

CA 2003-535  
**4.2**

**DEPARTMENT OF  
PUBLIC WORKS**

DEVELOPMENT SERVICES  
DIVISION

**CITY OF SACRAMENTO  
CALIFORNIA**

Special Districts  
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Sacramento, CA 95814

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July 3, 2003

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: ANNEXATION #4 TO THE NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02 – PUBLIC HEARING**

**LOCATION AND COUNCIL DISTRICT:**

The Neighborhood Parks Maintenance Community Facilities District (CFD) No. 2002-02 is located citywide. Annexation No. 4 will include seven separate areas located in Council Districts 2, 6, 7 & 8 (see Attachment A).

**RECOMMENDATION:**

- This report recommends that City Council conduct the Public Hearing and adopt the attached Resolution of Annexation that calls for a Special Election on August 13, 2003.

**CONTACT PERSONS:** Ron Wicky, Program Specialist, 264-5628  
Robert G. Overstreet, Parks & Recreation Director, 264-1190

**FOR COUNCIL MEETING OF:** July 29, 2003

**SUMMARY:**

This report proposes the annexation of territory into the existing CFD to fund neighborhood park maintenance. The recommended council action will call for a Special Election on August 13, 2003 (see Attachment B).

Department of  
**PUBLICWORKS**  
CITY OF  
SACRAMENTO

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

On June 25, 2002, City Council approved formation of the Neighborhood Park Maintenance CFD. This CFD provides a funding mechanism to help the Parks Department maintain neighborhood parks. This annexation, as well as future annexations, will consist of new residential development throughout the City. The development projects for this annexation are listed as follows:

- Parcel maps on Craigmont & Kenwood(Fitton PM), 783 Shoreside Drive, and Riverside & Shoreside(Del Ponte PM)
- Subdivision Maps of Country Lane Estates and Sunmeadow Retirement Community
- Development Projects of Lemon Hill Town Homes and Jefferson Commons

The above projects comprise 519 units, bringing the total to 9,692 residential units.

**FINANCIAL CONSIDERATIONS:**

The Neighborhood Park Maintenance CFD has been structured to reduce reliance on the general fund for neighborhood park maintenance and to preserve the level of maintenance in the parks system.

It is projected that revenues from this CFD will provide approximately 65-70% of the cost associated with maintaining new neighborhood parks for those areas that annex to the District. The balance of costs will be borne by the Citywide Landscape and Lighting District and other city funds.

Existing parks, all community parks, regional parks, open space, trails and buffer areas are not covered by this CFD.

The maximum annual special tax rates to be levied on new residential properties are \$48 per Single Family Parcel and \$28 per Multi Family Unit. The special tax is subject to an annual escalation factor based on the Consumer Price Index, not to exceed 4%.

**ENVIRONMENTAL CONSIDERATIONS:**

Under California Environmental Quality Act (CEQA) Guidelines, administration and

City Council  
Citywide Neighborhood Park Maintenance CFD – Annexation #4  
July 3, 2003

annexation into a CFD does not constitute a project and are therefore exempt from review.

**POLICY CONSIDERATIONS:**

The procedures under which this CFD annexation is being initiated are set forth in Title 5 of the Government Code, Sections 53311-53317.5, entitled "The Mello-Roos Community Facilities Act of 1982." Annexation into Parks Maintenance District is consistent with the City's Strategic Plan in preserving and enhancing the City's neighborhoods and quality of life.

**ESBD CONSIDERATIONS:**


City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Gary Almy, Manager  
Development Services

RECOMMENDATION APPROVED:



ROBERT P. THOMAS  
City Manager

Approved:



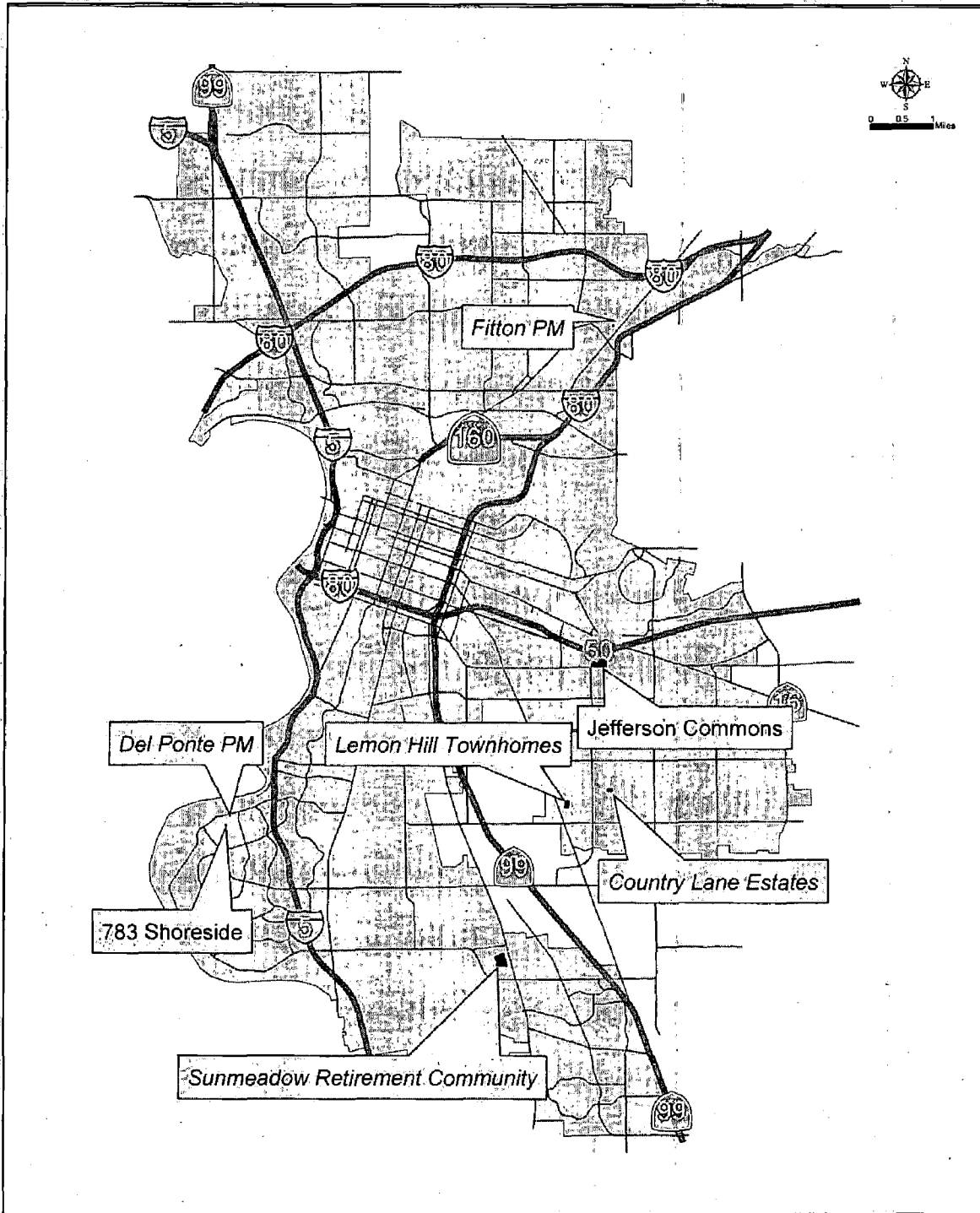
Thomas V. Lee  
Deputy City Manager

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# Annexation #4 Neighborhood Park Maintenance CFD

Attachment A



**PUBLICWORKS**

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## ATTACHMENT B

### ANNEXATION #4 TO THE NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY FACILITIES DISTRICT (CFD) NO. 2000-02 SCHEDULE

June 24, 2003                      City Council – Resolution of Intention

June 25, 2003                      Mail Notice of Hearing

<b>July 29, 2003</b>	<b>City Council - Hearing, Call for Special Election</b>
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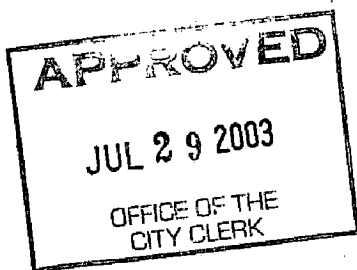
July 30, 2003                      Mail Ballots (Waiver of 90 day period)

August 13, 2003                      Ballots Due

August 19, 2003                      City Council - Election Results & Pass for Publication Ordinance  
to Levy Tax

August 20, 2003                      Record Notice of "Special Tax"

August 26, 2003                      City Council - Adopt Ordinance to Levy Tax



## RESOLUTION NO. 2003-535

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF 7/29/03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO ANNEXING TERRITORY (ANNEXATION NO. 4) TO THE CITY OF SACRAMENTO NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02 AND PROVIDING FOR THE LEVY OF A SPECIAL TAX TO FINANCE MAINTENANCE SERVICES TO BE PROVIDED IN AND FOR SUCH ANNEXATION AND CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN SUCH ANNEXATION THE QUESTION OF LEVYING SUCH SPECIAL TAX AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR SUCH ANNEXATION TO THE COMMUNITY FACILITIES DISTRICT**

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") has heretofore established the City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02 ("Community Facilities District") 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 finance the maintenance and related services (the "Services") in and for the Community Facilities District under and pursuant to the Act (which are services that the City is authorized by law to provide 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), and which Services are generally described as specified in Exhibit A, attached hereto and incorporated herein by this reference. The cost of the Services includes incidental expenses for the Services, including the costs of planning the Services, together with the costs of environmental evaluations thereof, and all costs associated with the creation of the Community Facilities District, the 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 provision of the Services; and

WHEREAS, the Council has duly adopted Resolution No. 2003-415 (the "Resolution") on June 24, 2003, wherein the Council declared its intention to and proposed to annex territory to the Community Facilities District under and pursuant to the terms and provisions of the Act, to be known and designated as "Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4" ("Annexation No. 4"), to

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finance the Services in and for Annexation No. 4 to the Community Facilities District under and pursuant to the Act; and

WHEREAS, the Resolution fixed a time and place for a public hearing to be held by the Council to consider the establishment of Annexation No. 4 to the Community Facilities District, the proposed rate, method of apportionment and manner of collection of a special tax to finance the Services in and for Annexation No. 4 to 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 hearing hereinafter referred to on the Resolution; and

WHEREAS, pursuant to the Resolution, a public hearing was convened by the Council on Tuesday, July 29, at the hour of 2:00 o'clock p.m., at the regular meeting place of the Council, City Council Chambers, Sacramento Interim City Hall, 730 I Street, Sacramento, California 95814, at which hearing the Council considered the establishment of Annexation No. 4 to 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, and at such public hearing all persons interested, including all taxpayers, property owners and registered voters within the boundaries of Annexation No. 4 to 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 annexation to the Community Facilities District and the levy of such special tax, or the extent of the annexation to the Community Facilities District, or any of the Services proposed 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 53339.6 of the Government Code of the State of California, and the Council at the conclusion of said hearing was fully advised in the premises, and was authorized to proceed as hereinafter provided; and

WHEREAS, on the basis of all of the foregoing, the Council has determined at this time to call an election in Annexation No. 4 to the Community Facilities District to authorize the levy of a special tax therein (as the rate, method of apportionment and manner of collection of such tax is more particularly set forth in Exhibit B, attached hereto and incorporated herein and made a part hereof) to pay for the Services proposed to be provided in and for Annexation No. 4 to the Community Facilities District, and to establish an appropriations limit for Annexation No. 4 to the Community Facilities District;

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**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 approves and adopts the Resolution, and confirms 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 Annexation No. 4 to the Community Facilities District shall be as set forth in Exhibit B, attached hereto and incorporated herein and made a part hereof, and 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 Annexation No. 4 to the Community Facilities District, which lien shall continue in force and effect until the collection of the special tax by the Council ceases and/or the lien is canceled in accordance with law.

Section 3. The Council finds and determines that written protests to the establishment of Annexation No. 4 to the Community Facilities District and the levy of such special tax, or the extent of Annexation No. 4 to the Community Facilities District, or any of the Services 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 Annexation No. 4 to the Community Facilities District therefor, or the levy of the special tax proposed to be levied therein, or the extent of Annexation No. 4 to the Community Facilities District, or any of the Services therefor, or the establishment of an appropriations limit for Annexation No. 4 to 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 Annexation No. 4 to the Community Facilities District are valid and in conformity with the requirements of the Act; and accordingly, the Council finds, determines and orders that, consistent with the Resolution, Annexation No. 4 to 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 Services, including the repayment of funds advanced by the City for Annexation No. 4 to 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 Annexation No. 4 to the Community Facilities District, which tax shall be secured

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by recordation of a continuing lien against all nonexempt property in Annexation No. 4 to the Community Facilities District, will be levied annually within the boundaries of Annexation No. 4 to 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 B, 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 Annexation No. 4 to the Community Facilities District to estimate the maximum amount that such person will have to pay for the Services.

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.

Section 9. A special election shall be and is hereby called and ordered to be held in the territory to be annexed, Annexation No. 4 to the Community Facilities District on Wednesday, August 13, 2003, 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 landowners within Annexation No. 4 to the Community Facilities District (which landowners are the electors and persons qualified to vote at said special election) the question of levying such special tax and the establishment of an appropriations limit in the amount of \$35,000 per fiscal year in connection therewith for Annexation No. 4 to the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California.

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

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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 general elections in the City and consistent with the Act.

(b) All landowners within Annexation No. 4 to 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 4000 et seq. and Section 4108 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 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 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.

(e) The City Clerk of the City shall commence the canvass of the returns of said special election at 5:00 p.m. on Wednesday, August 13, 2003, at the office of the City Clerk of the City, City Council Chambers, Sacramento City Hall, 730 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 at its regular meeting on Tuesday, August 19, 2003, at 2:00 p.m. 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

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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 Annexation No. 4 to 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 Annexation No. 4 to 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 Services referred to in Section 5 of this resolution (including the repayment of funds advanced for Annexation No. 4 to the Community Facilities District).

Section 12. The Program Specialist, Special Districts, Department of Public Works of the City, at City Hall, City of Sacramento, 1231 I Street, Sacramento, California 95814 (telephone 916/264-5628) 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.

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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# Exhibit A

City of Sacramento, California  
Neighborhood Park Maintenance  
Community Facilities District No. 2002-02

## LIST OF AUTHORIZED SERVICES

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The authorized services include those set forth below in addition to the costs associated with collecting and administering the special taxes, and annually administering the District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the CFD is to fund the maintenance of neighborhood parks in the City of Sacramento. The CFD's authorized services include the following:

1. The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community, parks, regional parks and parkway systems.)
2. CFD formation and annual administration of the District
3. Other miscellaneous services related to items 1 or 2, including planning, engineering, legal, elections, and administration.

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# Exhibit B

City of Sacramento, California  
Neighborhood Park Maintenance  
Community Facilities District No. 2002-02

## 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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

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

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

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**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

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

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

<b>Land Use</b>	<b>Developed Parcel Trigger</b>
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied

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against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**“Maximum Annual Special Tax Rate”** means the amount shown in **Attachment 1** for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**“Mixed Use Parcel”** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**“Mobile Home Park Parcel”** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**“Multi-Family Residential Parcel”** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**“Non-Residential Use Parcels”** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

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

**“Public Parcel”** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**“Residential Unit(s)”** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

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**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in **Section 4**, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

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B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.
- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign

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

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

the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.

- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and

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

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

- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination.

