

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

OF CONSIDERATION TO ALTER THE MUNICIPAL SERVICES TO  
BE FINANCED BY COMMUNITY FACILITIES DISTRICT NO. 13-2  
(ALAMEDA LANDING MUNICIPAL SERVICES DISTRICT)

WHEREAS, on February 4, 2014, this City Council of the City of Alameda (this "City Council") adopted Resolution No. 14888 (the "Resolution of Formation"), forming the City of Alameda Community Facilities District No. 13-2 (Alameda Landing Municipal Services District) (the "District") pursuant to the City of Alameda Special Tax Financing Improvement Code, constituting Section 3-70.1 et seq. of the Alameda Municipal Code (the "Law"); and

WHEREAS, under the Law, the City is authorized to levy special taxes on property in the District (the "Special Taxes") in order to finance the costs of certain municipal services authorized to be funded by the District (the "Services"); and

WHEREAS, in anticipation of the annexation of property to the District, this City Council now desires to undertake proceedings pursuant to the Law to alter the description of the Services authorized to be funded by the District to add additional municipal services identified in Exhibit A hereto, as provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. This City Council hereby finds and determines that the public convenience and necessity require that the description of the Services authorized to be funded by the District be altered as provided for in this Resolution.

2. The name of the District is "City of Alameda Community Facilities District No. 13-2 (Alameda Landing Municipal Services District)." Reference is hereby made to the Resolution of Formation for further particulars regarding the District.

3. The boundaries of the District are as shown on the map of the District recorded in the office of the Alameda County Recorder on December 12, 2013 in Book 18 at Page 46 of Maps of Assessment and Community Facilities Districts.

4. The municipal services proposed to be added to the Services eligible for funding by the District and pursuant to the Law are the municipal services described in Exhibit A hereto (the "Additional Services"), which Exhibit is by this reference incorporated herein.

5. No change in the Special Taxes to be levied on property in the District or on property that may be annexed to the District to pay the costs of the Services and the Additional Services is proposed at this time.

6. The alteration of the Services authorized to be funded by the District to include the Additional Services shall be subject to the approval of the qualified electors

of the District at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the area of the District, with each owner having one vote for each acre or portion of an acre of land such owner owns in the District.

7. Tuesday, April 21, 2015, at 7:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council, City Council Chambers, City Hall, 2263 Santa Clara Avenue, Alameda, California, are hereby set as the time and place when and where this City Council, as legislative body for the District, will conduct a public hearing on the alteration of the Services authorized to be funded by the District and consider and finally determine whether the public interest, convenience and necessity require said alteration.

8. The City Clerk is hereby directed to cause notice of the public hearing described in Section 7 above to be given by publication one time in a newspaper published in the area of the District. The publication of the notice shall be completed at least seven days before the date herein set for the public hearing. The notice shall be substantially in the form of Exhibit B hereto.

9. The firm of NBS Government Finance Group is hereby designated as Special Tax Consultant to assist the City in connection with these proceedings and the proceedings to annex territory to the District, and the law firm of Quint & Thimmig LLP is hereby designated as Special Counsel to assist the City in connection with these proceedings and the proceedings to annex territory to the District. The City Manager is hereby authorized and directed to enter into agreements with said firms for their services in the forms on file with the City Clerk.

10. This Resolution shall take effect upon its adoption.

EXHIBIT A

CITY OF ALAMEDA  
COMMUNITY FACILITIES DISTRICT NO. 13-2  
(ALAMEDA LANDING MUNICIPAL SERVICES DISTRICT)

DESCRIPTION OF ADDITIONAL SERVICES TO BE  
ELIGIBLE TO BE FUNDED BY THE DISTRICT

The services to be funded, in whole or in part, by the community facilities district (the "District") include, in addition to those described in Exhibit A to Resolution No. 14874 adopted by the City Council of the City of Alameda on December 3, 2013, the following:

Maintenance and expenses of operation of a waterfront park and open space areas located within or adjacent to the District and/or any area annexed to the District.

The District may fund any of the following related to the additional services described above: the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the improvements, including repair, removal or replacement of all or part of any of the improvements, the furnishing of water for the irrigation and the furnishing of electric current or energy, for any lights or irrigation facilities, obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, obtaining supplies or appurtenant facilities necessary for such maintenance, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof.

The services to be financed by the District described above are in addition to those provided in the territory of the District and any area annexed to the District before the date of creation of the District or such annexation, and will not supplant services already available within that territory when the District is created or such annexation occurs.

