

SEP 22 2000

RESOLUTION NO. 00-421

**RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT
AND TO LEVY A SPECIAL TAX IN
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)**

The City Council of the City of Roseville (the "City") resolves:

1. Reference is made to Resolutions No. 00-333 and No. 00-334 of this City Council adopted August 2, 2000 for the preliminary scope of the project and financing contemplated by these proceedings.
2. This City Council has conducted the public hearing set by Resolution No. 00-334, and determines that a majority protest under Section 53324 of the Government Code was not made at the hearing.
3. There is hereby formed a community facilities district by the City of Roseville under the terms of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Division 2 of Title 5 of the California Government Code, commencing with Section 53311 (the "Act").
4. The name of the community facilities district is "Highland Reserve North Community Facilities District No. 2 (Services District), City of Roseville, Placer County, California" (the "District").
5. The types of services proposed to be provided within the District are set forth on Exhibit A attached to this Resolution.
6. The office of the Director of Finance of the City of Roseville, 311 Vernon Street, Roseville, California 95678 (916-774-5319) is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, estimating future special tax levies and for establishing procedures to promptly respond to inquiries regarding estimates of future special tax levies. The City may contract with private consultants to provide this service in lieu of the Director of Finance.
7. Except where funds are otherwise available, a special tax sufficient to pay for all such services and incidental costs will be annually levied within the District. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property within the District, and this lien shall continue in force and effect until collection of the special tax by the legislative body of the City ceases. The rate and method of apportionment of the special tax is set forth in Exhibit B attached to this Resolution.
8. The boundaries of the District are shown on proposed boundary map on file with the City Clerk, which was approved by our Resolution No. 00-333 adopted August 2, 2000, which map has been ordered in such Resolution to be filed for record in the Office of the County Recorder of the County of Placer for placement in the Maps of Assessment and Community Facilities Districts.

9. Advances of funds or contributions of work in kind from any lawful source, specifically including owners of property within the District, may be reimbursed from special tax revenue to the extent of the lesser of the value or cost of the contribution, but any agreement to do so shall not constitute a debt or liability of the City.

10. The special tax will be collected and enforced as a separate line item on the regular property tax bill. However, this City Council reserves the right, under Section 53340, to utilize any method of collecting the special tax which it shall, from time to time, determine to be in the best interests of the City, including, but not limited to, direct billing by the City to the property owners and supplemental billing. In particular, the City may bill the 2000-2001 special taxes directly, and not post those taxes to the regular, secured property tax roll. The procedure for collection in any case when the City chooses to collect the special tax through direct billing shall be substantially as follows:

After levy by the City Council, whether pursuant to authorizing ordinance or annual resolution, the City Director of Finance shall prepare and send, to the property owners by first class U.S. Mail, at their addresses as shown on the last equalized assessment roll, a tax bill substantially in the form shown in Exhibit C, hereto, which shall specify the amount due, give instructions for payment to the City Director of Finance, state (as is hereby authorized and provided) that the first installment of the special tax (50% of the annual special tax shall be payable in each installment) shall be delinquent if not received by the City Director of Finance by the close of business on the next succeeding December 10, and the second installment shall be delinquent if not paid by the City Director of Finance by the close of business on the next succeeding April 10, shall specify (as is hereby authorized and provided) that all delinquencies shall incur an immediate 10% penalty, and an additional 1% penalty on the first day of each month beginning with the next succeeding September 1, and shall specify (as is hereby authorized and provided) that delinquencies are subject to judicial foreclosure under the procedure set forth in §53356.1 and following of the Government Code.

The City Council, as an alternative enforcement mechanism, may by resolution elect to place delinquent special taxes on the next secured property tax roll. In such event, attorneys' fees and costs to date in any foreclosure action, and penalties on the delinquency through the following December 1, may be included in the amount to be placed on the roll. Both remedies may be pursued simultaneously, but if the property owner pays the regular property tax bill for the subsequent year, including the delinquent special tax posted to that bill, the foreclosure action may thereafter be pursued solely for attorneys' fees and costs incurred subsequent to the posting of the delinquent special tax on the secured roll.

11. This City Council hereby establishes the annual appropriations limit of the District at an amount of \$1,168,670.

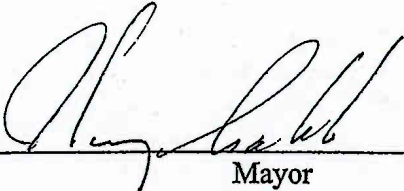
12. Based upon the Certificate of Counsel heretofore filed with this City Council, the qualified electors for the election to be held in these proceedings shall be the landowners owning land within the District. The City Council will conduct the election by mailed ballot and hereby designates the City Clerk as the official to conduct the mailed-ballot election.