The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

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

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

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

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

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

## Area Map

Department of  
**PUBLICWORKS**  
Special Districts General  
Administration

SATS.Dev:83\Special District Maps\news\subexhibit10.mxd  
BMueller 5/29/03

# EXHIBIT C-1

## Neighborhood Park Maintenance CFD No. 2002-02 Area Map Legend

### Existing Boundaries

1. Elder Creek Park Unit #2
2. Calif. Traditions Apartments
3. Cambay West
4. Creekside
5. North Natomas Estates, The Meadows,  
Northborough II & Heritage
6. Regency Park
7. Parkview
8. Natomas Crossing 20
9. East Land Park Village
10. Vasquez lot split
11. Regency Place Unit #5
12. Azuza St. Parcel Map
13. Morell Estates
14. 220 Main Ave. Parcel Map
15. Del Paso Nuevo Unit #3.
16. Bellview Estates
17. Terry Parcel Map &  
Still Breeze Drive (Yeh & Lai PM)
18. Laguna Vista & Laguna Vega
19. Natomas Crossing III
20. Dayton Street
21. Garden Oaks
22. Shoreside Drive
23. NR Homes (EIMacero Wy).
24. Meadowview Estates, Beth Estates &  
Meadowview Estates North
25. 29<sup>th</sup> Street & 65<sup>th</sup> Avenue

### Proposed Annexation #4 Boundaries

- A. Fitton PM (Craigmont St.)
- B. Del Ponte PM (Riverside Blvd)
- C. 783 Shoreside
- D. Jefferson Commons
- E. Country Lane Estates
- F. Lemon Hill
- G. Sunmeadow Retirement Community

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

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

## NOTICE OF PUBLIC HEARING

ON THE RESOLUTION OF INTENTION TO ANNEX TERRITORY TO  
THE CITY OF SACRAMENTO NEIGHBORHOOD PARKS MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
AND TO LEVY A SPECIAL TAX THEREIN TO FINANCE  
PARKS MAINTENANCE AND RELATED SERVICES IN AND FOR SUCH  
COMMUNITY FACILITIES DISTRICT  
(ANNEXATION NO. 4)

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Sacramento (the "City") has duly adopted Resolution No. 2003-415 (the "Resolution") on June 24, 2003, wherein (a) it declared its intention to annex territory more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto 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") in the area of the City described in the Resolution, to be known and designated as the "City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4." (the "Community Facilities District"), for the purpose of financing parks maintenance and related services, and wherein (b) it declared its intention to authorize the levy of a special tax in the Community Facilities District to pay for the parks maintenance and related services, and that a description of the rate and method of apportionment of such special tax and the manner of collection of such special tax is attached hereto, labeled Exhibit B, and is incorporated herein and made a part hereof.

The authorized services include those set forth below in addition to the costs associated with formation of the district, collecting and administering the special taxes, and annually administering the Community Facilities District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the Community Facilities District is to fund parks maintenance and related services. Notwithstanding the above funding objectives, the Community Facilities District's authorized services include the following:

The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community parks, regional parks and parkway systems);

Community Facilities District formation and annual administration of the Community Facilities District;

Other miscellaneous services related to the above services including planning,

engineering, legal, elections and administration.

Any other similar or related services that serve to advance the goals and objectives specified in the above and which the City has approved.

The special taxes may also be levied to accumulate funds for the above-authorized services.

*29<sup>th</sup> day*

NOTICE IS HEREBY FURTHER GIVEN that ~~Tuesday, the 19<sup>th</sup> day of July, 2003,~~ at the hour of ~~2:00 o'clock p.m.~~ at the regular meeting place of the Council, City Council Chambers, Sacramento Interim City Hall, 703 I Street, First Floor, Sacramento, California 95814, has been fixed by the Council by the Resolution as the time and place for a public hearing to be held by the Council to consider the annexation to 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, and at such public hearing any persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, may appear and be heard, and the testimony of all interested persons or taxpayers for or against the annexation to the Community Facilities District and the levy of such special tax, or the extent of the annexation to the Community Facilities District, or the parks maintenance services, or on any other matters set forth in the Resolution, will be heard and considered. Any protests to the foregoing may be made orally or in writing by any interested persons or taxpayers, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made; and the Council may waive any irregularities in the form or content of any written protest and at such public hearing may correct minor defects in such proceedings. All written protests shall be filed with the City Clerk of the City on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing.

NOTICE IS HEREBY FURTHER GIVEN that such public hearing may be continued from time to time, but shall be completed within thirty (30) days, except that if the Council finds that the complexity of the annexation to the Community Facilities District or the need for public participation requires additional time, such public hearing may be continued from time to time for a period not to exceed six (6) months.

NOTICE IS HEREBY FURTHER GIVEN that the Council may at such public hearing modify the Resolution by eliminating any of the authorized services, or by changing the method and apportionment of such special tax so as to reduce the maximum special tax for all or a portion of the owners of property within the Community Facilities District or by removing any territory from the proposed annexation to the Community Facilities District, except that if the Council proposes to modify the Resolution in a way that will increase the probable special tax to be paid by the owner of any lot or parcel of land in the annexation to the Community Facilities District, the Council shall direct that a report be prepared that includes a brief analysis of the impact of the proposed modifications



on the probable special tax to be paid by the owners of lots or parcels of land in the proposed annexation to the Community Facilities District; and the Council shall receive and consider such report before approving any such modifications or any resolution annexing territory to the Community Facilities District which includes such modifications.

NOTICE IS HEREBY FURTHER GIVEN that at the conclusion of such public hearing the Council may abandon the proposed annexation to the Community Facilities District or may, after passing upon all protests, determine to proceed with annexing the proposed territory to the Community Facilities District; provided, that if fifty percent (50%) or more of the registered voters residing within the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, or the owners of one-half (1/2) or more of the area of the land in the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, file written protests against the proposed annexation to the Community Facilities District, and such protests are not withdrawn so as to reduce the value of the protests to less than such a majority, no further proceedings to establish the Community Facilities District or to levy such special tax shall be taken for a period of one (1) year from the date of such decision. Except that if the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of services proposed for the Community Facilities District, those services shall be eliminated from the resolution to annex territory to the Community Facilities District.

NOTICE IS HEREBY FURTHER GIVEN that if the Council determines at the conclusion of such public hearing to proceed with the annexation to the Community Facilities District, the proposed voting procedure shall be by landowners voting in accordance with the Act.

NOTICE IS HEREBY FURTHER GIVEN that a more complete description of the services proposed for the Community Facilities District and a copy of the Resolution and the boundary map of the Community Facilities District are on file with the City Clerk of the City of Sacramento, Sacramento Interim City Hall, 730 I Street, First Floor, Sacramento, California 95814, and are available for review there during business hours by any interested persons.

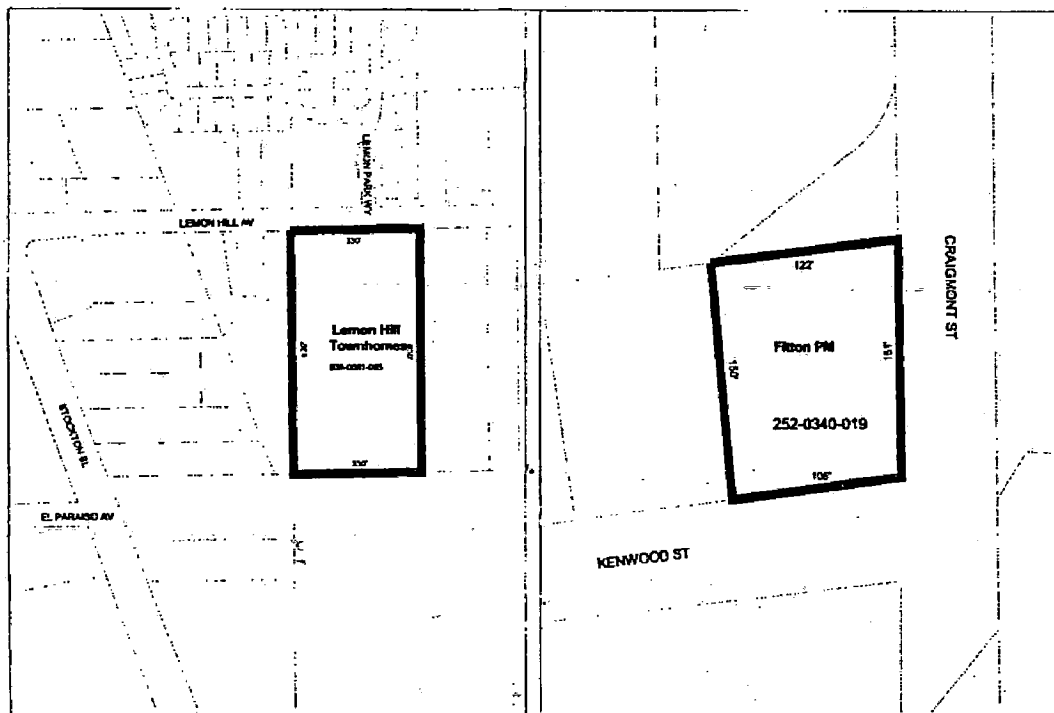
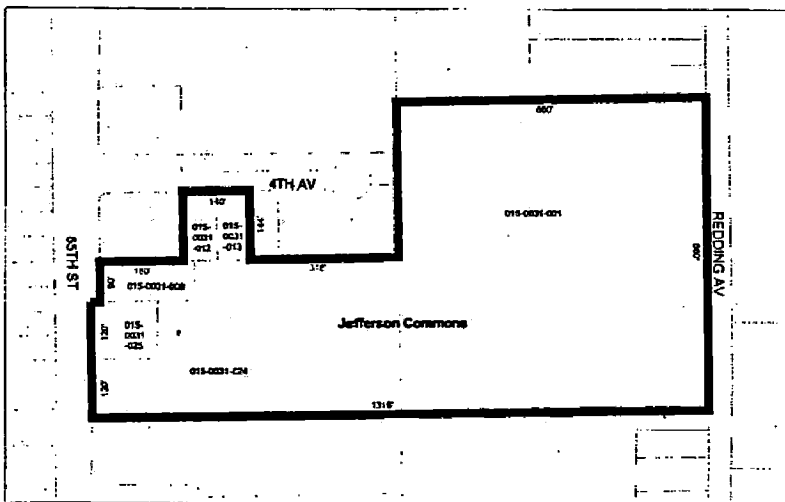
NOTICE IS HEREBY FURTHER GIVEN that the voting procedures shall be as set forth in Government Code Section 53326.

Questions should be directed to Ron Wicky, Department of Public Works, Special Districts, telephone (916) 264-5236.

DATED: June 25, 2003.

VALERIE A. BURROWES  
City Clerk of the City of Sacramento

ADD: 9/6/95  
 RUN: 6/30/03



**BOUNDARY MAP  
 CITY OF SACRAMENTO  
 NEIGHBORHOOD PARK MAINTENANCE  
 COMMUNITY FACILITIES DISTRICT NO. 2002-02  
 ANNEXATION NO.4  
 COUNTY OF SACRAMENTO, STATE OF CALIFORNIA  
 SHEET 1 OF 2**

**CLERK'S MAP FILING STATEMENT:**

FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 24 DAY OF June, 2003

*Virginia K. Henry*  
 CITY CLERK  
 CITY OF SACRAMENTO, CALIFORNIA

**CLERK'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE MAP SHOWING AMENDED BOUNDARY MAP, CITY OF SACRAMENTO COMMUNITY FACILITIES DISTRICT NO. 2002-02, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF, HELD ON THE 24 DAY OF June, 2003, BY ITS RESOLUTION NO. 2003-46

*Virginia K. Henry*  
 CITY CLERK  
 CITY OF SACRAMENTO, CALIFORNIA

**COUNTY RECORDER'S FILING STATEMENT:**

FILED THIS 24 DAY OF June, 2003 AT THE HOUR OF 10 O'CLOCK P.M., IN BOOK 1 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 1, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,

COUNTY RECORDER  
 OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: \_\_\_\_\_  
 DEPUTY

DOCUMENT NO. \_\_\_\_\_

Legend	
	Boundary Line
	Not Part of District

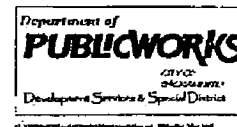
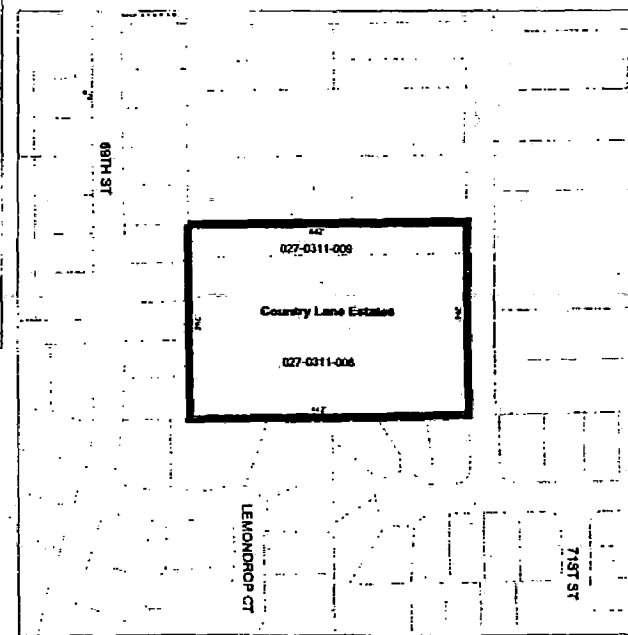
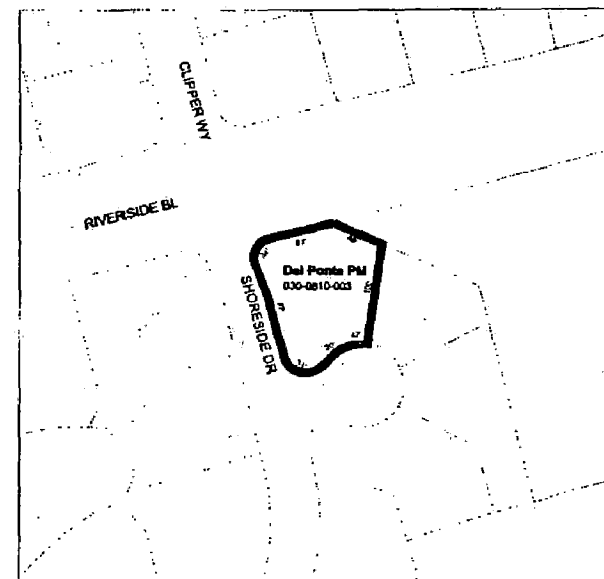
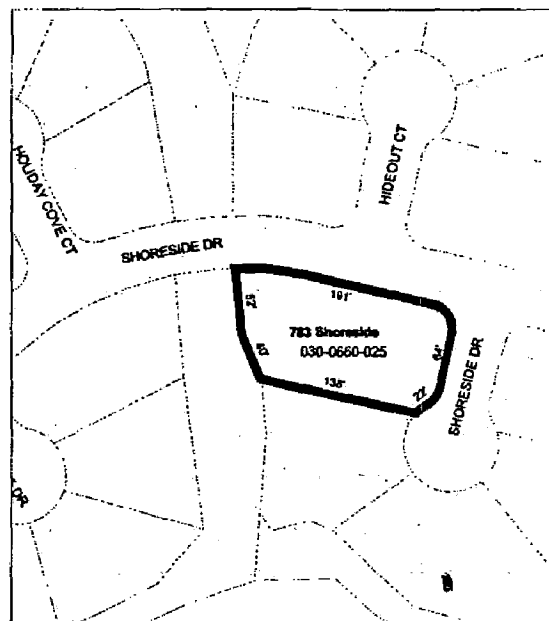
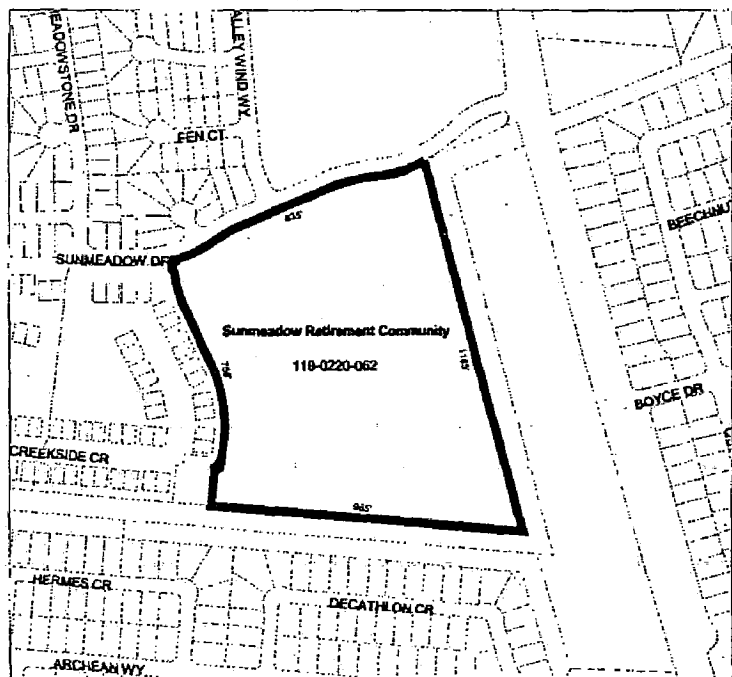


EXHIBIT A

AD NO: 9695  
PLAN: 0120103

**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO. 4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

**SHEET 2 OF 2**



# Exhibit B

## City of Sacramento, California Neighborhood Park Maintenance Community Facilities District No. 2002-02

### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

#### **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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

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

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

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

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

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

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

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single

family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in Section 4, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels: Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.



- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

*City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002*

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.



DEPARTMENT OF  
PUBLIC WORKS

DEVELOPMENT SERVICES DIVISION

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## HEARING REPORT

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-2  
Annexation #4

Prepared By:

Development Services Division - Special Districts Section

July 29, 2003

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### Exhibits

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

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## I. INTRODUCTION

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### Background

Over the next 14 years, the City will add an estimated 344 park acres based on projected population growth and a City standard of 5 park acres per 1,000 population for neighborhood and community parks. Of this standard, 2.5 acres are allocated to neighborhood parks. Therefore, there are an estimated 172 neighborhood park acres that will be added by 2015. City Staff currently estimates that all of this park acreage will be developed by 2006.

Other than an existing Citywide Lighting & Landscaping District, which covers approximately 17 percent of total citywide park maintenance costs, there are no City funds available to fund maintenance for the additional park acres.

On June 25, 2002, the City of Sacramento approved formation of a Community Facilities District that will fund, in part, the maintenance of neighborhood park acres. Only new development within the City of Sacramento will participate in the Community Facilities District.

The District was initially formed with the Elder Creek development project in the south area on June 25, 2002. Previously annexed territories have added approximately 4488 single family residences and 4685 multi-family residences to the CFD. These residential units are spread over various development projects within the City. Annexation #4 will add approximately 157 single family and 362 multi family units spread among the following development projects:

- Parcel maps on Craigmont & Kenwood(Fitton PM), 783 Shoreside Drive, and Riverside & Shoreside(Del Ponte PM)
- Subdivision Maps of Country Lane Estates and Sunmeadow Retirement Community
- Development Projects of Lemon Hill TownHomes And Jefferson Commons

**Exhibit C** shows the existing areas of Neighborhood Park Maintenance CFD No. 2002-02 (the "CFD") and **Exhibit D** shows the proposed boundaries of Annexation #4.

As new residential development continues to occur within City, these projects will also be required to annex into the CFD. Only residential land uses will be included in the CFD.



## **PURPOSE OF THE ANALYSIS**

The purpose of this report is to present a discussion of the City of Sacramento CFD No. 2002-2 that will be used to fund the maintenance of neighborhood parks that will be needed to serve new development within the City.

This report serves as the Hearing Report required by the Mello-Roos Act. It discusses the public services and facilities to be funded, the structure of the CFD, and the Maximum Annual Special Taxes.

## **ORGANIZATION OF THE REPORT**

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

Four exhibits are attached to this report. **Exhibit A** is the Rate and Method of Apportionment (the "Tax Formula"). **Exhibit B** is the list of authorized services to be funded by the CFD. **Exhibit C** provides the existing areas in CFD 2002-02. **Exhibit D** provides the boundary map for Annexation #4.

## II. ANNUAL MAINTENANCE COSTS AND MAXIMUM ANNUAL SPECIAL TAX

The CFD is being formed to fund park maintenance for neighborhood parks. The special tax will be levied on new residential development as development projects annex into the District. Only new residential development will be included in the CFD.

Over the next 14 years, the City is projected to add an additional 68,800 people as shown in **Figure 1** below. Based on a City standard of 5 acres per 1,000 population for neighborhood and community parks, this would require development of 344 additional park acres. Of this standard, 2.5 acres are allocated to neighborhood parks. Therefore, there are an estimated 172 neighborhood park acres that will be added by 2015. However, City staff currently estimates that all of this park acreage will be developed by 2006, rather than 2015.

**Figure 1**  
**City of Sacramento**  
**Population Projections - 2000 to 2015**

Planning Area	2000 [1]	2001 [1]	2005	2010	2015	Increase 2000-2015	Percent of Total Increase
Central City	34,999	35,345	38,340	41,584	44,828	9,829	14.3%
Land Park	34,597	34,939	34,546	34,836	35,125	528	0.8%
Pocket	47,621	48,092	47,069	47,510	47,950	329	0.5%
South Sacramento	69,703	70,392	72,760	76,650	80,540	10,837	15.8%
East Broadway	45,993	46,448	45,771	45,937	46,103	110	0.2%
East Sacramento	33,782	34,116	33,900	33,992	34,083	300	0.4%
Arden Arcade	11,397	11,509	11,311	11,412	11,512	115	0.2%
North Sacramento	51,248	51,755	51,619	53,139	54,658	3,410	5.0%
South Natomas	36,632	36,994	36,840	36,936	37,032	400	0.6%
North Natomas	5,698	5,755	17,128	28,964	40,800	35,102	51.0%
Airport/Meadowview	35,330	35,679	37,854	40,523	43,192	7,862	11.4%
<b>Total</b>	<b>407,018</b>	<b>411,042</b>	<b>427,139</b>	<b>451,481</b>	<b>475,822</b>	<b>68,804</b>	<b>100.0%</b>

"population"

Source: City of Sacramento, Population and Housing Data, June 1999 adjusted by EPS, 2002.

[1] For the years 2000 and 2001, population for each individual planning area is projected as a pro rata amount. These projections are based on 1998 plan area population compared to 1998 total population. Total population for the year 2000 is based on actual 2000 Census data. All other population data is projected.

Other than an existing Lighting and Landscaping District, which covers only a small portion of park maintenance costs, there are no City funds earmarked to fund maintenance for the additional park acres.

Therefore, the CFD is being proposed to fund approximately 75 percent of the cost of maintaining neighborhood parks serving new development. The remaining cost is assumed to be covered by the existing citywide Lighting and Landscaping District or other funding sources to be determined.

Of the 5.0 park acre standard per 1,000 population, 2.5 acres are to be designated as neighborhood and the remaining 2.5 acres are to be designated as community. The CFD will fund a portion of the maintenance costs for neighborhood parks, but no similar funding source has been identified for community parks at this time.

### **PARK MAINTENANCE COSTS AND COST ALLOCATION**

Based on a survey of park maintenance costs funded through CFDs in jurisdictions within the Sacramento region, the cost to maintain a neighborhood park acre ranged from \$7,000 to \$9,500. In the City of Sacramento the cost to maintain a park was \$7,500 per acre in 1984 (excluding water and electric costs), which would be approximately \$12,000 in 2002 dollars. However, actual expenditures in 2000 averaged \$4,800 per acre for park maintenance in the City (excluding water and electric costs).

Expenditures have decreased in large part because the City of Sacramento is expending approximately the same amount of funding over a larger pool of parks (since 1984, park acreage increased by 311 acres but the number of full time employee equivalents has remained static over the same time period.) As a result, the City has had to reduce park maintenance operations so that only core maintenance tasks are performed. Core responsibilities include mowing, irrigation, "policing", and waste pick-up and removal. Policing includes observing the park for safety hazards, litter, vandalism, and taking appropriate action.

Some cost savings have been achieved over the years and this does account for some of the reduction in the average maintenance costs between 1984 and 2001. However, it is estimated that the average cost to maintain parks is closer to \$8,000 per acre at a reasonable land comparison, rather than the budgeted \$4,800 per acre actually, particularly when water and electricity costs are factored in as well as maintenance of bikeways and open space areas. Therefore, the cost estimate used for estimating costs relative to CFD 2002-02 was \$8,000 per acre.

Of the \$8,000 per acre, 75 percent, or \$6,000, will be funded by special tax revenues. The remaining 25 percent in maintenance costs will in part be funded through the citywide Lighting and Landscaping Assessment District (which contributes approximately 17 percent to the park's maintenance budget citywide) and other sources of funding, yet to be identified.

## COST ALLOCATION

The cost allocation is computed on a per persons served basis. As new development occurs in the City, it will be required to add 5 acres of park for every 1,000 persons added per on City Council policy. Of this amount, 2.5 acres will be dedicated for neighborhood parks. Therefore, for every new resident, 0.0025 neighborhood park acres should be added within the City.

As shown in **Figure 2**, based on an allocated maintenance cost of \$6,000 per acre and a requirement of 0.0025 acres of neighborhood park per person, the cost to maintain a neighborhood park is estimated at \$15.00 per person per year.

**Figure 2**  
**City of Sacramento**  
**Neighborhood Park Maintenance CFD No. 2002-02**  
**Estimated Maximum Special Tax per Single Family Unit**

<b>Neighborhood Parks</b>		
Estimated Maintenance Cost Per Acre:	\$8,000	
Maint. Cost Per Acre Funded by CFD:	\$6,000	
LOS Requirement:	2.50	Acres per 1,000 Population
LOS Requirement per Person:	0.0025	Acres per Person
Maint. Cost per Person:	\$15.00	
People Per Household:	2.98	Per Single Family Unit
<b>Maintenance Cost per Single Family Unit:</b>	<b>\$44.70</b>	

According to the Quimby Ordinance, there are approximately 2.98 people per unit for single family land uses. The maintenance cost per person is multiplied by the people per household factor to determine the maintenance cost on a per unit basis. The cost per single family unit is estimated at \$44.70 per year.

## **MAXIMUM ANNUAL SPECIAL TAX**

The CFD's annual maintenance and services costs will be funded through the collection of special taxes levied against the property within the CFD. Special taxes will be collected from each unit based on the residential land uses within the District. The maximum annual cost of CFD services funded by special taxes was calculated assuming direct service costs, on a per persons served basis, and a City administrative expense. **Figure 3** shows the calculation of the maximum annual special tax by residential unit type. The City administrative cost represents 7 percent of the estimated annual maintenance cost per residential unit.

The maximum annual special tax revenue generated in any given year will be a function of the number of residential units included in the District. The District currently has approximately 4488 single family units and 4685 multi-family units to the CFD. Annexation # 4 will add approximately 157 single family and 362 multi family units to the District. As other development projects within the City are approved, they will be required to annex into the CFD.

**Figure 3**  
**City of Sacramento**  
**Neighborhood Park Maintenance CFD No. 2002-02**  
**Estimated Maximum Special Tax per Residential Unit Type**

Land Use	Persons per Unit	Cost per Resident	Cost per Unit	Admin. Cost 7%	Estimated Max. Annual Special Tax per Unit (rounded)
Single-Family Residential Unit	2.98	\$15.00	\$44.70	\$3.13	\$48.00
Condominium/Townhouse Units	2.98	\$15.00	\$44.70	\$3.13	\$48.00
Duplex/Half-plex/Tri-plex Unit [1]	2.98	\$15.00	\$44.70	\$3.13	\$48.00
Multi-Family Residential Unit	1.76	\$15.00	\$26.40	\$1.85	\$28.00
Mobile Home Unit	1.76	\$15.00	\$26.40	\$1.85	\$28.00
Other	1.76	\$15.00	\$26.40	\$1.85	\$28.00

*"est\_tax\_per\_unit"*

[1] For purposes of CFD No. 2002-02 and as directed by City Council, Duplex, Half-plex, and Tri-plex housing units were assumed to have the same usage factor as Single-Family residential units.

The Maximum Annual Special Tax will be increased annually by the Tax Escalation Factor, which will be based upon the Consumer Price Index (CPI) not to exceed 4 percent annually.

### **III. STRUCTURE OF THE PROPOSED CFD**

---

#### **DESCRIPTION OF THE COMMUNITY FACILITIES DISTRICT**

Special taxes within the CFD will be levied according to the Rate and Method of Apportionment of Special Tax (the "Tax Formula"). The attached exhibits contain the formation documents for CFD No. 2002-02. **Exhibit A** contains the Tax Formula and **Exhibit B** is the list of authorized services to be funded by CFD No. 2002-02. The purpose of CFD No. 2002-02 is to provide funding for the annual neighborhood park maintenance costs as authorized by the CFD.

#### **CFD BOUNDARIES**

**Exhibit C** shows the proposed boundary maps for Annexation 4 of the CFD. As other new development projects move through the planning process, they will be required to annex into the CFD and the boundary map will be adjusted accordingly.

#### **ANNUAL COSTS TO BE FUNDED BY THE CFD**

Annual neighborhood maintenance costs are estimated to be approximately \$8,000 per acre; however, the costs included in the CFD are only \$6,000 per acre. Revenue generated from the CFD is only one source of funding targeted at neighborhood park maintenance; other sources of funding include the citywide Lighting and Landscaping District and the City's General Fund revenues to the extent available.

Because annual maintenance costs are projected to exceed revenues generated by the CFD, the special tax levied on CFD parcels will be the maximum annual special tax. The maximum annual special tax will be adjusted annually by CPI (not to exceed 4 percent in any given year) to account for increases in park maintenance costs.

#### **DETERMINATION OF PARCELS SUBJECT TO SPECIAL TAX**

The City shall prepare a list of parcels subject to the Special Tax using the records of the City of Sacramento and the County Assessor. The City will tax all residential parcels within the CFD except those that are declared tax-exempt. Taxable parcels that are acquired by a public agency after the CFD is formed will be re-classified as tax-exempt provided it is determined by the City, in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **TERMINATION OF THE SPECIAL TAX**

The special tax will be levied and collected in perpetuity.

## **MAXIMUM ANNUAL SPECIAL TAX**

**Figure 4** shows the maximum annual special tax rate per type of residential unit in the Base Year (FY 2002-03). The maximum annual special tax will be assigned to each taxable parcel consistent with the provisions in Section 4 of the Tax Formula. The maximum annual special tax will escalate annually by CPI, not to exceed 4 percent in any given year, to cover actual or anticipated increases in the annual costs.

## **SETTING THE ANNUAL SPECIAL TAX RATE**

The City shall assign the maximum annual special tax per taxable parcel based on **Attachment 1** and Section 4 of the Tax Formula as adjusted annually by the Tax Escalation Factor.

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

## **PREPAYMENT OF SPECIAL TAX OBLIGATION**

Prepayment of special taxes is not permitted.

## **MANNER OF COLLECTION**

The special tax will be collected in the same manner and at the same time as *ad valorem* property taxes.

