

CITY OF ALAMEDA RESOLUTION NO. _____

FORMING CITY OF ALAMEDA COMMUNITY FACILITIES DISTRICT
NO. 25-1 (WEST MIDWAY FACILITIES) AND FUTURE ANNEXATION
AREA, AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN TO
FINANCE PUBLIC FACILITIES IN AND FOR SUCH COMMUNITY
FACILITIES DISTRICT

WHEREAS, under the City of Alameda Special Tax Financing Improvement Code, Section 3-70.1 et seq. of the Alameda Municipal Code (the "Law") and the Mello-Roos Community Facilities Act of 1982, being Section 53311 et seq. of the California Government Code (the "Act"), the City Council of the City of Alameda (the "City Council") is authorized to establish a community facilities district and a future annexation area, and to act as the legislative body for such community facilities district; and

WHEREAS, the City Council is proceeding to form a community facilities district under the provisions of the Law, as may be augmented by the Act in these proceedings and in the any future proceedings to issue special tax bonds for such district; and

WHEREAS, on September 2, 2025, the City Council adopted its Resolution No. 16310 (the "Resolution of Intention"), stating its intention to form "City of Alameda Community Facilities District No. 25-1 (West Midway Facilities)" (the "CFD"), and "City of Alameda Community Facilities District No. 25-1 (West Midway Facilities) (Future Annexation Area)" (the "Future Annexation Area"); and

WHEREAS, the Resolution of Intention, describing a map of the proposed boundaries of the CFD and the Future Annexation Area, including territory within the CFD to be designated, pursuant to Section 3-70.85 of the Law, as "Improvement Area No. 1 of the City of Alameda Community Facilities District No. 25-1 (West Midway Facilities)" ("Improvement Area No. 1"), and stating the facilities to be provided by the CFD, the rate and method of apportionment of the special tax to be levied within Improvement Area No. 1, and the expectation to use bonds to finance authorized facilities, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on this date, this City Council held a noticed public hearing relative to the proposed formation of the CFD, the designation of Improvement Area No. 1, and the designation of the Future Annexation Area; and

WHEREAS, at the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the designation of Improvement Area No. 1, and the designation of the Future Annexation Area, the facilities to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at the hearing evidence was presented to this City Council on said matters before it, including a report caused to be prepared by the Public Works Director

(the "Report") as to the facilities to be provided through the CFD and the costs thereof, a copy of which is on file with the City Clerk, and this City Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the proposed establishment of the CFD, the designation of Improvement Area No. 1, the furnishing of specified types of facilities and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by 50% or more of the registered voters residing within the territory of the CFD or property owners of one-half or more of the area of land within the CFD and not exempt from the proposed special tax; and

WHEREAS, written protests against the proposed establishment of the Future Annexation Area and future annexation of parcels therein to the CFD have not been filed with the City Clerk by (i) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the proposed boundaries of the CFD, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the Future Annexation Area, (iii) owners of one-half or more of the area of land in the proposed CFD or (iv) owners of one-half or more of the area of land in the Future Annexation Area.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The foregoing recitals are true and correct.
2. The establishment of the CFD, the designation of Improvement Area No. 1, the furnishing of specified types of facilities and the rate and method of apportionment of the special taxes within Improvement Area No. 1 of the CFD have not been precluded by majority protest; and the establishment of the Future Annexation Area and the furnishing of specified types of facilities therein and the establishment of the Future Annexation Area have not been precluded by majority protest.
3. All prior proceedings taken by this City Council in connection with the establishment of the CFD, the designation of Improvement Area No. 1, the designation of the Future Annexation Area, and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the Law and the Act.
4. The "City of Alameda Community Facilities District No. 25-1 (West Midway Facilities)" is hereby established as a community facilities district, and "City of Alameda Community Facilities District No. 25-1 (West Midway Facilities) (Future Annexation Area)" is hereby established as a future annexation area to the CFD. Within the CFD an area to be known as "Improvement Area No. 1 of City of Alameda Community Facilities District No. 25-1 (West Midway Facilities)" is hereby designated an initial improvement area in accordance with Section 3-70.85 of the Law.
5. Territory annexed to the CFD from the Future Annexation Area may be annexed into Improvement Area No. 1, may be annexed into an improvement area

(herein, an "Improvement Area") subsequently designated, or may be annexed into a newly-designated Improvement Area (each, a "Future Improvement Area").

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

The designation of a parcel or parcels as a Future Improvement Area shall be specified and approved by the Unanimous Approval at the time that the parcel or parcels are annexed to the CFD. After the designation of a parcel or parcels as a Future Improvement Area, the establishment of an appropriations limit, the rate and method of apportionment and manner of collection of special taxes, and the authorization to incur bonded indebtedness may differ from other areas of the CFD, all as set forth in the Unanimous Approval, and shall apply only to the parcel or parcels within such Future Improvement Area, all without any requirement for further public hearings or additional proceedings.

6. The boundaries of the CFD, Improvement Area No. 1 and the Future Annexation Area, as set forth in the boundary map heretofore recorded in the Alameda County Recorder's Office on September 26, 2025 in Book 19 at Page 63, as Document No. 2025120324 of Maps of Assessment and Community Facilities Districts, are hereby approved, are incorporated herein by reference and shall be the boundaries of the CFD, Improvement Area No. 1 and the Future Annexation Area, respectively.

7. The type of public facilities proposed to be financed by the CFD and each Improvement Area thereof pursuant to the Law shall consist of those items listed as facilities in Exhibit B hereto and by this reference incorporated herein (the "Facilities"). The financing of the costs of Facilities may include, without limitation, the payment of principal of and interest on bonds together with all direct, indirect periodic, and/or other related costs (including, without limitation, costs of administering the CFD, levying the Special Tax and administering the bonds, and establishing and replenishing reserve funds).

