

**RATE AND METHOD OF APPORTIONMENT
FOR EL DORADO COUNTY
COMMUNITY FACILITIES DISTRICT NO. 2024-2
(CARSON CREEK HERITAGE VILLAGE 11 SERVICES)**

Special Taxes, as hereinafter defined, shall be levied and collected in the El Dorado County Community Facilities District No. 2024-2 (Carson Creek Heritage Village 11 Services) ("CFD No. 2024-2") each Fiscal Year commencing in Fiscal Year 2024/25, in an amount determined by the application of the procedures below. All Taxable Property, 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.

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 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 Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1, Division 2 of Title 5 of the Government Code of the State.

"Administrative Expenses" means the actual or reasonably estimated costs directly related to the administration of CFD No. 2024-2 including, but not limited to, the following: the costs of computing the Annual Special Tax Requirement A and Annual Special Tax B and of preparing the Special Taxes collection schedules; the costs of collecting the Special Taxes, including any charges levied by the County Auditor's Office, Tax Collector's Office or Treasurer's Office; the costs of the County or designee in complying with the disclosure requirements of the California Government Code (including the Act), including public inquiries regarding the Special Taxes; the costs of the County or designee related to an appeal of the Special Taxes; and the costs of commencing and pursuing to completion any action arising from any delinquent Special Taxes in CFD No. 2024-2. Administrative Expenses shall also include amounts estimated or advanced by the County or CFD No. 2024-2 for any other administrative purposes, including, but not limited to, attorney's fees.

"Annual Services Costs A" means the respective amounts determined by the CFD Administrator required to fund public services authorized to be funded by CFD No. 2024-2 for the applicable yearly period.

“Annual Services Costs B” means the respective amounts determined by the CFD Administrator required to fund supplemental ambulance services authorized to be funded by CFD No. 2024-2 for the applicable yearly period.

“Annual Special Tax Requirement A” means that amount with respect to CFD No. 2024-2 required in any Fiscal Year to pay: (1) the Administrative Expenses, (2) the Annual Services Costs A, (3) any amount required to establish or replenish any reserve or replacement fund established in connection with CFD No. 2024-2, and (4) any reasonably anticipated delinquent Special Tax A based on the delinquency rate for any Special Tax A levied in the previous Fiscal Year.

“Annual Special Tax Requirement B” means that amount with respect to CFD No. 2024-2 required in any Fiscal Year to pay: (1) the Administrative Expenses, (2) the Annual Services Costs B, (3) any amount required to establish or replenish any reserve or replacement fund established in connection with CFD No. 2024-2, and (4) any reasonably anticipated delinquent Special Tax B based on the delinquency rate for any Special Tax B levied in the previous Fiscal Year.

“Assessor’s Data” means Assessor’s Parcel Number, Acreage, or other information contained in the records of the County Assessor for each Assessor’s Parcel.

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

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

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

“Base Year” means the Fiscal Year beginning on July 1, 2023 and ending on June 30, 2024.

“Board of Supervisors” means the Board of Supervisors of the County, acting as the legislative body of CFD No. 2024-2.

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

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

“CFD No. 2024-2” means the County of El Dorado Community Facilities District No. 2024-2 (Carson Creek Heritage Village 11 Services).

“County” means the County of El Dorado.

“County Assessor” means the County Assessor of the County.

“Developed Property” means, in any Fiscal Year, all Taxable Property in CFD No. 2024-2 for which a building permit for new construction was issued by the County on or before April 30 of the preceding Fiscal Year.

“Expected Units” means the total expected number of Units expected within CFD No. 2024-2, as shown in Table 1.

“Exempt Property” means all Assessors’ Parcels within the boundary of CFD No. 2024-2 which are exempt from Special Tax A and Special Tax B pursuant to Section E.

“Final Map Property” means for each Fiscal Year, all Taxable Property for which a Final Map has been recorded on or before April 30 of the prior Fiscal Year. For example, Taxable Property for which a Final Map has been recorded on or before April 30 of the prior Fiscal Year (i.e., April 30, 2024), would be treated as Final Map Property for Fiscal Year 2024/25.

Final Subdivision Map means a subdivision of property created by recordation of a final subdivision map, parcel map or lot line adjustment, approved by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) or recordation of a condominium plan pursuant to California Civil Code 4120.

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

“GIS” means a geographic information system.

“Initiative #1935” means initiative constitutional amendment 1935 which is eligible for the November 5, 2024, general election ballot and will be certified as qualified unless withdrawn by the proponent prior to June 27, 2024.

“Maximum Special Tax A” means the maximum Special Tax A authorized to fund the Annual Special Tax Requirement A in any Fiscal Year that may apply to Taxable Property as described in Section C.

“Maximum Special Tax B” means the maximum Special Tax B authorized to fund the Annual Special Tax Requirement B in any Fiscal Year that may apply to Taxable Property as described in Section C.

“Open Space Property” means property within the boundaries of CFD No. 2024-2 which (i) has been designated with specific boundaries and Acreage on a Final Subdivision Map as open space, (ii) is classified by the County Assessor as open space, (iii) has been irrevocably offered for dedication as open space to the federal government, the State, the County, the County, or any other public agency, or (iv) is encumbered by an easement or other restriction required by the County limiting the use of such property to open space.

