



STAFF REPORT

Date: Tuesday, December 8, 2015
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer
SUBJECT: An Amended and Restated Resolution of Intention to Establish Community Facilities District 2015-2 (Parks, Street Light, Landscape and Stormwater Services)

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Background and Analysis

Currently, the City of Oakley has annual assessments approved through the Landscape and Lighting Act of 1972 (LLAD) to mitigate the fiscal impact of the maintenance of community parks and street lighting throughout the City and maintenance of neighborhood parks and neighborhood landscaping within the newer development areas of the City. Since the LLAD law does not have a provision to fund the maintenance of stormwater facilities, the City has formed Community Facilities Districts (CFDs) in the past to fund those services.

The Mello-Roos Community Facilities Act of 1982 allows for the formation of a Community Facilities District (CFD) through a levy of an annual special tax to fund the operation and maintenance of the following services and facilities:

- Regional Parks;
- Community Parks;
- Neighborhood Parks & Landscaping;
- Street Lighting; and
- Stormwater Facilities.

The City currently has two Community Facilities Districts. CFD No. 1 (Cypress Grove) was formed in 2005 to mitigate the fiscal impact of the maintenance of stormwater services associated with its development. The Cypress Grove development is also located within the City's LLAD to mitigate the fiscal impact of the maintenance of community parks, street lighting, neighborhood parks and neighborhood landscaping associated with its development.

CFD No. 2015-1(Emerson Ranch) was formed in 2015. This was the first CFD that was formed to mitigate the fiscal impact of all of the services currently funded through the City's LLAD and to mitigate the fiscal impact of the stormwater services associated with its development. In addition, this CFD has a regional park tax to mitigate the development's impact on the regional park system. It was determined that the formation of just one financing district (CFD No. 2015-1) to fund all of the

required services was more cost effective to form and administer than forming two separate financing districts (LLAD and a CFD).

The proposed CFD No. 2015-2 will be similar to CFD No. 2015-1 and will combine the LLAD services, stormwater services and regional park services into one CFD. CFD No. 2015-2 will initially contain 40 single-family residential parcels of land that will encompass Subdivisions 9391 and 9080 as shown on the attached Boundary Map (see Attachment 3 of this Staff Report). The Proposed Boundary Map also includes a "Future Annexation Area" which corresponds to the City's boundaries. This future annexation area will enable all future development projects within the City to annex into CFD No. 2015-2 with Council's approval. It is anticipated that future development projects may be annexed into CFD No. 2015-2 when they are approved for development or they may have a separate financing mechanism created to mitigate their maintenance impact. The benefit of establishing a "Future Annexation Area" is that the annexation process into CFD No. 2015-2 is significantly streamlined, which saves staff time and costs to Developers. By creating this "future" annexation area for CFD No. 2015-2, staff is able to bring future CFD annexations to City Council for approval at one Council meeting, instead of with the lengthy three Council meeting process.

On October 20, 2015 the City received a petition from Prescott Parc, LLC requesting the establishment of a new CFD. The City is required to consider the formation of the CFD if a petition is filed with the City Clerk. The petition is attached for Council's reference.

Local Goals & Policies

On December 9, 2014, the City adopted Resolution No. 126-14 which updated the "City of Oakley's Statement of Local Goals and Policies Concerning the Use of the Mello-Roos Community Facilities Act of 1982". In the future, if it is determined that the proposed "Amended and Restated Local Goals and Policies and Appraisal Standards Concerning Use of Mello-Roos Community Facilities Act of 1982" need to be further amended, the Council has the authority to amend them at any time.

Amended and Restated Resolution of Intention

On October 27, 2015, City Council adopted a Resolution of Intention to Establish Community Facilities District No. 2015-2. After its adoption, Legal Counsel noticed that the Resolution of Intention did not have the required wording establishing a "Future Annexation Area" to annex additional property in the future. The attached Amended and Restated Resolution of Intention to establish Community Facilities District No. 2015-2 includes the appropriate language regarding the formation of the Future Annexation Area in order to facilitate future annexations to the district. In addition, the attached Amended and Restated Resolution of Intention to establish Community Facilities District No. 2015-2 includes a description of the services proposed to be included in the CFD, as well as a description of the rate and method of apportionment of the special tax. Services in general include on-going maintenance, operation, monitoring, and

replacement of regional, community and neighborhood parks, street lighting, neighborhood landscaping, stormwater detention facilities, and all administrative actions necessary for the formation, operation and maintenance of the CFD. Based on an estimate of the costs to be incurred by the City of Oakley for providing the services for the CFD, the maximum combined annual special tax is \$1,391.95 (in FY 2015-16 dollars) per single-family residential parcel. A breakdown of the maximum annual special tax by service category is shown in the attached Resolution of Intention under Exhibit "B" (Rate & Method of Apportionment of Special Tax). The funds collected and used for services associated with CFD No. 2015-2 will be tracked and used for the services described in Exhibit "A" (Description of Services). As specified in the rate and method of apportionment of special tax, annual increases in the maximum special tax are limited to the prior year's change in the Consumer Price Index – All Urban Consumers (San Francisco-Oakland-San Jose, CA) with minimum annual increase of 3% and a maximum annual increase of 5% over the previous year's maximum special tax.