Upon designation of a parcel or parcels as within a new Future Improvement Area, the Facilities financed by such area may include facilities which differ from other areas of the CFD as set forth in the Unanimous Approval, and shall be financed only by the parcel or parcels within such Future Improvement Area, without any requirement for further public hearings or additional proceedings.

8. Except to the extent that funds are otherwise available to pay for the Facilities, to pay the principal and interest on bonds and other debt of the CFD issued for any Improvement Area, to the repayment of funds advanced by the City for the CFD or any Improvement Area and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or reimbursement for the lesser of the value or cost of work in-kind provided by any person for any Improvement Area, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property is intended to be levied annually and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this Council.

The proposed rate and method of apportionment of the Special Tax among the parcels of real property within Improvement Area No. 1 of the CFD, in sufficient detail to allow each landowner within Improvement Area No. 1 of the CFD to estimate the maximum amount such owner will have to pay, is attached hereto as Exhibit A and is hereby incorporated herein (the "Rate and Method").

The Special Tax shall be levied in the amount and for the duration set forth in the applicable Rate and Method. The Special Tax to finance the Facilities to be levied on any parcel used for private residential purposes in any Improvement Area shall not be levied beyond the period of time permitted in the Rate and Method, except that a Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

For Future Improvement Areas, a different rate and method may be adopted than the Rate and Method adopted for Improvement Area No. 1 if the annexed territory is designated as a separate zone or improvement area. No supplements to the Rate and Method for any of the Future Improvement Areas and no new rate and method will cause the maximum tax rate in the then-existing territory of the CFD (including Improvement Area No. 1) to increase. The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the facilities to be financed (if different from the Facilities), the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by the applicable property owner(s) in connection with each annexation to the CFD from the Future Annexation Area. The annexation and related matters described in the Unanimous Approval shall be implemented and completed without the need for City Council approval as long as the following conditions are met:

(i) The rate and method of apportionment of special tax for the new improvement area is prepared by a special tax consultant retained by the City.

(ii) The rate and method of apportionment of special tax for the new improvement area substantially complies with the City's local goals and policies concerning the use of the Law.

(iii) The rate and method of apportionment of special tax for the new improvement area includes a mechanism that protects against revenue loss as a result of land use changes.

(iv) The Special Tax proposed to pay for the Facilities to be supplied within the territory annexed will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD and Improvement Area No. 1, except that (a) a higher Special Tax may be levied on territory annexing into the CFD to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in the original area of the CFD and Improvement Area No. 1, less any depreciation allocable to the financed Facilities, and (b) a higher Special Tax may be levied on territory annexing into the CFD to pay for new or additional facilities, with or without bond financing.

The Council hereby determines that the Special Tax proposed to pay for one or more Facilities to be supplied within the Future Annexation Area will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD, except that (i) a higher Special Tax may be levied within any Improvement Area to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in any other Improvement Area, less any depreciation allocable to the financed Facilities and (ii) a higher Special Tax may be levied within any Improvement Area established from the Future Annexation Area to pay for new or additional Facilities, with or without bond financing.

9. It is hereby found and determined that the Facilities are necessary to meet increased demands placed upon local agencies as the result of development occurring in the CFD.

10. The City Finance Director, 2263 Santa Clara Avenue, Alameda, CA 94501, Tel: (510) 747-4881, is the officer of the City who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies.

11. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City ceases.

Upon annexation into the CFD by Unanimous Approval, the Clerk shall record an amended notice of special tax lien pursuant to Section 3117.5 of the Streets & Highways Code, or a new notice of special tax lien pursuant to Section 3114.5, as appropriate.

12. In accordance with the Law, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$35,000,000; and said CFD appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Law.

The designation as an improvement area of any territory annexing to the CFD, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD.

13. Pursuant to Section 3-70.9 of the Law, at any time either before or after the formation of the CFD, the legislative body may accept advances of funds or work in kind from any source, including, but not limited to, private persons or entities, and may provide, for the use of those funds or that work in kind for any authorized purpose, under all of the following conditions: (a) the proposal to repay the funds or the value or cost of the work in kind, whichever is less, is included in both the Resolution of Intention and in this resolution; (b) any proposed Special Taxes are approved by the qualified electors of the CFD pursuant to the Law; and (c) any work in kind accepted pursuant to Section 3-70.9 of the Law is performed or constructed as if the work had been performed or constructed pursuant to plans approved by the City, and the work-in-kind shall be inspected by the City and found to be in compliance with applicable City building codes and standards. This Council finds that the City may accept advances of funds or work in kind if necessary, and hereby directs the City Manager to execute and deliver an acquisition agreement (the "Acquisition Agreement"), with the developer of the project, substantially in the form on file with the City Clerk, with such changes as the City Manager, in consultation with the City Attorney, shall approve.

14. Pursuant to the provisions of the Law, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election. The time, place and conditions of the election shall be as specified by a separate resolution of this City Council.

15. This resolution shall take effect upon its adoption.

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES
FOR CITY OF ALAMEDA
COMMUNITY FACILITIES DISTRICT NO. 25-1
(WEST MIDWAY FACILITIES)
IMPROVEMENT AREA NO. 1**

A Special Tax, as hereinafter defined, shall be levied and collected within Improvement Area No. 1 of the City of Alameda Community Facilities District No. 25-1 (West Midway Facilities) each Fiscal Year commencing in Fiscal Year 2025/26, in an amount determined by the application of the procedures below. All Taxable Property within Improvement Area No. 1, as hereinafter defined, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided. To the extent additional property annexes to Improvement Area No. 1 in the future, this Rate and Method of Apportionment shall be supplemented to reflect the Special Taxes applicable thereto.

