by the Anticipated Construction Proceeds for the CFD.

### 3. TERMINATION OF THE SPECIAL TAX

The Special Tax will be levied on and collected from Taxable Parcels in the CFD for as long as needed to pay the principal and interest on debt for the Bonds issued to fund Authorized Facilities. However, in no event shall the Special Tax be levied after Fiscal Year 2029-30.

When all of the bonds issued to pay for Authorized Facilities have been retired, the Special Tax shall cease to be levied. The City shall 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.

### 4. ASSIGNMENT OF MAXIMUM ANNUAL SPECIAL TAX

A. **Classification of Parcels.** By May 1 of each Fiscal Year, using the Definitions above, the Parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall cause:

1. Each Parcel to be classified as a Tax-Exempt Parcel or Taxable Parcel.
2. Each Taxable Parcel to be further classified as a Low-Density Residential Parcel, Medium-Density Residential Parcel, Other Residential Parcel, or Non-Residential Parcel.
3. Each Low-Density Residential Parcel to be identified according to its Residential Village.

B. **Assignment of Maximum Annual Special Tax.** The City shall assign the appropriate Maximum Annual Special Tax to each Taxable Parcel as follows:

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

1. Low-Density Residential Parcels (identified on Map 1)

The Maximum Annual Special Tax Rate for a Low-Density Residential Parcel within a Residential Village is shown on Attachment 1.

2. Medium-Density Residential Parcels

For Medium-Density Residential Parcels, the Maximum Annual Special Tax will be calculated by the following steps:

- a) Prior to Subdivision into Individual Lots—Calculate the Maximum Annual Special Tax Revenue by multiplying the Net Acres for the Medium-Density Residential Parcel by the Maximum Annual Special Tax per acre shown on Attachment 1.
- b) Following Subdivision into Individual Lots—Divide the Maximum Annual Special Tax from a) above by the total number of Individual Lots created in the Final Subdivision Map or Master Parcel Map to arrive at the Maximum Annual Special Tax per Individual Lot.

3. Other Residential and Non-Residential Parcels

Calculate the Maximum Annual Special Tax for Other Residential Parcels, and Non-Residential Parcels by multiplying the Maximum Annual Special Tax per Net Acre, as shown on Attachment 1, by the Net Acres for the Parcel. Other Residential Parcels that are created as condominiums or Individual Lots will have the Maximum Annual Special Tax per Parcel calculated according the procedures in 4.a. and 4.b. above.

- C. Conversion of a Public Parcel to a Taxable Parcel. If a Public Parcel is not needed for public use and is converted to a taxable use, it shall become subject to the Special Tax. The Maximum Annual Special Tax for such a Parcel shall be assigned according to Section 4.A and Section 4.B above.

- D. Taxable Parcels Acquired by a Public Agency — A Taxable Parcel that is acquired by a public agency after the CFD is formed will remain subject to the applicable Special Tax unless the Special Tax obligation is satisfied pursuant to Section 53317.5 of the Government Code. An exception to this may be made if a Public Parcel within the CFD is relocated to a Taxable Parcel, the previously Tax-Exempt Parcel of comparable acreage becomes a Taxable Parcel, and the Maximum Special Tax from the previously Taxable Parcel is transferred to the newly Taxable Parcel. This trading of Parcels will be permitted to the extent that there is no net loss in Maximum CFD Revenue.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## 5. CALCULATING ANNUAL SPECIAL TAX LEVY

The City shall compute the Annual Costs for each land use category, and determine the Maximum Annual Special Tax for each Parcel based on the assignment in the Special Tax in Section 4. The City will then determine the tax levy for each Parcel using the following process:

- A. Compute the Annual Costs using the definitions in Section 2.
- B. Calculate the Maximum CFD Revenue by taxing each Taxable Parcel at 100% of its Maximum Annual Special Tax (Attachment 2 shows the estimated maximum special tax revenues at buildout based on the Base Year tax rates). If revenues are greater than the Annual Costs, reduce the tax proportionately until the tax levy is set at an amount sufficient to cover Annual Costs.
- C. Levy on each Taxable Parcel the amount calculated above.
- D. Prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall 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.