13. This City Council now finds and determines that all proceedings up to and including the adoption of this Resolution were and are valid and in conformity with the requirements of the Act. This determination and finding is final and conclusive in accordance with Government Code Section 53325.1.

* * * * *


I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Roseville, California, at a regularly scheduled meeting thereof, held on the 13th day of September, 2000 by the following vote of the City Council:

AYES:	Councilmembers	Earl Rush, Dan Goodhall, Claudia Gamar, Randolph Graham, Harry Crabb
NOES:	Councilmembers	None
ABSTAIN:	Councilmembers	None
ABSENT:	Councilmembers	None



Mayor

ATTEST:



City Clerk of the City of Roseville

EXHIBIT A -List of Authorized Services
EXHIBIT B - Rate and Method of Apportionment
EXHIBIT C - Form of Special Tax Bill

EXHIBIT A

The Maintenance Obligations to be financed, in whole or in part, by this District shall consist of the following:

1. maintenance of the scenic corridors (including the landscape corridors adjacent to the low and medium density residential parcels and the medians) contiguous to and within the right-of-way of Stanford Ranch Road, Pleasant Grove Boulevard, Fairway Drive, Central Park Drive and Highland Drive, all as described in the Highland Reserve North Specific Plan;
2. maintenance of turf, landscaping and irrigation on Parcels 50, 51 and 53 of the Highland Reserve North Specific Plan Area, provided that the total annual cost to the HRN CFD No. 2 of such maintenance shall not exceed \$225,000 in the first full year following formation of the District and provided this annual cost limit amount shall be increased annually by the same percentage increase as the increase in the Cost of Living All Cities Index as issued by the United States Department of Labor using the week in which January 1, 1998 falls as base 100;
3. maintenance of the detention basin described in Section 3.D.1. of the Development Agreement By And Between The City Of Roseville And Highland Reserve North L.P. Relative To The Development Known As Highland Reserve North (the "HRN Development Agreement") if constructed within the City of Roseville;
4. maintenance of the Promenade east of the Village Court, Central Park Plaza and School Plaza all as described in the Community Form and Design Guidelines attached as Appendix A to the Highland Reserve North Specific Plan;
5. performance and management of the mitigation monitoring, and the annual review thereof, as required pursuant to the Highland Reserve North Mitigation Monitoring Plan;
6. maintenance of the street trees in the five-foot (5') setback strip described in Section 2.C.3. of the HRN Development Agreement;
7. maintenance of the HRN on-site watershed open space preserves (including the sewer maintenance access road to be located on HRN Parcel 72) and the off-site wetland preserves located at Moore Ranch in accordance with the terms of the permit issued by the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act, 33 C.F.R. § 323.2(f) (the "404 Permit"); ^{fn}
8. retention of a qualified consulting wetlands specialist to supervise and implement compliance with the terms of the 404 Permit;
9. maintenance of the HRN NPDES storm water pretreatment facilities; and
10. maintenance of the 12 foot wide landscape corridor along the HRN northern boundary with Rocklin.

^{fn} District financing of preserve maintenance shall be provided on an interim basis and shall be discontinued once sufficient funds are collected in the HRN Environmental Endowment Fund to finance the perpetual maintenance of the HRN preserves.

EXHIBIT B

CITY OF ROSEVILLE

HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 SERVICES DISTRICT RATE AND METHOD OF APPORTIONMENT

1. BASIS OF SPECIAL TAX LEVY

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in the Highland Reserve North Community Facilities District No. 2 (the "CFD") of the City of Roseville (the "City") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

2. DEFINITIONS

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

"Administrative Expenses" means the costs incurred by the City to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the CFD as determined by the Finance Director.

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

"Annual Tax Escalation Factor" means an increase in the Maximum Special Tax Rate following the Base Year in an amount not to exceed 4% annually.

"Authorized Services" means those services, as listed in the Resolution forming the CFD.

"Base Year" means Fiscal Year ending June 30, 2001.

"CFD" means the Highland Reserve North Community Facilities District No. 2 of the City of Roseville.

"City" means the City of Roseville, California.

"Council" means the City Council of the City of Roseville as the legislative body for the CFD under the Act.

"County" means the County of Placer, California.

"County Assessor's Parcel" means the Parcel and Parcel number as recorded by the County Assessor on the equalized tax roll.

"Developable Parcel" means a Large-Lot Parcel that still requires a Final Small Lot Subdivision Map or a building permit to develop.