**Figure 4**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.



**Exhibits:**

**Exhibit A: Rate and Method of Apportionment of Special Tax**

**Exhibit B: List of Authorized Services**

**Exhibit C: Existing Area Map**

**Exhibit D: Proposed Boundary Map**

**Exhibit A**  
**City of Sacramento, California**  
**Neighborhood Park Maintenance**  
**Community Facilities District No. 2002-02**

**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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

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

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

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**“CFD”** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

**“City”** means City of Sacramento, California.

**“Condominium/Townhouse Residential Parcel”** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**“Developed Parcel”** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duple/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**“Duplex/Tri-plex Residential Parcel”** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**“Maximum Annual Special Tax”** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**“Maximum Annual Special Tax Rate”** means the amount shown in **Attachment 1** for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**“Mixed Use Parcel”** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**“Mobile Home Park Parcel”** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**“Multi-Family Residential Parcel”** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**“Non-Residential Use Parcels”** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

**“Parcel”** means any Assessor’s parcel in the CFD based on the equalized tax rolls of the County as of March 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 March 1 of each Fiscal Year.

**“Public Parcel”** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**“Residential Unit(s)”** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in **Section 4**, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

**B. Assignment of Maximum Annual Special Tax.**

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.
- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained

by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.

- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued; and
- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.



Attachment 1  
**City of Sacramento CFD No. 2002-02  
(Neighborhood Park Maintenance)  
Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

<b>Tax Category</b>	<b>Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]</b>
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

**Exhibit B**  
**City of Sacramento, California**  
**Neighborhood Park Maintenance**  
**Community Facilities District No. 2002-02**

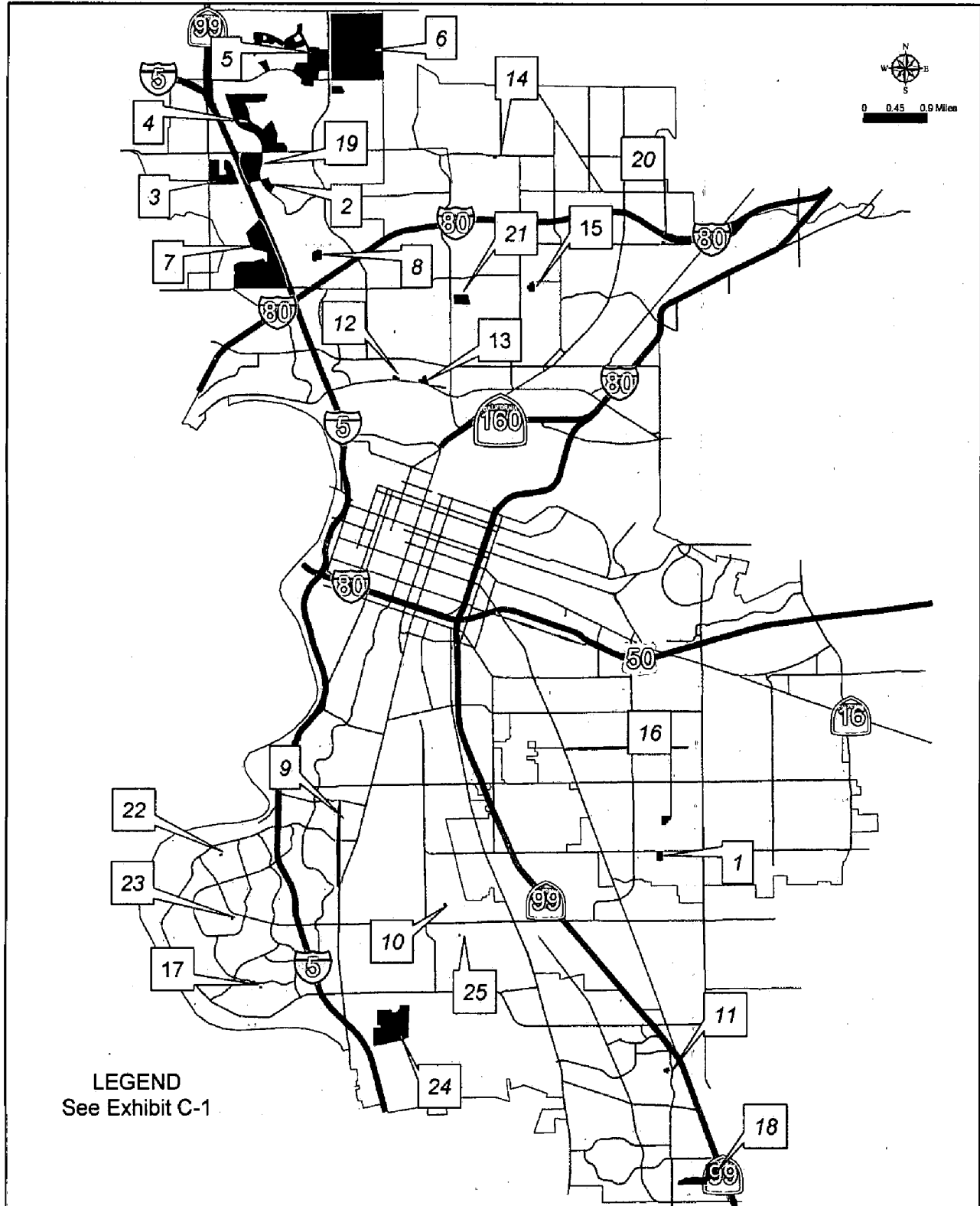
**LIST OF AUTHORIZED SERVICES**

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The authorized services include those set forth below in addition to the costs associated with collecting and administering the special taxes, and annually administering the District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the CFD is to fund the maintenance of neighborhood parks in the City of Sacramento. The CFD's authorized services include the following:

1. The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community, parks, regional parks and parkway systems.)
2. CFD formation and annual administration of the District.
3. Other miscellaneous services related to items 1 or 2, including planning, engineering, legal, elections, and administration.

# EXHIBIT C



Existing Area Map

## EXHIBIT C-1

### Neighborhood Park Maintenance CFD No. 2002-02 Area Map Legend

#### Existing Boundaries

1. Elder Creek Park Unit #2
2. Calif. Traditions Apartments
3. Cambay West
4. Creekside
5. North Natomas Estates, The Meadows,  
Northborough II & Heritage
6. Regency Park
7. Parkview
8. Natomas Crossing 20
9. East Land Park Village
10. Vasquez lot split
11. Regency Place Unit #5
12. Azuza St. Parcel Map
13. Morell Estates
14. 220 Main Ave. Parcel Map
15. Del Paso Nuevo Unit #3
16. Bellview Estates
17. Terry Parcel Map &  
Still Breeze Drive (Yeh & Lai PM)
18. Laguna Vista & Laguna Vega
19. Natomas Crossing III
20. Dayton Street
21. Garden Oaks
22. Shoreside Drive
23. NR Homes (El Macero Wy)
24. Meadowview Estates, Beth Estates &  
Meadowview Estates North
25. 29<sup>th</sup> Street & 65<sup>th</sup> Avenue

**SHEET 1 OF 2**

FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF  
SACRAMENTO, STATE OF CALIFORNIA, THIS 29 DAY OF June, 2003

William B. King  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

I HEREBY CERTIFY THAT THE MAP SHOWING AMENDED BOUNDARY MAP, CITY OF SACRAMENTO COMMUNITY FACILITIES DISTRICT NO. 2002-02, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF, HELD ON THE 24 DAY OF June, 2003, BY ITS RESOLUTION NO. 2003-415

*Victoria K. K...*  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

FILED THIS 5 DAY OF June, 2003 AT THE HOUR OF 2:46 O'CLOCK P.M. IN  
BOOK 916 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS  
AT PAGE 22, IN THE OFFICE OF THE COUNTY RECORDER OF THE  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

Joan Woods  
COUNTY RECORDER  
OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: [Signature]  
DEPUTY

DOCUMENT NO. 200306253547

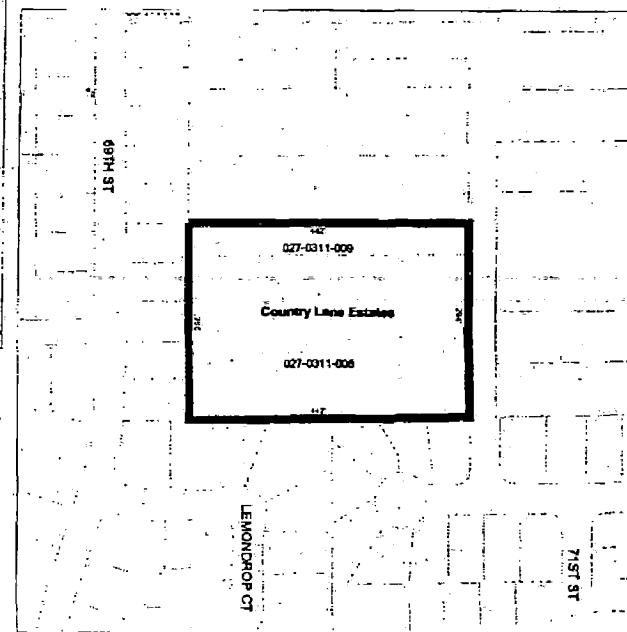
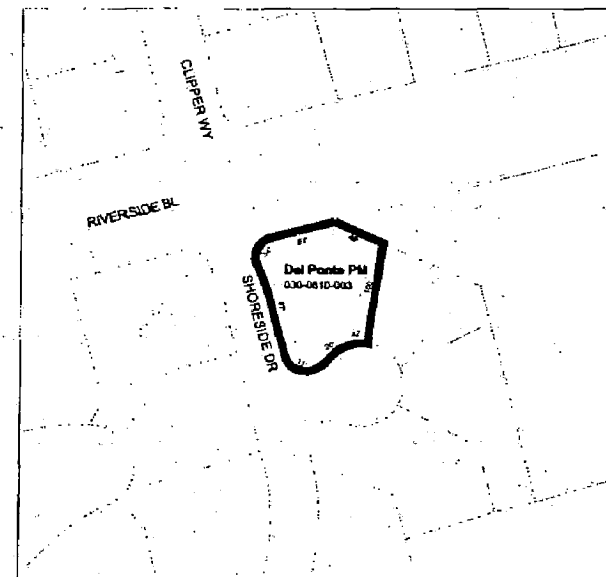
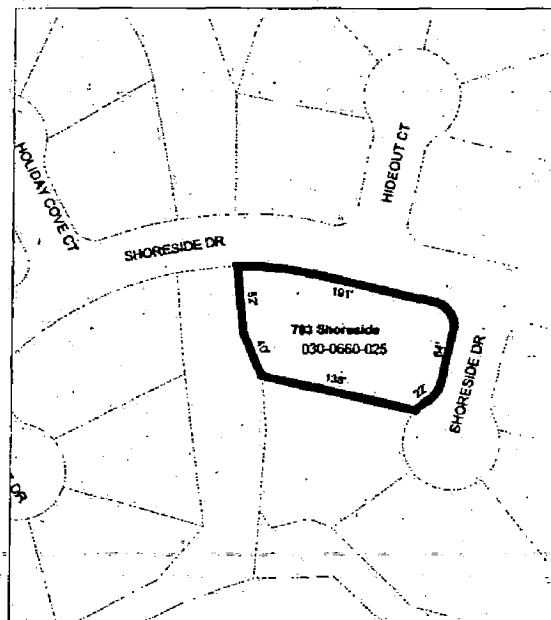
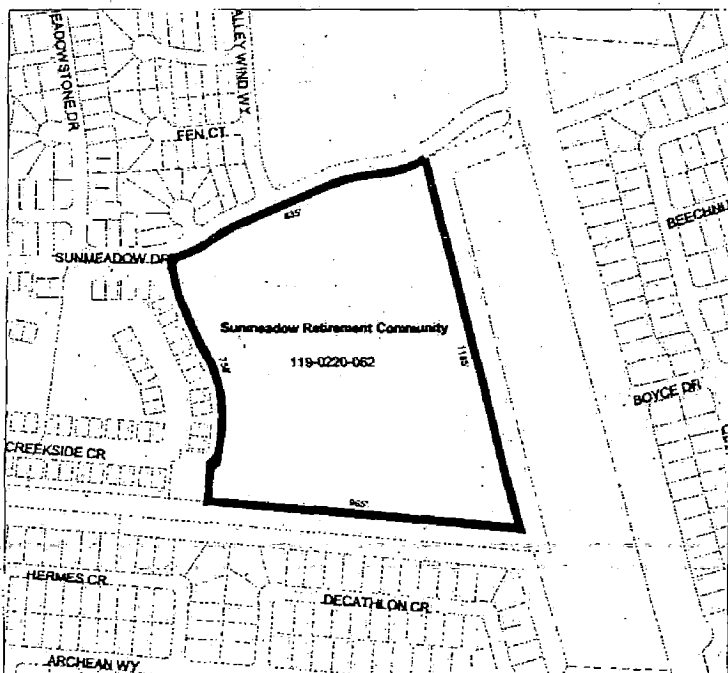
**NP** Not Part of District



EXHIBIT D

**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO. 4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

**SHEET 2 OF 2**



**CERTIFICATE RELATIVE TO VOTERS**

**NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY FACILITIES  
DISTRICT NO. 2002-02, ANNEXATION NO. 4, CITY OF SACRAMENTO,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

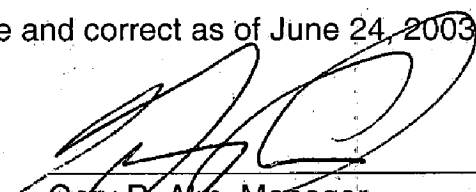
I, Gary R. Alm, hereby declare:

1. I am familiar with the boundary map of the proposed Annexation No. 4 to the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, City of Sacramento, County of Sacramento, State of California ("CFD No. 2002-02, Annexation No. 2").

2. I have prepared, from the official records of Sacramento County, a list of all property owners within CFD No. 2002-02, Annexation No. 4, including the total number of acres owned within CFD No. 2002-02, Annexation No. 4 by each such property owner, a copy of which list is attached hereto as Exhibit A and incorporated herein and made a part hereof.

3. I have personally inspected the land in CFD No. 2002-02, Annexation No. 4, 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 CFD No. 2002-02, Annexation No. 4, and based on the foregoing, I have determined that on June 24, 2003, there were no registered voters residing within CFD No. 2002-02, Annexation No. 4.

I certify the foregoing to be true and correct as of June 24, 2003.



---

Gary R. Alm, Manager,  
Development Services, Dept. of  
Public Works, City of Sacramento

## EXHIBIT A

### NEIGHBORHOOD PARK MAINTENANCE CFD ANNEXATION #4

APN	OWNER	Acres
252-0340-019	WILLIAM	0.387
015-0031-001	Whal Properties	9.892
015-0031-013	Whal Properties	0.230
015-0031-012	Whal Properties	0.231
015-0031-024	Whal Properties	4.071
015-0031-009	Whal Properties	0.379
015-0031-025	Whal Properties	0.389
027-0311-008	Phung & Others	2.322
027-0311-009	Phung & Others	0.466
038-0081-005	UNITY MISSION BAPTIST CHURCH O	4.791
030-0810-003	Robert Del Ponte	0.272
030-0660-025	N R Homes Inc.	0.356
119-0220-062	CREEKSIDE SACRAMENTO LLC	19.024
		42.810



**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
OTHER REQUIREMENTS  
(Annexation No. 4)**

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 2002-03) 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 Annexation No. 4 to the Neighborhood Parks Maintenance Community Facilities District No. 2002-02 ("District"), as the District boundaries are set forth on the map entitled "Boundaries of Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4, City of Sacramento, County of Sacramento, State of California," designated Exhibit A to be attached hereto and incorporated herein by this reference, and in such capacity 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 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 District.