## 6. PREPAYMENT OF SPECIAL TAX OBLIGATION

With a Prepayment, a landowner may permanently satisfy the Special Tax obligation for one or more Parcels. By exercising the right to Prepayment, a landowner can eliminate the future annual Special Tax liability for one or more Parcels.

Prepayment is permitted only under the following conditions:

- The City determines that the Prepayment does not jeopardize the ability to make timely payments of Debt Service on outstanding bonds.
- Any landowner who wishes to exercise the right to a Prepayment for a Parcel must pay any and all delinquent Special Taxes and penalties.
- Prepayment shall be made on or before June 1 in order to prevent the levy of special taxes due during the Fiscal Year beginning July 1.

The total Prepayment amount will include the Parcel's proportionate share of all estimated costs necessary to construct the Authorized Facilities (the "base Prepayment amount") plus any additional administrative and financing costs necessary to redeem bonds and calculate the Prepayment. These calculations are described below.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## CALCULATE PREPAYMENT AMOUNT

### Part A: Prepayment of Outstanding Bond Share

- Step A.1: Determine the Maximum Special Tax for the Parcel based on the assignment of the Maximum Special Tax described in Section 4 above.
- Step A.2: Determine the Benefit Share by dividing the Maximum Special Tax determined in Step A.1 by the Maximum CFD Revenue for all Parcels in the CFD.
- Step A.3: Determine the Bond Share for the Parcel by multiplying the Benefit Share From Step A.2 by the total amount of Outstanding Bonds issued by the CFD.
- Step A.4: Calculate the Reserve Fund Share associated with the Bond Share determined in Step A.3 and reduce the Bond Share by the amount of the Reserve Fund Share. The Reserve Fund Share is equal to the reserve requirement on all outstanding bonds multiplied by the Benefit Share. At the City's discretion, the Reserve Fund Share may be withheld from the Prepayment calculation and refunded to the Prepaying landowner at the time that bonds are called.
- Step A.5: Determine the Outstanding Bond Share by adding to the amount calculated in Step A.4 any fees, call premiums, amounts necessary to cover negative arbitrage from the date of the prepayment to first call date on the bonds, and expenses incurred by the City in connection with the prepayment calculation or the application of the proceeds of the prepayment.

### Part B. Remaining Facility Cost Share

- Step B.1: Determine the Total Facility Cost Share for the Parcel by multiplying the Benefit Share from Part A, Step A.2 above by the Anticipated Construction Proceeds.
- Step B.2: Determine the share of facilities funded by bonds already issued by the CFD for the Parcel by multiplying the Benefit Share by the construction proceeds made available from all such bonds issued by the CFD. These amounts shall be adjusted to the year of Prepayment by using the Engineering News Record Construction Cost Index.
- Step B.3: Determine the share of facilities already funded by Special Tax revenues on a pay-as-you-go basis by multiplying the Benefit Share by the total amount of pay-as-you-go funding used to acquire authorized facilities.
- Step B.4: Determine the Remaining Facility Cost Share for the Parcel by subtracting the results from Steps B.2 and B.3 from the Total Facility Cost Share determined in Step B.1. (Notwithstanding the above, once the City has funded all authorized

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

CFD facilities, the Remaining Facility Cost Share shall be set to zero for purposes of this prepayment calculation.)

Step B.5 Combine the amount from Part A Step A.5 with the amount from Part B Step B.4 to arrive at the Full Prepayment amount.

## 7. RECORDS MAINTAINED FOR THE CFD

As development and subdivision of North Natomas takes place, the City will maintain a file containing records of the following information for each Parcel:

- the current Parcel Number,
- the Residential Village in which a Low-Density Residential Parcel lies,
- the Parcel acreage (gross, gross developable or net),
- the Maximum Annual Special Taxes which applied in each Fiscal Year,
- the authorized Special Taxes levied in each Fiscal Year; and
- the Development Year.

