



GOODWIN CONSULTING GROUP

**CITY OF FREMONT  
COMMUNITY FACILITIES DISTRICT NO. 2  
(WARM SPRINGS PUBLIC FACILITIES)**

**CFD TAX ADMINISTRATION REPORT  
FISCAL YEAR 2020-21**

**November 2, 2020**

***Community Facilities District No. 2***  
***CFD Tax Administration Report***

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## ***EXECUTIVE SUMMARY***

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The following summary provides a brief overview of the main points from this report regarding the City of Fremont Community Facilities District No. 2 (Warm Springs Public Facilities) (“CFD No. 2” or the “CFD”):

### **Fiscal Year 2020-21 Special Tax Levy**

<b>Number of Taxed Parcels</b>	<b>Total Special Tax Levy</b>
358	\$1,121,853

For further detail regarding the special tax levy, or special tax rates, please refer to Section IV of this report.

### **Development Status for Fiscal Year 2020-21**

<b>Development Class</b>	<b>Number of Units/Acres</b>
Developed Property	361 Units
Undeveloped Property	18.15 Acres

For more information regarding the status of development in CFD No. 2, please see Section V of this report.

### **Delinquency Summary**

<b>Delinquent Amount for FY 2019-20 (as of September 22, 2020)</b>	<b>Number of Parcels Delinquent</b>	<b>Total Levy for FY 2019-20</b>	<b>Delinquency Rate</b>
\$0	0	\$1,118,685	0.00%

For additional delinquency information, please see Section IX of this report.

## Outstanding Bonds Summary

### Special Tax Bonds, Series 2019

<b>Issuance Date</b>	<b>Original Principal</b>	<b>Amount Retired</b>	<b>Current Amount Outstanding</b>
July 2019	\$16,575,000	\$165,000*	\$16,410,000*

\* As of the date of this report.

For more information about the bond proceeds, please see Section XI of this report.

## ***I. INTRODUCTION***

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### **City of Fremont Community Facilities District No. 2**

On November 21, 2017, the City of Fremont (the “City”) City Council adopted Resolution No. 2017-92, which established CFD No. 2. In a landowner election held on the same day, the then-qualified landowner electors within CFD No. 2 authorized the levy of a Mello-Roos special tax on taxable property within the CFD. The landowners also voted to incur bonded indebtedness, secured by special taxes levied in CFD No. 2, in an amount not to exceed \$25,000,000. On July 18, 2019, the City issued special tax bonds (the “Series 2019 Bonds” or “Bonds”) in the aggregate principal amount of \$16,575,000 on behalf of the CFD. Bond proceeds and special tax revenue will fund street improvements for the benefit of residents within CFD No. 2.

CFD No. 2 is located in the southern portion of the City, near the Warm Springs/South Fremont BART station. The CFD encompasses a non-contiguous, 39-acre area within the larger Warm Springs/South Fremont planning area. CFD No. 2 comprises several high-density residential projects which, upon completion, are expected to include approximately 958 for-sale units.

### **The Mello-Roos Community Facilities Act of 1982**

The reduction in property tax revenues that resulted from the passage of Proposition 13 in 1978 required public agencies and real estate developers to look for other means to generate funding for public infrastructure. The funding available from traditional assessment districts was limited by certain requirements of the assessment acts, and it became clear that a more flexible funding tool was needed. In response, the California State Legislature (the “Legislature”) approved the Mello-Roos Community Facilities Act of 1982 (the “Act”) that provides for the levy of a special tax within a defined geographic area, namely a community facilities district, if such a levy is approved by two-thirds of the qualified electors in the area. The Act can generate funding for a broad range of facilities and services, and special taxes for a community facilities district can be allocated to property in any “reasonable” manner other than on an ad valorem basis.

A community facilities district is authorized to issue tax-exempt bonds that are secured by land within the district. If a parcel does not pay the special tax levied on it, a public agency can foreclose on the parcel and use the proceeds of the foreclosure to ensure that bondholders receive interest and principal payments on the bonds. Because bonds issued by a community facilities district are land-secured, there is no risk to a public agency’s general fund or taxing capacity. In addition, because the bonds are tax-exempt, they typically carry an interest rate that is lower than conventional construction financing.

## ***II. PURPOSE OF REPORT***

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This CFD Tax Administration Report (the “Report”) presents findings from research and financial analysis performed by Goodwin Consulting Group, Inc. to determine the fiscal year 2020-21 special tax levy for CFD No. 2. The Report is intended to provide information to interested parties regarding the current financial obligations of the CFD, special taxes levied in fiscal year 2020-21, and public facilities authorized to be funded by the CFD. The Report also summarizes other pertinent information such as prepayments, foreclosures, and arbitrage rebate for CFD No. 2.

The remainder of the Report is organized as follows:

- **Section III** identifies financial obligations of CFD No. 2 for fiscal year 2020-21.
- **Section IV** provides a summary of the methodology that is used to apportion the special tax among parcels in the CFD.
- **Section V** provides an update of the development activity occurring within CFD No. 2.
- **Section VI** provides information regarding facilities to be financed with bond proceeds and excess special tax revenue, if available.
- **Section VII** provides information regarding funds and accounts established for the special tax and the bonds, including the current balances in such funds and accounts.
- **Section VIII** identifies parcels, if any, that have prepaid their special tax obligation.
- **Section IX** provides information regarding delinquent special taxes.
- **Section X** provides information regarding foreclosure proceedings.
- **Section XI** provides a summary of the City’s annual reporting requirements as set forth in Senate Bill 165, the Local Agency Special Tax and Bond Accountability Act.
- **Section XII** provides information on state reporting requirements.
- **Section XIII** provides information regarding arbitrage rebate calculations.

### ***III. FISCAL YEAR 2020-21 SPECIAL TAX REQUIREMENT***

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Pursuant to the Rate and Method of Apportionment of Special Taxes (the “RMA”), which was adopted as an exhibit to the Resolution of Formation of CFD No. 2, the Special Tax Requirement means the amount necessary in any fiscal year to (i) pay principal and interest on bonds, (ii) replenish reserve funds established for bonds, (iii) cure any delinquencies in the payment of principal or interest on bonds which occurred in the prior fiscal year, (iv) pay administrative expenses of the CFD and (v) pay the costs of authorized facilities to be funded directly from special tax proceeds. For fiscal year 2020-21, the Special Tax Requirement is \$1,121,853, as shown in the table below

#### **Fiscal Year 2020-21 Special Tax Requirement\***

Series 2019 Bonds Interest Due March 1, 2021	\$403,300
Series 2019 Bonds Interest Due September 1, 2021	\$403,300
Series 2019 Bonds Principal Due September 1, 2021	\$270,000
<b>Subtotal – Series 2019 Bonds</b>	<b>\$1,076,600</b>
Direct Funding of Authorized Facilities	\$0
Administrative Expenses	\$26,500
County Charge For Placement on Tax Roll @ 1.7% of Tax Levy	\$18,753
<b>Fiscal Year 2020-21 Special Tax Requirement</b>	<b>\$1,121,853</b>

*\*Totals may not sum due to rounding.*

#### ***IV. FISCAL YEAR 2020-21 SPECIAL TAX LEVY***

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##### **Special Tax Categories**

Special taxes within CFD No. 2 are levied pursuant to the methodology set forth in the RMA, which defines Taxable Property as all parcels within the boundaries of the CFD that are not exempt from the special tax. Each fiscal year, parcels of Taxable Property are classified as Developed Property, Taxable Owners Association Property, Taxable Public Property, and Undeveloped Property. Developed Property is further categorized as either Attached Residential Property or Other Property. (*Capitalized terms are defined in the RMA, which is included in Appendix C.*)

Developed Property is defined as all parcels of Taxable Property, excluding Taxable Owners Association Property and Taxable Public Property, for which a building permit was issued prior to June 30 of the preceding fiscal year. Thus, assuming no other classification takes precedence, all parcels of Taxable Property for which building permits were issued prior to June 30, 2020 are classified as Developed Property for fiscal year 2020-21.

Taxable Owners Association Property means, after the first series of bonds is issued, any parcel owned by an owners association that satisfies all of the following conditions: (i) the parcel had not been owned by an owners association on the date of issuance of the first series of bonds, (ii) based on reference to the attachments to the RMA, the parcel was not anticipated to be owned by an owners association, and (iii) if the parcel were exempt from the special tax, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

Taxable Public Property means, after the first series of bonds is issued, any parcel owned by a public agency that satisfies all of the following conditions: (i) the parcel had not been owned by a public agency on the date of issuance of the first series of bonds, (ii) based on reference to the attachments to the RMA, the parcel was not anticipated to be owned by a public agency, and (iii) if the parcel were exempt from the special tax, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

Undeveloped Property is defined as all parcels of Taxable Property that are not Developed Property, Taxable Owners Association Property, or Taxable Public Property

Attached Residential Property means, in any fiscal year, all parcels for which a building permit was issued for construction of a structure that includes residential units, including Townhomes, Flats, and Podium Units. Any parcel for which a building permit was issued for a building that includes residential dwelling units that do not fit within the definition of a Townhome, Flat, or Podium Unit shall be categorized as Other Property.



## Maximum Special Tax Rates

Section C of the RMA describes the Maximum Special Tax applicable to each category of property in the CFD. For Attached Residential Property, the Maximum Special Tax is determined by calculating the greater of the applicable Target Special Tax and the Maximum Special Tax identified in Attachment 2 to the RMA (“Attachment 2”). The Target Special Tax applies to each unit of Attached Residential Property and it varies depending on the type and size of the unit. The table below shows the Target Special Tax for each category of Attached Residential Property. Attachment 2 tracks the total Maximum Special Tax revenues that can be generated from each category of Attached Residential Property based on the currently expected land uses in the CFD. In the event that land uses change from what was previously expected, the administrator may update Attachment 2 to increase the Maximum Special Tax on certain properties pursuant to Section D of the RMA. However, an increase in the Maximum Special Tax will only be required if: (i) bonds have been issued which are secured by the special tax, (ii) the total expected Maximum Special Tax revenues in the CFD will otherwise drop below what is required to maintain coverage on the bonds, and (iii) the deficiency in the Maximum Special Tax revenues was not covered by a prepayment. Pursuant to Section D of the RMA, increases in the Maximum Special Tax will only be applied to parcels owned by the landowner requesting the land use change, and only to the extent required to maintain coverage on the bonds. Attachment 2 shall be updated after each land use change to show the revised expected Maximum Special Tax revenues.

### Target Special Tax Rates Attached Residential Property

Unit Type	Square Footage Range	Target Special Tax
Townhome	>2,200 sq. ft.	\$2,285 Per Residential Unit
Townhome	1,901 – 2,200 sq. ft.	\$2,244 Per Residential Unit
Townhome	1,701 – 1,900 sq. ft.	\$1,972 Per Residential Unit
Townhome	1,501 – 1,700 sq. ft.	\$1,737 Per Residential Unit
Townhome	1,300 – 1,500 sq. ft.	\$1,659 Per Residential Unit
Townhome	<1,300 sq. ft.	\$1,628 Per Residential Unit
Flat	>1,650 sq. ft.	\$1,784 Per Residential Unit
Flat	1,451 – 1,650 sq. ft.	\$1,612 Per Residential Unit
Flat	1,300 – 1,450 sq. ft.	\$1,534 Per Residential Unit
Flat	<1,300 sq. ft.	\$1,462 Per Residential Unit
Podium Unit	>1,800 sq. ft.	\$1,787 Per Residential Unit
Podium Unit	1,601 – 1,800 sq. ft.	\$1,706 Per Residential Unit
Podium Unit	1,401 – 1,600 sq. ft.	\$1,495 Per Residential Unit
Podium Unit	1,200 – 1,400 sq. ft.	\$1,393 Per Residential Unit
Podium Unit	<1,200 sq. ft.	\$1,080 Per Residential Unit

For Other Property, Taxable Owners Association Property, Taxable Public Property, and Undeveloped Property, the Maximum Special Tax is \$60,812 per acre.

The percentage of the maximum special tax that will be levied on each parcel for fiscal year 2020-21 is determined by the method of apportionment included in Section E of the RMA. Appendix A shows the Maximum Special Tax that can be levied on each special tax category in fiscal year 2020-21.

### **Apportionment of the Special Taxes for Fiscal Year 2020-21**

The amount of special tax levied on each parcel in the CFD each fiscal year will be determined by application of Section E of the RMA. Pursuant to this section, the special tax will be levied as follows:

- (1) The special tax on Developed Property shall be levied as follows:
  - (i) Prior to the first bond sale, at 100% of the Maximum Special Tax for each parcel of Developed Property in all fiscal years until the aggregate special taxes collected in prior fiscal years that were or are available to pay directly for the cost of authorized facilities, combined with the amount that could be levied in the current fiscal year and applied to the cost of authorized facilities, is equal to the Authorized Facilities Pay-Go Limit. The Authorized Facilities Pay-Go Limit is the lesser of (a) \$17 million and (b) the actual costs of authorized facilities eligible to be reimbursed under the acquisition agreement.
  - (ii) After the first bond sale, at 100% of the Maximum Special Tax for each parcel of Developed Property until the sum of the following is equal to the Authorized Facilities Pay-Go Limit: (x) the aggregate special taxes collected in prior fiscal years that were or are available to pay directly for the cost of authorized facilities, (y) the net construction proceeds generated by all bonds that have been sold for the CFD that were or are available to pay directly for the cost of authorized facilities, and (z) the special taxes that can be levied on Developed Property in the current fiscal year and applied to the cost of authorized facilities.
  - (iii) Thereafter, proportionately on each parcel of Developed Property up to 100% of the Maximum Special Tax for each parcel for such fiscal year until the amount levied on Developed Property is equal to the Special Tax Requirement prior to applying any capitalized interest that is available in the CFD accounts.
- (2) If additional revenue is needed after the first step and after applying capitalized interest to the Special Tax Requirement, the special tax shall be levied proportionately on each parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property for such fiscal year.
- (3) If additional revenue is needed after the second step, the special tax shall be levied proportionately on each parcel of Taxable Owners Association Property, up to 100% of the

Maximum Special Tax for each parcel of Taxable Owners Association Property for such fiscal year.