"Developed Parcel" means a Parcel that has received the following development approvals from the City :

Single Family Residential	-Final Small Lot Subdivision Map (with each lot created by such map constituting a separate "Developed Parcel")
Multi-Family Residential	-Building Permit
Business Professional	-Building Permit
Commercial	-Building Permit
Light Industrial	-Building Permit
Institutional	-Building Permit

"Final Small Lot Subdivision Map" means a recorded map designating the final small lot parcel splits for individual single-family residential parcels.

"Finance Director" means the Finance Director for the City of Roseville or his or her designee.

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

"HRN Specific Plan" means the Highland Reserve North Specific Plan.

"Institutional" means a land use that includes, but is not limited to, church, day care center, or group care home.

"Large-Lot Parcel" means a Parcel that is created by a recorded Final Large Lot Subdivision or Parcel Map.

"Maximum Special Tax" means the greatest amount of Special Tax that can be levied against a Parcel in a given Fiscal Year calculated by multiplying the Maximum Annual Special Tax Rate by the relevant acres or units of the Parcel.

"Maximum Special Tax Rate" means the amount shown in Attachment 1 (Base Year) that is used in calculating the Maximum Special Tax for a Parcel based on its land use classification. Each Fiscal Year following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Tax Escalation Factor.

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

"Multi-Family Unit" means an actual or planned residential unit on a Parcel zoned for multi-family development. Prior to the construction of all units on a Parcel zoned for multi-family development, the number of multi-family units assigned to a Parcel shall be determined by the City based on the allocation of units in the HRN Specific Plan.

"Non-Residential Acres" means the acreage of a Parcel designated for non-residential private development. The acreage assigned to such a Parcel shall be that shown on the County Assessor's Parcel or as designated in the HRN Specific Plan if the boundary of the Specific Plan Parcel is not coincident with a County Assessor's Parcel.

"Non-Residential Development" means development of a Parcel designated for business professional, commercial, light industrial, institutional, or similar non-residential land use as defined in the HRN Specific Plan.

"Non-Residential Parcel" means a Parcel with an approved land use for Non-Residential Development.

"Parcel" means any County Assessor's Parcel in the CFD based on the equalized tax rolls of the County.

"Public Parcel" means any Parcel that is, or is intended to be, (1) publicly owned, and (2) is normally exempt from the levy of general *ad valorem* property taxes under California law, including public streets; schools; parks; and public drainageways, public landscaping, greenbelts, and public open space. These Public Parcels—so identified or excluded at the formation of CFD—are exempt from the levy of Special Taxes.

"Single-Family Unit" means either an individual small lot Parcel created by a Final Small Lot Subdivision Map or a single-family unit as assigned by the City to the applicable small lot Parcel with zoning allowing for no more than two units per Parcel.

"Specific Plan Parcel" means the planned Parcels in the HRN Specific Plan.

"Special Tax(es)" means any tax levy under the Act in the CFD.

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

"Taxable Parcel" means any Parcel that is not exempt from Special Taxes as defined below.

"Tax-Exempt Parcel" means all Public Parcels.

3. DURATION OF THE SPECIAL TAX

Taxable Parcels in the CFD shall remain subject to the Special Tax in perpetuity.

4. ASSIGNMENT OF MAXIMUM SPECIAL TAXES

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

1. Each Parcel is to be classified as a Tax-Exempt Parcel or Taxable Parcel.
2. Each Taxable Parcel is to be further classified as a Developed Parcel or a Developable Parcel.

B. Assignment of Maximum Special Tax. By August 1 of each Fiscal Year, using the Definitions from Section 2 the Finance Director shall assign the Maximum Special Tax to each Taxable Parcel as follows:

1. Non-Residential – The Maximum Special Tax for a Parcel zoned for Non-Residential Development is determined as follows:
 - For both Developed and Developable Parcels, multiply the Maximum Special Tax Rate per acre, as shown in **Attachment 1**, by the number of Non-Residential Acres.

Each Fiscal Year following the Base Year, the Maximum Special Tax Rates shall be increased in accordance with the Annual Tax Escalation Factor.

2. Single Family Residential – The Maximum Special Tax for a Parcel zoned for Single-Family Units is determined as follows:
 - If the Parcel is a Developed Parcel, multiply the Maximum Special Tax Rate per Single-Family Unit, as shown in **Attachment 1**, by the number of units allowed on the Parcel (up to two units for a Parcel allowing construction of a duplex).
 - If the Parcel is a Developable Parcel, multiply the Maximum Special Tax Rate per Single-Family Unit, as shown in **Attachment 1**, by the number of units assigned to the Parcel in the HRN Specific Plan, or as otherwise designated by the City.

Each Fiscal Year following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Tax Escalation Factor.