The remaining process for the establishment of CFD No. 2015-2 will be as follows:

- December 8, 2015 City Council Adopts the Amended and Restated Resolution of Intention to Establish Community Facilities District and sets the time, date and place for the Public Hearing
- December 16, 2015 Election materials are sent to the property owner of Subdivisions 9080 and 9391
- December 16, 2015 Community Facilities District Report filed with the City Clerk (in advance of Public Hearing)
- January 4, 2016 City Clerk publishes Notice of Public Hearing (at least once a minimum of 7 days prior to the Public Hearing)
- January 12, 2016 City Council holds Public Hearing (at least 30, but not more than 60 days after adoption of the Resolution of Intention) and considers the following actions:
- Adopt Resolution of Formation of Community Facilities District;
 - Adopt Resolution Calling for Special Landowner Election for Community Facilities District;
 - Conduct Election;
 - Adopt Resolution Confirming Results of Election and Directing Recording of Notice of Special Tax Lien; and
 - First Reading of Ordinance Ordering the Levy of Special Taxes within Community Facilities District.

- | | |
|-------------------|--|
| January 19, 2016 | City Clerk files the Notice of Special Tax Lien with the County Recorder's Office – no later than January 27th (must be completed within 15 days of the adoption of the Resolution Confirming Results of Election and Directing the Recordation of the Notice of Special Tax Lien) |
| January 26, 2016 | City Council takes Second Reading of Ordinance Ordering Levy of Special Taxes within CFD No. 2015-2 |
| February 10, 2016 | Publication of Ordinance (within 15 days after the passage of ordinance) |
| July 1, 2016 | Special Tax to be levied on parcels with the CFD for FY 2016-17 |
| Dec 10, 2016 | City of Oakley receives first portion of Special Taxes levied for FY 2016-17 |

Future Development

It is anticipated that as each new subdivision is processed for development, each new subdivision will be annexed into CFD No. 2015-2, unless they provide a separate financing mechanism.

The proposed annual special tax rates for a developed single-family residential parcel within these future developments will be calculated as follows:

- Regional Parks - \$123.60/parcel (in FY 2015-16 dollars)
- Community Parks - \$272.95/parcel (in FY 2015-16 dollars)
- Street Lighting - \$53.89/parcel (in FY 2015-16 dollars)

The special tax rates for neighborhood park, neighborhood landscape and stormwater maintenance will be calculated at the time improvement plans have been developed for each new development. Since each new development will have varying amounts of improvements, it will only be possible to develop those special tax rates when improvement plans have been completed.

Fiscal Impact

Subdivision 9080 and 9391 will have increased levels of maintenance of regional, community and neighborhood parks, street lighting, neighborhood landscaping, and stormwater detention facilities over what is generally covered by basic City services. In the past, some of these services have been covered by the City's Landscape & Lighting Assessment. In order to maintain these items at an increased level, a financing mechanism is required. CFD No. 2015-2 will create a Special Tax to pay for these services.

The CFD special tax will be levied annually to fund the maintenance of the above services. Costs for the formation of the CFD are paid for by the applicant.

Recommendation

Staff recommends that the City Council adopt the Amended and Restated Resolution of Intention to Establish CFD No. 2015-2, and set January 12, 2016 at 6:30 p.m., or as soon thereafter as possible, as the time and date for the Public Hearing for the formation of CFD No. 2015-2.

Attachments

- 1) Petition
- 2) Resolution Intention to Establish CFD
 - a. Exhibit A – Description of Services and Facilities;
 - b. Exhibit B – Rate and Method of Apportionment.
- 3) Proposed Boundary Map.

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Street Light, Landscape and Stormwater Services)**

**PETITION
(With Waivers)**

**To Create a Community Facilities District
and Related Matters**

October 7, 2015

To The Honorable City Council
City of Oakley
3231 Main Street
Oakley, CA 94561

Members of the City Council:

This is a petition to create a Community Facilities District and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act") and it states as follows:

1. **Petitioner.** This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The Petitioner warrants to the City that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s).
2. **Proceedings Requested.** This Petition asks that the City Council undertake proceedings under the Act to create a Community Facilities District to be designated "City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services)" (the "Community Facilities District") to levy special taxes in the Community Facilities District.
3. **Boundaries.** This Petition asks that the territory to be included in the boundaries of the Community Facilities District consist of that shown on a map of the proposed boundaries of the Community Facilities District filed with the City Clerk of the City and which map is hereby made a part hereof and which map includes the Property.
4. **Purpose.** This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or a part of the public services (the "Services") shown in Exhibit A attached hereto and made a part hereof.
5. **Special Tax.** The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a Special Tax in the Community Facilities District to pay for the Services, subject to the completion of all proceedings by the City under the Act.

6. **Election.** The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community Facilities District be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

7. **Waivers.** To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing and all published notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

8. **Authority Warranted.** The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City current title evidence so that the City may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

9. **Due-Diligence and Disclosures.** The Petitioner agrees to cooperate with the City, its attorneys and consultants and to provide all information and disclosures required by the City about the Special Tax to purchasers of the Property or any part of it.

10. **Agreements.** The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs in establishing the Community Facilities District. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the City in its absolute discretion.

The Petitioner (record owner) is:

Prescott Parc, LLO



Authorized Representative

Address:
1500 Willow Pass Court
Concord, CA 94520

EXHIBIT A

CITY OF OAKLEY Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services)

DESCRIPTION OF SERVICES

The captioned Community Facilities District will finance, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities:

Regional Parks

Maintenance, including servicing, repair, replacement and removal of regional parks (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Community Parks

Maintenance, including servicing, repair, replacement and removal of community parks (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Street Lighting

Maintenance, including servicing, repair, replacement and removal of street lights (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric and other utility costs.