A. DEFINITIONS

The terms hereinafter set forth have the following meaning:

“Accessory Dwelling Unit” or **“ADU”** means all Assessor’s Parcels of Residential Property for which a building permit(s) has been issued for an “Accessory Dwelling Unit” as defined in California Government Code Section 65852.2(j)(1), as may be amended from time to time, that is accessory to a primary Dwelling Unit.

“Acre” or **“Acreage”** means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map. In the event that the Assessor’s Parcel Map shows no acreage, the Acreage for any Assessor’s Parcel may be determined by the CFD Administrator based upon, in the CFD Administrator’s discretion, the applicable condominium plan, final map, parcel map, Assessor’s Data or by using available spatial data and GIS.

“Act” means the City’s Special Tax Financing Improvement Code, Section 3-70.1 *et seq.* of the City Municipal Code.

“Administrative Expenses” means the actual or reasonably estimated costs directly related to the administration of Improvement Area No. 1 including, but not limited to, the following: the costs of any paying agents/fiscal agents/trustees related to Improvement Area No. 1 Bond payments (including the fees and expenses of related counsel); the costs of computing the Annual Special Tax Requirement, the Special Taxes and of preparing the collection schedules for the Special Taxes; the costs of collecting the Special Taxes, including any charges levied by the County Auditor’s Office, County Tax Collector’s Office or County Treasurer’s Office; the costs of the City or designee in complying with the disclosure requirements associated with applicable federal and state securities laws, or otherwise related to Improvement Area No. 1 or Improvement Area No. 1 Bonds; the City’s annual administration fees and third party expenses; costs of responding to public inquiries regarding the Special Taxes; the costs of the City or

designee related to an appeal of the Special Tax or interpretation of this Rate and Method of Apportionment of Special Taxes; amounts needed to pay any required arbitrage rebate to the federal government related to Improvement Area No. 1 Bonds; the costs associated with the release of funds from any escrow account; and the costs of commencing and pursuing to completion any foreclosure action arising from delinquent Special Taxes in Improvement Area No. 1. Administrative Expenses shall also include amounts estimated or advanced by the City or Improvement Area No. 1 for any other administrative purposes of Improvement Area No. 1.

“Affordable Four-Story Townhome Property” means all Assessor’s Parcels of Developed Property designated as *4 Story Condos* on Attachment A to this RMA that qualify as MIBMR Property.

“Affordable Workforce Property” means all Assessor’s Parcels of Developed Property designated as *3 Story Condos* on Attachment A to this RMA that qualify as MIBMR Property.

“Annual Special Tax Requirement” means that amount required in any Fiscal Year for Improvement Area No. 1 to (1) pay Debt Service on all Outstanding Improvement Area No. 1 Bonds due in the Debt Year that commences in such Fiscal Year; (2) pay debt service on bonds expected to be issued by Improvement Area No. 1 due in the Debt Year that commences in such Fiscal Year; (3) pay Administrative Expenses; (4) provide any amount required to establish or replenish a reserve fund in connection with any Improvement Area No. 1 Bonds; (5) provide an amount equal to reasonably anticipated Special Tax delinquencies based on the delinquency rate for Special Taxes levied in the previous Fiscal Year as determined by the CFD Administrator, as limited by the Act, and without duplicating any amounts described in clauses (3) or (4); and (6) account for Pay-As-You-Go Expenditures for the Authorized Facilities. The amounts referred to in clauses (1) through (5) of the preceding sentence may be reduced in any Fiscal Year (in the City’s sole discretion) by (i) surplus balances in funds and accounts for Improvement Area No. 1 Bonds to the extent that such balances are available to apply against Debt Service pursuant to the Indenture, (ii) proceeds from the collection of penalties associated with delinquent Special Tax, and (iii) any other revenues available to pay Debt Service on the Outstanding Improvement Area No. 1 Bonds or other indebtedness as determined by the CFD Administrator.

“Assessor’s Data” means the property characteristic data compiled and maintained by the County Assessor for each Assessor’s Parcel, including, but not limited to, Assessor’s Parcel Number, Acreage, Building Square Footage, and Dwelling Units.

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

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

“Assessor’s Parcel Number” or **“APN”** means, with respect to an Assessor’s Parcel, that number assigned to such Assessor’s Parcel by the County for purposes of identification.

“Assigned Special Tax” means the Assigned Special Tax determined in accordance with Section C below, that can be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Authorized Facilities” means the public facilities and fees authorized to be financed, in whole or in part, by CFD No. 25-1, including, but not limited to, Improvement Area No. 1 Bonds or Special Tax revenue dedicated to Pay-As-You-Go Expenditures for Improvement Area No. 1.

“Backup Special Tax” means the Backup Special Tax applicable to each Assessor’s Parcel of Developed Property, as determined in accordance with the applicable subsection of Section C below.

“Boundary Map” means the map titled “Proposed Boundaries of City of Alameda Community Facilities District No. 25-1 (West Midway Facilities) Improvement Area No. 1 and Future Annexation Area” recorded with the recorder of the County on _____.

“Building Permit” means a permit issued by the City for new construction of a residential or non-residential building on an Assessor’s Parcel.

“Building Square Feet” or **“BSF”** means all of the square footage of living area within the perimeter of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Building Square Feet shall be made by reference to the building permit(s) issued for such residential Dwelling Unit. In the event that the building permit does not show Building Square Feet, other records of the City or Assessor’s Data shall be used as determined by the CFD Administrator.

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

“CFD No. 25-1” means City of Alameda Community Facilities District No. 25-1 (West Midway Facilities), established by the City Council pursuant to the Act.

“City” means the City of Alameda, California.

“City Council” means the City Council of the City, acting as the legislative body of CFD No. 25-1.

“County” means the County of Alameda, California.