- (4) If additional revenue is needed after the third step, the special tax shall be levied proportionately on each parcel of Taxable Public Property, up to 100% of the Maximum Special Tax for each parcel of Taxable Public Property for such fiscal year.

The first bond sale for the CFD occurred in July 2019. Additionally, the proceeds from the Series 2019 bonds were greater than the Authorized Facilities Pay-Go Limit. Therefore, the CFD is only required to levy the special tax until the Special Tax Requirement has been satisfied, as stated above. Taxing Developed Property at 100% of the maximum special tax will generate \$668,493 in tax revenue, assuming no delinquencies, which is \$453,360 less than the Special Tax Requirement of \$1,121,853. Therefore, it is necessary to levy a tax proportionately on all Undeveloped Property at 41.08% of the maximum special tax rate for Undeveloped Property. This will generate the \$453,360 necessary to fully fund the Special Tax Requirement, assuming no delinquencies. No special tax will be levied on Taxable Owners Association Property or Taxable Public Property in fiscal year 2020-21. The actual special tax rates and the number of units of Attached Residential Property for fiscal year 2020-21 are shown in the table in Appendix A.

## ***V. DEVELOPMENT STATUS***

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The City has issued building permits for 78 residential units between June 30, 2019 and June 29, 2020. These 78 units will be classified as developed Attached Residential Property and are therefore subject to the special tax for fiscal year 2020-21. Based on the current status of development in CFD No. 2, the following table summarizes the allocation of land uses to the special tax categories for the fiscal year 2020-21 tax levy:

**Allocation to Special Tax Categories  
Fiscal Year 2020-21**

<b>Unit Type / Category</b>	<b>Square Footage Range</b>	<b>Number of Units or Acres</b>
Townhome	>2,200 sq. ft.	47 Units
Townhome	1,901 – 2,200 sq. ft.	41 Units
Townhome	1,701 – 1,900 sq. ft.	69 Units
Townhome	1,501 – 1,700 sq. ft.	12 Units
Townhome	1,300 – 1,500 sq. ft.	32 Units
Townhome	<1,300 sq. ft.	28 Units
Flat	>1,650 sq. ft.	33 Units
Flat	1,451 – 1,650 sq. ft.	66 Units
Flat	1,300 – 1,450 sq. ft.	0 Units
Flat	<1,300 sq. ft.	33 Units
Podium Unit	>1,800 sq. ft.	0 Units
Podium Unit	1,601 – 1,800 sq. ft.	0 Units
Podium Unit	1,401 – 1,600 sq. ft.	0 Units
Podium Unit	1,200 – 1,400 sq. ft.	0 Units
Podium Unit	<1,200 sq. ft.	0 Units
Taxable Owner Association Property	N/A	0.00 Acres
Taxable Public Property	N/A	0.00 Acres
Undeveloped Property	N/A	18.15 Acres

## ***VI. AUTHORIZED FACILITIES***

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Resolution No. 2017-92, adopted by the City Council on November 21, 2017, authorizes CFD No. 2 to finance all or a portion of the costs of acquisition, construction, and improvement of the following street improvements, including, but not limited to, grading, trenching, dry and wet utilities, final layer of finish surface, lighting, striping, signage, curb, gutters, and sidewalks:

- Insight Street
- Accelerator Avenue
- Ambition Street
- Wisdom Road (between Quantum Drive and Innovation Way)
- Synergy Street (between Accelerator Avenue and Quantum Drive)
- Quantum Drive (from Fremont Blvd. to Innovation Way)

The facilities do not include intersections with South Grimmer Boulevard, Fremont Boulevard, Innovation Way, the portion of Quantum Drive north of Innovation Way, and Wisdom Road north of Innovation Way. The facilities to be financed shall include all hard and soft costs associated with the facilities, as well as any incidental costs associated with the facilities authorized to be financed. The facilities authorized to be financed may be located within or outside of the boundaries of the CFD.

## ***VII. CFD FUNDS***

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### **Description of Funds**

Five funds were established on behalf of the CFD pursuant to the fiscal agent agreement between the City and Wilmington Trust, National Association (the “Fiscal Agent”). Following is a brief description of the purpose of each fund.

The **Costs of Issuance Fund** was established as a separate fund to be held by the Fiscal Agent to pay or reimburse the costs associated with issuing the Bonds. Moneys in the Costs of Issuance Fund shall be held for a period of 90 days from the closing date of the Bonds. Any funds remaining in the Costs of Issuance Fund after 90 days shall be transferred to the Bond Fund and used to pay debt service on the Bonds.

The **Reserve Fund** is held by the Fiscal Agent as a reserve for the payment of principal and interest on the Bonds in the event the balance in the Bond Fund is insufficient to make debt service payments. Any amount in the Reserve Fund that exceeds the Reserve Requirement (i.e. \$1,077,000 as of September 30, 2020) will be transferred to the Bond Fund.

The **Bond Fund** will be held by the Fiscal Agent and used to pay debt service on the Bonds. Within the Bond Fund, the “Special Tax Prepayments Account” has been established to hold the proceeds of any special tax prepayments until the next available redemption date. On March 1<sup>st</sup> and September 1<sup>st</sup> of each year, the Fiscal Agent will use the moneys in the Bond Fund to pay interest and principal due on the Bonds. Any amounts remaining the Bond Fund after September 1<sup>st</sup> shall be held in the Bond Fund for the next interest payment date.

The **Special Tax Fund** will be held by the City and will be used for the deposit of special tax revenues levied and collected within the CFD. Within the Special Tax Fund, the “Administrative Expense Account” has been established to hold tax revenues intended to cover the costs of administering the CFD. At least 7 days prior to March 1<sup>st</sup> and September 1<sup>st</sup> of each year, the City will transfer money from the Special Tax Fund to the Bond Fund in an amount sufficient to pay interest and principal coming due on the Bonds on such dates. Any amounts remaining in the Special Tax Fund after the end of each fiscal year shall be transferred into the Administrative Expense Account.

The **Improvement Fund** was created exclusively to pay the cost of improvements until the project has been completed. The Improvement Fund will be held by the Fiscal Agent and, upon completion of the improvements, the Fiscal Agent will close the Improvement Fund and transfer any remaining balance to the Bond Fund, the Administrative Expense Account, or the Reserve Fund, as determined by the City.

Money held in any of the aforementioned funds and accounts will be invested by the Fiscal Agent in conformance with limitations set forth in the fiscal agent agreement. Investment interest earnings, if any, will generally be applied to the fund for which the investment is made.

## **Fund Balances**

As of June 30, 2020, the various funds had the following balances:

### **Account Balances As of June 30, 2020\***

<b>Special Tax Fund</b>	<b>\$0.00</b>
<b>Administrative Expense Account</b>	<b>\$0.00</b>
<b>Bond Fund</b>	<b>\$5,864.11</b>
<b>Special Tax Prepayments Account</b>	<b>\$0.00</b>
<b>Reserve Fund</b>	<b>\$1,087,450.86</b>
<b>Improvement Fund</b>	<b>\$17,461,537.43</b>
<b>Costs of Issuance Fund</b>	<b>\$0.00</b>

## ***VIII. PREPAYMENTS***

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As of June 30, 2020, no property owner in CFD No. 2 has prepaid his/her special tax obligation; therefore, all parcels of Taxable Property are subject to the special tax levy for fiscal year 2020-21 pursuant to the RMA.



## ***IX. DELINQUENCIES***

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As of September 22, 2020, the Alameda County Auditor's Office reports the following delinquencies for CFD No. 2:

### **Delinquencies as of September 22, 2020**

<b>Fiscal Year</b>	<b>Parcels Delinquent</b>	<b>Delinquent Amount</b>	<b>CFD Tax Levied</b>	<b>Percent Delinquent</b>
2019-20	0	\$0	\$1,118,685	0.00%

## ***X. FORECLOSURES***

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Pursuant to Section 53356.1 of the Act, if any delinquency occurs in the payment of the special tax, the City may order the institution of a Superior Court action to foreclose the lien on a parcel within specified time limits. In such an action, the real property subject to the unpaid amount may be sold at a judicial foreclosure sale.

While judicial foreclosure is not mandatory, the City has agreed in the fiscal agent agreement that on or about June 30 of each fiscal year it will compare the amount of special tax levied to the amount of special tax received, and:

- (a) If the City determines that any single parcel subject to the special tax in the CFD is delinquent in the payment of special tax in the aggregate amount of \$5,000 or more, then the City shall send or cause to be sent a notice of delinquency (and a demand for immediate payment thereof) to the property owner within 45 days of such determination, and (if the delinquency remains uncured) foreclosure proceedings shall be commenced by the City within 90 days of such determination. Notwithstanding the foregoing, the City may defer any such actions with respect to a delinquent parcel if: (1) the CFD is then participating in the Teeter Plan, (2) the amount in the Reserve Fund is at least equal to the Reserve Requirement, and (3) the amount in the reserve account for any parity bonds that are not related parity bonds is at least equal to the required amount
- (b) If the City determines that the total amount of delinquent special tax for the prior fiscal year for the entire CFD (including the total of delinquencies under (a) above), exceeds 5% of the total special tax due and payable for the prior fiscal year, the City shall notify or cause to be notified property owners who are then delinquent in the payment of special taxes (and demand immediate payment of the delinquency) within 45 days of such determination, and shall commence foreclosure proceedings within 90 days of such determination against each parcel of land in the CFD with a special tax delinquency.

As of the date of this Report, no foreclosure proceedings are pending on parcels in the CFD.

## ***XI. SENATE BILL 165 REPORTING REQUIREMENTS***

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On September 18, 2000, Governor Gray Davis approved Senate Bill (SB) 165 which enacted the “Local Agency Special Tax and Bond Accountability Act”. In approving the bill, the Legislature pointed out that local agencies need to demonstrate to the voters that special taxes and bond proceeds are being spent on the facilities and services for which they were intended. To further this objective, the Legislature added Sections 50075.3 and 53411 to the California Government Code setting forth annual reporting requirements relative to special taxes collected and bonds issued by a local public agency. The reporting requirements in SB 165 are provided below.

Pursuant to Sections 50075.3 and 53411, the “chief fiscal officer” of the City will, by January 1, 2002, and at least once a year thereafter, file a report with the City Council setting forth the following information:

### **Section 50075.3**

*Item (a): Identify the amount of special taxes that have been collected and expended.*

In fiscal year 2020-21, the total special tax levy of \$1,118,685 was collected, as no property owners were delinquent in the payment of the special tax. Of this amount, \$18,700 was retained by Alameda County for placing the taxes on the tax roll. A total of \$1,073,485 in special tax revenue was expended on principal and interest payments due in 2020 for the Bonds. The remaining \$26,500 in special tax revenue was used to fund the payment of expenses associated with administering CFD No. 2 during fiscal year 2019-20.

*Item (b): Identify the status of any project required or authorized to be funded by the special taxes.*

The special taxes levied in CFD No. 2 are used to pay debt service on the Bonds, fund public street improvements, and pay for administrative expenses of the CFD. For additional details on what facilities are authorized to be financed, please refer to Section VI of this report. The construction and acquisition of the authorized facilities is ongoing.

### **Section 53411**

*Item (a): Identify the amount of bonds that have been collected and expended.*

The Series 2019 Bonds were issued by the City on July 18, 2019, in the aggregate principal amount of \$16,575,000. The Series 2019 Bonds were sold at an original issue premium of \$2,278,147, giving a total of \$18,853,147 of bond proceeds to be disbursed. Of these proceeds, \$17,293,724 was deposited into the Improvement Fund to pay for the construction and/or acquisition of the authorized facilities. An additional \$1,077,000 was deposited into the Reserve Fund. The underwriter retained a total of \$148,312 as an underwriter’s discount. The remaining \$334,111 was deposited into the Costs of Issuance fund.

*Item (b): Identify the status of any project required or authorized to be funded from bond proceeds.*

The authorized facilities to be funded from bond proceeds are being acquired with monies within the Improvement Fund. As of June 30, 2020, the Improvement Fund had a balance of \$17,461,537.43. The construction and acquisition of the authorized facilities is ongoing.