Neighborhood Parks & Landscaping

Maintenance, including servicing, repair, replacement and removal of neighborhood parks (includes park amenities such as playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, replacement and removal of parkways, landscape setbacks, landscaped roadway medians, open space, environmental preserves (including performance and management of environmental mitigation monitoring and annual reporting), publicly-owned masonry walls, fences, monuments and features, trails, bike paths, etc., both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Stormwater

Maintenance, including servicing, repair, replacement and removal of bio-retention facilities and drainage facilities (includes field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris from the drainage areas, bio-retention basins and City catch basins, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

In addition, the following costs will also be financed by the special taxes levied within the CFD and be allocated to each improvement described above based upon their pro-rata share of needed administrative costs, operating reserves and capital reserves, and actual or estimated delinquencies.

1. Administrative Expenses including the costs incurred to determine, levy and collect the special taxes, including compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the special taxes upon the general tax rolls, preparation of required reports, and any other costs incurred in the administration of the CFD by the City;
2. Any amounts needed for operating reserves and capital reserves; and
3. Any amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years.

EXHIBIT B

**CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Street Light, Landscape and Stormwater Services)**

ASSESSORS PARCEL NUMBERS

Assessor Parcel No.	Lot Size (Acres)
037-570-001	0.15
037-570-002	0.16
037-570-003	0.15
037-570-004	0.15
037-570-005	0.15
037-570-006	0.15
037-570-007	0.15
037-570-008	0.15
037-570-009	0.15
037-570-010	0.15
037-570-011	0.15
037-570-012	0.14
037-570-013	0.15
037-570-014	0.21
037-570-015	0.18
037-570-016	0.17
037-570-017	0.17
037-570-018	0.17
037-570-019	0.16
037-570-020	0.16
037-570-021	0.16
037-570-022	0.16
037-570-023	0.16
037-570-024	0.16
037-570-025	0.16
037-570-026	0.20
037-570-027	0.29
037-570-028	0.05
037-570-029	0.10
037-570-031	0.20
037-570-032	0.21
037-570-033	0.15
037-570-034	0.15
037-570-035	0.15
037-570-036	0.15
037-570-037	0.15
037-570-038	0.15
037-570-039	0.15
037-570-040	0.15
037-570-041	0.15
037-570-042	0.16
037-570-043	0.10
037-570-044	0.20
037-570-045	0.05
Total	6.88

RESOLUTION NO. ____-15

AMENDED AND RESTATED
RESOLUTION OF INTENTION TO ESTABLISH
COMMUNITY FACILITIES DISTRICT

CITY OF OAKLEY
Community Facilities District No. 2015-2
(Parks, Street Light, Landscape and Stormwater Services)

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"), this Council is authorized to establish a community facilities district and to act as its legislative body.

WHEREAS, this Council, having received petitions from the owners of not less than 10% of the area of land proposed to be included in the proposed community facilities district, now desires to proceed with the establishment of such community facilities district to finance costs of certain services required to meet the demands of development of lands in the City.

WHEREAS, under Section 53339.2 of the Act, this Council further desires and hereby determines that it is in the public convenience and necessity to undertake proceedings to provide for future annexation of territory to the proposed community facilities district.

WHEREAS, this resolution amends and restates in its entirety Resolution No 124-15, adopted on October 27, 2015.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, as follows:

1. Authority. This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.

2. Name of CFD; Name of Future Annexation Area. The name proposed for the community facilities district is "City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services)" (the "CFD").

The name proposed for the territory proposed to be annexed into the CFD in the future is "City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services) (Future Annexation Area)" (the "Future Annexation Area").

3. Boundaries Described. The proposed boundaries of the CFD and the Future Annexation Area are as shown on the map of it on file with the City Clerk, which

boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The Council hereby acknowledges that the map of the boundaries of the CFD and the Future Annexation Area has been recorded in the office of the County Recorder.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.

4. Services. The type of services proposed to be financed by the CFD and the Future Annexation Area under the Act shall consist of those listed in Exhibit A hereto and hereby incorporated herein (the "Services"). The Council hereby determines that the Services are necessary to meet increased demands for such services placed upon local agencies as the result of development occurring within the area of the CFD and the Future Annexation Area. The Services are in addition to those provided in the territory of the CFD and the Future Annexation Area as of the date hereof and will not supplant services already available within the territory of the CFD and the Future Annexation Area as of the date hereof. The City intends to provide the Services on an equal basis in the original territory of the CFD and, when it has been annexed to the CFD, the Future Annexation Area.

5. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes, or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein (the "Rate and Method"). This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to ad valorem property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD.

As required by Section 53339.3(d) of the Act, this Council hereby determines that the special tax proposed to pay for Services to be supplied within the Future Annexation Area shall be equal to any special tax levied to pay for the same Services in the existing CFD, except that a higher or lower tax may be levied within the Future Annexation Area to the extent that the actual cost of providing the Services in the Future Annexation Area is higher or lower than the cost of providing those Services in the existing CFD. In so finding, the Council does not intend to limit its ability to levy a special tax within the Future Annexation Area to provide new or additional services beyond those supplied within the existing CFD.

6. Exempt Property. Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California, the County and/or the City, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

7. Election and Unanimous Approval. The levy of the Special Tax in the CFD shall be subject to the approval of the qualified electors of the CFD at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the proposed CFD, with each owner having one vote for each acre or portion of an acre such owner owns in the CFD not exempt from the special tax.

A special tax shall be levied in the Future Annexation Area only with the Unanimous Approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.

8. CFD Report. The City Manager (or deputy or designee thereof) is hereby directed to study the proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing (the "CFD Report"), which shall be a part of the record of the public hearing hereinafter specified and which report shall present the following:

(a) A description of the Services that will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services and incidental expenses in connection therewith, and all other related costs.