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

## 8. APPEALS

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the City appealing the levy of the Special Tax. The City will then promptly review the appeal, and if necessary, meet with the applicant. If the City verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall 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, the classification of properties or any definition applicable to the CFD.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Attachment 1  
North Natomas Westlake CFD No. 2000-01  
Maximum Special Taxes

Fiscal Year Ending	Low-Density Residential							Medium-Density Residential	Other Residential & Non-Residential
	Village 1	Village 2	Village 3	Village 4A	Village 4B	Village 5	Village 6	[1] Per net acre	Per net acre
				Per unit					
2001	\$620	\$1,160	\$1,010	\$720	\$920	\$920	\$830	\$3,600	\$3,600
2002	\$632	\$1,183	\$1,030	\$734	\$938	\$938	\$847	\$3,672	\$3,672
2003	\$645	\$1,207	\$1,051	\$749	\$957	\$957	\$864	\$3,745	\$3,745
2004	\$658	\$1,231	\$1,072	\$764	\$976	\$976	\$881	\$3,820	\$3,820
2005	\$671	\$1,256	\$1,093	\$779	\$996	\$996	\$898	\$3,897	\$3,897
2006	\$685	\$1,281	\$1,115	\$795	\$1,016	\$1,016	\$916	\$3,975	\$3,975
2007	\$698	\$1,306	\$1,137	\$811	\$1,036	\$1,036	\$935	\$4,054	\$4,054
2008	\$712	\$1,332	\$1,160	\$827	\$1,057	\$1,057	\$953	\$4,135	\$4,135
2009	\$726	\$1,359	\$1,183	\$844	\$1,078	\$1,078	\$972	\$4,218	\$4,218
2010	\$741	\$1,386	\$1,207	\$860	\$1,099	\$1,099	\$992	\$4,302	\$4,302
2011	\$756	\$1,414	\$1,231	\$878	\$1,121	\$1,121	\$1,012	\$4,388	\$4,388
2012	\$771	\$1,442	\$1,256	\$895	\$1,144	\$1,144	\$1,032	\$4,476	\$4,476
2013	\$786	\$1,471	\$1,281	\$913	\$1,167	\$1,167	\$1,053	\$4,566	\$4,566
2014	\$802	\$1,501	\$1,307	\$931	\$1,190	\$1,190	\$1,074	\$4,657	\$4,657
2015	\$818	\$1,531	\$1,333	\$950	\$1,214	\$1,214	\$1,095	\$4,750	\$4,750
2016	\$834	\$1,561	\$1,359	\$969	\$1,238	\$1,238	\$1,117	\$4,845	\$4,845
2017	\$851	\$1,592	\$1,387	\$988	\$1,263	\$1,263	\$1,139	\$4,942	\$4,942
2018	\$868	\$1,624	\$1,414	\$1,008	\$1,288	\$1,288	\$1,162	\$5,041	\$5,041
2019	\$886	\$1,657	\$1,443	\$1,028	\$1,314	\$1,314	\$1,185	\$5,142	\$5,142
2020	\$903	\$1,690	\$1,471	\$1,049	\$1,340	\$1,340	\$1,209	\$5,245	\$5,245
2021	\$921	\$1,724	\$1,501	\$1,070	\$1,367	\$1,367	\$1,233	\$5,349	\$5,349
2022	\$940	\$1,758	\$1,531	\$1,091	\$1,394	\$1,394	\$1,258	\$5,456	\$5,456
2023	\$959	\$1,793	\$1,561	\$1,113	\$1,422	\$1,422	\$1,283	\$5,566	\$5,566
2024	\$978	\$1,829	\$1,593	\$1,135	\$1,451	\$1,451	\$1,309	\$5,677	\$5,677
2025	\$997	\$1,866	\$1,625	\$1,158	\$1,480	\$1,480	\$1,335	\$5,790	\$5,790
2026	\$1,017	\$1,903	\$1,657	\$1,181	\$1,509	\$1,509	\$1,362	\$5,906	\$5,906
2027	\$1,038	\$1,941	\$1,690	\$1,205	\$1,540	\$1,540	\$1,389	\$6,024	\$6,024
2028	\$1,058	\$1,980	\$1,724	\$1,229	\$1,570	\$1,570	\$1,417	\$6,145	\$6,145
2029	\$1,079	\$2,020	\$1,758	\$1,254	\$1,602	\$1,602	\$1,445	\$6,268	\$6,268
2030	\$1,101	\$2,060	\$1,794	\$1,279	\$1,634	\$1,634	\$1,474	\$6,393	\$6,393