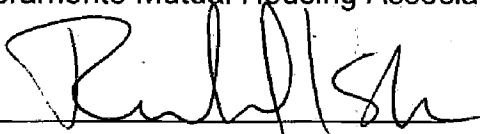
The undersigned hereby waives: (i) any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code; (ii) the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure; and (iii) the timing requirements regarding the mailing of ballots to the qualified electors within the District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner. The undersigned specifically consents to the City inserting into the text of this document the proper annexation number, in the blank spaces where such number is indicated and attaching the above-referenced Exhibit A when that map is created.

Owner or authorized representative:  
Sacramento Mutual Housing Association

Assessor Parcel No.(s):  
038-0081-005-0000

By:



Its:

Executive Director

Dated:

**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
OTHER REQUIREMENTS  
(Annexation No. 4)**

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The undersigned hereby waives: (i) any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code; (ii) 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; and (iii) the timing requirements regarding the mailing of ballots to the qualified electors within the District pursuant to Section 4101 of the California Elections Code.

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Owner or authorized representative:  
Sun Meadows 136, L.L.C.,  
A Limited Liability Company

Assessor Parcel No.(s):  
119-0220-062-0000

By: Alb. W. Da...

Its: Managing Member

Dated: 7-22-03

**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
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The undersigned hereby waives: (i) any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code; (ii) 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; and (iii) the timing requirements regarding the mailing of ballots to the qualified electors within the District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner. The undersigned specifically consents to the City inserting into the text of this document the proper annexation number, in the blank spaces where such number is indicated and attaching the above-referenced Exhibit A when that map is created.

Owner or authorized representative:  
William Fitton III and Deborah J. Schwartzhoff,  
As joint tenants

Assessor Parcel No.(s):  
252-0340-019-0000

By: 

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
OTHER REQUIREMENTS  
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Owner or authorized representative:  
Robert Del Ponte,  
A married man as his sole and separate property

Assessor Parcel No.(s):  
030-0810-003-0000

By: Robert Del Ponte

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
OTHER REQUIREMENTS  
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The undersigned hereby further agrees that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-Referenced owner. The undersigned specifically consents to the City inserting into the text of this document the proper annexation number, in the blank spaces where such number is indicated and attaching the above-referenced Exhibit A when that map is created.

Owner or authorized representative:  
NR Homes,  
Defined Benefit Pension Plan Trust

Assessor Parcel No. (s):  
030-0660-025 (Lot #30)  
783 & 787 Shoreside Blvd.,  
Sacramento, CA 95831

By: 

Its: \_\_\_\_\_

Dated: May 28, 2003

**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
OTHER REQUIREMENTS  
(Annexation No. 4)**

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 2002-03) 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 Annexation No. 4 to the Neighborhood Parks Maintenance Community Facilities District No. 2002-02 ("District"), as the District boundaries are set forth on the map entitled "Boundaries of Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4, City of Sacramento, County of Sacramento, State of California," designated Exhibit A to be attached hereto and incorporated herein by this reference, and in such capacity 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 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 District.

The undersigned hereby waives: (i) any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code; (ii) 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; and (iii) the timing requirements regarding the mailing of ballots to the qualified electors within the District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner. The undersigned specifically consents to the City inserting into the text of this document the proper annexation number, in the blank spaces where such number is indicated and attaching the above-referenced Exhibit A when that map is created.

Owner or authorized representative:  
Whal Properties, LP,  
A Limited Partnership

Assessor Parcel No.(s):  
015-0031-001-0000, 015-0031-009-0000,  
015-0031-012-0000, 015-0031-013-0000,  
015-0031-024-0000 & 015-0031-025-0000

By: Nick Balanog

Its: President PGP Properties Inc  
G.P. Whal Properties, LP

Dated:

5-20-03

**WAIVER AND CONSENT OF LANDOWNERS  
TO ANNEXATION TO THE NEIGHBORHOOD PARKS  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
SHORTENING TIME PERIODS AND WAIVING VARIOUS  
OTHER REQUIREMENTS  
(Annexation No. 4)**

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 2002-03) 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 Annexation No. 4 to the Neighborhood Parks Maintenance Community Facilities District No. 2002-02 ("District"), as the District boundaries are set forth on the map entitled "Boundaries of Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4, City of Sacramento, County of Sacramento, State of California," designated Exhibit A to be attached hereto and incorporated herein by this reference, and in such capacity 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 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 District.

The undersigned hereby waives: (i) any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code; (ii) 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; and (iii) the timing requirements regarding the mailing of ballots to the qualified electors within the District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner. The undersigned specifically consents to the City inserting into the text of this document the proper annexation number, in the blank spaces where such number is indicated and attaching the above-referenced Exhibit A when that map is created.

Assessor Parcel No.(s): 027-0311-008-0000 & 027-0311-009-0000

Owner or authorized representative:

Maggie C. Phung, an unmarried woman, as to an undivided 20% interest and Vinh Phat Supermarket, Inc., as to an undivided 80% interest, as to parcel one and Maggie C. Phung, an unmarried woman, as to an undivided 20% interest and Sau Venh Vong, Tu Tu Luong, Suing Plaskett, and Chan Cam Ly, as Joint Tenants as to an undivided 80% interest, by deed which recites no marital status, as to parcel two.

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

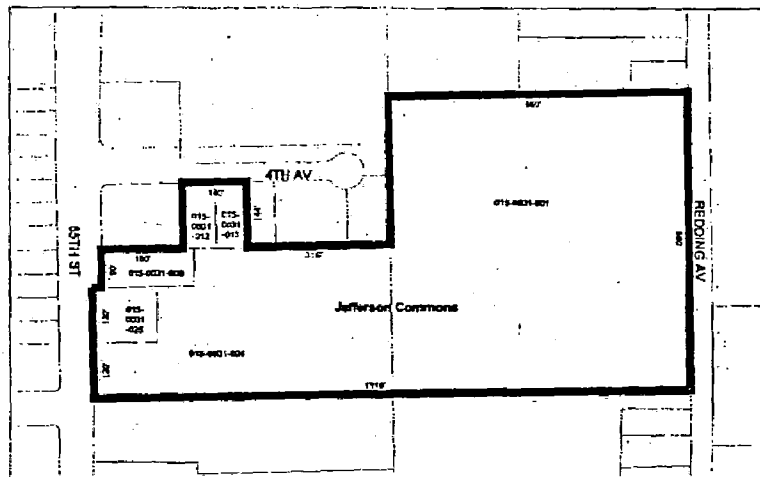
By: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO.4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

**SHEET 1 OF 2**



**CLERK'S MAP FILING STATEMENT:**

FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 27 DAY OF June, 2003

*Marina L. Henry*  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

**CLERK'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE MAP SHOWING AMENDED BOUNDARY MAP, CITY OF SACRAMENTO COMMUNITY FACILITIES DISTRICT NO. 2002-02, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF, HELD ON THE 24 DAY OF June, 2003, BY ITS RESOLUTION NO. 7003-415

*Marina L. Henry*  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

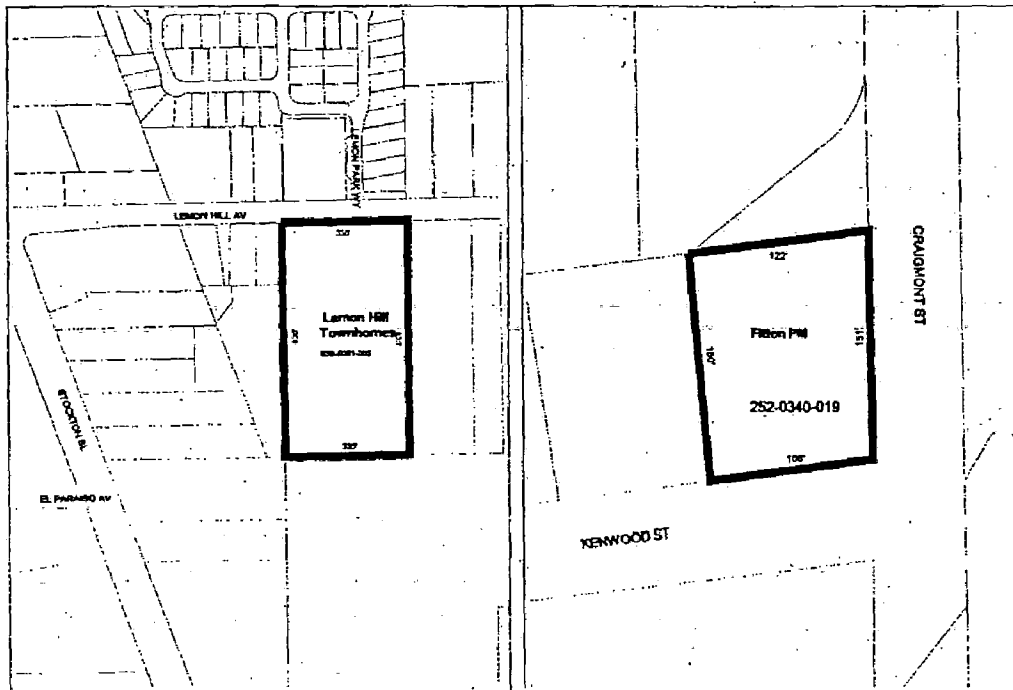
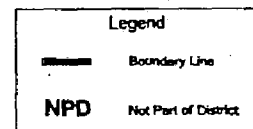
**COUNTY RECORDER'S FILING STATEMENT:**

FILED THIS 27 DAY OF June, 2003 AT THE HOUR OF 2:00 O'CLOCK P.M., IN BOOK 9 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 22, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,

*Mark Harris*  
COUNTY RECORDER  
OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: *Deputy*  
DEPUTY

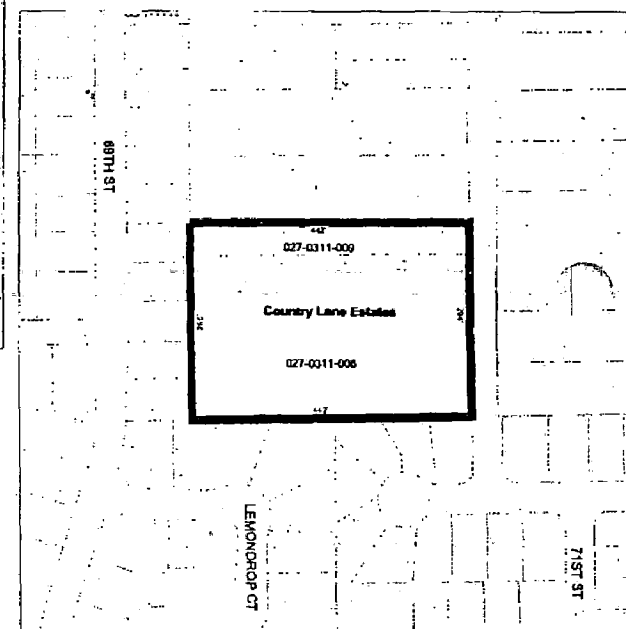
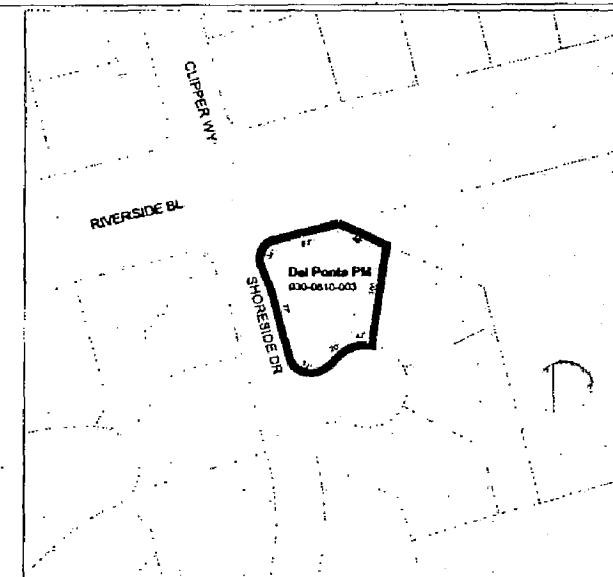
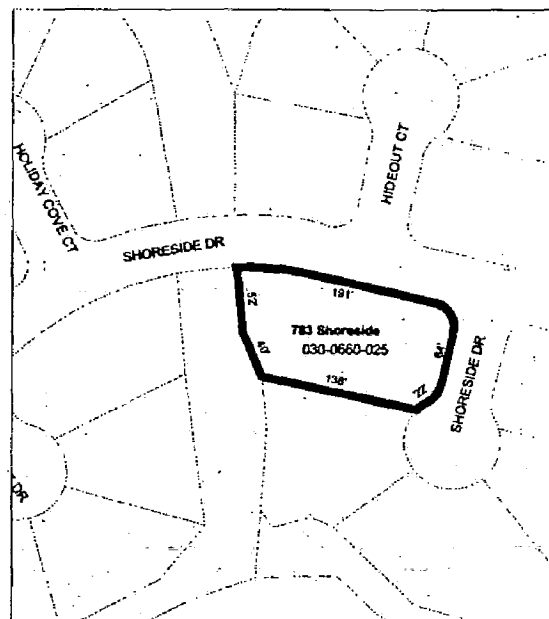
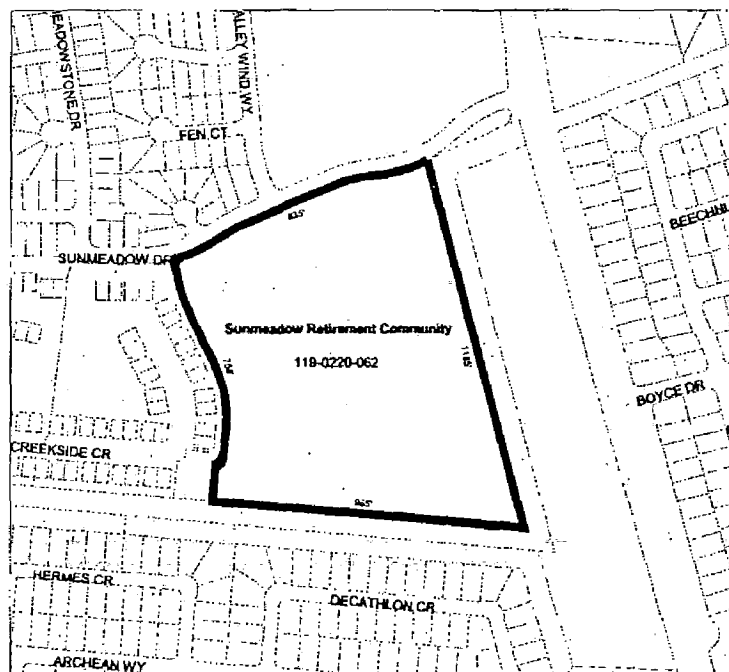
DOCUMENT NO. 2003-0025597





BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO. 4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

SHEET 2 OF 2



CITY OF SACRAMENTO

**AFFIDAVIT OF COMPLIANCE WITH THE  
REQUIREMENTS FOR PUBLISHING A NOTICE  
OF PUBLIC HEARING ON THE RESOLUTION  
OF INTENTION TO ANNEX TERRITORY TO THE  
NEIGHBORHOOD PARK MAINTENANCE COMMUNITY  
FACILITIES DISTRICT NO. 2002-02, ANNEXATION NO. 4, CITY OF SACRAMENTO,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF SACRAMENTO        )

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

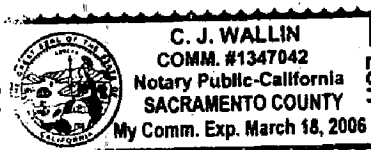
That she is now and at all times herein mentioned was the City Clerk of the City of Sacramento;

That, pursuant to Resolution No. 2003-415 (the "Resolution") adopted by the City Council of the City of Sacramento on June 24, 2003, she complied with the requirements for publishing a Notice of Public Hearing on the Resolution to annex territory to the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4, City of Sacramento, County of Sacramento, State of California (the "Community Facilities District"), as required by the Resolution, by causing a copy of such notice to be published in the Daily Recorder, a newspaper of general circulation published in the area of the Community Facilities District and proposed annexation, and that attached hereto, marked Exhibit A and incorporated herein and made a part hereof, is a true and correct copy of an affidavit of publication on file in her office showing that such notice as annexed to said affidavit was duly published one time on 6/30, 2003.