9. Public Hearing. Tuesday, January 12, 2016, at 6:30 p.m. or as soon as possible thereafter, in the City Hall, Council Chambers, 3231 Main Street, Oakley, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and the Future Annexation Area and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the Future Annexation Area and the levy of the Special Tax.

10. Notice of Hearing. The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD and the Future Annexation Area. The publication shall be completed at least 7 days before the date of the public hearing specified above.

The City Clerk may also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's address as it appears on the most recent tax records of the County or as otherwise known to the City Clerk to be correct. Such mailing shall be completed not less than 15 days before the date of the public hearing.

The notice of the public hearing shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

11. Appointment of Legal Counsel. The City Council hereby appoints Jones Hall, A Professional Law Corporation, as legal counsel to the City in connection with formation of the CFD. The City Manager is hereby authorized to execute a legal services agreement with Jones Hall in substantially the form and substance of the agreement on file with the City Clerk.

12. Effective Date. This resolution shall take effect upon its adoption.

The foregoing Resolution was introduced at a regular meeting of the Council of the City of Oakley held on the 8th day of December 2015, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

EXHIBIT A

CITY OF OAKLEY Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services)

DESCRIPTION OF SERVICES

The captioned Community Facilities District will finance, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities:

Regional Parks

Maintenance, including servicing, repair, replacement and removal of regional parks (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Community Parks

Maintenance, including servicing, repair, replacement and removal of community parks (includes park amenities such as buildings, sports fields, sports courts, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Street Lighting

Maintenance, including servicing, repair, replacement and removal of street lights (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric and other utility costs.

Neighborhood Parks & Landscaping

Maintenance, including servicing, repair, replacement and removal of neighborhood parks (includes park amenities such as playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Maintenance, including servicing, repair, replacement and removal of parkways, landscape setbacks, landscaped roadway medians, open space, environmental preserves (including performance and management of environmental mitigation monitoring and annual reporting), publicly-owned masonry walls, fences, monuments and features, trails, bike paths, etc., both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

Stormwater

Maintenance, including servicing, repair, replacement and removal of bio-retention facilities and drainage facilities (includes field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris from the drainage areas, bio-retention basins and City catch basins, etc.), both (i) in the CFD and (ii) outside the CFD but within the boundaries of the City if the City has concluded that such maintenance would benefit the CFD. Maintenance also includes cleaning and removal of graffiti, and associated electric, water and other utility costs.

In addition, the following costs will also be financed by the special taxes levied within the CFD and be allocated to each improvement described above based upon their pro-rata share of needed administrative costs, operating reserves and capital reserves, and actual or estimated delinquencies.

1. Administrative Expenses including the costs incurred to determine, levy and collect the special taxes, including compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the special taxes upon the general tax rolls, preparation of required reports, and any other costs incurred in the administration of the CFD by the City;
2. Any amounts needed for operating reserves and capital reserves; and
3. Any amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years.

EXHIBIT B

Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes in the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services) (the "CFD" or "CFD No. 2015-2") shall be levied and collected according to the tax liability determined by the Administrator through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2015-2, unless exempted by law or by the provisions of Section E herein, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2015-2, unless a separate Rate and Method of Apportionment of Special Tax is adopted for such annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Accessory Unit" means a second residential unit of reduced size (e.g., granny cottage, etc.) that shares a Parcel with a Residential Unit.

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other recorded County parcel map.

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

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2015-2: the costs of computing the Special Tax and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting the Special Taxes; the costs to the City, CFD No. 2015-2, or any designee thereof of complying with disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries, protests, or appeals regarding the Special Taxes; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2015-2 for any other administrative purposes of CFD No. 2015-2, including attorney's fees, costs associated with

annexations to CFD No. 2015-2, and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

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

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

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

“Assessor’s Parcel Number” or **“APN”** means a unique number assigned to an Assessor’s Parcel by the County Assessor for purposes of identifying a property.

“Authorized Services” means the public services authorized to be funded by CFD No. 2015-2 as set forth in the documents adopted by the Council when CFD No. 2015-2 was formed.

“Building Permit” means a building permit issued by the City and having a building structure improvement valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

“CFD” or **“CFD No. 2015-2”** means the City of Oakley Community Facilities District No. 2015-2 (Parks, Street Light, Landscape and Stormwater Services).

“City” means the City of Oakley.

“City Landscape Maintenance Standards” means the then applicable landscape maintenance standards or then applicable level of service for then applicable landscape maintenance contracts executed by the City that are in effect and relate to similar landscaping improvements.

“City Manager” means the City Manager of the City of Oakley.

“Commercial Unit” means an individual building structure for commercial uses as defined per the County Assessor (e.g., grocery stores, shopping centers, motel, hotel, service stations, and offices).

“Condominium Parcel” means a Parcel designated by the County Assessor as having a condominium, townhome, cluster home and co-op land use.

“Council” means the City Council of the City of Oakley, acting as the legislative body for CFD No. 2015-2.

“County” means the County of Contra Costa.

“County Assessor” means the Contra Costa County Assessor.

“County Land Use Code” means the land use code assigned to an Assessor’s Parcel as indicated in the records of the County Assessor.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a Building Permit was issued by the City for construction of a residential structure or a non-residential structure on or prior to June 30 of the preceding Fiscal Year. In the absence of a Building Permit, any Parcel of Taxable Property shall be classified as “Developed Property” if it has been occupied by a user as determined by the Administrator on or prior to June 30 of the preceding Fiscal Year.

“Final Map” or “Parcel Map” means a final map approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410, *et seq.*) that creates individual lots on which a Building Permit can be issued for construction of Residential Units without further subdivision of the lots.