[1] Medium-Density Residential Maximum Annual Special Taxes per unit are determined when a Parcel records a Final Subdivision Map.

Note: Tax Rates are escalated annually at 2%.

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

**Attachment 2**  
**North Natomas Westlake CFD No. 2000-01**  
**Base Year Estimated Maximum Special Tax Revenue**

Item	Net Acres	Units	Median Lot Size (sq. ft.)	Maximum Special Tax Rate per Unit/Acre (Base Year 2000-01)	Estimated Maximum Special Tax Revenue
<b>Low Density Residential</b>					
Village 1	19.1	133	5,250	\$620 per unit	\$82,460
Village 2	31.6	111	8,800	\$1,160 per unit	\$128,760
Village 3	26.5	104	7,700	\$1,010 per unit	\$105,040
Village 4A	17.6	86	5,775	\$720 per unit	\$61,920
Village 4B	15.6	76	6,825	\$920 per unit	\$69,920
Village 5	25.0	108	6,825	\$920 per unit	\$99,360
Village 6	17.5	84	6,300	\$830 per unit	\$69,720
Subtotal Low Density	152.9	702			
Medium Density Residential	30.5			\$3,600 per net acre	\$109,800
Other Residential & Non-Residential	45.5			\$3,600 per net acre	\$163,800
<b>TOTAL</b>	<b>228.9</b>	<b>702</b>			<b>\$890,780</b>