  
\_\_\_\_\_  
City Clerk of the City of Sacramento

Subscribed and sworn to before me  
this 12 day of July, 2003.

  
\_\_\_\_\_  
NOTARY PUBLIC  
State of California



[Notarial Seal]

## **NOTICE OF PUBLIC HEARING**

**ON THE RESOLUTION OF INTENTION TO ANNEX TERRITORY TO  
THE CITY OF SACRAMENTO NEIGHBORHOOD PARKS MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
AND TO LEVY A SPECIAL TAX THEREIN TO FINANCE  
PARKS MAINTENANCE AND RELATED SERVICES IN AND FOR SUCH  
COMMUNITY FACILITIES DISTRICT  
(ANNEXATION NO. 4)**

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Sacramento (the "City") has duly adopted Resolution No. 2003-415 (the "Resolution") on June 24, 2003, wherein (a) it declared its intention to annex territory more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto 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") in the area of the City described in the Resolution, to be known and designated as the "City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4." (the "Community Facilities District"), for the purpose of financing parks maintenance and related services, and wherein (b) it declared its intention to authorize the levy of a special tax in the Community Facilities District to pay for the parks maintenance and related services, and that a description of the rate and method of apportionment of such special tax and the manner of collection of such special tax is attached hereto, labeled Exhibit B, and is incorporated herein and made a part hereof.

The authorized services include those set forth below in addition to the costs associated with formation of the district, collecting and administering the special taxes, and annually administering the Community Facilities District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the Community Facilities District is to fund parks maintenance and related services. Notwithstanding the above funding objectives, the Community Facilities District's authorized services include the following:

The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community parks, regional parks and parkway systems);

Community Facilities District formation and annual administration of the Community Facilities District;

Other miscellaneous services related to the above services including planning,

engineering, legal, elections and administration.

Any other similar or related services that serve to advance the goals and objectives specified in the above and which the City has approved.

The special taxes may also be levied to accumulate funds for the above-authorized services.

NOTICE IS HEREBY FURTHER GIVEN that Tuesday, the 19<sup>th</sup> day of July, 2003, at the hour of 2:00 o'clock p.m. at the regular meeting place of the Council, City Council Chambers, Sacramento Interim City Hall, 703 I Street, First Floor, Sacramento, California 95814, has been fixed by the Council by the Resolution as the time and place for a public hearing to be held by the Council to consider the annexation to 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, and at such public hearing any persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, may appear and be heard, and the testimony of all interested persons or taxpayers for or against the annexation to the Community Facilities District and the levy of such special tax, or the extent of the annexation to the Community Facilities District, or the parks maintenance services, or on any other matters set forth in the Resolution, will be heard and considered. Any protests to the foregoing may be made orally or in writing by any interested persons or taxpayers, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made; and the Council may waive any irregularities in the form or content of any written protest and at such public hearing may correct minor defects in such proceedings. All written protests shall be filed with the City Clerk of the City on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing.

NOTICE IS HEREBY FURTHER GIVEN that such public hearing may be continued from time to time, but shall be completed within thirty (30) days, except that if the Council finds that the complexity of the annexation to the Community Facilities District or the need for public participation requires additional time, such public hearing may be continued from time to time for a period not to exceed six (6) months.

NOTICE IS HEREBY FURTHER GIVEN that the Council may at such public hearing modify the Resolution by eliminating any of the authorized services, or by changing the method and apportionment of such special tax so as to reduce the maximum special tax for all or a portion of the owners of property within the Community Facilities District or by removing any territory from the proposed annexation to the Community Facilities District, except that if the Council proposes to modify the Resolution in a way that will increase the probable special tax to be paid by the owner of any lot or parcel of land in the annexation to the Community Facilities District, the Council shall direct that a report be prepared that includes a brief analysis of the impact of the proposed modifications.

on the probable special tax to be paid by the owners of lots or parcels of land in the proposed annexation to the Community Facilities District, and the Council shall receive and consider such report before approving any such modifications or any resolution annexing territory to the Community Facilities District which includes such modifications.

NOTICE IS HEREBY FURTHER GIVEN that at the conclusion of such public hearing the Council may abandon the proposed annexation to the Community Facilities District or may, after passing upon all protests, determine to proceed with annexing the proposed territory to the Community Facilities District; provided, that if fifty percent (50%) or more of the registered voters residing within the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, or the owners of one-half (½) or more of the area of the land in the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, file written protests against the proposed annexation to the Community Facilities District, and such protests are not withdrawn so as to reduce the value of the protests to less than such a majority, no further proceedings to establish the Community Facilities District or to levy such special tax shall be taken for a period of one (1) year from the date of such decision. Except that if the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of services proposed for the Community Facilities District, those services shall be eliminated from the resolution to annex territory to the Community Facilities District.

NOTICE IS HEREBY FURTHER GIVEN that if the Council determines at the conclusion of such public hearing to proceed with the annexation to the Community Facilities District, the proposed voting procedure shall be by landowners voting in accordance with the Act.

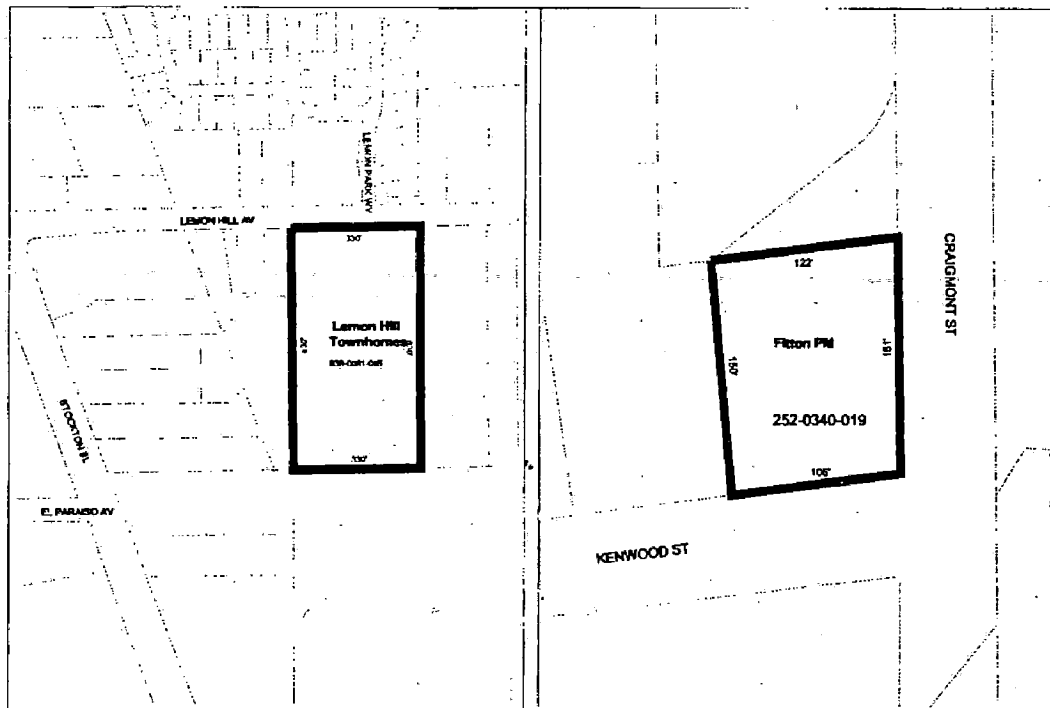
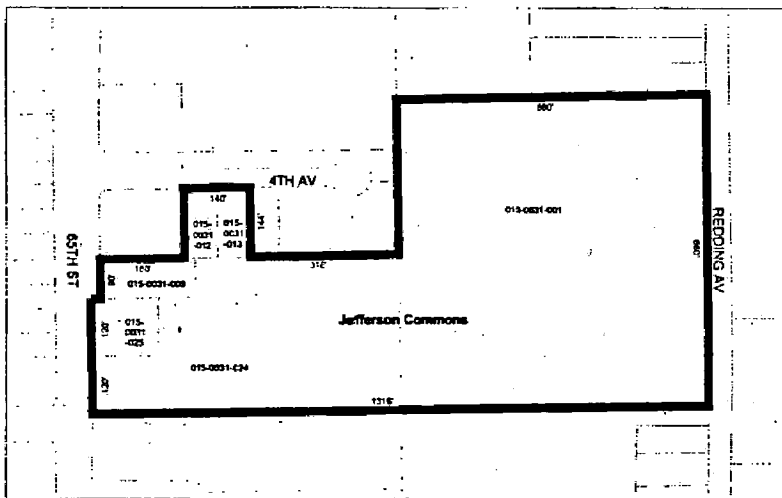
NOTICE IS HEREBY FURTHER GIVEN that a more complete description of the services proposed for the Community Facilities District and a copy of the Resolution and the boundary map of the Community Facilities District are on file with the City Clerk of the City of Sacramento, Sacramento Interim City Hall, 730 I Street, First Floor, Sacramento, California 95814, and are available for review there during business hours by any interested persons.

NOTICE IS HEREBY FURTHER GIVEN that the voting procedures shall be as set forth in Government Code Section 53326.

Questions should be directed to Ron Wicky, Department of Public Works, Special Districts, telephone (916) 264-5236.

DATED: June 25, 2003.

VALERIE A. BURROWES  
City Clerk of the City of Sacramento



**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO.4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

**SHEET 1 OF 2**

**CLERK'S MAP FILING STATEMENT:**

FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 24 DAY OF June, 2003

*Virginia K. Henry*  
CITY CLERK  
CITY OF SACRAMENTO, CALIFORNIA

**CLERK'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE MAP SHOWING AMENDED BOUNDARY MAP, CITY OF SACRAMENTO COMMUNITY FACILITIES DISTRICT NO. 2002-02, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF, HELD ON THE 24 DAY OF June, 2003, BY ITS RESOLUTION NO. 2603-45

*Virginia K. Henry*  
CITY CLERK  
CITY OF SACRAMENTO, CALIFORNIA

**COUNTY RECORDER'S FILING STATEMENT:**

FILED THIS 24 DAY OF June, 2003 AT THE HOUR OF 0 O'CLOCK PM, IN BOOK 252-0340-019 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 1, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,

COUNTY RECORDER  
OF THE COUNTY OF SACRAMENTO, CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY

DOCUMENT NO. \_\_\_\_\_

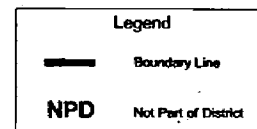
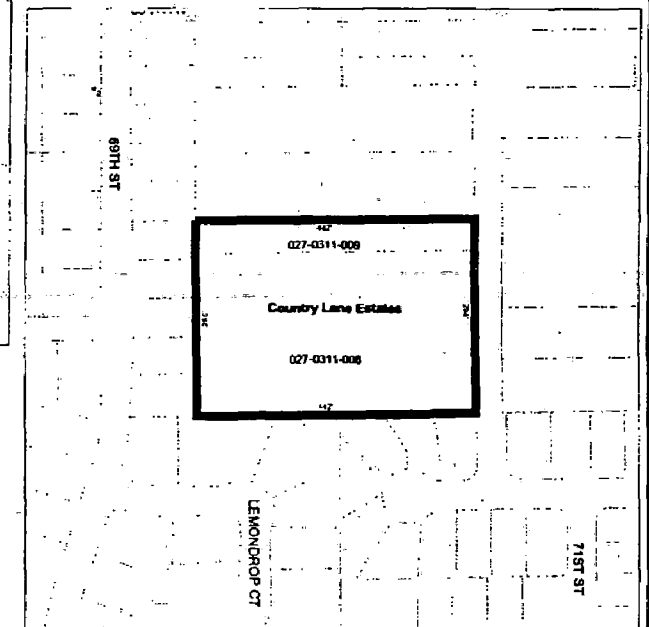
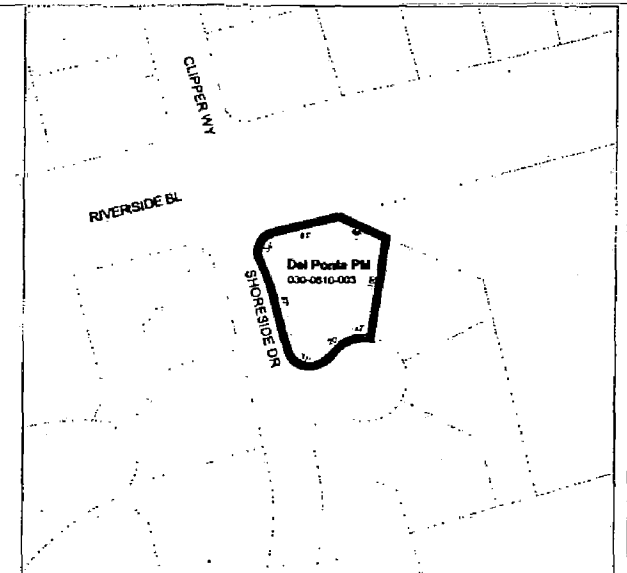
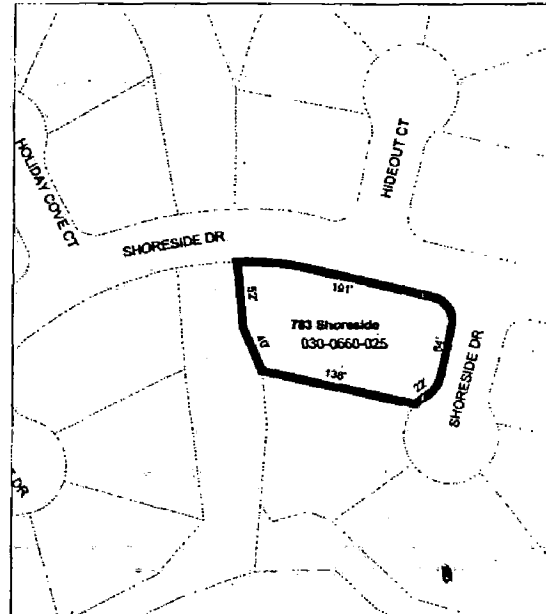
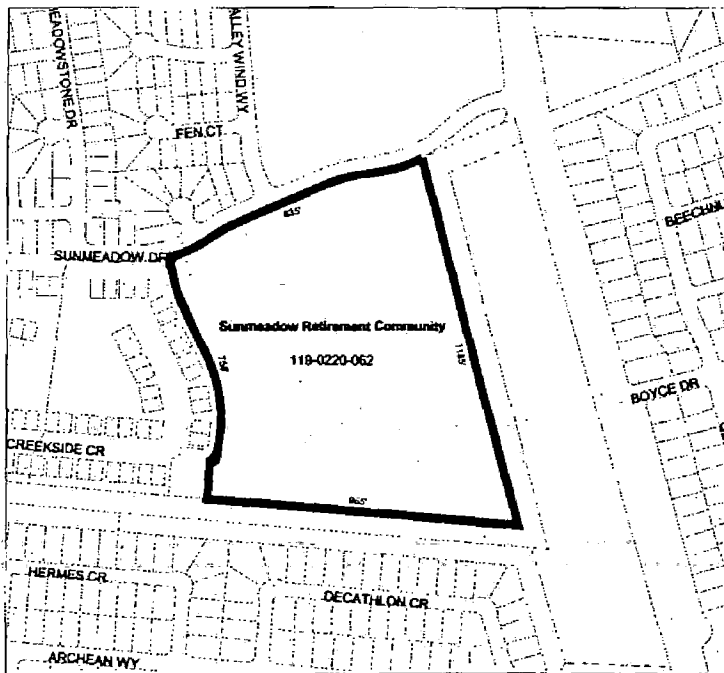


EXHIBIT A

BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO. 4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

SHEET 2 OF 2



## Exhibit B

City of Sacramento, California  
Neighborhood Park Maintenance  
Community Facilities District No. 2002-02

### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

#### **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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

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

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

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.