## ***XII. STATE REPORTING REQUIREMENTS***

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### **Assembly Bill No. 1666**

On July 25, 2016, Governor Jerry Brown signed Assembly Bill No. 1666, adding Section 53343.2 to the California Government Code (“GC”). The bill enhances the transparency of community facilities districts by requiring that certain reports be accessible on a local agency’s web site. Pursuant to Section 53343.2, a local agency that has a web site shall, within seven months after the last day of each fiscal year of the district, display prominently on its web site the following information:

Item (a): A copy of an annual report, if requested, pursuant to GC Section 53343.1. The report required by Section 53343.1 includes CFD budgetary information for the prior fiscal year and is only prepared by a community facilities district at the request of a person who resides in or owns property in the community facilities district. If the annual report has not been requested to be prepared, then a posting to the web site would not be necessary.

Item (b): A copy of the report provided to the California Debt and Investment Advisory Commission (“CDIAC”) pursuant to GC Section 53359.5. Under Section 53359.5, local agencies must provide CDIAC with the following: (i) notice of proposed sale of bonds; (ii) annual reports on the fiscal status of bonded districts; and (iii) notice of any failure to pay debt service on bonds, or of any draw on a reserve fund to pay debt service on bonds.

Item (c): A copy of the report provided to the State Controller’s Office pursuant to GC Section 12463.2. This section refers to the parcel tax portion of a local agency’s Financial Transactions Report that is prepared for the State Controller’s Office annually. Note that school districts are not subject to the reporting required by GC Section 12463.2.

### **Assembly Bill No. 1483**

On October 9, 2019, Governor Gavin Newsom signed Assembly Bill No. 1483, adding Section 65940.1 to the California Government Code. The law requires that a city, county, or special district that has an internet website, maintain on its website a current schedule of fees, exactions, and affordability requirements imposed by the public agency on all housing development projects. Pursuant to Section 65940.1, the definition of an exaction includes a special tax levied pursuant to the Mello-Roos Community Facilities Act.

Assembly Bill No. 1483 defines a housing development project as consisting of (a) residential units only; or (b) mixed-use developments consisting of residential and non-residential land uses with at least two-thirds of the square footage designated for residential use; or (c) transitional housing or supportive housing. Assembly Bill No. 1483 also requires a city, county, or special district to update this information on their website within 30 days of any changes made to the information.

## **Senate Bill No. 165**

On September 18, 2000, former Governor Gray Davis signed Senate Bill 165 which enacted the Local Agency Special Tax and Bond Accountability Act. In approving the bill, the Legislature declared that local agencies need to demonstrate to the voters that special taxes and bond proceeds are being spent on the facilities and services for which they were intended. To further this objective, the Legislature added Sections 50075.3 and 53411 to the California Government Code setting forth annual reporting requirements relative to special taxes collected and bonds issued by a local public agency. Pursuant to the Sections 50075.3 and 53411, the “chief fiscal officer” of the public agency will, by January 1, 2002, and at least once a year thereafter, file a report with the City setting forth (i) the amount of special taxes that have been collected and expended; (ii) the status of any project required or authorized to be funded by the special taxes; (iii) if bonds have been issued, the amount of bonds that have been collected and expended; and (iv) if bonds have been issued, the status of any project required or authorized to be funded from bond proceeds.

### ***XIII. ARBITRAGE REBATE CALCULATIONS***

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The five-year arbitrage rebate and yield restriction analysis for the Series 2019 Bonds will be completed in September 2023.

## **APPENDIX A**

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### ***Summary of Fiscal Year 2020-21 Special Tax Levy***

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**City of Fremont**  
**Community Facilities District No. 2**  
**(Warm Springs Public Facilities)**  
**Summary of Fiscal Year 2020-21 Special Tax Levy**

<b>Special Tax Category</b>	<b>Square Footage Range</b>	<b>FY 2020-21 Maximum Special Tax Rate</b>	<b>FY 2020-21 Actual Special Tax Rate</b>	<b>Number of Units or Acres</b>	<b>Total FY 2020-21 Actual Special Tax</b>
Developed Property					
Townhomes	> 2,200	\$2,285 per Unit	\$2,285 per Unit	47	\$107,395
	1901 - 2200	\$2,244 per Unit	\$2,244 per Unit	41	\$92,004
	1701 - 1900	\$1,972 per Unit	\$1,972 per Unit	69	\$136,068
	1501 - 1700	\$1,737 per Unit	\$1,737 per Unit	12	\$20,844
	1300 - 1500	\$1,659 per Unit	\$1,659 per Unit	32	\$53,088
	< 1,300	\$1,628 per Unit	\$1,628 per Unit	28	\$45,584
Flats	> 1,651	\$1,784 per Unit	\$1,784 per Unit	33	\$58,872
	1451 - 1650	\$1,612 per Unit	\$1,612 per Unit	66	\$106,392
	1300 - 1450	\$1,534 per Unit	\$1,534 per Unit	0	\$0
	< 1,300	\$1,462 per Unit	\$1,462 per Unit	33	\$48,246
Podium Units	>1,800	\$1,787 per Unit	\$1,787 per Unit	0	\$0
	1601 - 1800	\$1,706 per Unit	\$1,706 per Unit	0	\$0
	1401 - 1600	\$1,495 per Unit	\$1,495 per Unit	0	\$0
	1200 - 1400	\$1,393 per Unit	\$1,393 per Unit	0	\$0
	<1,200	\$1,080 per Unit	\$1,080 per Unit	0	\$0
Subtotal - Developed Property				361	\$668,493
Undeveloped Property	N/A	\$60,812 per Acre	\$24,980 per Acre	18.15	\$453,360
<b>Total Fiscal Year 2020-21 Special Tax Levy</b>					<b>\$1,121,853</b>

*Goodwin Consulting Group, Inc.*

## **APPENDIX B**

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*Fiscal Year 2020-21 Special Tax Levy  
for Individual Assessor's Parcels*

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**City of Fremont**  
**Community Facilities District No. 2**  
**(Warm Springs Public Facilities)**  
**Fiscal Year 2020-21 Special Tax Levy**

<b>Assessor's Parcel Number</b>	<b>Acreage</b>	<b>Unit Sq. Ft.</b>	<b>Special Tax Category</b>	<b>Development Class</b>	<b>2020-21 Maximum Special Tax</b>	<b>2020-21 Actual Special Tax</b>
519 1753 009 00	8.63			Undeveloped	\$524,685.94	\$215,526.34
519 1754 037 00	0.31		Townhome	Undeveloped	\$18,730.10	\$7,693.80
519 1754 038 00	0.21		Townhome	Undeveloped	\$12,952.96	\$5,320.72
519 1754 039 00	0.37		Townhome	Undeveloped	\$22,257.20	\$9,142.64
519 1754 040 00	0.34		Townhome	Developed	\$18,213.00	\$18,213.00
519 1754 041 00	0.27		Townhome	Developed	\$21,434.00	\$21,434.00
519 1754 042 00	0.22		Townhome	Developed	\$16,864.00	\$16,864.00
519 1754 050 00	0.31		Townhome	Developed	\$19,345.00	\$19,345.00
519 1754 062 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 063 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 064 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 065 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 066 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 067 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 068 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 069 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 070 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 071 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 072 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 073 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 074 00				Exempt	\$0.00	\$0.00
519 1754 075 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 076 00		1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 077 00		1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 078 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 079 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 080 00		1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 081 00		1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 082 00		1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 083 00		1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 084 00		1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 085 00		1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 086 00		1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 087 00				Exempt	\$0.00	\$0.00
519 1754 088 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 089 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 090 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 091 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 092 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 093 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 094 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 095 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 096 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 097 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 098 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 099 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 100 00				Exempt	\$0.00	\$0.00
519 1754 101 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 102 00		1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 103 00		1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 104 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 105 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 106 00		1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 107 00		1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 108 00		1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 109 00		1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 110 00		1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 111 00		1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 112 00		1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 113 00				Exempt	\$0.00	\$0.00
519 1754 114 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 115 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 116 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 117 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 118 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 119 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 120 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 121 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 122 00		1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 123 00		1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 124 00		1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 125 00		1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 126 00				Exempt	\$0.00	\$0.00
519 1754 127 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 128 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 129 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 130 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 131 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 132 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 133 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 134 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 135 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 136 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 137 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 138 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 139 00				Exempt	\$0.00	\$0.00
519 1754 140 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 141 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 142 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 143 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 144 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 145 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 146 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 147 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 148 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 149 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 150 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 151 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 152 00				Exempt	\$0.00	\$0.00
519 1754 153 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 154 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 155 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 156 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 157 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 158 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 159 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 160 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 161 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 162 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 163 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 164 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 165 00				Exempt	\$0.00	\$0.00
519 1754 166 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 167 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 168 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 169 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 170 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00

**City of Fremont**  
**Community Facilities District No. 2**  
**(Warm Springs Public Facilities)**  
**Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 171 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 172 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 173 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 174 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 175 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 176 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 177 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 178 00				Exempt	\$0.00	\$0.00
519 1754 179 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 180 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 181 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 182 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 183 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 184 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 185 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 186 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 187 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 188 00	0.02	1,504	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 189 00	0.02	1,479	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 190 00	0.02	1,701	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 191 00				Exempt	\$0.00	\$0.00
519 1754 192 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 193 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 194 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 195 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 196 00	0.02	1,279	Flat	Developed	\$1,462.00	\$1,462.00
519 1754 197 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 198 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 199 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 200 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 201 00	0.02	1,528	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 202 00	0.02	1,523	Flat	Developed	\$1,612.00	\$1,612.00
519 1754 203 00	0.02	1,712	Flat	Developed	\$1,784.00	\$1,784.00
519 1754 204 00				Exempt	\$0.00	\$0.00
519 1754 205 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 206 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 207 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 208 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 209 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 210 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 211 00				Exempt	\$0.00	\$0.00
519 1754 212 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 213 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 214 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 215 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 216 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 217 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 218 00				Exempt	\$0.00	\$0.00
519 1754 219 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 220 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 221 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 222 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 223 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 224 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 225 00		1,799	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 226 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 227 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 228 00				Exempt	\$0.00	\$0.00
519 1754 229 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 230 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 231 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 232 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 233 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 234 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 235 00				Exempt	\$0.00	\$0.00
519 1754 236 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 237 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 238 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 239 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 240 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 241 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 242 00				Exempt	\$0.00	\$0.00
519 1754 243 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 244 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 245 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 246 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 247 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 248 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

<b>Assessor's Parcel Number</b>	<b>Acreage</b>	<b>Unit Sq. Ft.</b>	<b>Special Tax Category</b>	<b>Development Class</b>	<b>2020-21 Maximum Special Tax</b>	<b>2020-21 Actual Special Tax</b>
519 1754 249 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 250 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 251 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 252 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 253 00				Exempt	\$0.00	\$0.00
519 1754 254 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 255 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 256 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 257 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 258 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 259 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 260 00		1,432	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 261 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 262 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 263 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 264 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 265 00				Exempt	\$0.00	\$0.00
519 1754 266 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 267 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 268 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 269 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 270 00		1,432	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 271 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 272 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 273 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 274 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 275 00				Exempt	\$0.00	\$0.00
519 1754 276 00		1,786	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 277 00		2,176	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 278 00		2,221	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 279 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 280 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 281 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 282 00		2,221	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 283 00		2,176	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 284 00		1,786	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 285 00				Exempt	\$0.00	\$0.00
519 1754 286 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 287 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00



**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 288 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 289 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 290 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 291 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 292 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 293 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 294 00				Exempt	\$0.00	\$0.00
519 1754 295 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 296 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 297 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 298 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 299 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 300 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 301 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 302 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 303 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 304 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 305 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 306 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 307 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 308 00				Exempt	\$0.00	\$0.00
519 1754 309 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 310 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 311 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 312 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 313 00		1,432	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 314 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 315 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 316 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 317 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 318 00				Exempt	\$0.00	\$0.00
519 1754 319 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 320 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 321 00		1,799	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 322 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 323 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 324 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 325 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 326 00		1,799	Townhome	Developed	\$1,972.00	\$1,972.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 327 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 328 00		1,799	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 329 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 330 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 331 00				Exempt	\$0.00	\$0.00
519 1754 332 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 333 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 334 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 335 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 336 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 337 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 338 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 339 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 340 00				Exempt	\$0.00	\$0.00
519 1754 341 00		1,786	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 342 00		2,176	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 343 00		2,221	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 344 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 345 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 346 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 347 00		2,221	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 348 00				Exempt	\$0.00	\$0.00
519 1754 349 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 350 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 351 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 352 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 353 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 354 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 355 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 356 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 357 00				Exempt	\$0.00	\$0.00
519 1754 358 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 359 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 360 00		1,799	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 361 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 362 00		2,638	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 363 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 364 00		1,799	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 365 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 366 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 367 00				Exempt	\$0.00	\$0.00
519 1754 368 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 369 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 370 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 371 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 372 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 373 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 374 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 375 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 376 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 377 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 378 00				Exempt	\$0.00	\$0.00
519 1754 379 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 380 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 381 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 382 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 383 00		2,181	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 384 00		1,798	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 385 00		2,169	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 386 00		1,776	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 387 00				Exempt	\$0.00	\$0.00
519 1754 388 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 389 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 390 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 391 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 392 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 393 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 394 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 395 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 396 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 397 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 398 00				Exempt	\$0.00	\$0.00
519 1754 399 00		1,786	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 400 00		2,176	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 401 00		2,221	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 402 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 403 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00
519 1754 404 00		1,502	Townhome	Developed	\$1,737.00	\$1,737.00