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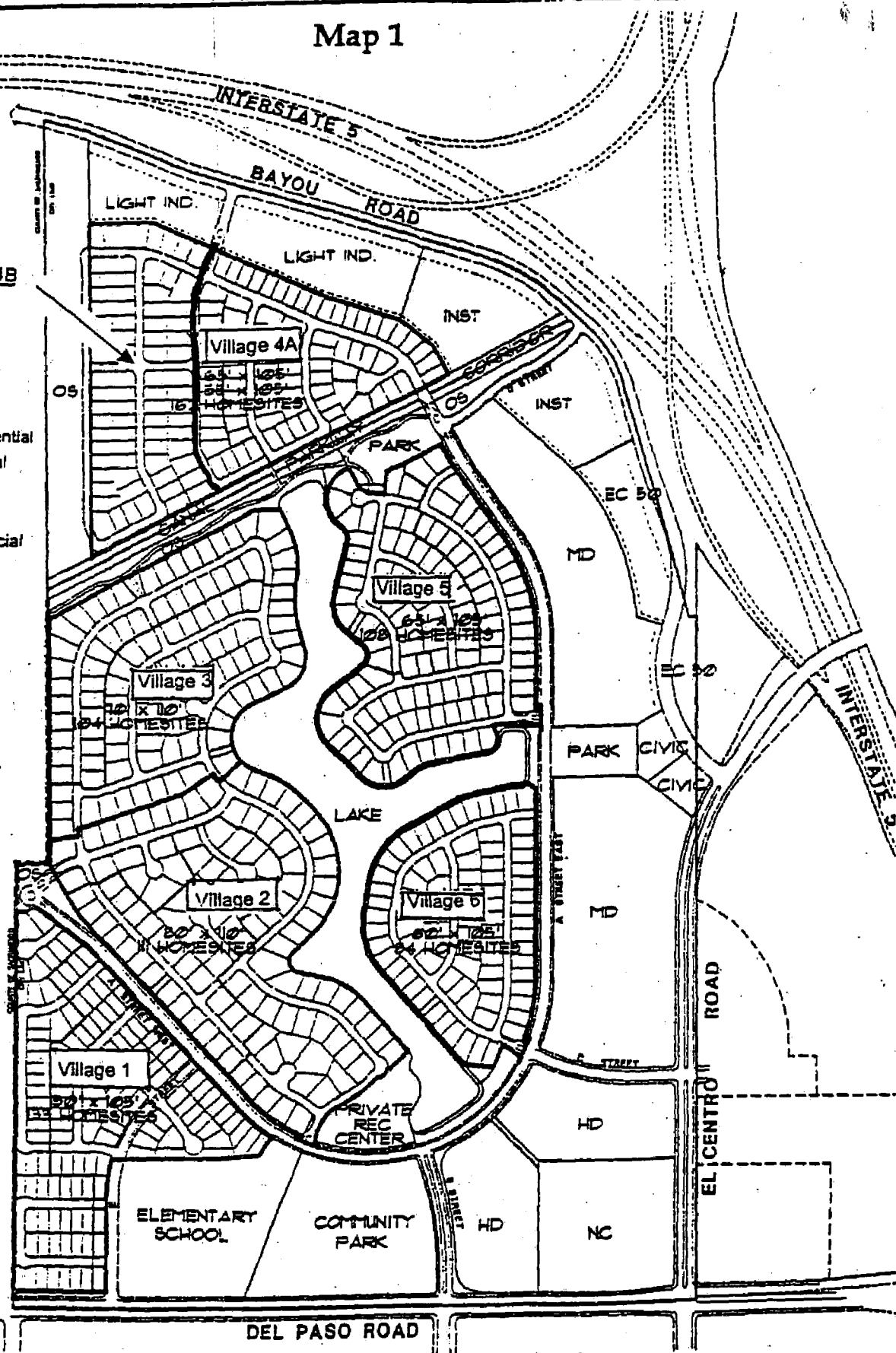
DATE APPROVED \_\_\_\_\_

# Map 1

## Zoning Code

OS	Open Space
LIGHT IND	Light Industrial
MD	Medium Density Residential
HD	High Density Residential
EC 50	Employment Center 50 employees per acre
NC	Neighborhood Commercial
INST	Institutional

Village 4B



FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## Exhibit B

### City of Sacramento, North Natomas Westlake Community Facilities District No. 2000-01 (Sacramento, California)

#### List of Eligible Facilities

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The authorized costs of the eligible facilities include all those set forth in Section 53345.3 of the Act, and all costs necessary to administer any Debt, collect and administer the special taxes, and administer the Agency. The special taxes may be levied not only to pay current debt service on outstanding Debt, but also to accumulate funds for future debt service, to pay amounts delinquent on the Debt (or to become delinquent based upon past special tax delinquencies), to replenish the reserve fund to its proper level (or to reimburse payments to be made from the reserve fund based upon past special tax delinquencies), to pay authorized costs, to pay directly for any authorized facilities or to accumulate funds for that purpose. Special tax proceeds may be accumulated to pay debt service on Debt so long as such proceeds are handled in such a fashion as not to cause the Debt to become arbitrage bonds under the Tax Reform Act of 1986.

The following list of eligible facilities is classified into two groups, Primary Facilities, and Secondary Facilities. Funding for Secondary Facilities may only be authorized with remaining proceeds of the CFD after Primary Facilities have been constructed, paid for and accepted fully by the City or project is substantially complete and sufficient security exists to the satisfaction of the City in accordance with the Acquisition Agreement.

The list of secondary facilities includes facilities that are to be funded by fee programs such as the Public Facilities Fee Program ("PFF") and the Citywide Park Fee Program ("CPFP") through which the property owners constructing the facilities will receive full reimbursement by way of fee credits or cash reimbursements for the actual eligible costs of construction. Where actual eligible costs of a facility are funded through fee credits or cash reimbursements from a fee program, including the PFF, no further reimbursement shall occur through the CFD.