“Debt Service” means for each Debt Year, the total amount of principal and interest due on any Outstanding Improvement Area No. 1 Bonds.

“Debt Year” means the twelve (12) month period ending on the second debt service payment date of each calendar year.

“Developed Property” means, in any Fiscal Year, all Taxable Property in Improvement Area No. 1 for which a Building Permit for new construction was issued by the City prior to May 1 of the preceding Fiscal Year.

“Development Class” means, individually, Developed Property, Final Map Property, Taxable Property Owners Association Property and Taxable Public Property.

“Duet Property” means all Assessor’s Parcels of Developed Property designated as *3 Story Duets* on Attachment A to this RMA.

“Dwelling Unit” means an individual single family detached residential unit or an individual residential unit within a duet, duplex, triplex, fourplex, townhome or condominium structure. The number of Dwelling Units assigned to each Assessor’s Parcel may be determined by (i) referencing Assessor’s Data, (ii) site surveys and physical unit counts, and/or (iii) other research by the CFD Administrator. An Accessory Dwelling Unit shall not be considered a Dwelling Unit for the purposes of the Special Tax.

“Exempt Property” means all property located within the boundaries of Improvement Area No. 1 which is exempt from the Special Tax pursuant to the Act or Section E below.

“Final Map Property” means, in any Fiscal Year, all Residential Lots created within a Final Subdivision Map which has recorded prior to June 30 of the preceding Fiscal Year.

“Final Subdivision Map” means a final subdivision map, parcel map or lot line adjustment, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) or recordation of a condominium plan pursuant to California Civil Code 4285, that creates individual lots for which Building Permits may be issued without further subdivision of such property.

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

“Four-Story Townhome Property” means all Assessor’s Parcels of Developed Property designated as *Four-Story Condos Property* on Attachment A to this RMA.

“GIS” or **“Geographic Information System”** means a system designed to capture, store, manipulate, analyze, manage, and present spatial or geographic data.

“Improvement Area No. 1” means Improvement Area No. 1 of CFD No. 25-1.

“Improvement Area No. 1 Bonds” means bonds or other Debt (as defined in section 53317 of the Act), whether in one or more series, issued or assumed by or on behalf of the City for Improvement Area No. 1 under the Act, and secured by pledge of the Special Taxes.

“Indenture” means the indenture, fiscal agent agreement, resolution, or other instrument pursuant to which Improvement Area No. 1 Bonds are issued, as modified, amended, and/or supplemented from time to time, and any instrument replacing or supplementing the same.

“Land Use Class” means any of the classes listed in Table 1 in Section C herein.

“Maximum Special Tax” means the Maximum Special Tax, determined in accordance with Section C below, that can be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

“Moderate Income Below Market Rate Property” or **“MIBMR Property”** means all Assessor’s Parcels of Residential Property that were privately developed and privately owned or rented but where ownership or rentals are restricted to persons or families meeting the qualifying income standards for moderate income households as defined by California Health and Safety Code Sections 50093, or any successor statute thereto. Residential Properties that qualify shall be designated as MIBMR Property in the chronological order in which the Building Permits for such properties are issued. If the total number of Dwelling Units on Residential Property that would otherwise qualify as MIBMR Property exceeds 44, then the Residential Properties exceeding such total shall not be considered MIBMR Property for purposes of levying the Special Tax and shall be assigned to a the appropriate Land Use Class based on the location for such Residential Property by referencing Attachment A to this RMA.

“Non-Residential Property” means, in any Fiscal Year all Assessor’s Parcels of Developed Property for which a building permit(s) was issued for a structure intended for non-residential use.

“Open Space Property” means property within the boundaries of Improvement Area No. 1 which (i) has been designated with specific boundaries and Acreage on a final subdivision map as open space, (ii) has been irrevocably offered for dedication as open space to the federal government, the State, the County, the City, or any other public agency, or (iii) is encumbered by an easement or other restriction required by the City limiting the use of such property to open space.

“Outstanding Improvement Area No. 1 Bonds” means all Improvement Area No. 1 Bonds which are outstanding under and in accordance with the provisions of the Indenture.

“Pay-As-You-Go Expenditure” means Special Tax revenue, which is used or set aside for Authorized Facilities, including for Authorized Facilities to be constructed or acquired by Improvement Area No. 1. Pay-As-You-Go Expenditures shall be included in the Special Tax Requirement until the earlier of (A) the date that Special Taxes have been levied on Developed Property for 10 years in Improvement Area No. 1 and (B) the date that all of the Authorized Facilities for the Project have been financed. Special Taxes for Pay-As-You-Go Expenditures may only be levied against Developed Property.

“Property Owner’s Association” or **“POA”** means any duly constituted property owner’s association. As used in this definition, a Property Owner’s Association includes any home-owner’s association, condominium owner’s association, master or sub-association or non-residential owner’s association.

“Property Owner’s Association Property” means any property within the boundaries of Improvement Area No. 1 which is (a) owned by a Property Owner’s

Association or (b) designated with specific boundaries and acreage on a final subdivision map as Property Owner Association Property.

“Proportionately” means, for each Development Class, 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 assigned to such Development Class.

“Public Property” means any property within the boundaries of Improvement Area No. 1 which (i) is owned by a public agency, (ii) has been irrevocably offered for dedication to a public agency, or (iii) is designated with specific boundaries and Acreage on a final subdivision map as property which will be owned by a public agency. For purposes of this definition, a public agency includes the federal government, the State, the County, the City, school districts, or any other governmental agency.

“Rate and Method of Apportionment” means this Rate and Method of Apportionment of Special Taxes for Improvement Area No. 1.

“Residential Lot” means, an individual residential lot within a recorded Final Subdivision Map on which a Building Permit has been or is permitted to be issued for construction of one or more Dwelling Units.