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

“Industrial” means an individual building structure for industrial uses as defined per the County Assessor (e.g., research and development, mini-warehouse, etc.).

“Institutional” means an individual building structure for institutional uses as defined per the County Assessor (e.g., churches, hospitals, assisted living, schools, etc.).

“Land Use Classification” means the current or intended use of a Taxable Parcel as determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means, for each Special Tax Component, the maximum Special Tax, determined in accordance with Section C herein, which can be levied in any Fiscal Year.

“Mixed Use Parcel” means a Parcel designated by the County Assessor as having a multiple land uses such as residential land uses and commercial land uses, or multi-family land uses and commercial land uses.

“Multi-Family Parcel” means a Parcel designated by the County Assessor as having a multi-family residential land uses which includes duplexes, triplexes, fourplexes and apartments,

“Non-Residential Parcel” means for each Fiscal Year, all Assessor Parcels designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

“Non-Residential Parcel – In Compliance” this definition only applies for the purpose of calculating the annual neighborhood landscape maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional for which the Property Owner of the Commercial, Industrial, or Institutional Parcel has notified the City in writing by the preceding February 1st that it wishes to maintain its parcel’s frontage landscaping during the immediate following fiscal year and the City Manager or his/her designee has determined that the Property Owner has maintained its Parcel’s frontage landscaping in previous Fiscal Years to City Landscape Maintenance Standards. In addition, in order for any Commercial, Industrial, or Institutional Parcel to be defined as a Non-Residential Parcel – In Compliance, all Non-Residential Parcels within a Tax Zone of CFD No. 2015-2 must also be defined as Non-Residential Parcel – In Compliance.

“Non-Residential Parcel – Out of Compliance” this definition only applies for the purpose of calculating the annual neighborhood landscape maintenance tax component and means for each Fiscal Year, an Assessor Parcel designated by the County Assessor with a County Land Use Code of Commercial, Industrial, or Institutional for which the Property Owner of the Non-Residential Parcel has not notified the City in writing by the preceding February 1st that it wishes to maintain its parcel’s frontage landscaping during the immediate following fiscal year and the City Manager or his/her designee has determined that the Property Owner has not maintained its Parcel’s frontage landscaping in previous Fiscal Years to City Landscape Maintenance Standards. In addition, if any Non-Residential Parcel is defined as a Non-Residential Parcel – Out of Compliance, then all Non-Residential Parcels within a Tax Zone CFD No. 2015-2 will also be defined as Non-Residential Parcel – Out of Compliance.

“Property Owner” means the Property Owner of record per current County Assessor records unless more current information is available such as recorded deed of sale, etc.

“Proportionately” means, for Developed Property, that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax

authorized to be levied in that Fiscal Year is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, "Proportionately" means that the ratio of the actual annual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor's Parcels of Undeveloped Property.

"Public Property" means, for each Fiscal Year: (i) any property within the boundaries of CFD No. 2015-2 that is owned by or irrevocably offered for dedication to the federal government, the State of California, the City or any other public agency; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act (as such section may be amended or replaced) shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2015-2 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

"Residential Unit" means an individual building structure for residential or multi-family residential uses as defined per the County Assessor. An Accessory Unit that shares a Parcel with a Residential Unit shall not be considered a separate Residential Unit for purposes of this RMA.

"RMA" means this Rate and Method of Apportionment of Special Tax.

"Single-Family Parcel" means a Parcel designated by the County Assessor as having a single-family residential land use. If it is determined by the Administrator that the County Assessor has assigned an incorrect County Land Use Code or the assigned County Land Use Code does not correctly describe the intended or current use of the Taxable Parcel, the Administrator may assign a Land Use Classification to the Taxable Parcel described in Section C below.

"Special Tax" means any tax levied within CFD No. 2015-2 to pay the Special Tax Requirement, and includes each Special Tax Component.

"Special Tax Component" means one of the following components of the Special Tax: Community Park Maintenance Tax, Street Lighting Maintenance Tax, Neighborhood Parks and Landscape Maintenance Tax, or Stormwater Maintenance Tax.

"Special Tax Requirement" means, for each Special Tax Component, the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services related to the Special Tax Component; (ii) Administrative Expenses attributable to the Special Tax Component; and (iii) amounts needed to cover any delinquencies in the payment of the Special Tax Component which occurred in the previous Fiscal Year or, based on delinquency rates in prior years, may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

“Taxable Property” or “Taxable Parcels” means all Assessors’ Parcels within the boundaries of CFD No. 2015-2 that are not exempt from the Special Tax pursuant to law or Section E herein.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. All of the property within CFD No. 2015-2 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2015-2, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2015-2 shall be identified by Assessor’s Parcel Number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

“Unanimous Approval Form” means that form executed by the record owner of fee title to a Parcel or Parcels annexed into CFD No. 2015-2 that constitutes the property owner’s approval and unanimous vote in favor of annexing into CFD No. 2015-2, the levy of the Special Tax against his/her Parcel or Parcels pursuant to this RMA.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2015-2 that are not classified as Developed Property.

B. DATA FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel Numbers for all Parcels of Taxable Property within CFD No. 2015-2. The Administrator shall also determine: (i) whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property, and (ii) the Special Tax Requirement for each Special Tax Component for the then-current Fiscal Year. Each Special Tax Component shall be levied only to pay for the related Special Tax Requirement.