The CFD may finance all or a portion of fees to be paid to the City pursuant to fee programs; the City will, in turn, use the proceeds from such fees to construct the subject secondary facility, e.g., Westlake Park. If the property owner constructs the facility otherwise to have been funded by the fee program, the fee program will reimburse the property owner for the cost of construction.

If the CFD finances all or a portion of the fees to be paid to a fee program, the city will acknowledge payment of such fees by appropriate written document.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Secondary Facilities which are not included for funding in any fee program, which includes reimbursement (cash or through credit mechanisms), may be funded with bond proceeds.

**Primary Facilities eligible to be financed with proceeds from the CFD (not listed in any specific order):**

- A. Excavation of the detention facility / lake. Construction of the detention facility / lake including clay liner, lake access ramps, and other necessary appurtenances. Construction of outfalls defined in the Master Drainage Plan for Westlake, including drainage pipes, manholes, junction box, cutoff walls, and other necessary appurtenances. Construction of drainage outlets including drainage pipes, manholes, junction box, headwalls, erosion control, and any other necessary appurtenances. Dewatering and measures to control groundwater during both construction and operation of the facilities. Land acquisition for the detention facility / lake, as determined by the appraisal for the lake. Habitat Conservation (HCP) fees for construction of the detention facility / lake. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.
- B. Trunk drain pipes and other appurtenances defined as common drainage facilities in the Westlake Master Drainage Plan for conveyance of storm drainage to the detention facility / lake, including manholes. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for the above listed facilities.

**Secondary Facilities eligible to be financed with remaining proceeds of the CFD (not listed in any specific order):**

- A. Construction of sanitary sewer trunk and interceptor lines, including pipes, manholes, and all necessary appurtenances.
- B. Construction of Del Paso Road from El Centro Road to the westerly property boundary (city limits) of the project and other major roads that are eligible for funding under the guidelines set forth in the City's Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing, as may be amended; improvements include clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping where appropriate, storm drainage facilities, street signs, street lights, widening at intersections, traffic signals, corridor landscaping and sound walls, major utility conduits, utility conduit crossings, right-of-way acquisition, and all necessary appurtenances to the mentioned roads.
- C. Neighborhood and community park landscaping, equipment, and facilities.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- D. Landscaping and soundwalls in landscape corridors, streetlights, and entryway signs and monuments in entryways along Del Paso Road.
- E. Public dry utilities (electric, telephone, natural gas, and CATV).
- F. Habitat Conservation (HCP) fees required for construction of additional secondary facilities.
- G. Development Impact Fees, the proceeds of which will be used to finance Eligible Facilities, including but not limited to, North Natomas Public Facilities Fees and Citywide Park Facilities Fees.
- H. Engineering, construction staking, construction management, plan check and inspection, administrative costs, and City legal costs for additional secondary facilities.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

EXHIBIT C

WAIVER AND CONSENT OF LANDOWNERS  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento (the legal description of which is indicated in Exhibit A attached hereto), which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Proposed Boundaries of the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01," designated Exhibit B, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code, and the undersigned hereby waives the requirement to publish a notice of such election pursuant

to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees to accept either mailed service or personal service of the ballot, and the undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots pursuant to Section 53327.5 of the California Government Code, and the undersigned further waives any and all defects in notice or procedure in the conduct of such election, whether known or unknown (other than the right to have ballots accurately counted), and the undersigned hereby states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

Dated: \_\_\_\_\_, 2000

By \_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name of Authorized Representative)

EXHIBIT A

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

<u>NAME OF OWNER</u>	<u>SACRAMENTO COUNTY ASSESSOR'S PARCEL NUMBER OR LEGAL DESCRIPTION</u>	<u>SIGNATURE</u>
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_____	_____	_____
_____	_____	_____

INTERSTATE 5

# PROPOSED BOUNDARIES OF CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01 SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

## CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000.

\_\_\_\_\_  
CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

## CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES  
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY  
OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,  
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
AT A MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
2000 BY IT'S RESOLUTION NO. \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

## COUNTY RECORDER'S FILING STATEMENT:

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000 AT THE HOUR  
OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT  
DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_\_  
IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, STATE  
OF CALIFORNIA.