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one or more residential Dwelling Units.

“Special Tax(es)” means the special tax or special taxes to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property within Improvement Area No. 1 to fund the Annual Special Tax Requirement.

“State” means the State of California.

“Taxable Property” means all the Assessor’s Parcels within the boundaries of Improvement Area No. 1 that are not exempt from the Special Tax pursuant to law or Section E below.

“Taxable Property Owner Association Property” means all Assessors Parcels of Property Owner Association Property that are not exempt pursuant to Section E herein.

“Taxable Public Property” means all Assessor’s Parcels of Public Property within the boundaries of Improvement Area No. 1 that were privately-owned and subject to the Special Tax prior to a public agency acquiring such Assessor’s Parcel and that are not exempt pursuant to the Act or Section E herein.

“Three-Story Interlocking Property” means all Assessor’s Parcels of Developed Property designated as *3 Story Townhomes – B* on Attachment A to this RMA.

“Three-Story Townhome Property” means all Assessor’s Parcels of Developed Property designated as *3 Story Townhomes – A* on Attachment A to this RMA.

“Trustee” means the trustee or fiscal agent or paying agent acting as such under the applicable Indenture.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Map Property, Taxable Property Owner Association Property, or Taxable Public Property.

“Welfare Exempt Property” means, in any Fiscal Year, all Parcels within the boundaries of Improvement Area No. 1 that (a) have been granted a welfare exemption by the County under subdivision (g) of Section 214 of the Revenue and Taxation Code indicated in the Assessor’s Data finalized as of January 1 of the previous Fiscal Year, and (b) are exempt from the Special Tax pursuant to Section 53340(c) of the Act. Pursuant to Section 53340(c) of the Act, after the issuance of the first series of Improvement Area No. 1 Bonds, as applicable, any Assessor’s Parcels that received a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code shall not be classified as Welfare Exempt Property and will be subject to the Special Tax.

“Workforce Property – Market Rate” means all Assessor’s Parcels of Developed Property designated as *3 Story Condos* on Attachment A to this RMA.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, the CFD Administrator shall determine the Assessor’s Parcel Numbers for all Taxable Property within Improvement Area No. 1 for the then-current Fiscal Year. To the extent a Parcel or Parcels of Taxable Property are subdivided, consolidated, or otherwise reconfigured, the Maximum Special Tax shall be assigned to the new Assessor’s Parcels Numbers pursuant to Section C. The CFD Administrator shall also determine: (i) the appropriate Development Class for each Parcel of Taxable Property; (ii) the number of Dwelling Units or Acreage each Parcel contains; (iii) the Land Use Class of each Parcel; and (iv) the Annual Special Tax Requirement for the Fiscal Year.

C. MAXIMUM SPECIAL TAX RATES

1. Developed Property

The Maximum Special Tax for each Assessor’s Parcel of Developed Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax or (ii) the amount derived by application of the Backup Special Tax.

a. Assigned Special Tax

The Assigned Special Tax for each Assessor’s Parcel of Developed Property is shown in Table 1.

TABLE 1
ASSIGNED SPECIAL TAX FOR DEVELOPED PROPERTY
IMPROVEMENT AREA NO. 1
FISCAL YEAR 2025/26

L and Use Class	Description	Assig ned	Per
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		Special Tax	
1	Affordable Workforce Property	\$0	Dwelling Unit
2	Affordable Four-Story Townhome Property	\$0	Dwelling Unit
3	Duet Property	\$3,800	Dwelling Unit
4	Four-Story Townhome Property < 2,000 BSF	\$1,300	Dwelling Unit
5	Four-Story Townhome Property > 2,000 BSF	\$2,400	Dwelling Unit
6	Three-Story Interlocking Property	\$2,050	Dwelling Unit
7	Three-Story Townhome Property	\$2,900	Dwelling Unit
8	Workforce Property – Market Rate < 1,200 BSF	\$975	Dwelling Unit
9	Workforce Property – Market Rate > 1,200 BSF	\$1,550	Dwelling Unit
10	Non-Residential Property	\$0.00	Acre

b. Backup Special Tax

The Fiscal Year 2025/26 aggregate Backup Special Tax attributable to Developed Property will equal the Maximum Special Tax as determined in Section 2.b., below, when such property became Final Map Property.

c. Increase in the Assigned Special Tax and Backup Special Tax

On each July 1, commencing on July 1, 2026, through July 1, 2064, the Assigned Special Tax and the Backup Special Tax for Developed Property shall be increased by an amount equal to two percent (2%) of the amount in effect for the previous Fiscal Year.

2. Final Map Property

The Maximum Special Tax for each Assessor's Parcel of Final Map Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax or (ii) the amount derived by application of the Backup Special Tax.

a. Assigned Special Tax

The Assigned Special Tax for each Assessor's Parcel of Final Map Property shall be \$2,660 per Residential Lot in Fiscal Year 2025/26.

b. Backup Special Tax

The Fiscal Year 2025/26 aggregate Backup Special Tax attributable to property within a Final Subdivision Map will equal \$70,065 per Acre multiplied by the Acreage of all Taxable Property located within such Final Subdivision Map, excluding Acreage associated with current or expected Taxable Public Property and Taxable Property Owner Association Property.

The Backup Special Tax for each Assessor's Parcel of Residential Property in a Final Subdivision Map shall be computed by dividing the aggregate Backup Special Tax attributable to all Assessor's Parcels of Taxable Property for which building permits for residential construction have or may be issued, as determined in the preceding paragraph, by the number of such Assessor's Parcels (i.e., the number of Residential Lots).