**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

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

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

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

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single

family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in Section 4, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels: Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### 3. Duration of the Special Tax

Parcels in the CFD will remain subject to the service tax in perpetuity.

### 4. Assignment of Maximum Annual Special Tax

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from Section 2 and the Maximum Annual Special Tax Rates from Attachment 1, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in Attachment 1 for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in Attachment 1 for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in Attachment 1 for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in Attachment 1 for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in Attachment 1 for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in Attachment 1 for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.

- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

*City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002*

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

<b>Tax Category</b>	<b>Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]</b>
<b><u>Developed Parcels [3]</u></b>	
	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.



CITY OF SACRAMENTO

**AFFIDAVIT OF COMPLIANCE WITH THE  
REQUIREMENTS FOR MAILING A NOTICE  
OF PUBLIC HEARING ON THE RESOLUTION  
OF INTENTION TO ANNEX TERRITORY TO THE  
NEIGHBORHOOD PARK MAINTENANCE COMMUNITY,  
FACILITIES DISTRICT NO. 2002-02, CITY OF SACRAMENTO,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

STATE OF CALIFORNIA       )  
  ) ss.  
COUNTY OF SACRAMENTO    )

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

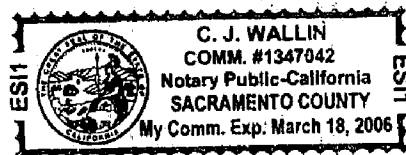
That she is now and at all times herein mentioned was the City Clerk of the City of Sacramento;

That, pursuant to Resolution No. 2003-415 (the "Resolution") adopted by the City Council of the City of Sacramento on June 24, 2003, she complied with the requirements for mailing a Notice of Public Hearing on the Resolution to establish Annexation No. 4 to the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, City of Sacramento, County of Sacramento, State of California (the "Community Facilities District"), as required by the Resolution, by causing a copy of such notice to be mailed on June 25, 2003, first class postage prepaid, to each property owner and to each registered voter within the boundaries of the Community Facilities District and the boundaries of the territory proposed to be annexed, and that attached hereto, marked Exhibit A and incorporated herein and made a part hereof, is a true and correct copy of such notice in the form mailed.

  
\_\_\_\_\_  
City Clerk of the City of Sacramento

Subscribed and sworn to before me  
this 7<sup>th</sup> day of July, 2003.

C. J. Wallin  
\_\_\_\_\_  
NOTARY PUBLIC  
State of California



[Notarial Seal]

## NOTICE OF PUBLIC HEARING

ON THE RESOLUTION OF INTENTION TO ANNEX TERRITORY TO  
THE CITY OF SACRAMENTO NEIGHBORHOOD PARKS MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
AND TO LEVY A SPECIAL TAX THEREIN TO FINANCE  
PARKS MAINTENANCE AND RELATED SERVICES IN AND FOR SUCH  
COMMUNITY FACILITIES DISTRICT  
(ANNEXATION NO. 4)

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Sacramento (the "City") has duly adopted Resolution No. 2003-415 (the "Resolution") on June 24, 2003, wherein (a) it declared its intention to annex territory more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto 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") in the area of the City described in the Resolution, to be known and designated as the "City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4." (the "Community Facilities District"), for the purpose of financing parks maintenance and related services, and wherein (b) it declared its intention to authorize the levy of a special tax in the Community Facilities District to pay for the parks maintenance and related services, and that a description of the rate and method of apportionment of such special tax and the manner of collection of such special tax is attached hereto, labeled Exhibit B, and is incorporated herein and made a part hereof.

The authorized services include those set forth below in addition to the costs associated with formation of the district, collecting and administering the special taxes, and annually administering the Community Facilities District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the Community Facilities District is to fund parks maintenance and related services. Notwithstanding the above funding objectives, the Community Facilities District's authorized services include the following:

The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community parks, regional parks and parkway systems);

Community Facilities District formation and annual administration of the Community Facilities District;

Other miscellaneous services related to the above services including planning,

engineering, legal, elections and administration.

Any other similar or related services that serve to advance the goals and objectives specified in the above and which the City has approved.

The special taxes may also be levied to accumulate funds for the above-authorized services.

NOTICE IS HEREBY FURTHER GIVEN that Tuesday, the 19<sup>th</sup> day of July, 2003, at the hour of 2:00 o'clock p.m. at the regular meeting place of the Council, City Council Chambers, Sacramento Interim City Hall, 703 I Street, First Floor, Sacramento, California 95814, has been fixed by the Council by the Resolution as the time and place for a public hearing to be held by the Council to consider the annexation to 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, and at such public hearing any persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, may appear and be heard, and the testimony of all interested persons or taxpayers for or against the annexation to the Community Facilities District and the levy of such special tax, or the extent of the annexation to the Community Facilities District, or the parks maintenance services, or on any other matters set forth in the Resolution, will be heard and considered. Any protests to the foregoing may be made orally or in writing by any interested persons or taxpayers, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made; and the Council may waive any irregularities in the form or content of any written protest and at such public hearing may correct minor defects in such proceedings. All written protests shall be filed with the City Clerk of the City on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing.

NOTICE IS HEREBY FURTHER GIVEN that such public hearing may be continued from time to time, but shall be completed within thirty (30) days, except that if the Council finds that the complexity of the annexation to the Community Facilities District or the need for public participation requires additional time, such public hearing may be continued from time to time for a period not to exceed six (6) months.

NOTICE IS HEREBY FURTHER GIVEN that the Council may at such public hearing modify the Resolution by eliminating any of the authorized services, or by changing the method and apportionment of such special tax so as to reduce the maximum special tax for all or a portion of the owners of property within the Community Facilities District or by removing any territory from the proposed annexation to the Community Facilities District, except that if the Council proposes to modify the Resolution in a way that will increase the probable special tax to be paid by the owner of any lot or parcel of land in the annexation to the Community Facilities District, the Council shall direct that a report be prepared that includes a brief analysis of the impact of the proposed modifications

on the probable special tax to be paid by the owners of lots or parcels of land in the proposed annexation to the Community Facilities District, and the Council shall receive and consider such report before approving any such modifications or any resolution annexing territory to the Community Facilities District which includes such modifications.

NOTICE IS HEREBY FURTHER GIVEN that at the conclusion of such public hearing the Council may abandon the proposed annexation to the Community Facilities District or may, after passing upon all protests, determine to proceed with annexing the proposed territory to the Community Facilities District; provided, that if fifty percent (50%) or more of the registered voters residing within the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, or the owners of one-half (½) or more of the area of the land in the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, file written protests against the proposed annexation to the Community Facilities District, and such protests are not withdrawn so as to reduce the value of the protests to less than such a majority, no further proceedings to establish the Community Facilities District or to levy such special tax shall be taken for a period of one (1) year from the date of such decision. Except that if the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of services proposed for the Community Facilities District, those services shall be eliminated from the resolution to annex territory to the Community Facilities District.

NOTICE IS HEREBY FURTHER GIVEN that if the Council determines at the conclusion of such public hearing to proceed with the annexation to the Community Facilities District, the proposed voting procedure shall be by landowners voting in accordance with the Act.

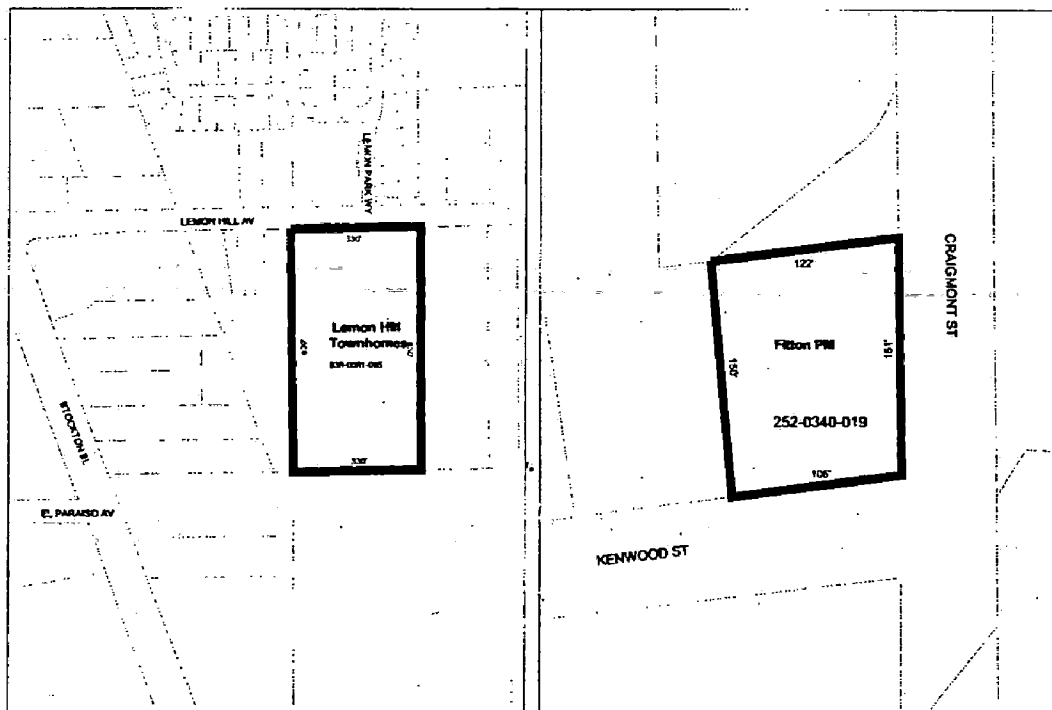
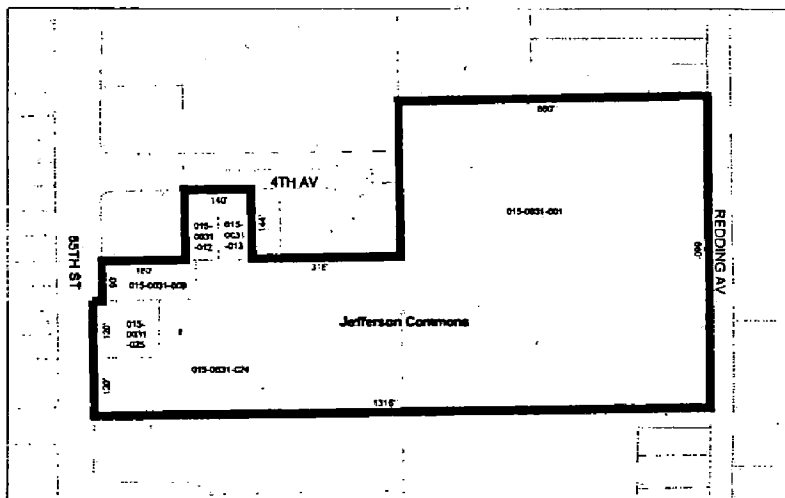
NOTICE IS HEREBY FURTHER GIVEN that a more complete description of the services proposed for the Community Facilities District and a copy of the Resolution and the boundary map of the Community Facilities District are on file with the City Clerk of the City of Sacramento, Sacramento Interim City Hall, 730 I Street, First Floor, Sacramento, California 95814, and are available for review there during business hours by any interested persons.

NOTICE IS HEREBY FURTHER GIVEN that the voting procedures shall be as set forth in Government Code Section 53326.

Questions should be directed to Ron Wicky, Department of Public Works, Special Districts, telephone (916) 264-5236.

DATED: June 25, 2003.

VALERIE A. BURROWES  
City Clerk of the City of Sacramento



**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO.4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

**SHEET 1 OF 2**

**CLERK'S MAP FILING STATEMENT:**

FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 24<sup>TH</sup> DAY OF JUNE, 2003

*Virginia K. Henry*  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

**CLERK'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE MAP SHOWING AMENDED BOUNDARY MAP, CITY OF SACRAMENTO COMMUNITY FACILITIES DISTRICT NO. 2002-02, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF, HELD ON THE 24<sup>TH</sup> DAY OF JUNE, 2003, BY ITS RESOLUTION NO. 2003-45

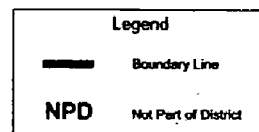
*Virginia K. Henry*  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

**COUNTY RECORDER'S FILING STATEMENT:**

FILED THIS 24 DAY OF JUNE, 2003 AT THE HOUR OF 10 O'CLOCK A.M., IN BOOK OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 1, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,