\_\_\_\_\_  
COUNTY RECORDER OF THE COUNTY OF  
SACRAMENTO, CALIFORNIA

## LEGEND

\_\_\_\_\_  
DISTRICT BOUNDARY

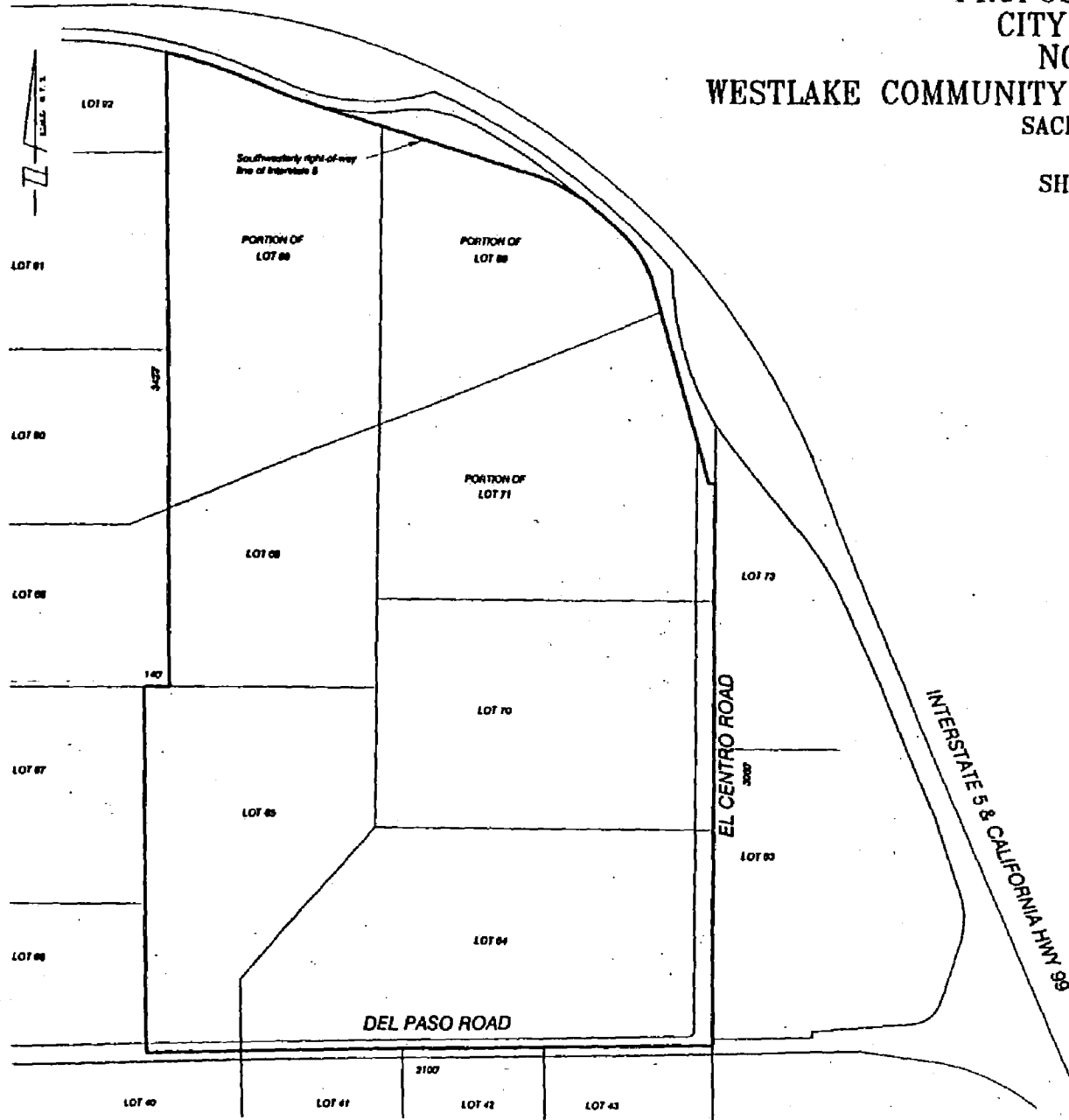


Exhibit B of EXHIBIT C

The Spink Corporation

\\S081\2000-1\31250073\LOT-NTL.DWG APR 11, 2001 11:24 AM

EXHIBIT D

CONSENT OF PROPERTY OWNER  
IN THE PROPOSED CITY OF SACRAMENTO  
NORTH NATOMAS WESTLAKE COMMUNITY  
FACILITIES DISTRICT NO. 2000-01

The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento (the legal description of which is indicated in Exhibit A attached hereto), which real property is located in the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District"), and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to execute this Consent of Property Owner.

The undersigned hereby consents to the following:

(1) The Facilities as described in Resolution No. 2000-411 of the City Council of the City of Sacramento (the "City Council") adopted on June 27, 2000, and proposed to be approved in the mailed-ballot, landowner election of the Community Facilities District shall be changed to include the payment of certain authorized development fees as described in the proposed resolution establishing the Community Facilities District to be adopted by the City Council on October 24, 2000; and

(2) The proposed amount of bonded indebtedness of thirteen million dollars (\$13,000,000) as described in Resolution No. 2000-412 of the City Council adopted on June 27, 2000, to finance the Facilities shall be increased to fifteen million dollars (\$15,000,000) in the mailed-ballot, landowner election of the Community Facilities District as described in the proposed resolution declaring the necessity to incur a bonded indebtedness to be adopted by the City Council on October 24, 2000.

Dated: October \_\_\_\_\_, 2000

By \_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name of Authorized Representative)

Exhibit A of EXHIBIT D

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