EXHIBIT B

CITY OF ALAMEDA  
COMMUNITY FACILITIES DISTRICT NO. 13-2  
(ALAMEDA LANDING MUNICIPAL SERVICES DISTRICT)

NOTICE OF PUBLIC HEARING

Notice is hereby given that on April 7, 2015, the City Council of the City of Alameda adopted a Resolution of Consideration to Alter the Municipal Services to be Financed by Community Facilities District No. 13-2 (Alameda Landing Municipal Services District) (the "Resolution of Consideration"). Pursuant to the Resolution of Consideration and the City of Alameda Special Tax Financing Improvement Code, the City Council of the City of Alameda hereby gives notice as follows:

A. The text of the Resolution of Consideration is as follows:

WHEREAS, on February 4, 2014, this City Council of the City of Alameda (this "City Council") adopted Resolution No. 14888 (the "Resolution of Formation"), forming the City of Alameda Community Facilities District No. 13-2 (Alameda Landing Municipal Services District) (the "District") pursuant to the City of Alameda Special Tax Financing Improvement Code, constituting Section 3-70.1 et seq. of the Alameda Municipal Code (the "Law"); and

WHEREAS, under the Law, the City is authorized to levy special taxes on property in the District (the "Special Taxes") in order to finance the costs of certain municipal services authorized to be funded by the District (the "Services"); and

WHEREAS, in anticipation of the annexation of property to the District, this City Council now desires to undertake proceedings pursuant to the Law to alter the description of the Services authorized to be funded by the District to add additional municipal services identified in Exhibit A hereto, all as provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. This City Council hereby finds and determines that the public convenience and necessity require that the description of the Services authorized to be funded by the District be altered as provided for in this Resolution.

2. The name of the District is "City of Alameda Community Facilities District No. 13-2 (Alameda Landing Municipal Services District)." Reference is hereby made to the Resolution of Formation for further particulars regarding the District.

3. The boundaries of the District are as shown on the map of the District recorded in the office of the Alameda County Recorder on December 12, 2013 in Book 18 at Page 46 of Maps of Assessment and Community Facilities Districts.

4. The municipal services proposed to be added to the Services eligible for funding by the District and pursuant to the Law are the municipal services described in Exhibit A hereto (the "Additional Services"), which Exhibit is by this reference incorporated herein.

5. No change in the Special Taxes to be levied on property in the District or on property that may be annexed to the District to pay the costs of the Services and the Additional Services is proposed at this time.

6. The alteration of the Services authorized to be funded by the District to include the Additional Services shall be subject to the approval of the qualified electors of the District at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the area of the District, with each owner having one vote for each acre or portion of an acre of land such owner owns in the District.

7. Tuesday, April 21, 2015, at 7:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council, City Council Chambers, City Hall, 2263 Santa Clara Avenue, Alameda, California, are hereby set as the time and place when and where this City Council, as legislative body for the District, will conduct a public hearing on the alteration of the Services authorized to be funded by the District and consider and finally determine whether the public interest, convenience and necessity require said alteration.

8. The City Clerk is hereby directed to cause notice of the public hearing described in Section 7 above to be given by publication one time in a newspaper published in the area of the District. The publication of the notice shall be completed at least seven days before the date herein set for the public hearing. The notice shall be substantially in the form of Exhibit B hereto.

9. The firm of NBS Government Finance Group is hereby designated as Special Tax Consultant to assist the City in connection with these proceedings and the proceedings to annex territory to the District, and the law firm of Quint & Thimmig LLP is hereby designated as Special Counsel to assist the City in connection with these proceedings and the proceedings to annex territory to the District. The City Manager is hereby authorized and directed to enter into agreements with said firms for their services in the forms on file with the City Clerk.

10. This Resolution shall take effect upon its adoption.

B. The exhibit to the Resolution which describes the additional municipal services proposed to be authorized to be funded by the District is on file in the office of the City Clerk.

C. The time and place established under the Resolution of Consideration for the public hearing required under the Law are Tuesday, April 21, 2015, at the hour of 7:00 p.m. or as soon thereafter as the matter may be heard, in the regular meeting place of

the City Council, City Council Chambers, City Hall, 2263 Santa Clara Avenue, Alameda, California.

D. At the public hearing, the testimony of all interested persons or taxpayers for or against the alteration of the municipal services authorized to be funded by the District will be heard. Any person interested may file a protest in writing with the City Clerk. If fifty percent or more of the registered voters, or six registered voters, whichever is more, residing in the territory included in the district, or the owners of one-half or more of the area of land in the territory included in the district and not exempt from the special tax file written protests against the alteration of the services and the protests are not withdrawn to reduce the value of the protests to less than a majority, the City Council shall take no further action to so alter the municipal services for a period of six months from the date of the decision of the City Council.

E. The proposed voting procedure shall be by special mail or hand-delivered ballot to the owners of property in the district.

/s/ Lara Weisiger

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City Clerk,  
City of Alameda

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 7th day of April, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 8th day of April, 2015.

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Lara Weisiger, City Clerk  
City of Alameda

APPROVED AS TO FORM:

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Janet C. Kern  
City Attorney