In any Fiscal Year, if it is determined that (i) a Final Map or Parcel Map for a portion of property in CFD No. 2015-2 was recorded after the last date upon which the County Assessor will incorporate the newly-created Parcels into the then current tax roll, (ii) because of the date the Final Map or Parcel Map was recorded, the County Assessor does not yet recognize the new Parcels that will be created by the Final Map or Parcel Map, and (iii) one or more of the newly-created Parcels would meet the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map or Parcel Map by determining the Special Tax that applies separately to each new Parcel that will be created by that Final Map or Parcel Map, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the Final Map or Parcel Map.

C. MAXIMUM SPECIAL TAXES

1. Developed Property - The Fiscal Year 2015-16 Maximum Special Tax for each Special Tax Component for all Parcels of Developed Property shall be as shown in Table 1 below:

Table 1: Developed Property			
Special Tax Component	Land Use Classification	FY 2015-16 Maximum Tax	
Regional Park Maintenance Tax	Single-Family Parcel	\$123.60	per Parcel
Regional Park Maintenance Tax	Condominium Parcel	\$92.70	per Parcel
Regional Park Maintenance Tax	Multi-Family Parcel	\$61.80	per Unit
Regional Park Maintenance Tax	Non-Residential Parcel	\$370.80	per Acre
Community Parks Maintenance Tax	Single-Family Parcel	\$272.95	per Parcel
Community Parks Maintenance Tax	Condominium Parcel	\$204.71	per Parcel
Community Parks Maintenance Tax	Multi-Family Parcel	\$136.48	per Unit
Community Parks Maintenance Tax	Non-Residential Parcel	\$818.85	per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	\$53.89	per Parcel
Street Lighting Maintenance Tax	Condominium Parcel	\$40.42	per Parcel
Street Lighting Maintenance Tax	Multi-Family Parcel	\$26.95	per Unit
Street Lighting Maintenance Tax	Non-Residential Parcel	\$161.67	per Acre
Neighborhood Parks & Landscape Maintenance Tax	Single-Family Parcel	\$419.64	per Parcel
Neighborhood Parks & Landscape Maintenance Tax	Condominium Parcel	\$314.73	per Parcel
Neighborhood Parks & Landscape Maintenance Tax	Multi-Family Parcel	\$209.82	per Unit
Neighborhood Parks & Landscape Maintenance Tax	Non-Residential-In Compliance Parcel	\$0.00	per Acre
Neighborhood Parks & Landscape Maintenance Tax	Non-Residential-Out of Compliance Parcel	\$1,258.92	per Acre
Stormwater Maintenance Tax	Single-Family Parcel	\$521.87	per Parcel
Stormwater Maintenance Tax	Condominium Parcel	\$391.40	per Parcel
Stormwater Maintenance Tax	Multi-Family Parcel	\$260.94	per Unit
Stormwater Maintenance Tax	Non-Residential Parcel	\$1,565.61	per Acre

Mixed Use Parcels will be have their Maximum Tax calculated each Fiscal Year based upon their combined uses on the Parcel. For example if a one acre parcel has commercial on the ground floor and 50 condominiums on the second floor the property owner will be charged the Non-Residential Parcel rate for one acre and the Condominium Parcel Rate for the 20 condominiums.

2. Undeveloped Property - The Fiscal Year 2015-16 Maximum Special Tax for each Special Tax Component for all Parcels of Undeveloped Property shall be as shown in Table 2 below:

Table 2: Undeveloped Property		
Special Tax Component	Land Use Classification	FY 2015-16 Maximum Tax
Regional Park Maintenance Tax	Single-Family Parcel	\$370.80 per Acre
Regional Park Maintenance Tax	Condominium Parcel	\$278.10 per Acre
Regional Park Maintenance Tax	Multi-Family Parcel	\$185.40 per Acre
Regional Park Maintenance Tax	Non-Residential Parcel	\$185.40 per Acre
Community Parks Maintenance Tax	Single-Family Parcel	\$818.85 per Acre
Community Parks Maintenance Tax	Condominium Parcel	\$614.14 per Acre
Community Parks Maintenance Tax	Multi-Family Parcel	\$409.43 per Acre
Community Parks Maintenance Tax	Non-Residential Parcel	\$409.43 per Acre
Street Lighting Maintenance Tax	Single-Family Parcel	\$161.67 per Acre
Street Lighting Maintenance Tax	Condominium Parcel	\$121.25 per Acre
Street Lighting Maintenance Tax	Multi-Family Parcel	\$80.84 per Acre
Street Lighting Maintenance Tax	Non-Residential Parcel	\$80.84 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Single-Family Parcel	\$1,258.92 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Condominium Parcel	\$944.19 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Multi-Family Parcel	\$629.46 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Non-Residential-In Compliance Parcel	\$0.00 per Acre
Neighborhood Parks & Landscape Maintenance Tax	Non-Residential-Out of Compliance Parcel	\$629.46 per Acre
Stormwater Maintenance Tax	Single-Family Parcel	\$1,565.61 per Acre
Stormwater Maintenance Tax	Condominium Parcel	\$1,174.21 per Acre
Stormwater Maintenance Tax	Multi-Family Parcel	\$782.81 per Acre
Stormwater Maintenance Tax	Non-Residential Parcel	\$782.81 per Acre

3. Escalation of Maximum Special Tax

On July 1, 2015, and each July 1 thereafter, the Maximum Special Tax for each Special Tax Component for the current Fiscal Year for Developed Property and Undeveloped Property shall be increased from the Maximum Special Tax for the respective Special Tax Component for the previous Fiscal Year by Consumer Price Index – All Urban Consumers (San Francisco-Oakland-San Jose, CA) (from February) with a minimum annual increase of three (3.00%) percent and a maximum annual increase of five (5.00%) percent for any given year.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for each Special Tax Component for that Fiscal Year and levy each Special Tax Component on all Parcels of Taxable Property as follows:

- Step 1:** Each Special Tax Component shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement for such Special Tax Component;
- Step 2:** If additional revenue is needed after Step 1, each Special Tax Component shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property for such Fiscal Year until the amount levied, when combined with the amount of the Special Tax Component levied pursuant to Step 1, is equal to the Special Tax Requirement for such Special Tax Component.