3. Multi-Family Residential – The Maximum Special Tax for a Parcel zoned for Multi-Family Units is determined as follows:

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- If the Parcel is a Developed Parcel, multiplying the Maximum Special Tax Rate per Multi-Family Unit by the number of units assigned to the Parcel or the actual number of units constructed if the Parcel is fully developed
- If the Parcel is a Developable Parcel, multiply the Maximum Special Tax Rate per Multi-Family Unit by the number of units assigned to the Parcel in the HRN Specific Plan, or as otherwise designated by the City.

Each Fiscal Year following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Tax Escalation Factor.

4. Parcels With More Than One Specific Plan Parcel-- The Maximum Special Tax for County Assessor's Parcels containing more than one Specific Plan Parcel shall be determined by adding together the Maximum Special Tax for each of the Specific Plan Parcels as determined by following the above steps.
5. Conversion of a Tax-Exempt Parcel to a Taxable Parcel-- if a Public Parcel is not needed for public use and is converted to a private use, it shall become subject to the Special Tax.
6. Taxable Parcels Acquired by a Public Agency -- A Taxable Parcel that is acquired by a public agency after the CFD is formed will remain subject to the applicable Special Tax. An exception to this may be made if a Public Parcel within the CFD is relocated to a Taxable Parcel, the previously Tax-Exempt Parcel of comparable acreage becomes a Taxable Parcel, and the Maximum Special Tax from the previously Taxable Parcel is transferred to the newly Taxable Parcel. This trading of Parcels will be permitted to the extent that there is no net loss in Maximum CFD Revenue.

5. SETTING THE ANNUAL SPECIAL TAX LEVY

The Special Tax levy for each Taxable Parcel will be established annually as follows:

- A. Compute the Annual Costs using the definitions in Section 2.
- B. Calculate the Special Tax for each Taxable Parcel by the following steps:
 1. Calculate the available special tax revenues by taxing each Developed Parcel at 100% of its Maximum Special Tax. If revenues are greater than the Annual Costs, reduce the tax proportionately against Developed Parcels until the tax levy is set at an amount sufficient to cover Annual Costs.
 2. If revenues from taxing Developed Parcels at 100% of their Maximum Special Tax are not sufficient, the City will then proportionately levy the tax on Developable Parcels up to 100% of their Maximum Annual Special Tax or until the tax levy is set at an amount sufficient to cover the Annual Costs.
- C. Levy on each Taxable Parcel the amount calculated above.

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

The City shall make every effort to correctly assign the number of taxable units and calculate the Special Tax for each Parcel. It shall be the burden of the taxpayer to correct any errors in the determination of the Parcels subject to the tax and their Special Tax assignments.

As development and subdivision of the HRN takes place, the Finance Director will maintain a file of each current assessor's parcel number within the CFD, its Maximum Special Tax, and the authorized Maximum Special Tax on all Parcels within in the CFD available for public inspection.

6. ADMINISTRATIVE CHANGES AND APPEALS

The Finance Director or designee has the authority to make necessary administrative adjustments to the Rate and Method of Apportionment in order to remedy any portions of the Special Tax formula that require clarification.

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

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

7. MANNER OF COLLECTION

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

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Attachment 1
Highland Reserve North CFD No. 2 (Services District)
Maximum Special Tax Rates

Tax Status	BaseYear Maximum Special Tax Rate [1]	Tax Levy Basis
<u>Developed Parcel</u> Single-Family Residential Multi-Family Residential Non-Residential Parcel <u>Developable Parcel</u> Single-Family Residential Multi-Family Residential Non-Residential Parcel	\$341	per unit
	\$62	per unit
	\$344	per acre
	\$341	per unit
	\$62	per unit
	\$344	per acre

"attachment_1"

[1] Each Fiscal Year following the Base year, the Maximum Special Tax Rates shall be increased in accordance with the Annual Tax Escalation Factor.

EXHIBIT C

SPECIAL TAX BILL

HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES DISTRICT)
CITY OF ROSEVILLE
PLACER COUNTY, CALIFORNIA

To: _____

RE: PROPERTY AT _____ APN: _____

TAX: \$ _____
First Installment: \$ _____
Second Installment: \$ _____

Reference is made to Paragraph 10 of the City of Roseville's Resolution of Formation of the above-referenced Community Facilities District, and the Notice of Special Tax Lien recorded in the Office of the County Recorder of Placer County on _____, 2000 under Recorder's Document Number _____ (copies of which are available from the Roseville City Clerk), which set forth the authority for this Special Tax.

A Special Tax has been levied on the above-referenced parcel in the amount shown above by Ordinance No. _____, adopted _____, 2000 of the City of Roseville (the "City").

THIS TAX IS NOW DUE AND PAYABLE

Checks should be made payable to: **Director of Finance, City of Roseville** and mailed to:

Director of Finance, City of Roseville
Highland Reserve North Community Facilities District No. 2 (Services District)
311 Vernon Street
Roseville, CA 95678

or the bill may be paid in person at the same location.