COUNTY RECORDER  
OF THE COUNTY OF SACRAMENTO, CALIFORNIA

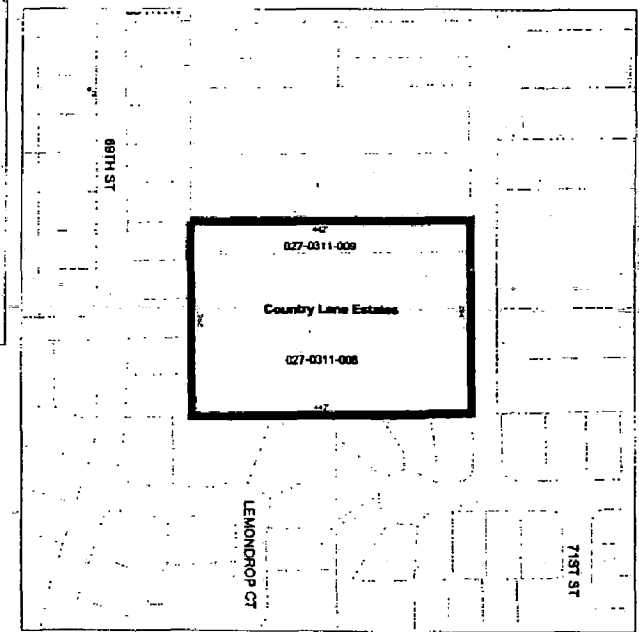
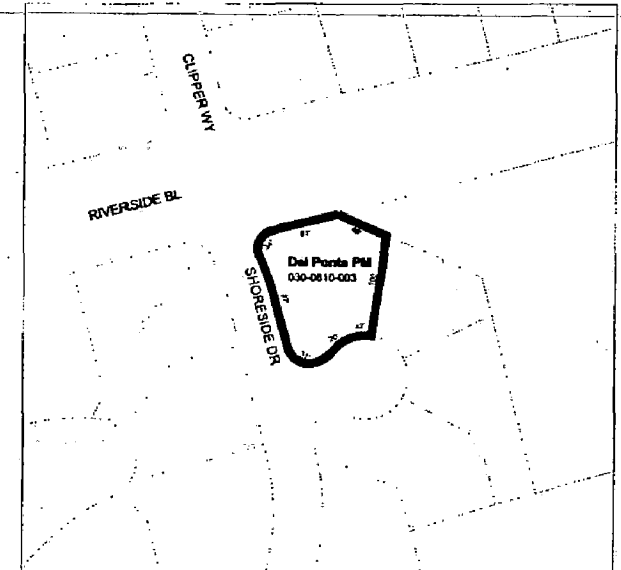
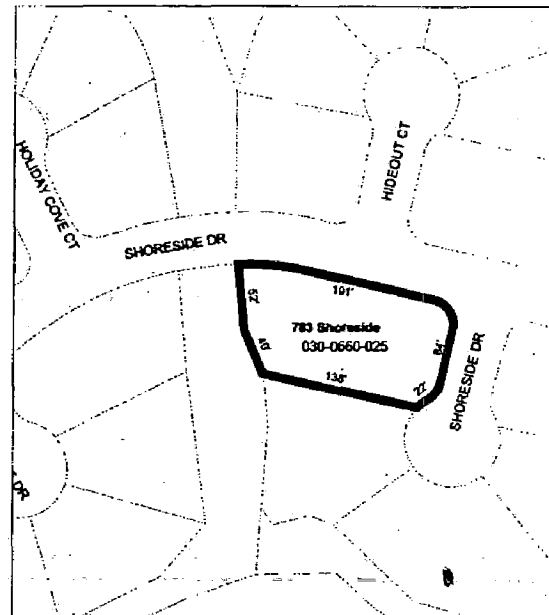
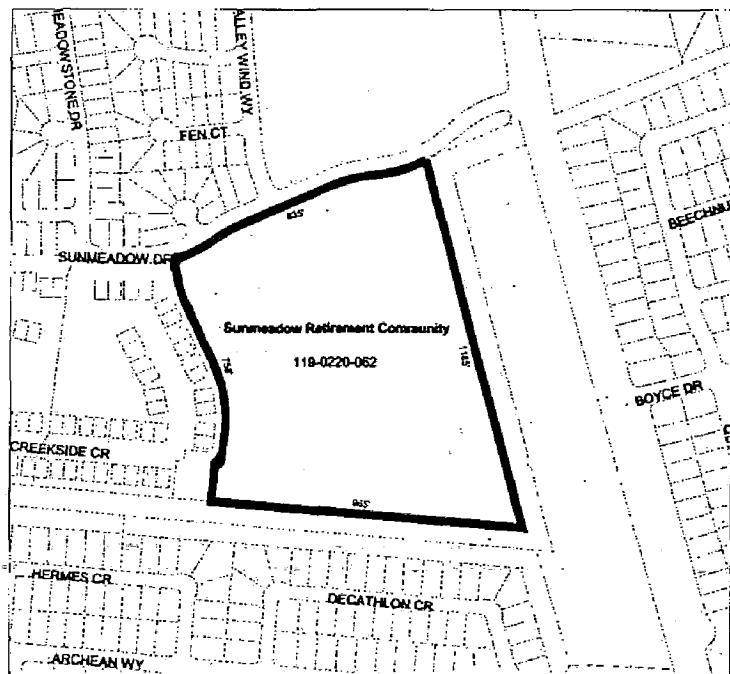
BY: \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_  
DEPUTY



**EXHIBIT A**

**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO. 4  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

**SHEET 2 OF 2**



## Exhibit B

City of Sacramento, California  
Neighborhood Park Maintenance  
Community Facilities District No. 2002-02

### 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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

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

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

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

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

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.



**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

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

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single

family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in Section 4, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels: Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### 3. Duration of the Special Tax

Parcels in the CFD will remain subject to the service tax in perpetuity.

### 4. Assignment of Maximum Annual Special Tax

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.

- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

*City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002*

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<u><b>Developed Parcels [3]</b></u>	<u><i>per Residential Unit</i></u>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<u><b>Other Uses</b></u>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment 1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

CITY OF SACRAMENTO

CITY CLERK'S CERTIFICATE OF ELECTION RESULTS  
FOR THE SPECIAL MAILED-BALLOT ELECTION HELD  
IN THE NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY  
FACILITIES DISTRICT NO. 2002-02 ANNEXATION NO. 4, CITY OF SACRAMENTO,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA  
ON AUGUST 13, 2003

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, certify that:

I personally counted the ballots cast at the special mailed-ballot, landowner election called by the City Council in its Resolution No. 2003-535; adopted on July 29, 2003, and I hereby certify the result of that count to be as follows:

TOTAL VOTES CAST "YES": 5.18

TOTAL VOTES CAST "NO": 0

TOTAL VOTES CAST: 5.18

THE VOTES CAST "YES" EQUAL 100 % OF THE TOTAL VOTES

CAST.

I make this Certification on August 18, 2003.



VALERIE A. BURROWES, City Clerk  
of the City of Sacramento



**CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE COMMUNITY FACILITIES  
DISTRICT NO. 2002-02 ANNEXATION NO. 4  
SPECIAL ELECTION BALLOT  
FOR THE MAILED-BALLOT ELECTION OF AUGUST 13, 2003**

This ballot is for the use of Sacramento Mutual Housing Association, a landowner within the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 4.

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and the resolutions of the City Council of the City of Sacramento, such landowner is entitled to cast 4.79 votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 5:00 p.m. on Wednesday, August 13, 2003, to:

Valerie A. Burrowes, City Clerk  
City of Sacramento  
Sacramento City Hall  
730 I Street, Room 211  
Sacramento, CA 95814

Mailing by that date will not be sufficient, as the ballot must be physically received by the City Clerk of the City of Sacramento prior to the deadline in order to be counted.

**AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.**

**BALLOT MEASURE**

Shall the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 4 be authorized to finance Neighborhood Park maintenance, more fully described in Exhibit A, and shall an appropriations limit in the amount of \$28,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2003-535 adopted by the City Council on July 29, 2003, which is incorporated herein by reference, be levied to pay for the maintenance of Neighborhood Parks.

Number of Votes

YES

4.79

Number of Votes

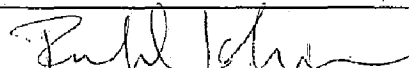
NO

**Certification**

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on August 11, 2003.

By: \_\_\_\_\_



Authorized Representative

**CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE COMMUNITY FACILITIES  
DISTRICT NO. 2002-02 ANNEXATION NO. 4  
SPECIAL ELECTION BALLOT  
FOR THE MAILED-BALLOT ELECTION OF AUGUST 13, 2003**

This ballot is for the use of William Fitton III & Deborah J. Schwartzhoff, a landowner within the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 4.

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and the resolutions of the City Council of the City of Sacramento, such landowner is entitled to cast 0.39 votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 5:00 p.m. on Wednesday, August 13, 2003, to:

Valerie A. Burrowes, City Clerk  
City of Sacramento  
Sacramento City Hall  
730 I Street, Room 211  
Sacramento, CA 95814

Mailing by that date will not be sufficient, as the ballot must be physically received by the City Clerk of the City of Sacramento prior to the deadline in order to be counted.

**AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.**

**BALLOT MEASURE**

Shall the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 4 be authorized to finance Neighborhood Park maintenance, more fully described in Exhibit A, and shall an appropriations limit in the amount of \$28,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2003-535 adopted by the City Council on July 29, 2003, which is incorporated herein by reference, be levied to pay for the maintenance of Neighborhood Parks.

Number of Votes

YES

X

Number of Votes

NO

**Certification**

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on Aug 5, 2003.

By: \_\_\_\_\_

Authorized Representative

# Exhibit A

## City of Sacramento, California Neighborhood Park Maintenance Community Facilities District No. 2002-02

### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

---

#### 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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

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

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

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

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

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

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

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single

family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in Section 4, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.

- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in Section 2. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in Section 2 and Attachment 1 (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in Section 4.B(1).
- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in Section 2 and Attachment 1 (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in Section 4.B(1).
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## 5. Calculating Annual Special Taxes

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on Attachment 1 as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## 6. Records Maintained for the CFD



As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

*City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002*

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

**EXHIBIT B**

**NEIGHBORHOOD PARK MAINTENANCE CFD  
ANNEXATION #4**

<b>APN</b>	<b>OWNER</b>
252-0340-019	WILLIAM
015-0031-001	Whal Properties
015-0031-013	Whal Properties
015-0031-012	Whal Properties
015-0031-024	Whal Properties
015-0031-009	Whal Properties
015-0031-025	Whal Properties
027-0311-008	Phung & Others
027-0311-009	Phung & Others
038-0081-005	UNITY MISSION BAPTIST CHURCH O
030-0810-003	Robert Del Ponte
030-0660-025	N R Homes Inc.
119-0220-062	CREEKSIDE SACRAMENTO LLC

MAP FILING PAGE

Sacramento County Recording  
Mark Norris, Clerk/Recorder  
BOOK 096

PAGE 0022

Wednesday, JUN 25, 2003 2:46:42 PM  
Ttl Pd \$25.00 Nbr-0002084705

DLE/07/1-2



Sacramento County Recording  
Mark Norris, Clerk/Recorder  
BOOK 20030625

PAGE 2597

Wednesday, JUN 25, 2003 2:53:55 PM  
Ttl Pd \$0.00 Nbr-0002084713

DLE/07/1-1

TYPE OF MAP:

SURVEY [ ]

ASSESSMENT ☒

CEMETARY [ ]

OWNER NAME:

City of Sacramento

LEGAL  
DESCRIPTION:

Boundary Map  
Neighborhood Park Maintenance CFD  
Annexation #4

RECORDING  
REQUESTED BY:

(If cemetery map, give  
name of cemetery)

City of Sacramento

NOTIFICATION OF FILING DATA TO BE  
MAILED TO THE MAP PREPARER AT THE  
ADDRESS BELOW WHEN REQUESTED:

. RON WICKY, City of Sacramento  
. Department of Public Works  
. 1231 "I" Street, Room 300  
. Sacramento, CA 95814

4.2

**NOTICE OF PUBLIC HEARING**

**ON THE RESOLUTION OF INTENTION TO ANNEX TERRITORY TO  
THE CITY OF SACRAMENTO NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY  
FACILITIES DISTRICT NO. 2002-02  
AND TO LEVY A SPECIAL TAX THEREIN TO FINANCE  
PARKS MAINTENANCE AND RELATED SERVICES IN AND FOR SUCH COMMUNITY FACILITIES  
DISTRICT  
(ANNEXATION NO. 4)**

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Sacramento (the "City") has duly adopted Resolution No. 2003-415 (the "Resolution") on June 24, 2003, wherein (a) it declared its intention to annex territory more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto 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") in the area of the City described in the Resolution, to be known and designated as the "City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 4." (the "Community Facilities District"), for the purpose of financing parks maintenance and related services, and wherein (b) it declared its intention to authorize the levy of a special tax in the Community Facilities District to pay for the parks maintenance and related services, and that a description of the rate and method of apportionment of such special tax and the manner of collection of such special tax is attached hereto, labeled Exhibit B, and is incorporated herein and made a part hereof.

The authorized services include those set forth below in addition to the costs associated with formation of the district, collecting and administering the special taxes, and annually administering the Community Facilities District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the Community Facilities District is to fund parks maintenance and related services. Notwithstanding the above funding objectives, the Community Facilities District's authorized services include the following:

The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community parks, regional parks and parkway systems);

Community Facilities District formation and annual administration of the Community Facilities District;

Other miscellaneous services related to the above services including planning, engineering, legal, elections and administration.

Any other similar or related services that serve to advance the goals and objectives specified in the above and which the City has approved.

The special taxes may also be levied to accumulate funds for the above-authorized services.

NOTICE IS HEREBY FURTHER GIVEN that Tuesday, ~~the 29<sup>th</sup> day of July, 2003~~, at the hour of 2:00 o'clock p.m. at the regular meeting place of the Council, City Council Chambers, Sacramento Interim City Hall, 730 I Street, First Floor, Sacramento, California 95814, has been fixed by the Council by the Resolution as the time and place for a public hearing to be held by the Council to consider the annexation to the Community Facilities District, the proposed rate, method of apportionment and

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manner of collection of such special tax and all other matters set forth in the Resolution, and at such public hearing any persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, may appear and be heard, and the testimony of all interested persons or taxpayers for or against the annexation to the Community Facilities District and the levy of such special tax, or the extent of the annexation to the Community Facilities District, or the parks maintenance services, or on any other matters set forth in the Resolution, will be heard and considered. Any protests to the foregoing may be made orally or in writing by any interested persons or taxpayers, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made; and the Council may waive any irregularities in the form or content of any written protest and at such public hearing may correct minor defects in such proceedings. All written protests shall be filed with the City Clerk of the City on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing.

NOTICE IS HEREBY FURTHER GIVEN that such public hearing may be continued from time to time, but shall be completed within thirty (30) days, except that if the Council finds that the complexity of the annexation to the Community Facilities District or the need for public participation requires additional time, such public hearing may be continued from time to time for a period not to exceed six (6) months.

NOTICE IS HEREBY FURTHER GIVEN that the Council may at such public hearing modify the Resolution by eliminating any of the authorized services, or by changing the method and apportionment of such special tax so as to reduce the maximum special tax for all or a portion of the owners of property within the Community Facilities District or by removing any territory from the proposed annexation to the Community Facilities District, except that if the Council proposes to modify the Resolution in a way that will increase the probable special tax to be paid by the owner of any lot or parcel of land in the annexation to the Community Facilities District, the Council shall direct that a report be prepared that includes a brief analysis of the impact of the proposed modifications on the probable special tax to be paid by the owners of lots or parcels of land in the proposed annexation to the Community Facilities District, and the Council shall receive and consider such report before approving any such modifications or any resolution annexing territory to the Community Facilities District which includes such modifications.

NOTICE IS HEREBY FURTHER GIVEN that at the conclusion of such public hearing the Council may abandon the proposed annexation to the Community Facilities District or may, after passing upon all protests, determine to proceed with annexing the proposed territory to the Community Facilities District; provided, that if fifty percent (50%) or more of the registered voters residing within the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, or the owners of one-half ( $\frac{1}{2}$ ) or more of the area of the land in the territory proposed to be included in the Community Facilities District that are not exempt from the special tax, file written protests against the proposed annexation to the Community Facilities District, and such protests are not withdrawn so as to reduce the value of the protests to less than such a majority, no further proceedings to establish the Community Facilities District or to levy such special tax shall be taken for a period of one (1) year from the date of such decision. Except that if the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of services proposed for the Community Facilities District, those services shall be eliminated from the resolution to annex territory to the Community Facilities District.

NOTICE IS HEREBY FURTHER GIVEN that if the Council determines at the conclusion of such public hearing to proceed with the annexation to the Community Facilities District, the proposed voting procedure shall be by landowners voting in accordance with the Act.

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NOTICE IS HEREBY FURTHER GIVEN that a more complete description of the services proposed for the Community Facilities District and a copy of the Resolution and the boundary map of the Community Facilities District are on file with the City Clerk of the City of Sacramento, Sacramento Interim City Hall, 730 I Street, First Floor, Sacramento, California 95814, and are available for review there during business hours by any interested persons.

NOTICE IS HEREBY FURTHER GIVEN that the voting procedures shall be as set forth in Government Code Section 53326.

Questions should be directed to Ron Wicky, Department of Public Works, Special Districts, telephone (916) 264-5236.

DATED: June 25, 2003.

VALERIE A. BURROWES  
City Clerk of the City of Sacramento



# Exhibit B

## City of Sacramento, California Neighborhood Park Maintenance Community Facilities District No. 2002-02

### 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 Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") 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 form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

**"Annual Costs"** means for each Fiscal Year, the total of 1) Authorized Services 2) Administrative Expenses; and 3) any amounts needed to cure actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year:

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

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

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

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

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

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

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

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

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in **Attachment 1** for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a 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.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

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

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single

family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

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

**"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.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in **Section 4**, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 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 classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.
- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first

determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.

- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall 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 that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County 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 timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

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

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	Tax-Exempt
Undeveloped Parcels [5]	Tax-Exempt
Public Parcels	Tax-Exempt

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.