**City of Fremont**  
**Community Facilities District No. 2**  
**(Warm Springs Public Facilities)**  
**Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1754 405 00		2,221	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 406 00		2,176	Townhome	Developed	\$2,244.00	\$2,244.00
519 1754 407 00		1,786	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 408 00				Exempt	\$0.00	\$0.00
519 1754 409 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 410 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 411 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 412 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 413 00		1,432	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 414 00		1,780	Townhome	Developed	\$1,972.00	\$1,972.00
519 1754 415 00		2,292	Townhome	Developed	\$2,285.00	\$2,285.00
519 1754 416 00		1,273	Townhome	Developed	\$1,628.00	\$1,628.00
519 1754 417 00		1,326	Townhome	Developed	\$1,659.00	\$1,659.00
519 1754 418 00				Exempt	\$0.00	\$0.00
519 1763 001 00				Exempt	\$0.00	\$0.00
519 1763 002 00				Exempt	\$0.00	\$0.00
519 1763 003 00				Exempt	\$0.00	\$0.00
519 1763 004 00				Exempt	\$0.00	\$0.00
519 1763 005 00				Exempt	\$0.00	\$0.00
519 1763 006 00				Exempt	\$0.00	\$0.00
519 1763 007 00	0.21		Townhome	Undeveloped	\$12,527.28	\$5,145.86
519 1763 008 00	0.22		Townhome	Undeveloped	\$13,196.20	\$5,420.64
519 1763 009 00	0.33		Townhome	Undeveloped	\$20,189.58	\$8,293.32
519 1763 010 00	0.25		Townhome	Undeveloped	\$15,020.56	\$6,170.02
519 1763 011 00	0.21		Townhome	Undeveloped	\$12,709.70	\$5,220.80
519 1763 012 00	0.30		Townhome	Undeveloped	\$18,426.04	\$7,568.90
519 1763 013 00	0.19		Townhome	Undeveloped	\$11,615.10	\$4,771.16
519 1763 014 00	0.18		Townhome	Undeveloped	\$10,946.16	\$4,496.38
519 1763 015 00	0.24		Flat	Undeveloped	\$14,351.64	\$5,895.24
519 1763 016 00	0.25		Flat	Undeveloped	\$15,142.18	\$6,219.98
519 1763 017 00	0.26		Flat	Undeveloped	\$15,750.30	\$6,469.78
519 1764 001 00				Exempt	\$0.00	\$0.00
519 1764 002 00				Exempt	\$0.00	\$0.00
519 1764 003 00				Exempt	\$0.00	\$0.00
519 1764 004 00				Exempt	\$0.00	\$0.00
519 1764 005 00				Exempt	\$0.00	\$0.00
519 1764 006 00				Exempt	\$0.00	\$0.00
519 1764 007 00				Exempt	\$0.00	\$0.00
519 1764 008 00				Exempt	\$0.00	\$0.00

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)  
Fiscal Year 2020-21 Special Tax Levy**

Assessor's Parcel Number	Acreage	Unit Sq. Ft.	Special Tax Category	Development Class	2020-21 Maximum Special Tax	2020-21 Actual Special Tax
519 1764 009 00				Exempt	\$0.00	\$0.00
519 1764 010 00	0.25		Flat	Undeveloped	\$15,263.82	\$6,269.94
519 1764 011 00	0.26		Flat	Undeveloped	\$15,750.30	\$6,469.78
519 1764 012 00	0.25		Townhome	Undeveloped	\$15,142.18	\$6,219.98
519 1764 013 00	0.27		Townhome	Undeveloped	\$16,540.86	\$6,794.52
519 1764 014 00	0.27		Townhome	Undeveloped	\$16,540.86	\$6,794.52
519 1764 015 00	0.28		Townhome	Undeveloped	\$16,844.92	\$6,919.42
519 1764 016 00	0.25		Flat	Undeveloped	\$15,081.38	\$6,195.00
519 1764 017 00	0.26		Flat	Undeveloped	\$15,507.06	\$6,369.86
519 1764 018 00	0.29		Townhome	Undeveloped	\$17,696.30	\$7,269.14
519 1764 019 00	0.28		Townhome	Undeveloped	\$16,844.92	\$6,919.42
519 1764 020 00	0.35		Townhome	Undeveloped	\$21,040.96	\$8,643.04
519 1764 021 00	0.24		Flat	Undeveloped	\$14,290.82	\$5,870.26
519 1764 022 00	0.22		Townhome	Undeveloped	\$13,074.58	\$5,370.68
519 1764 023 00	0.21		Townhome	Undeveloped	\$12,831.34	\$5,270.76
519 1764 024 00	2.35		Podium	Undeveloped	\$142,725.76	\$58,627.76
<b>Totals</b>		<b>20.71</b>			<b>\$1,772,170.00</b>	<b>\$1,121,852.66</b>

Goodwin Consulting Group, Inc.

## **APPENDIX C**

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### ***Rate and Method of Apportionment of Special Taxes***

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## EXHIBIT B

### CITY OF FREMONT COMMUNITY FACILITIES DISTRICT NO. 2 (WARM SPRINGS PUBLIC FACILITIES)

#### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES

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Special Taxes applicable to each Assessor's Parcel in the City of Fremont Community Facilities District No. 2 (Warm Springs Public Facilities) shall be levied and collected according to the tax liability determined by the City or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in the CFD, unless exempted by law or by the provisions of Section G below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

#### A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**“Acquisition Agreement”** means the Acquisition Agreement between the City and Lennar Homes of California, Inc., a California corporation, and its successors and assigns.

**“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 Large Lot Map, or other parcel map recorded at the County Recorder's Office.

**“Act”** means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Part 1, Division 2 of Title 5 of the Government Code of the State of California.

**“Administrative Expenses”** means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the City in carrying out its duties with respect to the CFD and the Bonds, including, but not limited to, the levy and collection of Special Taxes, the fees and expenses of its legal counsel, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Tax, costs associated with appeals or requests for interpretation associated with the Special Tax and this RMA, costs of the dissemination agent for the City and any party that has undertaken to provide continuing disclosure, amounts needed to pay rebate to the federal government with respect to the Bonds, costs associated with complying with any continuing disclosure requirements with respect to the Bonds and the Special Tax, costs associated with foreclosure and collection of delinquent Special Taxes and all other costs and expenses of the City and County in any way related to the establishment or administration of the CFD.

**“Administrator”** means the person or firm designated by the City to administer the Special Tax according to this RMA.

**“Airspace Parcel”** means a parcel with an assigned Assessor’s Parcel number that constitutes vertical space of an underlying land Parcel.

**“Assessor’s Parcel”** or **“Parcel”** means a lot or parcel, including an Airspace 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.

**“Attached Residential Property”** means, in any Fiscal Year, all Parcels for which a Building Permit was issued for construction of a structure that includes Residential Units (including Townhomes, Flats, and Podium Units). Any Parcel for which a Building Permit was issued for a building that includes residential dwelling units that do not fit within the definition of a Townhome, Flat or Podium Unit shall be categorized as Other Property for purposes of this RMA.

**“Authorized Facilities”** means the public facilities authorized to be financed, in whole or in part, by the CFD.

**“Authorized Facilities Pay-Go Limit”** means the lesser of (a) \$17 million and (b) the actual costs of Authorized Facilities eligible to be reimbursed under the Acquisition Agreement.

**“Bonds”** means bonds or other debt (as defined in the Act), whether in one or more series, secured by the Special Tax and issued or assumed by the CFD to fund Authorized Facilities.

**“Building Permit”** means a single permit or set of permits required to construct a residential or mixed-use structure. If a permit is issued for a foundation, parking, landscaping or other related facility or amenity, but a building permit has not yet been issued for the structure served by these facilities or amenities, such permit shall not be considered a “Building Permit” for purposes of application of the Special Tax herein.

**“Capitalized Interest”** means funds in any capitalized interest account available to pay interest on Bonds.

**“CFD”** means the City of Fremont Community Facilities District No. 2 (Warm Springs Public Facilities).

**“CFD Formation”** means the date on which the Resolution of Formation to form the CFD was adopted by the City Council.

**“City”** means the City of Fremont.

**“City Council”** means the City Council of the City of Fremont.



“**County**” means the County of Alameda.

“**Developed Property**” means, in any Fiscal Year, all Parcels of Taxable Property, excluding Taxable Owners Association Property and Taxable Public Property, for which a Building Permit was issued prior to June 30 of the preceding Fiscal Year.

“**Development Class**” means, individually, Developed Property and Undeveloped Property.

“**Development Phase**” means one of three expected phases of development within the CFD, as identified in Attachment 2.

“**Expected Land Uses**” means the number of Residential Units within each Special Tax Category, and the Acreage of Other Property expected within the CFD at the time of CFD Formation, as identified in Attachment 2 of this RMA. Pursuant to Section D below, the Administrator shall update Attachment 2 each time there is a Land Use Change.

“**Expected Maximum Special Tax Revenues**” means the amount of annual revenue that would be available if the Maximum Special Tax was levied on the Expected Land Uses. The Expected Maximum Special Tax Revenues as of CFD Formation are shown in Attachment 2 of this RMA, and such amount may be adjusted pursuant to Section D of this RMA or if Parcels within the CFD prepay all or a portion of the Special Tax obligation.

“**Flat**” means a Residential Unit that meets all of the following criteria: (i) the unit shares a common wall with at least one other Residential Unit, (ii) the unit is not a Podium Unit, and (iii) there is only one story within the individual Residential Unit.

“**First Bond Sale**” means issuance of the first series of Bonds secured, in whole or in part, by Special Taxes levied and collected from Parcels in the CFD.

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

“**Indenture**” means the bond indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time, and any instrument replacing or supplementing the same.

“**Land Use Change**” means a proposed or approved change to the Expected Land Uses within the CFD after CFD Formation.

“**Large Lot**” means lot 1, 2, 11, or 12 within the Large Lot Map, as shown in Attachment 1 of this RMA.

“**Large Lot Map**” means the large lot final map for tract 8253 that was recorded on September 22, 2016 in Book 343 of Maps at pages 27 through 40 in the Office of the County Recorder.

“**Maximum Special Tax**” means the greatest amount of Special Tax that can be levied on a Parcel in any Fiscal Year as determined in accordance with Sections C and D below.

**“Other Property”** means, in any Fiscal Year, all Parcels of Developed Property within the CFD that are not Attached Residential Property

**“Owners Association”** means a homeowners association or property owners association that provides services to, and collects assessments, fees, dues, or charges from, property within the CFD.

**“Owners Association Property”** means any property within the boundaries of the CFD that is owned in fee or by easement by the Owners Association, not including any such property that is located directly under a residential structure.

**“Podium Unit”** means an individual Residential Unit within either of the two buildings built on Lot 11, as identified in Attachment 1, adjacent to Quantum Drive.

**“Proportionately”** means, for Developed Property, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Parcels of Developed Property. For Undeveloped Property, “Proportionately” means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Parcels of Undeveloped Property. For Taxable Owners Association Property, “Proportionately” means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Parcels of Taxable Owners Association Property. For Taxable Public Property, “Proportionately” means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Parcels of Taxable Public Property.

**“Public Property”** means any property within the boundaries of the CFD that is owned by the federal government, State of California or other local governments or public agencies.

**“Required Coverage”** means the amount by which the Expected Maximum Special Tax Revenues must exceed the Bond debt service and required Administrative Expenses, as set forth in the Indenture, Certificate of Special Tax Consultant, or other formation or bond document that sets forth the minimum required debt service coverage.

**“Residential Unit”** means an individual Townhome, Flat, or Podium Unit.

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

**“Special Tax”** means a special tax levied in any Fiscal Year to pay the Special Tax Requirement.

**“Special Tax Category”** means one of the fifteen categories of Residential Property set forth in Table 1 in Section C below.

**“Special Tax Requirement”** means the amount necessary in any Fiscal Year (i) to pay principal and interest on Bonds which are due in the calendar year which begins in such Fiscal Year, (ii) to replenish reserve funds to the extent such replenishment has not been included in a computation of the Special Tax Requirement in a previous Fiscal Year, (iii) to cure any delinquencies in the payment of principal or interest on Bonds which have occurred in the prior Fiscal Year, (iv) to

pay Administrative Expenses, and (v) to pay the costs of Authorized Facilities to be funded directly from Special Tax proceeds to the extent that paying directly for such costs does not increase the Special Taxes levied on Undeveloped Property. The amounts referred to in clauses (i) and (ii) of the preceding sentence may be reduced in any Fiscal Year by (i) interest earnings on or surplus balances in funds and accounts for Bonds to the extent that such earnings or balances are available to apply against debt service pursuant to the Indenture, (ii) proceeds from the collection of penalties associated with delinquent Special Taxes, and (iii) any other revenues available to pay debt service on the Bonds as determined by the Administrator.

**“Square Foot”** or **“Square Footage”** means the square footage of living area of a Residential Unit as reflected on a Building Permit, condominium plan, certificate of occupancy, or other source available to the Administrator.

**“Target Special Tax”** means the Special Tax per Residential Unit for each Special Tax Category, as set forth in Table 1 below, that is used to determine the Expected Maximum Special Tax Revenues.