The amounts which must be paid to avoid incurring penalties and additional costs is shown above. **The FIRST INSTALLMENT** of this Special Tax will be delinquent if not paid by December 10, _____. **The SECOND INSTALLMENT** of this Special Tax will be delinquent if not paid by April 10, _____. All delinquencies incur an immediate 10% penalty and an additional 1½% penalty on the first day of each month beginning September 1, _____. Delinquencies are also subject to judicial foreclosure under the procedure set forth in §53356.1 and following of the Government Code.

Dated: _____

DIRECTOR OF FINANCE

KEEP THIS PORTION OF THE BILL FOR YOUR RECORDS

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PLEASE RETURN THIS PORTION OF THE BILL WITH YOUR PAYMENT

First Installment

SPECIAL TAX BILL

HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES DISTRICT)
CITY OF ROSEVILLE
PLACER COUNTY, CALIFORNIA

To: _____

RE: PROPERTY AT _____ APN: _____

ANNUAL TAX: \$ _____

FIRST INSTALLMENT: \$ _____

The amount which must be paid to avoid incurring penalties and additional costs is shown above. **This Special Tax will be delinquent if not paid by December 10, ____.** All delinquencies incur an immediate 10% penalty and an additional 1½% penalty on the first day of each month beginning September 1, _____. Delinquencies are also subject to judicial foreclosure under the procedure set forth in §53356.1 and following of the Government Code.

Checks should be made payable to: **Director of Finance, City of Roseville** and mailed to:

Director of Finance, City of Roseville
Highland Reserve North Community Facilities District No. 2 (Services District)
311 Vernon Street
Roseville, CA 95678

or the bill may be paid in person at the same location.

Please write the parcel number (APN) on your check.

PLEASE RETURN THIS PORTION OF THE BILL WITH YOUR PAYMENT

Second Installment

SPECIAL TAX BILL

HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES DISTRICT)
CITY OF ROSEVILLE
PLACER COUNTY, CALIFORNIA

To: _____

RE: PROPERTY AT _____ APN: _____

ANNUAL TAX: \$ _____

SECOND INSTALLMENT: \$ _____

The amount which must be paid to avoid incurring penalties and additional costs is shown above. **This Special Tax will be delinquent if not paid by April 10, ____.** All delinquencies incur an immediate 10% penalty and an additional 1½% penalty on the first day of each month beginning September 1, _____. Delinquencies are also subject to judicial foreclosure under the procedure set forth in §53356.1 and following of the Government Code.

Checks should be made payable to: **Director of Finance, City of Roseville** and mailed to:

Director of Finance, City of Roseville
Highland Reserve North Community Facilities District No. 2 (Services District)
311 Vernon Street
Roseville, CA 95678

or the bill may be paid in person at the same location.

Please write the parcel number (APN) on your check.

CITY COUNCIL OF THE CITY OF ROSEVILLE

RESOLUTION NO. 00- 00-422

**RESOLUTION CALLING SPECIAL ELECTION IN
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)**

The City Council of the City of Roseville (the "City") resolves:

1. Reference is made to the City Council's Resolution No. 00- 421 (Resolution of Formation of the District).
2. The levy of special tax proposed in the Resolution of Formation shall be submitted to the voters pursuant to Government Code Section 53326.
3. The setting of the appropriations limit shall be submitted to the voters pursuant to Government Code Section 53325.7.
4. The two ballot questions just described shall be combined into a single ballot measure pursuant to Government Code Section 53353.5. The ballot language shall be as shown on the form of ballot attached hereto as Exhibit A, which form of ballot is hereby approved.
5. This City Council hereby accepts the Certificate of Counsel heretofore filed in these proceedings and finds, in accordance therewith, that there presently are, or at some point in the 90 days just past there have been, fewer than 12 registered voters residing within the boundaries of the District. Accordingly, under Government Code Section 53326(b) the voters in this election shall be the landowners owning land within the District.
6. The City Council further finds that the landowners of record owning property within the District are those set forth in the attachment to the Certificate of Counsel and that the attachment correctly sets forth the amount of property owned by each landowner and the number of votes to which each is entitled.
7. This City Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot Election in Highland Reserve North Community Facilities District No. 2 (Services District), City of Roseville, Placer County, California, attached hereto as Exhibit B. The City Council finds that the rights, procedures and time periods therein waived are solely for the protection of the voters, may be waived under Government Code Section 53326(a), and that the waiver constitutes a full and knowing waiver, by any voter who has executed the form, of those rights, procedures and time periods.
8. The City Council accepts the Certificate of the City Clerk of the City of Roseville that 100% of the voters eligible to vote in this election have delivered to the City Clerk properly executed waivers in the form of Exhibit B.