Notwithstanding the foregoing, if all or any portion of a Final Subdivision Map is subsequently changed or modified, then the Backup Special Tax for each Assessor's Parcel of Residential Property in such Final Subdivision Map, or the portion thereof that is changed or modified, shall be a rate per Acre calculated as follows:

1. Determine the total Backup Special Taxes anticipated to apply to the changed or modified portion of the Final Subdivision Map prior to the change or modification.
2. Divide the amount determined pursuant to paragraph 1 above by the total Acreage of Residential Property excluding Taxable Public Property and Taxable Property Owner Association Property which is ultimately expected to exist in such changed or modified Final Subdivision Map area, as reasonably determined by the CFD Administrator.

The result is the Backup Special Tax per Acre which shall be applicable to all Assessor's Parcels of Residential Property in such changed or modified Final Subdivision Map.

c. Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2026, through July 1, 2064, the Maximum Special Tax for Final Map Property shall be increased by an amount equal to two percent (2%) of the amount in effect for the previous Fiscal Year.

3. Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property

a. Maximum Special Tax

The Maximum Special Tax for each Assessor's Parcel of Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property shall be \$70,065 per Acre in Fiscal Year 2025/26.

b. Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2026, through July 1, 2064, the Maximum Special Tax for Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property shall be increased by an amount equal to two percent (2%) of the amount in effect for the previous Fiscal Year.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAXES

Commencing with Fiscal Year 2025/26 and for each following Fiscal Year, the CFD Administrator shall determine the Annual Special Tax Requirement. The Special Tax shall be levied each Fiscal Year as follows:

First: The Special Tax shall be levied on each Assessor's Parcel of Developed Property at 100% of the applicable Assigned Special Tax until the earlier of (A) the date that Special Taxes have been levied for 10 years on Developed Property in Improvement Area No. 1 and (B) the date that all of the Authorized Facilities for the Project have been financed, after which the Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property at a rate up to 100% of the applicable Assigned Special Tax to the extent needed to satisfy the Annual Special Tax Requirement.

Second: If additional monies are needed to satisfy the Annual Special Tax Requirement, excluding any amount for Pay-As-You-Go Expenditures, after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Final Map Property at a rate up to 100% of the Maximum Special Tax for Final Map Property to the extent needed to satisfy the Annual Special Tax Requirement.

Third: If additional monies are needed to satisfy the Annual Special Tax Requirement, excluding any amount for Pay-As-You-Go Expenditures, after the second step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property at a rate up to 100% of the Maximum Special Tax for Undeveloped Property to the extent needed to satisfy the Annual Special Tax Requirement.

Fourth: If additional monies are needed to satisfy the Annual Special Tax Requirement, excluding any amount for Pay-As-You-Go Expenditures, after the first three steps have been completed, then the levy of the Special Tax on each Assessor's Parcel of Developed Property whose Maximum Special Tax is determined through the application of the Backup Special Tax shall be increased in equal percentages from the applicable Assigned Special Tax up to 100% of the Maximum Special Tax for each such Assessor's Parcel to satisfy the Annual Special Tax Requirement.

Fifth: If additional monies are needed to satisfy the Annual Special Tax Requirement, excluding any amount for Pay-As-You-Go Expenditures, after the first four steps have been completed, the Special Tax shall be levied on each Assessor's Parcel of Taxable Property Owner Association Property at a rate up to 100% of the Maximum

Special Tax for Taxable Property Owner Association Property to the extent needed to satisfy the Annual Special Tax Requirement.

Sixth: If additional monies are needed to satisfy the Annual Special Tax Requirement, excluding any amount for Pay-As-You-Go Expenditures, after the first five steps have been completed, then the Special Tax shall be levied Proportionately on all Taxable Public Property at a rate up to 100% of the Maximum Special Tax for Taxable Public Property to the extent needed to satisfy the Annual Special Tax Requirement.

E. EXEMPTIONS

1. No Special Tax shall be levied on up to 2.46 Acres of Property Owner Association Property. Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which property becomes Property Owner Association Property.
2. Property Owner Association Property, that is not exempt from the Special Tax under this section, or pursuant to the Act, shall be classified as Taxable Property Owner Association Property. Taxable Property Owner Association Property shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the fifth step in Section D above, at up to 100% of the applicable Maximum Special Tax for Taxable Property Owner Association Property.
3. No Special Tax shall be levied on Public Property that is not Taxable Public Property. If, after the first issuance of Bonds have been issued, an Assessor's Parcel within the boundaries of Improvement Area No. 1 that was privately-owned and subject to the Special Tax is acquired by a public agency then such Assessor's Parcel shall be classified as Taxable Public Property. Taxable Public Property shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the sixth step in Section D above, at up to 100% of the applicable Maximum Special Tax for Taxable Public Property.
4. No Special Tax shall be levied on up to 44 Dwelling Units on Residential Property qualifying as MIBMR Property or any Assessor's Parcel in any Fiscal Year in which such Assessor's Parcel is classified as Welfare Exempt Property. However, pursuant to Section 53340(c) of the Act, after the issuance of the first series of Improvement Area No. 1 Bonds, as applicable, any Assessor's Parcels that received a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code shall not be classified as Welfare Exempt Property and will be subject to the Special Tax.

F. APPEAL OF SPECIAL TAX LEVY

Any property owner may file a written appeal of the Special Tax with the CFD Administrator claiming that the amount or application of the Special Tax is not correct with respect to one or more specific Assessor's Parcels. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of the Special Taxes theretofore levied on the Assessor's

Parcel(s). In addition, during the term of the appeal process, all Special Tax levied must be paid for the subject Assessor's Parcel(s) prior to delinquency.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City requires the Special Tax to be modified or changed in favor of the property owner, then an adjustment shall be made to credit future Special Taxes.