**“Taxable Owners Association Property”** means, in any Fiscal Year after the first series of Bonds is issued, any Parcel of Owners Association Property that satisfies all three of the following conditions: (i) the Parcel had not been Owners Association Property on the date of issuance of the first series of Bonds, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Owners Association Property based on the Expected Land Uses, as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it has become Owners Association Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

**“Taxable Property”** means all Parcels within the boundaries of the CFD that are not exempt from the Special Tax pursuant to law or Section G below.

**“Taxable Public Property”** means in any Fiscal Year after the first series of Bonds is issued, any Parcel of Public Property that satisfies all three of the following conditions: (i) the Parcel had not been Public Property on the date of issuance of the first series of Bonds, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Public Property based on the Expected Land Uses, as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it has become Public Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

**“Townhome”** means a Residential Unit that meets all of the following criteria: (i) the unit shares a common wall with at least one other dwelling unit, (ii) the unit is not a Podium Unit, and (iii) there is more than one story in the individual Residential Unit.

**“Undeveloped Property”** means, in any Fiscal Year, all Parcels of Taxable Property that are not Developed Property, Taxable Owners Association Property, or Taxable Public Property.

## **B. DATA FOR ADMINISTRATION OF SPECIAL TAX**

Each Fiscal Year, the Administrator shall: (i) categorize each Parcel of Taxable Property as Developed Property, Undeveloped Property, Taxable Owners Association Property or Taxable Public Property, (ii) for Developed Property, categorize each Parcel as Attached Residential Property or Other Property, (iii) assign each Residential Unit to the appropriate Special Tax Category, and (iv) determine the Special Tax Requirement for the Fiscal Year. In addition, the Administrator shall, on an ongoing basis, monitor changes to the Large Lot Map, track all Building Permits that have been issued, and review all condominium plans that have been recorded to determine if there are any proposed Land Use Changes that would affect the Expected Maximum Special Tax Revenues. If the Expected Maximum Special Tax Revenues will be revised pursuant to a proposed Land Use Change, the Administrator shall apply the steps set forth in Section D below.

In any Fiscal Year, if it is determined that: (i) a parcel map for property in the CFD was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels is in a different Development Class than other Parcels created by the subdivision, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Taxes that apply separately to the property within each Development Class, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

## **C. MAXIMUM SPECIAL TAX**

### *1. Attached Residential Property*

The Maximum Special Tax for Parcels of Attached Residential Property shall be the greater of (i) the Target Special Taxes set forth in Table 1 below, or, (ii) the Maximum Special Tax specified in Attachment 2 after adjusting for Land Use Changes pursuant to Section D.

**TABLE 1  
TARGET SPECIAL TAX  
ATTACHED RESIDENTIAL PROPERTY**

Special Tax Category	Target Special Tax
<i><u>Townhomes:</u></i>	
Greater than 2,200 Square Feet	\$2,285 per Residential Unit
1,901 – 2,200 Square Feet	\$2,244 per Residential Unit
1,701 – 1,900 Square Feet	\$1,972 per Residential Unit
1,501 – 1,700 Square Feet	\$1,737 per Residential Unit
1,300 – 1,500 Square Feet	\$1,659 per Residential Unit
Less than 1,300 Square Feet	\$1,628 per Residential Unit
<i><u>Flats:</u></i>	
Greater than 1,650 Square Feet	\$1,784 per Residential Unit
1,451 – 1,650 Square Feet	\$1,612 per Residential Unit
1,300 – 1,450 Square Feet	\$1,534 per Residential Unit
Less than 1,300 Square Feet	\$1,462 per Residential Unit
<i><u>Podium Units:</u></i>	
Greater than 1,800 Square Feet	\$1,787 per Residential Unit
1,601 – 1,800 Square Feet	\$1,706 per Residential Unit
1,401 – 1,600 Square Feet	\$1,495 per Residential Unit
1,200 – 1,400 Square Feet	\$1,393 per Residential Unit
Less than 1,200 Square Feet	\$1,080 per Residential Unit

**2. Other Property**

The Maximum Special Tax for Other Property is \$60,812 per Acre.

Once a Special Tax has been levied on a Parcel of Developed Property, the Maximum Special Tax applicable to that Parcel shall not be reduced in future Fiscal Years regardless of changes in land use on the Parcel, except (i) in the event of a partial prepayment pursuant to Section H, and (ii) pursuant to Section D. Notwithstanding the foregoing, (i) if Bonds have yet to be issued, the Parcels can be assigned to the appropriate Special Tax Category, and the Administrator shall recalculate the Expected Maximum Special Tax Revenues based on the corresponding changes in revenues, and (ii) the actual Special Tax levied on the Parcel in any Fiscal Year may be less than the Maximum Special Tax if a lower Special Tax is calculated pursuant to Step 1 in Section E below.

**3. Undeveloped Property, Taxable Owners Association Property, and Taxable Public Property**

The Maximum Special Tax for Undeveloped Property, Taxable Owners Association Property, and Taxable Public Property is \$60,812 per Acre.

**D. CHANGES TO MAXIMUM SPECIAL TAX**

The Expected Maximum Special Tax Revenues shown in Attachment 2 were originally calculated based on the Expected Land Uses at CFD Formation. Attachment 2 is subject to modification upon the occurrence of Land Use Changes, as described below. The Administrator shall review all Land Use Changes and compare the revised land uses to the Expected Land Uses to evaluate the impact on the Expected Maximum Special Tax Revenues.

**Prior to the First Bond Sale**, if a Land Use Change is proposed or identified that will result in a change in the Expected Maximum Special Tax Revenues, no action will be needed pursuant to this Section D. Upon approval of the Land Use Change, the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

**After the First Bond Sale**, if a Land Use Change is proposed or identified, Steps 1 through 3 must be applied:

- Step 1:** By reference to Attachment 2 (which shall be updated by the Administrator each time a Land Use Change has been processed according to this Section D), the Administrator shall identify the Expected Maximum Special Tax Revenues prior to the Land Use Change.
- Step 2:** The Administrator shall calculate the Expected Maximum Special Tax Revenues that could be collected from Taxable Property in the CFD if the Land Use Change occurs.
- Step 3:** If the revenues calculated in Step 2 are higher than that determined in Step 1, no further action is needed, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

If the revenues calculated in Step 2 are less than those calculated in Step 1, no action will be needed if the reduction in Expected Maximum Special Tax Revenues does not reduce debt service coverage on outstanding Bonds below the Required Coverage. The Administrator shall update Attachment 2 to show the reduced Expected Maximum Special Tax Revenues.

If the revenues calculated in Step 2 are less than those calculated in Step 1, and the Administrator determines that the reduction in Expected Maximum Special Tax Revenues would reduce debt service coverage on outstanding Bonds below the Required Coverage, one of the following shall occur:

**3.a.** The landowner requesting the Land Use Change (the “Requesting Landowner”) will prepay Special Taxes in an amount that will ensure that the reduced Expected Maximum Special Tax Revenues are sufficient to provide Required Coverage, as determined pursuant to Section H below. If the Requesting Landowner notifies the Administrator that he/she would like to remedy the reduction by making a prepayment, such prepayment must be made

by the earlier of (i) 30 days from the date of delivery of the prepayment estimate or (ii) the date of issuance of any Building Permits for any Parcel owned by the Requesting Landowner that was Undeveloped Property at the time the Administrator prepared the prepayment estimate, **or**

**3.b.** If a prepayment is not received, the Administrator shall:

- i. Identify all remaining Parcels of Undeveloped Property in the CFD owned by the Requesting Landowner for which Building Permits have not yet been issued (collectively, the “**Adjustment Property**”);
- ii. Determine the number of Residential Units within each Special Tax Category (and Acres of Other Property, if applicable) that are expected on the Adjustment Property after the Land Use Change;
- iii. Increase the Target Special Tax proportionately for each Special Tax Category applicable to property owned by the Requesting Landowner until, when applied to the Expected Land Uses on the Adjustment Property, the Maximum Special Tax revenues that can be collected within the CFD are sufficient to maintain Required Coverage. The amount calculated shall thereafter be the Maximum Special Tax for each Residential Unit (and Acre of Other Property, if applicable) when the Adjustment Property becomes Developed Property. The Administrator shall update Attachment 2 to reflect the Expected Land Uses, Maximum Special Taxes, and Expected Maximum Special Tax Revenues for the Adjustment Property.

For purposes of this Step 3.b, a landowner may make a request to the City and the Administrator that the Adjustment Property include only Parcels within a particular building, Large Lot, or Development Phase that is under his/her ownership instead of the entire CFD. If such a request is made, the Administrator will calculate the Maximum Special Taxes that would be required within the Adjustment Property, and the City shall review the Maximum Special Taxes to determine which Parcels must be included in the Adjustment Property.

The duties imposed on the Administrator to review Land Use Changes and to make the calculations set forth above, are intended only to facilitate the administration of the Special Tax and to better assure the sufficiency of tax capacity to pay debt service on Bonds. Such duties are not intended to give any developer, subdivider, or owner of property any right to receive notice of the potential impact of Land Use Changes on the Special Tax applicable to a Parcel; and **each developer, subdivider, or owner of property in the CFD shall be responsible for understanding the impact thereof on the Special Tax applicable to such property.**

#### **E. METHOD OF LEVY OF THE SPECIAL TAX**

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

**Step 1:** The Special Tax shall be levied as follows:

(i) at 100% of the Maximum Special Tax for each Parcel of Developed Property in all Fiscal Years prior to the First Bond Sale until the aggregate Special Taxes collected in prior Fiscal Years that were or are available to pay directly for the cost of Authorized Facilities, combined with the amount that could be levied in the current Fiscal Year and applied to the cost of Authorized Facilities, is equal to the Authorized Facilities Pay-Go Limit;

(ii) after the First Bond Sale, at 100% of the Maximum Special Tax for each Parcel of Developed Property until the sum of the following is equal to the Authorized Facilities Pay-Go Limit:

(x) the aggregate Special Taxes collected in prior Fiscal Years that were or are available to pay directly for the cost of Authorized Facilities,

(y) the net construction proceeds generated by all Bonds that have been sold for the CFD that were or are available to pay directly for the cost of Authorized Facilities, and

(z) the Special Taxes that can be levied on Developed Property in the current Fiscal Year and applied to the cost of Authorized Facilities; and

(iii) thereafter, Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied on Developed Property is equal to the Special Tax Requirement prior to applying any Capitalized Interest that is available in the CFD accounts.

**Step 2:** If additional revenue is needed after Step 1 and after applying Capitalized Interest to the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year.

**Step 3:** If additional revenue is needed after Step 2, the Special Tax shall be levied Proportionately on each Parcel of Taxable Owners Association Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Owners Association Property for such Fiscal Year.

**Step 4:** If additional revenue is needed after Step 3, the Special Tax shall be levied Proportionately on each Parcel of Taxable Public Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Public Property for such Fiscal Year.



## F. MANNER OF COLLECTION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments of the Special Tax are permitted as set forth in Section H below and provided further that the City may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been repaid and the City determines that all Authorized Facilities have been funded. However, in no event shall a Special Tax be levied after Fiscal Year 2057-58. Under no circumstances may the Special Tax on a Parcel in private residential use be increased in any Fiscal Year as a consequence of delinquency or default in payment of the Special Tax levied on another Parcel or Parcels by more than ten percent (10%) above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

## G. EXEMPTIONS

Notwithstanding any other provision of this RMA, no Special Tax shall be levied on Public Property, except Taxable Public Property, as defined herein. In addition, no Special Tax shall be levied on Parcels that (i) are designated as permanent open space or common space on which no structure is permitted to be constructed, (ii) are owned by a public utility for an unmanned facility, or (iii) are subject to an easement that precludes any other use on the Parcels. Notwithstanding the foregoing, if a Maximum Special Tax was assigned to a Parcel, and the entire Parcel meets the criteria in (i), (ii) or (iii) above, the Parcel shall remain subject to the levy of the Special Tax, unless: (a) the first series of Bonds has yet to be issued for the CFD, or (b) the Administrator determines that, if such Parcel becomes exempt from the Special Tax, the corresponding reduction in the Expected Maximum Special Tax Revenues would not reduce debt service coverage on outstanding Bonds below the Required Coverage. In either case, such property shall be categorized as Public Property, and the Administrator shall recalculate the Expected Maximum Special Tax Revenues to reflect the corresponding loss in revenues.

## H. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section H:

**“Improvement Fund”** means the account (regardless of its name) identified in the Indenture to hold funds which are available to acquire or construct Authorized Facilities.

**“Outstanding Bonds”** means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor’s Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as determined by the Administrator), that next principal payment shall be subtracted from the total Bond

principal that remains outstanding, and the difference shall be used as the amount of Outstanding Bonds for purposes of this prepayment formula.

**“Previously Issued Bonds”** means all Bonds that have been issued prior to the date of prepayment.

**“Public Facilities Requirements”** means \$17,000,000 or such lower number as shall be determined by the City to be an appropriate estimate of the net construction proceeds that will be generated from all Bonds that have been or are expected to be issued on behalf of the CFD.

**“Remaining Facilities Costs”** means the Public Facilities Requirements, minus public facility costs funded by Previously Issued Bonds, Special Taxes, or prior prepayments.