<u>NAME OF OWNER</u>	<u>SACRAMENTO COUNTY ASSESSOR'S PARCEL NUMBER OR LEGAL DESCRIPTION</u>	<u>SIGNATURE</u>
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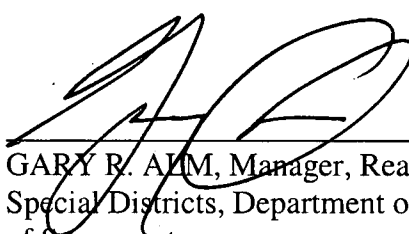
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_____	_____	_____

CERTIFICATE RELATIVE TO VOTERS

I, Gary R. Alm, Manager, Real Estate Services and Special Districts, Department of Public Works of the City of Sacramento, hereby declare:

1. I am familiar with the boundaries of the proposed City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (the "Community Facilities District").
2. I have prepared, from the official records of the County of Sacramento, a list of all property owners within the Community Facilities District, including the total number of acres owned within the Community Facilities District by each such property owner, and that attached hereto, marked Exhibit A and incorporated herein and made a part hereof, is a true and correct copy of such list.
3. I have personally inspected the land in the Community Facilities District, and have noted the locations of all dwellings therein that might contain registered voters, and I have cross-checked such locations with the Sacramento County Registrar of Voters as well as inquired directly of such officer's records to determine the number of registered voters residing within the boundaries of the Community Facilities District, and based on the foregoing, I have determined that on October 24, 2000, there were no registered voters residing within the Community Facilities District.

Dated: October 24, 2000.



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GARY R. ALM, Manager, Real Estate Services and  
Special Districts, Department of Public Works of the City  
of Sacramento

EXHIBIT A

CITY OF SACRAMENTO NORTH NATOMAS WESTLAKE  
COMMUNITY FACILITIES DISTRICT NO. 2000-01

LIST OF PROPERTY OWNERS

Name of Property Owner	Description	No. of Acres
------------------------	-------------	-----------------