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. INTERPRETATION OF RATE AND METHOD OF APPORTIONMENT

The City may, by resolution or ordinance, interpret, clarify and/or revise this Rate and Method of Apportionment to correct any inconsistency, vagueness, or ambiguity as it relates to the Special Taxes, method of apportionment, classification of Assessor's Parcels, or any definition used herein, as long as once Improvement Area No. 1 Bonds have been issued such correction does not materially adversely affect the levy and collection of Special Taxes on any Assessor's Parcel needed to repay the Improvement Area No. 1 Bonds. In addition, the interpretation and application of any section of this document shall be at the CFD Administrator's discretion.

H. MANNER OF COLLECTION

The Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, that the CFD Administrator may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner if needed to meet the financial obligations of Improvement Area No. 1. The City may covenant to foreclose and may actually foreclose or cause an action for foreclosure to be prosecuted in respect of Assessor's Parcels of Taxable Property that are delinquent in the payment of the Special Tax.

I. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section I:

"Authorized Facilities" means the public facilities authorized to be financed, in whole or in part, by Improvement Area No. 1.

"Buildout" means the state of maximum development of Improvement Area No. 1, based on plans and anticipated development.

"CFD Public Facilities Cost" means \$13,195,000 for Improvement Area No. 1, as described on the Boundary Map, expressed in 2025 dollars, which shall increase by the annual percentage change in the Construction Inflation Index on July 1, 2026 and on

each July 1 thereafter, or such lower number as (i) shall be determined by the CFD Administrator as sufficient to provide the public facilities to be provided by Improvement Area No. 1 under the authorized bonding program for Improvement Area No. 1, or (ii) shall be determined by the City Council concurrently with a covenant that it will not issue any more Bonds to be supported by Special Taxes levied under this Rate and Method of Apportionment as described in Section D. If the property described as "Future Annexation Area" on the Boundary Map annexes to Improvement Area No. 1 in the future, then "CFD Public Facilities Cost" shall mean \$17,785,000 for Improvement Area No. 1, expressed in 2025 dollars, and shall increase annually as described above.

"Construction Inflation Index" means the annual percentage change in the Engineering News-Record Building Cost Index for the City of San Francisco, measured as of the calendar year which ends in the previous Fiscal Year, but not less than zero percent. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the City that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of San Francisco.

"Future Facilities Costs" means, as of the date of prepayment, the CFD Public Facilities Costs minus the portion of the CFD Public Facilities Costs previously funded from (a) proceeds of all Previously Issued Improvement Area No. 1 Bonds, which were, at the time of issuance, available to the City for Authorized Facilities, (b) interest earnings on the Improvement Fund actually earned prior to the date of prepayment, and (c) proceeds of the Special Tax dedicated to Pay-As-You-Go Expenditures. In no case, shall the Future Facilities Costs be less than zero.

"Previously Issued Improvement Area No. 1 Bonds" means all Outstanding Improvement Area No. 1 Bonds that have been issued by Improvement Area No. 1 prior to the date of prepayment.

1. Prepayment in Full

The Special Tax obligation of an Assessor's Parcel of Developed Property, Final Map Property, or Undeveloped Property may be prepaid and permanently satisfied as described herein; provided that there are no delinquent installments of the Special Tax with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 45 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. Prepayment must be made not less than 75 days prior to the next occurring date that notice of redemption of Outstanding Improvement Area No. 1 Bonds, if any. Proceeds of such prepayment may be given to the Trustee pursuant to the Indenture. If a prepayment is made prior to the issuance of Improvement

Area No. 1 Bonds, the Redemption Premium, Interest Amount, Reserve Fund Credit and Capitalized Interest Credit as calculated below, shall be zero. The CFD Administrator may charge the property owner requesting a prepayment calculation a fee for providing this service.

The Special Tax Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

Bond Redemption Amount	
Plus	Future Facilities Amount
plus	Redemption Premium
plus	Interest Amount
plus	Administrative Fees and Expenses
less	Reserve Fund Credit
<u>less</u>	<u>Capitalized Interest Credit</u>
Total: equals	Special Tax Prepayment Amount

As of the proposed date of prepayment, the Special Tax Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

Step Number:

1. Confirm that no Special Tax delinquency apply to such Assessor's Parcel, and if delinquencies are applicable compute all amounts due, including interest and penalties.
2. For Assessor's Parcels of Developed Property compute the Assigned Special Tax and Backup Special Tax. For Assessor's Parcels of Final Map Property and Undeveloped Property, compute the Assigned Special Tax and Backup Special Tax for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permits expected to be issued for that Assessor's Parcel.
3.
 - a. Divide the Assigned Special Tax computed pursuant to Step 2 by the total estimated Assigned Special Tax for Improvement Area No. 1 based on the Special Tax which could be charged in the current Fiscal Year on all expected development through Buildout of Improvement Area No. 1
 - b. Divide the Backup Special Tax computed pursuant to Step 2 by the total estimated Backup Special Tax for Improvement Area No. 1 based on the Special Tax which could be charged in the current Fiscal Year on all expected development through Buildout of Improvement Area No. 1