*1. Full Prepayment*

A property owner may prepay the Special Tax obligation applicable to a Parcel, provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Parcel at the time of prepayment. An owner of a Parcel intending to prepay the Special Tax obligation shall provide the City with (i) written notice of intent to prepay, (ii) payment of fees established by the City to process the prepayment request, and (iii) written evidence that there are no delinquent Special Taxes against the Parcel. Within 30 days of receipt of such written notice, the City or its designee shall notify such owner of the prepayment amount for such Parcel. Prepayment must be made not less than 50 days prior to any redemption date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. Under no circumstance shall a prepayment be allowed that would reduce debt service coverage below the Required Coverage.

The Prepayment Amount shall be calculated as follows: (capitalized terms as defined below):

	Bond Redemption Amount
Plus	Remaining Facilities Amount
plus	Redemption Premium
plus	Defeasance Requirement
plus	Administrative Fees and Expenses
<u>less</u>	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Determine the Maximum Special Tax for the Parcel based on Expected Land Uses for the Parcel at the time the prepayment is calculated or, in the event of a prepayment pursuant to Step 3.a. in Section D, compute the amount by which the Expected Maximum Special Tax Revenues would be reduced below the amount needed for Required Coverage by the proposed Land Use Change and use this amount as the figure for purposes of this Step 1.

- Step 2.** Divide the Maximum Special Tax computed pursuant to Step 1 by the Expected Maximum Special Tax Revenues.
- Step 3.** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (*the “Bond Redemption Amount”*).
- Step 4.** Compute the current Remaining Facilities Costs (if any).
- Step 5.** Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Remaining Facilities Costs to be prepaid (*the “Remaining Facilities Amount”*).
- Step 6.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium as shown in the Indenture, if any, on the Outstanding Bonds to be redeemed (*the “Redemption Premium”*).
- Step 7.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the last Bond interest payment date on which interest has been or will be paid by Special Taxes already levied until the earliest redemption date for the Outstanding Bonds. If Bonds are callable at, or prior to, the last Bond interest payment date on which interest has been or will be paid by Special Taxes already levied, Steps 7, 8 and 9 of this prepayment formula will not apply.
- Step 8.** Compute the amount of interest the City reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.
- Step 9.** Subtract the amount computed pursuant to Step 8 from the amount computed pursuant to Step 7 (*the “Defeasance Requirement”*).
- Step 10.** The administrative fees and expenses associated with the prepayment will be determined by the Administrator and include the costs of computing the prepayment, redeeming Bonds and recording any notices to evidence the prepayment and the redemption (*the “Administrative Fees and Expenses”*).
- Step 11.** If, at the time the prepayment is calculated, the reserve fund is greater than or equal to the reserve requirement, and to the extent so provided in the Indenture, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (*the “Reserve Fund Credit”*).

- Step 12.** The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 (the “*Prepayment Amount*”).
- Step 13.** From the Prepayment Amount, the amounts computed pursuant to Steps 3, 6, and 9 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds (including the payment of any accrued interest). The amount computed pursuant to Step 5 shall be deposited into the Improvement Fund. The amount computed pursuant to Step 10 shall be retained in the account or fund that is established to pay Administrative Expenses of the CFD.

Once a full prepayment of a Parcel’s Special Tax obligation has been received, a Notice of Cancellation of Special Tax Lien shall be recorded against the Parcel to reflect the discharge of the Parcel’s obligation to pay the Special Tax. However, a Notice of Cancellation of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

## 2. *Partial Prepayment*

A partial prepayment may be made in an amount equal to any percentage of full prepayment desired by the party making a partial prepayment, except that the full amount of Administrative Fees and Expenses determined in Step 10 shall be included in the partial prepayment. The same conditions and requirements for a full prepayment, as described in Section H.1 above, shall apply to partial prepayments. The Maximum Special Tax that can be levied on a Parcel after a partial prepayment is made shall be determined as follows:

- Step 1.** Calculate the full prepayment (not including the amount collected for Administrative Fees and Expenses) that would be due from the Parcel if the entire Special Tax obligation were prepaid pursuant to Section H.1 above.
- Step 2.** Divide the partial prepayment amount for the Parcel (not including the amount collected for Administrative Fees and Expenses) by the amount computed in Step 1 to determine a percentage.
- Step 3.** Subtract the percentage computed in Step 2 from 100% to determine the “*Remaining Percentage.*”
- Step 4.** Multiply the Remaining Percentage from Step 3 by the Maximum Special Tax for the Parcel to determine the new Maximum Special Tax that will be in effect for the Parcel after the partial prepayment is applied.

Once a partial prepayment has been received, an Amendment to Notice of Special Tax Lien shall be recorded against the Parcel to reflect the reduced Special Tax lien for the Parcel, which shall be equal to the portion of the Maximum Special Tax that was not prepaid, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

However, an Amendment to Notice of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

## **I. APPEALS AND INTERPRETATIONS**

The City may interpret, clarify, and revise this RMA to correct any inconsistency, vagueness, or ambiguity, by resolution and/or ordinance, that does not materially affect the levy and collection of the Special Taxes and any security for any Bonds.

Any taxpayer within the CFD may file a written appeal of the Special Tax on his/her property with the City, provided that the appellant is current in his/her payments of Special Taxes. During the pendency of an appeal, all Special Taxes previously levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. City staff shall review the appeal, meet with the appellant if deemed necessary, and advise the appellant of its determination. If City staff agrees with the appellant, staff shall make a recommendation to the City Council to eliminate or reduce the Special Tax on the appellant's property or to provide a refund to appellant. The approval of the City Council or its designee must be obtained prior to any such elimination or reduction. If City staff disagrees with the appellant and the appellant is dissatisfied with the determination, the appellant then has 30 days in which to appeal to the City Council by filing a written notice of appeal with the City Clerk, provided that appellant is current in his/her payments of the Special Tax. The second appeal must specify the reasons for its disagreement with City staff. The City Clerk shall schedule the appeal to be heard before the City Council or an appeals board designated by the City Council.

The City Council may adopt written policies and procedures to govern the appeal process.

**ATTACHMENT 1**

**City of Fremont  
Community Facilities District No. 2  
(Warm Springs Public Facilities)**

**Identification of Large Lots  
In Large Lot Final Map Tract 8253**

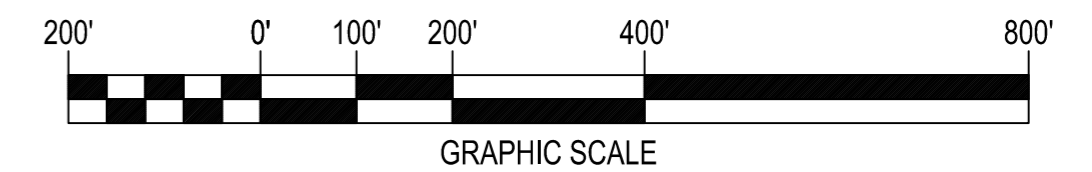
ATTACHMENT 1  
 CITY OF FREMONT  
 COMMUNITY FACILITIES DISTRICT NO. 2  
 (WARM SPRINGS PUBLIC FACILITIES)  
 IDENTIFICATION OF LARGE LOTS

CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA

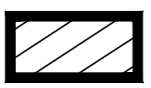
**Carlson, Barbee & Gibson, Inc.**

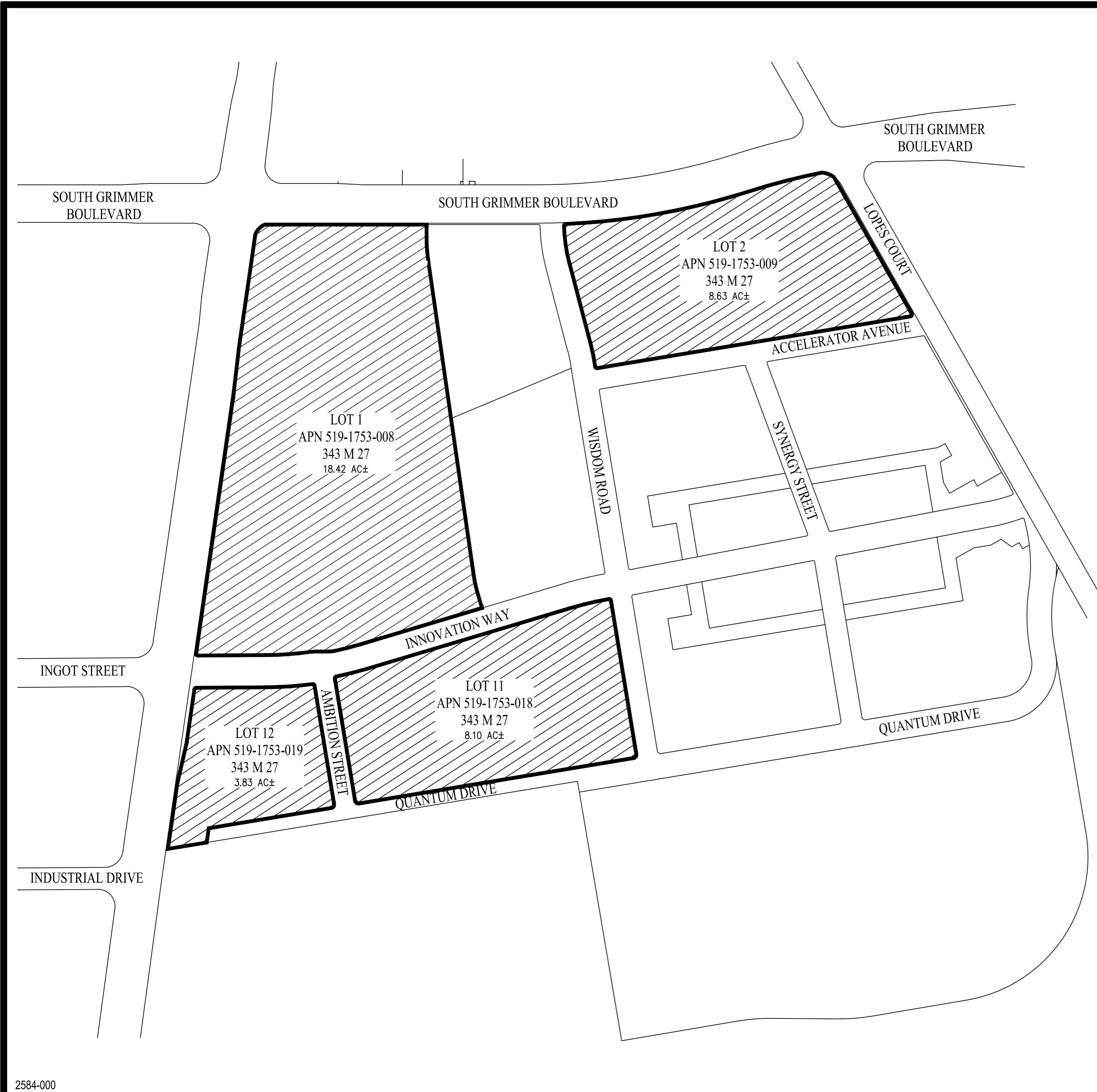
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON • WEST SACRAMENTO

SCALE: 1" = 200'    SEPTEMBER 2017



**LEGEND**

- PARCEL BOUNDARY
-  LARGE LOTS IN COMMUNITY FACILITIES DISTRICT NO. 2



**ATTACHMENT 2**  
**City of Fremont**  
**Community Facilities District No. 2**  
**(Warm Springs Public Facilities)**  
**Expected Land Uses and Expected Maximum Special Tax Revenues**

Special Tax Category	Expected # of Residential Units or Acres of Other Property	Maximum Special Tax /1	Expected Maximum Special Tax Revenues
<b>PHASE 1</b> <b>(Large Lot 1)</b>			
<i>Townhomes:</i>			
Greater than 2,200 Square Feet	40 Residential Units	\$2,285/Res. Unit	\$91,400
1,901 – 2,200 Square Feet	59 Residential Units	\$2,244/Res. Unit	\$132,396
1,701 – 1,900 Square Feet	76 Residential Units	\$1,972/Res. Unit	\$149,872
1,501 – 1,700 Square Feet	18 Residential Units	\$1,737/Res. Unit	\$31,266
1,300 – 1,500 Square Feet	32 Residential Units	\$1,659/Res. Unit	\$53,088
Less than 1,300 Square Feet	28 Residential Units	\$1,628/Res. Unit	\$45,584
<i>Flats:</i>			
Greater than 1,650 Square Feet	33 Residential Units	\$1,784/Res. Unit	\$58,872
1,451 – 1,650 Square Feet	66 Residential Units	\$1,612/Res. Unit	\$106,392
1,300 – 1,450 Square Feet	0 Residential Units	\$1,534/Res. Unit	\$0
Less than 1,300 Square Feet	33 Residential Units	\$1,462/Res. Unit	\$48,246
Other Property	0 Acres	\$60,812/Acre	\$0
<b>PHASE 2</b> <b>(Large Lots 11 and 12)</b>			
<i>Townhomes:</i>			
Greater than 2,200 Square Feet	17 Residential Units	\$2,285/Res. Unit	\$38,845
1,901 – 2,200 Square Feet	25 Residential Units	\$2,244/Res. Unit	\$56,100
1,701 – 1,900 Square Feet	33 Residential Units	\$1,972/Res. Unit	\$65,076
1,501 – 1,700 Square Feet	0 Residential Units	\$1,737/Res. Unit	\$0
1,300 – 1,500 Square Feet	6 Residential Units	\$1,659/Res. Unit	\$9,954
Less than 1,300 Square Feet	6 Residential Units	\$1,628/Res. Unit	\$9,768
<i>Flats:</i>			
Greater than 1,650 Square Feet	33 Residential Units	\$1,784/Res. Unit	\$58,872
1,451 – 1,650 Square Feet	72 Residential Units	\$1,612/Res. Unit	\$116,064
1,300 – 1,450 Square Feet	6 Residential Units	\$1,534/Res. Unit	\$9,204
Less than 1,300 Square Feet	33 Residential Units	\$1,462/Res. Unit	\$48,246
<i>Podium Units:</i>			
Greater than 1,800 Square Feet	4 Residential Units	\$1,787/Res. Unit	\$7,148
1,601 – 1,800 Square Feet	28 Residential Units	\$1,706/Res. Unit	\$47,768
1,401 – 1,600 Square Feet	0 Residential Units	\$1,495/Res. Unit	\$0
1,200 – 1,400 Square Feet	56 Residential Units	\$1,393/Res. Unit	\$78,008
Less than 1,200 Square Feet	44 Residential Units	\$1,080/Res. Unit	\$47,520
Other Property	0 Acres	\$60,812/Acre	\$0