9. Accordingly, this City Council hereby calls the special election described herein and sets September 13, 2000 as election day. Pursuant to Government Code Section 53326(d), the election shall be conducted by mailed ballot.

10. The City Clerk is directed to mail or to deliver the ballots, in the form of Exhibit A hereto, to the landowners shown on the attachment to the Certificate of Counsel. The City Clerk shall fill in the names of the landowners and the number of votes to be cast on each ballot, according to the Certificate of Counsel, before delivery or mailing.

11. The City Clerk shall accept personal or mail delivery of the ballots at any time up to the end of the public hearing on September 13, 2000. Upon receipt of all eligible ballots, however, the City Clerk shall immediately close the election and declare the results to the City Council.

* * * * *


I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Roseville, California, at a regularly scheduled meeting thereof, held on the 13th day of September, 2000 by the following vote of the City Council:

AYES:	Councilmembers	Earl Rush, Dan Goodhall, Claudia Gamar, Randolph Graham, Harry Crabb
NOES:	Councilmembers	None
ABSTAIN:	Councilmembers	None
ABSENT:	Councilmembers	None



Mayor

ATTEST:



City Clerk of the City of Roseville

EXHIBIT A - Form of Ballot

EXHIBIT B - Form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot Election

EXHIBIT A

**HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES DISTRICT)
SERVICES DISTRICT
CITY OF ROSEVILLE, PLACER COUNTY, CALIFORNIA**

**SPECIAL ELECTION BALLOT
(Mailed-Ballot Election)**

This ballot is for the use of _____, a landowner owning land within Highland Reserve North Community Facilities District No. 2 (Services District), City of Roseville, Placer County, California.

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and the resolutions of the City Council of the City of Roseville, the above-named landowner is entitled to cast _____ votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before the end of the public hearing on September 13, 2000, to:

Carolyn Parkinson, City Clerk
City of Roseville
311 Vernon Street
Roseville, CA 95678

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

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

BALLOT MEASURE

Shall the City Council of the City of Roseville be authorized to levy a special tax and finance services by and through its Highland Reserve North Community Facilities District No. 2 (Services District), all as specified in its Resolution No. 00-334 and shall the appropriations limit for the District for fiscal year 2000-2001 be established at \$1,168,670?

Number of votes

YES

Number of votes

NO

Certification

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, 2000.

_____ owner name

By: _____ signature

_____ print name

_____ print title

EXHIBIT B

**WAIVER AND CONSENT
SHORTENING TIME PERIODS AND WAIVING VARIOUS
REQUIREMENTS FOR CONDUCTING MAILED-BALLOT ELECTION**

**HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)
CITY OF ROSEVILLE
PLACER COUNTY, CALIFORNIA**

The undersigned is the authorized representative of _____ the owner (the "Owner") of the real property within the City of Roseville (the "City") which is proposed to be included in Highland Reserve North Community Facilities District No. 2 (Services District), City of Roseville, Placer County, California (the "District"), and which will be subject to a special tax with respect to the District, and the City is undertaking proceedings for the formation of the District and the levy of a special tax on the property included therein, which proceedings include a landowner election.

The undersigned, on behalf of the Owner, hereby requests that the District be formed, that the special tax be levied and that the property proposed to be included within the District as shown on the proposed boundary map referred to in the Resolution of Intention to Form a Community Facilities District and to Levy a Special Tax adopted by the City Council on August 2, 2000 with respect to the District be included within the District.

In that connection, _____ is the person legally entitled and authorized to cast the ballots for the above-referenced Owner attributable to the above-referenced parcels in the landowner, mailed-ballot election to be conducted within the District to determine, among other things, that the District be formed, that the special tax be levied, that bonds be issued, and that the property proposed to be included within the District as shown on the proposed boundary map referred to in the Resolution of Intention to Form a Community Facilities District and to Levy a Special Tax.

The undersigned, on behalf of the above-referenced Owner, hereby waives any and all minimum time periods relative to the election pursuant to Government Code Section 53326(a).

The undersigned, on behalf of the above-referenced Owner, hereby waives the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code Section 53327(b).

The undersigned, on behalf of the above-referenced Owner, hereby waives the requirement to publish notice of the election under Government Code Section 53352.

The undersigned, on behalf of the above-referenced Owner, hereby waives the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101, and agrees that the representative of the above-referenced Owner may accept either mailed service or personal service of the ballots.

The undersigned, on behalf of the above-referenced Owner, hereby waives the requirements regarding identification envelopes for the return of mailed ballots contained in Government Code Section 53327.5.