The Special Tax for CFD No. 2015-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 2015-2, and the Special Tax shall be subject to foreclosure if delinquent regardless of the manner in which it was collected.

E. EXEMPTIONS

No Special Tax shall be levied on Parcels of Public Property or any privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, parks, etc. except as otherwise provided in this RMA and in the Act.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that does not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City through a resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied in perpetuity as necessary to pay the Special Tax Requirement.

H. REPEAL OF THE SPECIAL TAX

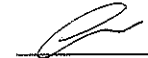
CFD No. 2015-2 was established to levy the Special Tax to finance the Authorized Services as a condition of the entitlement to develop the Developed Property in CFD No. 2015-2. If the levy of the Special Tax is repealed by initiative or any other action participated in by the owners of Parcels in CFD No. 2015-2, the City shall cease to levy the Special Tax and shall cease to be obligated to provide the Authorized Services for which the Special Tax was levied.

I. SEVERABILITY

The invalidity or unenforceability of any provisions of this Rate and Method of Apportionment of Special Tax shall not affect the validity or enforceability of any other provision of this Rate and Method of Apportionment of Special Tax, which shall remain in full force and effect.

PROPOSED BOUNDARY MAP
 CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2015-2
 (PARKS, STREET LIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER)
 CITY OF OAKLEY
 COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OAKLEY THIS
30th DAY OF October, 2015.



LIBBY VREONIS, CITY CLERK
 CITY OF OAKLEY
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED
 BOUNDARIES OF CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT
 No. 2015-2, CITY OF OAKLEY, COUNTY OF CONTRA COSTA, STATE
 OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE
 CITY OF OAKLEY, AT A REGULAR MEETING THEREOF, HELD ON
 THE 24th DAY OF October, 2015, BY ITS RESOLUTION
 No. 14-15



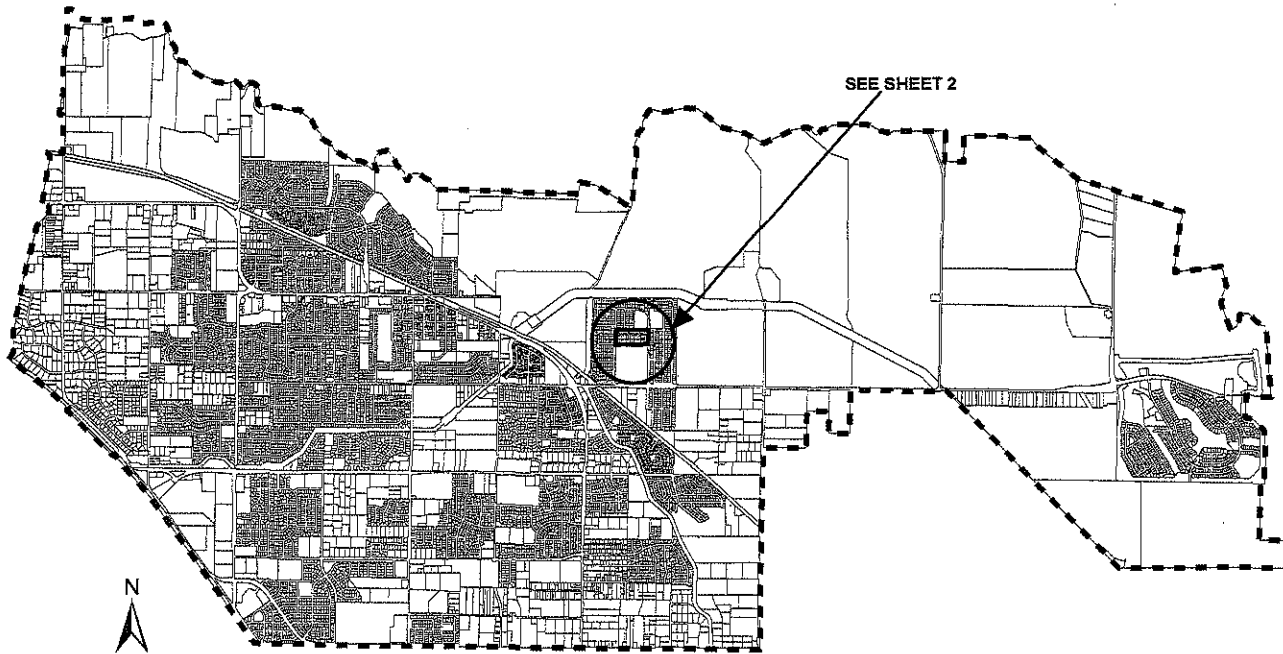
LIBBY VREONIS, CITY CLERK
 CITY OF OAKLEY
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

FILED THIS 9th DAY OF November, 2015, AT THE HOUR
 OF 8:34 A.M IN BOOK 85 OF MAPS OF ASSESSMENT
 AND COMMUNITY FACILITIES DISTRICTS AT PAGE 20, DOCUMENT
 No. 15-034174 IN THE OFFICE OF THE COUNTY RECORDER
 IN CONTRA COSTA COUNTY, STATE OF CALIFORNIA.