Special Tax Category	Expected # of Residential Units or Acres of Other Property	Maximum Special Tax /1	Expected Maximum Special Tax Revenues
<b>PHASE 3 (Large Lot 2)</b>			
<i>Townhomes:</i>			
Greater than 2,200 Square Feet	22 Residential Units	\$2,285/Res. Unit	\$50,270
1,901 – 2,200 Square Feet	48 Residential Units	\$2,244/Res. Unit	\$107,712
1,701 – 1,900 Square Feet	64 Residential Units	\$1,972/Res. Unit	\$126,208
1,501 – 1,700 Square Feet	0 Residential Units	\$1,737/Res. Unit	\$0
1,300 – 1,500 Square Feet	8 Residential Units	\$1,659/Res. Unit	\$13,272
Less than 1,300 Square Feet	8 Residential Units	\$1,628/Res. Unit	\$13,024
<i>Flats:</i>			
Greater than 1,650 Square Feet	15 Residential Units	\$1,784/Res. Unit	\$26,760
1,451 – 1,650 Square Feet	30 Residential Units	\$1,612/Res. Unit	\$48,360
1,300 – 1,450 Square Feet	0 Residential Units	\$1,534/Res. Unit	\$0
Less than 1,300 Square Feet	15 Residential Units	\$1,462/Res. Unit	\$21,930
Other Property	0 Acres	\$60,812/Acre	\$0
<i>Subtotals:</i>			
Phase 1	385 Residential Units		\$717,116
Phase 2	363 Residential Units		\$592,573
Phase 3	<u>210 Residential Units</u>		<u>\$407,536</u>
<b>Total, All Phases</b>	<b>958 Residential Units</b>		<b>\$1,717,225</b>

1. The Maximum Special Tax per Residential Unit and per acre of Other Property is the greater of the Target Special Tax or the amount determined pursuant to Section D.

## **APPENDIX D**

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### ***Boundary Map of CFD No. 2***

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PROPOSED BOUNDARIES OF  
**CITY OF FREMONT**  
**COMMUNITY FACILITIES DISTRICT NO. 2**  
**(WARM SPRINGS PUBLIC FACILITIES)**  
 CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA

**Carlson, Barbee & Gibson, Inc.**  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON • WEST SACRAMENTO

SCALE: 1" = 200'    SEPTEMBER 2017



**LEGEND**

- PARCEL BOUNDARY
- ▭ COMMUNITY FACILITIES DISTRICT NO. 2 BOUNDARY

**CITY CLERK'S STATEMENTS**

1. FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF FREMONT, THIS 17 DAY OF October 2017.

*[Signature]*  
 for CITY CLERK

2. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CITY OF FREMONT COMMUNITY FACILITIES DISTRICT NO. 2 (WARM SPRINGS PUBLIC FACILITIES), CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF FREMONT AT A MEETING THEREOF HELD ON THE 17<sup>th</sup> DAY OF October 2017, BY ITS RESOLUTION NO. 2017-84

*[Signature]*  
 for CITY CLERK

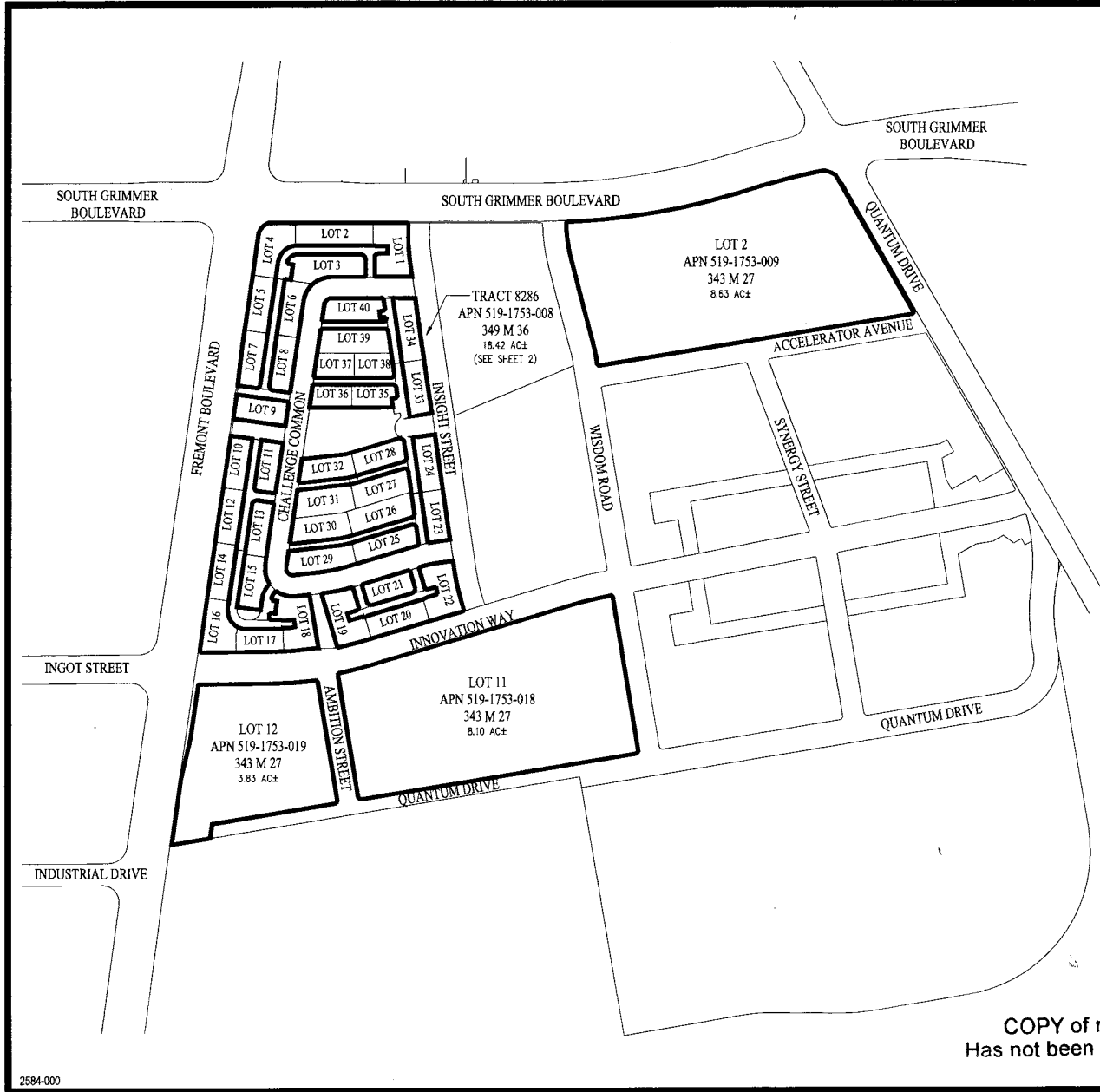
**RECORDER'S STATEMENT**

FILED THIS 26<sup>th</sup> DAY OF October 2017, AT THE HOUR OF 3:40 O'CLOCK P.M., IN BOOK 12 OF MAPS OF THE ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 96-97 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

Fee: 11.00  
 Series # 2017237259

*[Signature]*  
 COUNTY RECORDER,  
 COUNTY OF ALAMEDA

**COPY of map to be recorded**  
**Has not been compared with Original**



SOUTH GRIMMER BOULEVARD

SOUTH GRIMMER BOULEVARD

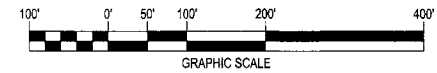
PROPOSED BOUNDARIES OF  
**CITY OF FREMONT**  
**COMMUNITY FACILITIES DISTRICT NO. 2**  
**(WARM SPRINGS PUBLIC FACILITIES)**

CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA



**Carlson, Barbee & Gibson, Inc.**

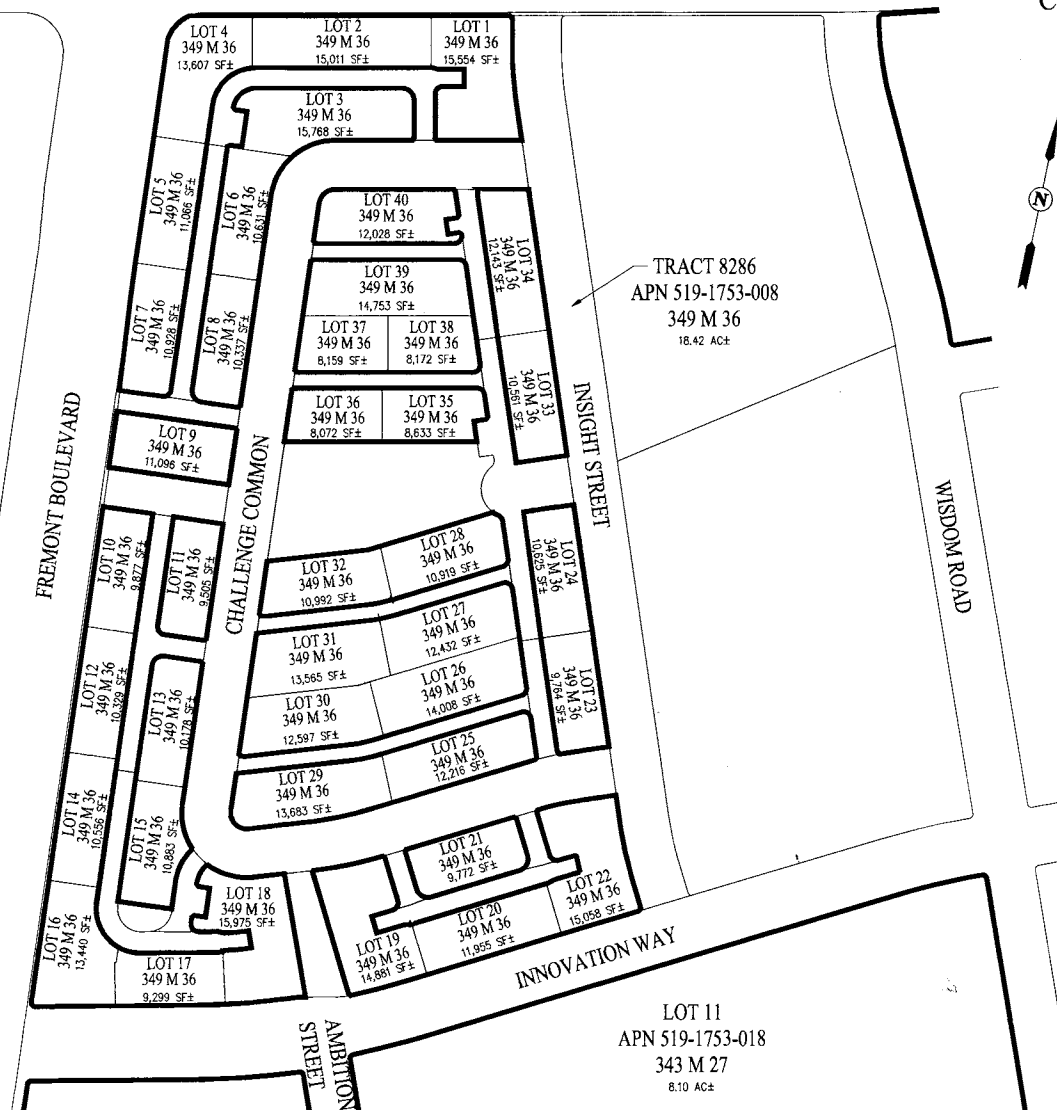
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON • WEST SACRAMENTO

SCALE: 1" = 100' SEPTEMBER 2017



**LEGEND**

-  PARCEL BOUNDARY
-  COMMUNITY FACILITIES DISTRICT NO. 2 BOUNDARY



TRACT 8286  
 APN 519-1753-008  
 349 M 36  
 18.42 AC±

LOT 11  
 APN 519-1753-018  
 343 M 27  
 8.10 AC±

**APPENDIX E**

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*Assessor's Parcel Maps for  
Fiscal Year 2020-21*

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ASSESSOR'S MAP 519

Code Area Nos. 12-091

1753

SCALE: 1" = 200'