Further, the undersigned, on behalf of the above-referenced Owner, hereby waives any and all defects in notice or procedure in the conduct of the election, whether known or unknown (except the right to vote and to have the ballots fairly counted), and states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced Owner.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this declaration is executed on the date set forth below.

Date: _____, 2000

owner name

By: _____

signature

print name

print title

CERTIFICATE OF CITY CLERK
RE: WAIVER (OF CERTAIN ELECTION REQUIREMENTS) AND CONSENT
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)
CITY OF ROSEVILLE
PLACER COUNTY, CALIFORNIA

I, Carolyn Parkinson, City Clerk of the City of Roseville, hereby certify:

I have examined the "Certificate Re Ownership Within the District" of Boyden, Cooluris, Livingston & Saxe PC filed in the above-referenced proceedings on September 13, 2000 with respect to area proposed to be included in Highland Reserve North Community Facilities District No. 2 (Services District), City of Roseville, Placer County, California (the "District").

I have received, and now have in my possession as a permanent part of the City's record of this election, a Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot Election in the form attached hereto executed by the authorized representative of each landowner listed on the attachment to the Certificate Re Ownership Within the District. In the case where a representative is acting for the property owner, I have in my possession written evidence of the authority of that representative to act for the owner.

I make this Certification as of September 13, 2000.

Carolyn Parkinson, City Clerk,
City of Roseville, Placer County, California

**CLERK'S CERTIFICATE
OF SERVICE OF BALLOTS**

**HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)
CITY OF ROSEVILLE, PLACER COUNTY, CALIFORNIA**

I, Carolyn Parkinson, City Clerk of the City of Roseville (the "City") hereby certify:

On _____, 2000, in my office of the City of Roseville, 311 Vernon Street, Roseville, California 95678, in connection with the special mailed-ballot election called in these proceedings by the City Council of the City in its Resolution No. 00-_____, I personally mailed the election ballots for the qualified voters listed on the attachment to the Certificate Re Ownership Within the District filed in these proceedings to those voters or to their authorized representatives. In every case in which the ballot was delivered to an authorized representative of the qualified voter, I have an executed "Appointment of Representative to Act for Property in Respect of Mailed-Ballot, Landowner Election."

This delivery of ballots was done in accordance with California Government Code Section 53326(d).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, 2000.

Carolyn Parkinson, City Clerk
City of Roseville, Placer County, California

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p08

CERTIFICATE OF MAILING
NOTICE OF PUBLIC HEARING ON PROPOSAL TO LEVY A SPECIAL TAX
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)
CITY OF ROSEVILLE, PLACER COUNTY, CALIFORNIA

The undersigned declares:

On behalf of the City of Roseville, the undersigned caused to be mailed on _____, 2000, by first-class mail, postage prepaid, a copy of the "Notice of Public Hearing on Proposal to Issue Bonds and Levy a Special Tax," attached hereto as Exhibit A, to:

Name and Address
of Property Owner

Highland Reserve North, L.P
Attn: Steve Thurtle
2220 Douglas Blvd., Suite 290
Roseville, California 95661

Oakville Reserve North, L.P
c/o Highland Reserve North, L.P.
Attn: Steve Thurtle
2220 Douglas Blvd., Suite 290
Roseville, California 95661

Home Depot, U.S.A. Inc.
Attn: Real Estate and Legal Department
3800 West Chapman Avenue
Orange, California 92868

Executed at Roseville, California, on _____, 2000.

CITY OF ROSEVILLE

Carolyn Parkinson, City Clerk

EXHIBIT A

NOTICE OF PUBLIC HEARING ON PROPOSED
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES DISTRICT)
CITY OF ROSEVILLE, PLACER COUNTY CALIFORNIA

The City of Roseville is considering the formation of a community facilities district (the "CFD") under the authority of the Mello-Roos Community Facilities District Act of 1982, as amended, to fund certain public services related to new development within the City of Roseville.

This Notice contains a brief summary of the proposal, but you are referred to the City Council's Resolution of Intention (Resolution No. 00-334, adopted August 2, 2000) for the definitive description of the proposal.

The proposal is to subject the property within the CFD to a special tax which will be used to pay for services of benefit to land within the CFD. Taxable parcels in the CFD will be subject to the special tax in perpetuity.

In order to confer the authority upon the Roseville City Council to levy the special tax, a public hearing must be held on the proposal, then the City Council will decide whether to form the CFD, and finally the qualified electors within the CFD must approve the proposal by a two-thirds vote. Where the CFD is uninhabited (as is the case here) the qualified electors are, pursuant to law, the owners of property within the CFD.

This is the notice of the public hearing.