- c. Determine which quotient computed pursuant to Step 3.a or 3.b is larger (the "Maximum Special Tax Percentage").
4. Multiply the Maximum Special Tax Percentage by the Outstanding Improvement Area No. 1 Bonds to compute the principal amount of Outstanding Improvement Area No. 1 Bonds to be redeemed (the "*Bond Redemption Amount*").
 5. Compute the Future Facilities Costs.
 6. Multiply the Maximum Special Tax Percentage by the total Future Facilities Costs to compute the Future Facilities amount to be prepaid (the "*Future Facilities Amount*").
 7. Multiply the Bond Redemption Amount computed pursuant to Step 4 by the applicable redemption premium, if any, on the Outstanding Improvement Area No. 1 Bonds to be redeemed (the "*Redemption Premium*") determined by reference to the Indenture.
 8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Improvement Area No. 1 Bonds (the "*Interest Amount*").
 9. Verify the administrative fees and expenses, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming the Outstanding Improvement Area No. 1 Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (the "*Administrative Fees and Expenses*").
 10. If reserve funds for the Outstanding Improvement Area No. 1 Bonds held under the Indenture, if any, are at or above 100% of the then reserve requirement (as required by the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve requirement for the Outstanding Improvement Area No. 1 Bonds to be redeemed pursuant to the prepayment (the "*Reserve Fund Credit*"). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the applicable reserve requirement on the prepayment date or if the Reserve Fund is satisfied by a credit instrument rather than cash funded.
 11. If any capitalized interest for the Outstanding Improvement Area No. 1 Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the Maximum Special Tax Percentage by the expected balance in the capitalized interest fund after such first interest and/or principal payment (the "*Capitalized Interest Credit*").

12. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 4, 6, 7, 8 and 9 less the amount computed pursuant to Steps 10 and 11 (the "*Prepayment Amount*").
13. From the Prepayment Amount, the amounts computed pursuant to Step 6 shall be used by the City to pay for Future Facilities Costs. The amounts computed pursuant to Steps 4, 7 and 8 shall be deposited into the appropriate fund as established under the Indenture and be used to redeem Outstanding Improvement Area No. 1 Bonds or make Debt Service payments. The amount computed pursuant to Step 9 shall be retained by the City for the payment of Administrative Fees and Expenses.

The Special Tax Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Outstanding Improvement Area No. 1 Bonds. In such cases, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Outstanding Improvement Area No. 1 Bonds or to make Debt Service payments.

Current year Special Taxes that are not yet paid will remain outstanding and will be collected in the manner billed. With respect to any Assessor's Parcel that is prepaid, the CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate the prepayment of the Special Tax and the obligation of such Assessor's Parcel satisfied.

Notwithstanding the foregoing, no prepayment will be allowed unless the Maximum Special Tax that may be levied on Taxable Property both prior to and after the proposed prepayment is at least 1.1 times the maximum annual Debt Service on all Outstanding Improvement Area No. 1 Bonds plus annual Administrative Expenses, as reasonably estimated by the CFD Administrator.

2. Prepayment in Part

The Special Tax may be partially prepaid, provided that a partial prepayment may be made only after all authorized Improvement Area No. 1 Bonds have been issued and only for Assessor's Parcels of Developed Property, Final Map Property and Undeveloped Property and only if there are no delinquent Annual Special Taxes with respect to such Assessor's Parcel at the time of partial prepayment. The amount of the prepayment shall be calculated as in Section I.1; except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

$$PP = P_E \times F.$$

These terms have the following meaning:

PP = the partial prepayment

P_E = the Special Tax Prepayment Amount calculated according to Section I.1

F = the percentage of the Special Tax Prepayment Amount calculated according to Section I.1 to be prepaid.

The Special Tax partial prepayment amount must be sufficient to redeem at least a \$5,000 increment of Bonds.

The owner of any Assessor's Parcel who desires such partial prepayment shall notify the CFD Administrator of such owner's intent to partially prepay the Special Tax and the percentage by which the Special Tax shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax for an Assessor's Parcel within 45 days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the prepayment funds remitted according to Section I.1, and (ii) indicate in the records of Improvement Area No. 1 that there has been a partial prepayment of the Special Tax and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage $(1.00 - F)$ of the remaining Maximum Special Tax, shall continue to be levied on such Assessor's Parcel pursuant to Section D.

J. TERM

The Special Tax shall be levied and collected as needed to fund the Annual Special Tax Requirement for up to 40 years from the initial levy of the Special Tax. In any event no Special Tax shall be levied for CFD. No. 25-1 after the 2064/65 Fiscal Year.

ATTACHMENT A



WEST MIDWAY
ALAMEDA, CA

LAND USE DIAGRAM & BUILDING HEIGHTS



Brookfield
Properties



SITE DEVELOPMENT PLAN
May 4, 2023

DESCRIPTION OF FACILITIES ELIGIBLE FOR FINANCING BY THE CFD

The CFD shall be eligible to finance all or a portion of the costs of the following:

The acquisition and construction of: roadways, sanitary sewer systems and any components thereof, stormwater drainage systems and any components thereof, water systems and any components thereof, curbs, gutters and sidewalks, and street lights and traffic signals, all within and in the vicinity of the CFD; including the acquisition of any related right-of-way and other land needed for the installation of any such improvements, demolition of existing structures and site leveling needed for the installation of any such improvements, erosion control, landscaping, joint trench, acquisition and installation of street furniture, and other appurtenances.

The facilities eligible to be financed shall include the costs of design, engineering, and planning, the costs of any environmental or other studies, surveys or reports, the cost of any required environmental mitigation, soils testing, permits, plan check and inspection fees, insurance, legal and related overhead costs, coordination and supervision, City of Alameda staff and consultant costs, and any other costs or appurtenances related to any of the public improvements to be financed or any of the foregoing.

Authorized facilities include development impact fees paid and not otherwise reimbursed, whether standard City fees levied at the time of issuance of a building permit or required as part of the Development Agreement for the property. Fees include but are not limited to, Main Street Adaptation Contribution Fee, Sewer Connection Fee, City of Alameda Development Impact Fee ("DIF") (Public Safety Facilities Fee, General Public Facilities Fee, Transportation Fee, Park and Recreation Facilities Fee), Public Art Fee, Citywide Inclusionary Fee/Affordable Housing Fee and any other eligible fees from the City or other jurisdictions.

* * * * *

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 October 2025, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set by hand and affixed the official seal of said City this 8th day of October 2025.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form:

Yibin Shen, City Attorney
City of Alameda