(A) TR. 8253 343/27-40

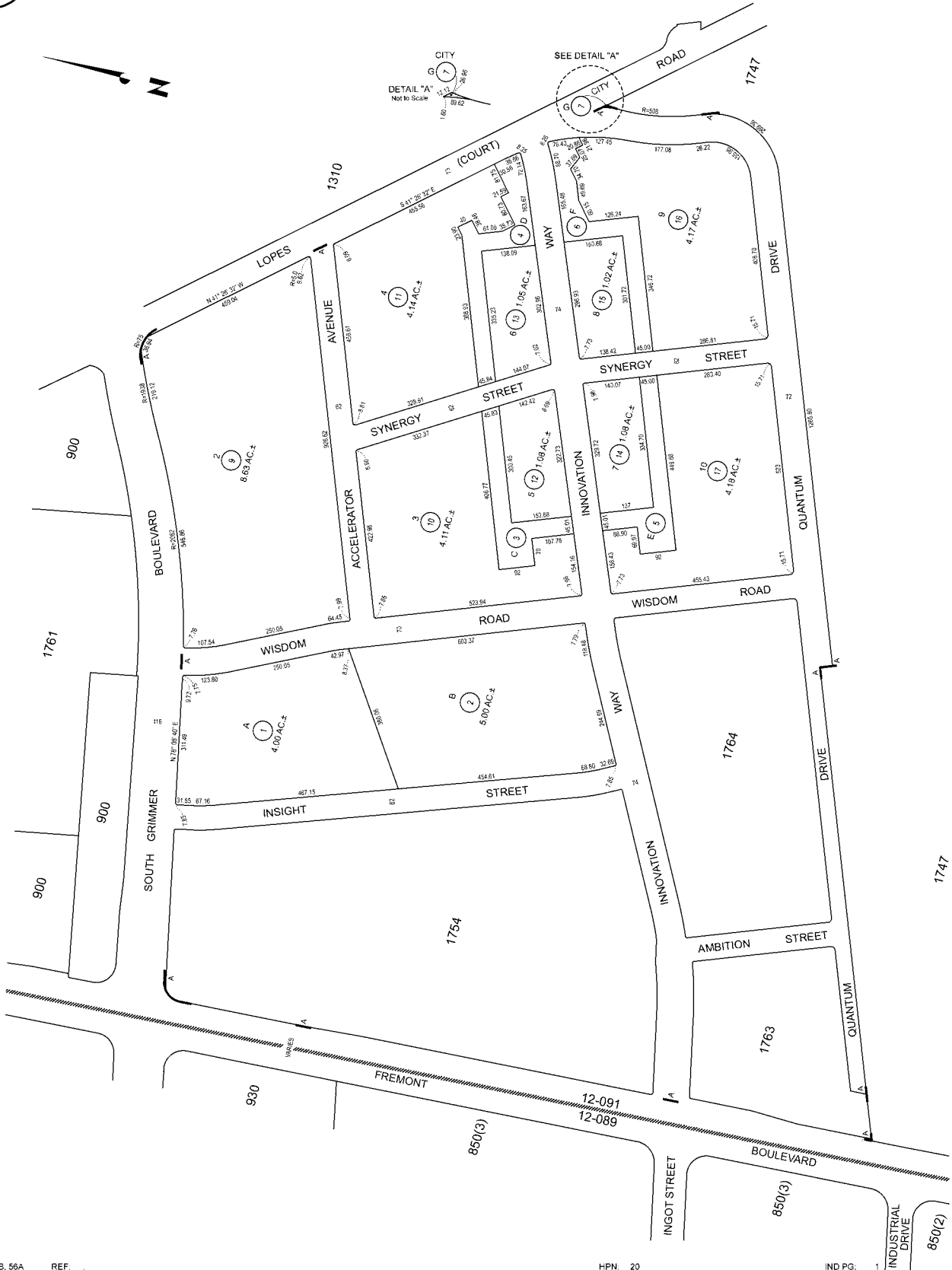
DRAWN: 02-24-17 LL  
REVISED: 12-27-17 LL  
3-26-19 GH/B  
8-12-19 JLL  
09-10-19 JLL  
01-03-20 LL

FORMERLY: FOR BLK. 1747

TRA: 55B, 56A REF.

HPN: 20

IND PG: 1



ASSESSOR'S MAP 519

Code Area Nos. 12-091

1754

SCALE: 1" = 80'

(A) TR. 8286 349/36-64



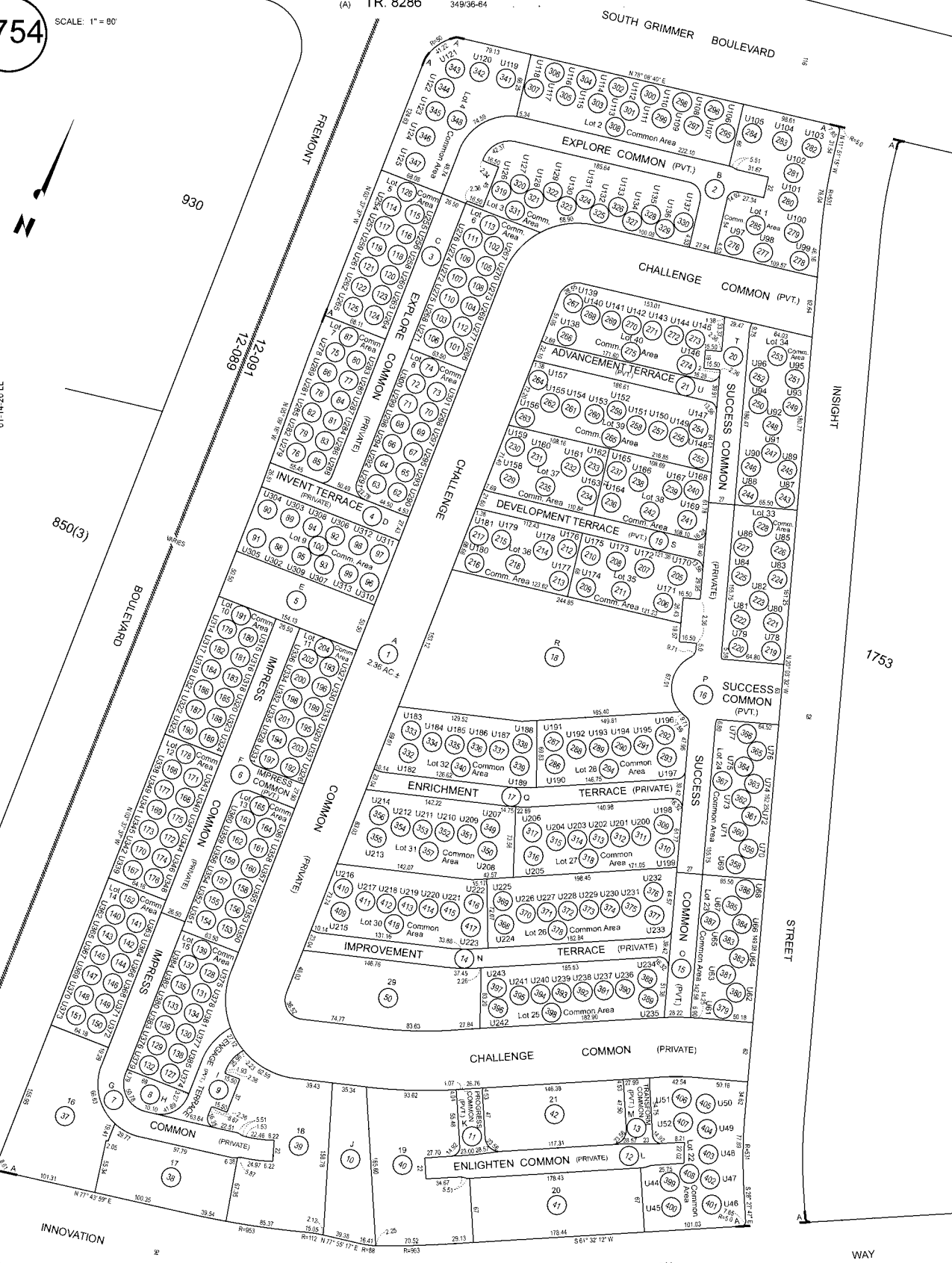
REVISIONS:  
11-28-18 LL  
3-14-19 PGA  
10-08-19 LL  
01-14-20 LL  
DRAWN: 12-26-17 LL

FORMERLY: FOR BLK. 1753

TRA: 555.56A REF.

HPN: 416

IND PG: 1



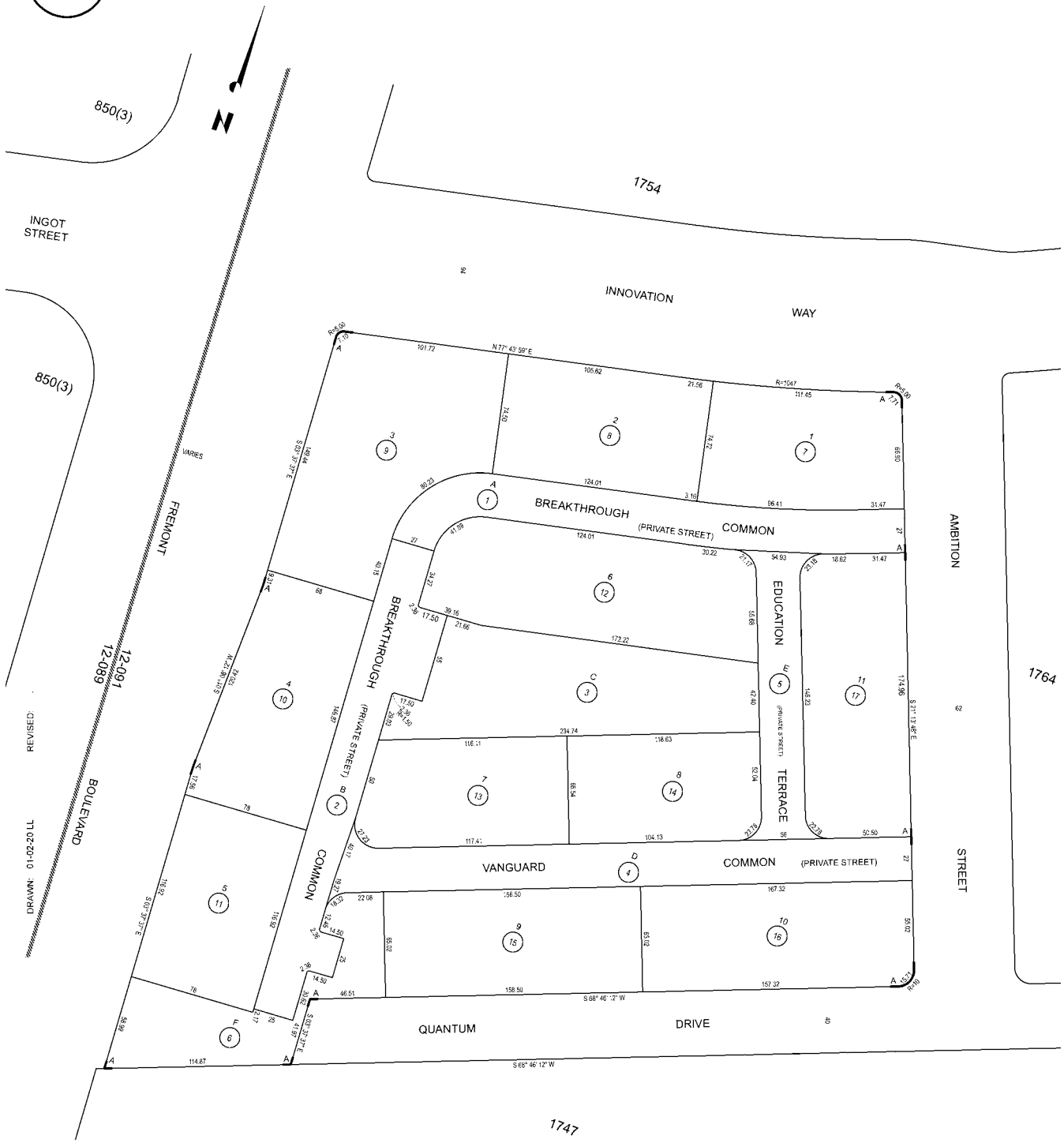
ASSESSOR'S MAP 519

Code Area Nos. 12-091

1763

SCALE: 1" = 50'

(A) TR. 8478 361/45-63



REVISED: 01-02-20 LL DRAWN: 01-02-20 LL

FORMERLY: FOR BLK. 1753



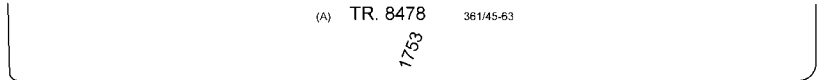
ASSESSOR'S MAP 519

Code Area Nos. 12-091

(A) TR. 8478 361/45-63

1764

SCALE: 1" = 60'



WISDOM ROAD

DRIVE

QUANTUM

DRIVE

1747

QUANTUM

DRIVE

1747

REVISED:

DRAWN: 01-02-2011

FORMERLY: FOR BLK. 1753

TRA: 55B, 56A REF.

1763

HPN: 23

ND PG: 1