The public hearing will be held during the City Council meeting on Wednesday, September 13, 2000 at 7:00 p.m., in the Roseville City Hall Council Chambers located at 311 Vernon Street, Roseville, California 95678.

At the hearing, the testimony of all interested persons or potential special taxpayers for or against the formation of the proposed community facilities district and the authorization to levy the special tax will be heard. If written protests against the proposed CFD are delivered to the City Clerk at or before the time set for the hearing by either registered voters residing within, or the owners of property within, the proposed CFD, they will be counted toward a possible majority protest. Such protests by a majority of the registered voters residing within the CFD or by the owners of a majority of the land area within CFD which is or will be subject to the special tax, if not withdrawn prior to the close of the hearing so as to reduce the value of the protests to less than a majority, will require the proposed CFD to be eliminated from immediate consideration, and prevent its being included in a subsequent proceedings for at least one year.

If this Council, after the public hearing, determines that a majority protest under Section 53324 of the Government Code was not made at the hearing, the Council may conduct an election by mailed ballot to levy a special tax.

Questions should be directed to the undersigned, telephone (916) 774-5263.

Dated: August 2, 2000

/s/ Carolyn Parkinson
Carolyn Parkinson, City Clerk
City of Roseville

Res00-422
PS10

**CERTIFICATE OF CITY CLERK
RE: WAIVER (OF CERTAIN ELECTION REQUIREMENTS) AND CONSENT**

**CITY OF ROSEVILLE
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)
PLACER COUNTY, CALIFORNIA**

I, Carolyn Parkinson, City Clerk of the City of Roseville (the "City"), hereby certify:

I have examined the "Certificate Re Ownership Within the District" of Boyden, Cooluris, Livingston & Saxe PC filed in the above-referenced proceedings on September 13, 2000 with respect to area proposed to be included in the Highland Reserve North Community Facilities District No. 2 (Services District) (the "District").

I have received, and now have in my possession as a permanent part of the City's record of this election, a Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot Election in the form attached hereto executed by the authorized representative of each landowner listed on the attachment to the Certificate Re Ownership Within the District. In the case where a representative is acting for the property owner, I have in my possession written evidence of the authority of that representative to act for the owner.

I make this Certification as of September 13, 2000.

Carolyn Parkinson,
City Clerk of the City of Roseville

CERTIFICATE OF CITY CLERK
RE: ELECTION RESULTS

CITY OF ROSEVILLE
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)
PLACER COUNTY, CALIFORNIA

I, Carolyn Parkinson, City Clerk of the City of Roseville (the "City") hereby certify:

I have personally received and assembled all ballots eligible to be cast in the special mailed-ballot, landowner election called by the City Council in its Resolution No. 00- 422, and in accordance with my instructions contained in that Resolution, I hereby declare the election closed.

I personally, in the presence of the City Council, and members of the public and City staff, counted the ballots and certify the result of that count to be as follows:

TOTAL VOTES THAT COULD BE CAST 447

TOTAL VOTES CAST "YES" 447

TOTAL VOTES CAST "NO" -0-

TOTAL VOTES CAST 447

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

I make this Certification on September 13, 2000.



Carolyn Parkinson
City Clerk of the City of Roseville

CITY COUNCIL OF THE CITY OF ROSEVILLE

RESOLUTION NO. 00-423

RESOLUTION DECLARING ELECTION RESULTS OF
HIGHLAND RESERVE NORTH COMMUNITY FACILITIES DISTRICT NO. 2 (SERVICES
DISTRICT)


The City Council of the City of Roseville (the "City") resolves:

1. Reference is made to the City Council's Resolution No. 00-422 calling a special election within Highland Reserve North Community Facilities District No. 2 (Services District) (the "District").
2. The City Council has received, reviewed and hereby accepts the City Clerk's Certificate Re: Election Results dated September 13, 2000.
3. The City Council hereby finds and declares that the ballot measure submitted to the voters of the land within the District pursuant to our Resolution No. 00-422 has been passed and approved by at least two-thirds of the voters within the District in accordance with Government Code Section 53328(a). Therefore, the City Council declares that the special tax is lawfully authorized, and that the subject property within the District is subject to the special tax, and directs the City Clerk to cause a Notice of Special Tax Lien with respect to the property to be recorded in the office of the County Recorder of the County of Placer.

* * * * *


I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Roseville, California, at a regularly scheduled meeting thereof, held on the 13th day of September, 2000 by the following vote of the City Council:

AYES:	Councilmembers	Earl Rush, Dan Goodhall, Claudia Gamar, Randolph Graham, Harry Crabb
NOES:	Councilmembers	None
ABSTAIN:	Councilmembers	None
ABSENT:	Councilmembers	None



 Mayor

ATTEST:



 City Clerk of the City of Roseville