JOSEPH SANCIAMILLA
 COUNTY RECORDER
 COUNTY OF CONTRA COSTA
 STATE OF CALIFORNIA Deputy

ASSESSOR PARCELS WITHIN BOUNDARY; FOR PARTICULARS OF
 LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE
 TO THE ASSESSOR PARCEL MAPS OF CONTRA COSTA COUNTY.

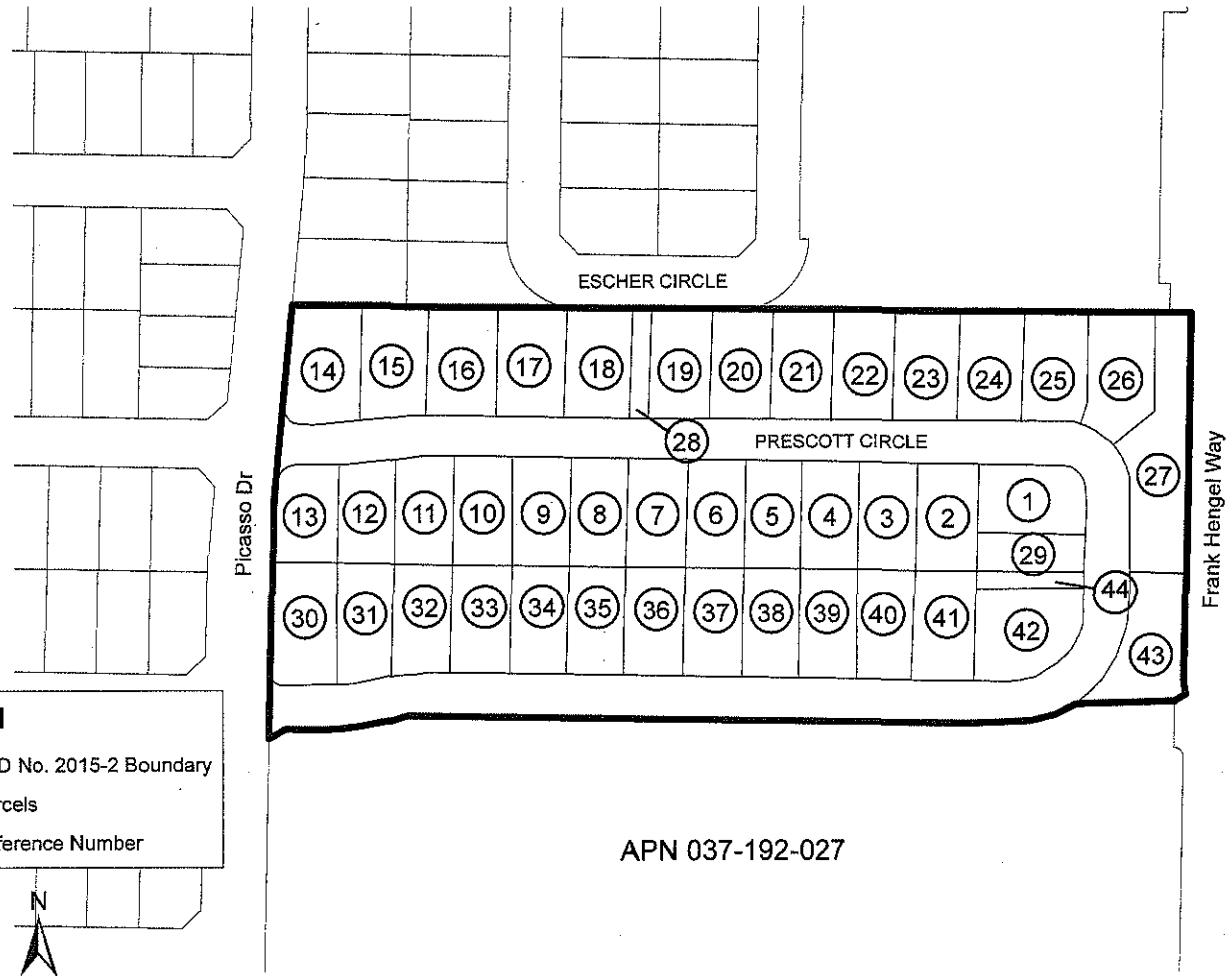


Legend

-  CFD No. 2015-2 Boundary
-  Future Annexation Area, City of Oakley Boundary
-  Parcels



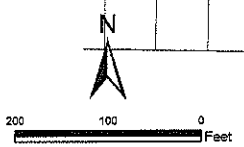
PROPOSED BOUNDARY MAP
CITY OF OAKLEY COMMUNITY FACILITIES DISTRICT No. 2015-2
(PARKS, STREET LIGHTS, LANDSCAPE MAINTENANCE AND STORMWATER)
 CITY OF OAKLEY
 COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



Reference Number	Assessor Parcel Number
1	037-570-001
2	037-570-002
3	037-570-003
4	037-570-004
5	037-570-005
6	037-570-006
7	037-570-007
8	037-570-008
9	037-570-009
10	037-570-010
11	037-570-011
12	037-570-012
13	037-570-013
14	037-570-014
15	037-570-015
16	037-570-016
17	037-570-017
18	037-570-018
19	037-570-019
20	037-570-020
21	037-570-021
22	037-570-022
23	037-570-023
24	037-570-024
25	037-570-025
26	037-570-026
27	037-570-027
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29	037-570-029
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31	037-570-032
32	037-570-033
33	037-570-034
34	037-570-035
35	037-570-036
36	037-570-037
37	037-570-038
38	037-570-039
39	037-570-040
40	037-570-041
41	037-570-042
42	037-570-043
43	037-570-044
44	037-570-045

Legend

- CFD No. 2015-2 Boundary
- Parcels
- Reference Number



APN 037-192-027