“Property Owner’s Association” means any 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 CFD No. 2024-2 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 Taxable Property that the ratio of the Special Tax A levy to the Maximum Annual Special Tax A is equal for all Assessors’ Parcels of Taxable Property levied within each property land use classification within CFD No. 2024-2 and that the ratio of the Special Tax B

levy to the Maximum Annual Special Tax B is equal for all Assessors' Parcels of Taxable Property levied within each property land use classification within CFD No. 2024-2.

"Public Property" means any property within the boundaries of CFD No. 2024-2 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, school districts, or any other public agency.

"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 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 Units.

"Special Tax A" means the amount levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Annual Special Tax Requirement A.

"Special Tax B" means the amount levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Annual Special Tax Requirement B.

"Special Taxes" means, collectively, Special Tax A and Special Tax B.

"Single Family Detached Property" means, in any Fiscal Year, all Assessor's Parcels of Developed Property for which a building permit was issued for construction of a Unit that does not share a common wall with another Unit.

"State" means the State of California.

"Tax Escalation Factor" means a factor equal to the annual percentage change in the consumer price index for the month of April for all urban consumers for the San Francisco-Oakland-Hayward area that will be applied annually after Fiscal Year 2023/24 to increase the Maximum Special Tax B shown in Section C. In the event that the annual percentage change in the consumer price index for the month of April for all urban consumers for the San Francisco-Oakland-Hayward area is negative, the Tax Escalation Factor will be 0%. If the consumer price index for all urban consumers for the San Francisco-Oakland-Hayward area ceases to be published, the CFD Administrator shall choose a similar index to use in the implementation of the Tax Escalation Factor.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2024-2 that are not Exempt Property.

"Undeveloped Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2024-2 that is not classified as Developed Property, Open Space Property, Property Owner's Association Property, or Public Property.

"Welfare Exempt Property" means, in any Fiscal Year, all Parcels within the boundaries of CFD No. 2024-2 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 Special Tax A and Special Tax B pursuant to Section 53340(c) of the Act.

B. DETERMINATION OF TAXABLE PARCELS

Each Fiscal Year, the CFD Administrator shall determine the valid Assessor's Parcel Numbers for all Taxable Property within CFD No. 2024-2. If any Assessor's Parcel Numbers are no longer valid, the CFD Administrator shall determine the new Assessor's Parcel Number or Numbers in effect 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 A and Maximum Special Tax B shall be assigned to the new Assessor's Parcels Numbers pursuant to Section C. The CFD Administrator shall also determine: (i) the Land Use Category for each Parcel; (ii) the number of Units each Parcel contains; and (iii) the Annual Special Tax Requirement A and Annual Special Tax Requirement B for the Fiscal Year.

C. MAXIMUM ANNUAL SPECIAL TAX RATES

The Maximum Special Tax A and Special Tax B for each Assessor's Parcel of Taxable Property within CFD No. 2024-2 shall be assigned below:

1. Final Map Property

- a) The Base Year Maximum Special Tax A that may be levied in any Fiscal Year for each Assessor's Parcel classified as Final Map Property is shown in Table 1. The Base Year Maximum Special Tax B that may be levied in any Fiscal Year for each Assessor's Parcel classified as Final Map Property is shown in Table 2.
 - i) Once the Maximum Special Tax B is assigned to Final Map Property, the Maximum Special Tax B shall be increased each Fiscal Year by the Tax Escalation Factor, but shall not otherwise be subject to adjustment based on the recordation of other Final Maps within the boundaries of CFD No. 2024-2.

b) Developed Property

The Base Year Maximum Special Tax A and Maximum Special Tax B, as Maximum Special Tax B is increased by the Tax Escalation Factor, is assigned to Taxable Parcels at such time as the Taxable Parcels are classified as Final Map Property. When a Taxable Parcel is subsequently classified as a Developed Parcel, the Maximum Special Tax A and Maximum Special Tax B is equal to the Maximum Special Tax A and Maximum Special Tax B, respectively, previously assigned to such Final Map Property in Section C.1, as Maximum Special Tax B is increased by the Tax Escalation Factor.

The Maximum Special Tax A and Maximum Special Tax B for Developed Property shall increase, commencing on July 1, 2024 and on July 1 of each Fiscal Year thereafter, by an amount equal to the Tax Escalation Factor.

c) Undeveloped Property

The Base Year Maximum Special Tax A and Maximum Special Tax B for Undeveloped Property for all Development Areas and Zones is \$0.00.

d) Maximum Special Tax Rates

Table 1 – Special Tax A

| Development Area | Expected Units | Base Year Maximum Special Tax A (per Unit) |
|-------------------------|-----------------------|---|
| A - Roxbury | 65 | \$313.31 |
| B - Mosaic | 95 | 313.31 |
| C - Legends | 64 | 313.31 |

Table 2 – Special Tax B

| Development Area | Expected Units | Base Year Maximum Special Tax B (per Unit) |
|-------------------------|-----------------------|---|
| A - Roxbury | 65 | \$54.69 |
| B - Mosaic | 95 | 54.69 |
| C - Legends | 64 | 54.69 |

The Base Year Maximum Special Tax A and Maximum Special Tax B shall increase, commencing on July 1, 2024 and on July 1 of each Fiscal Year thereafter, by an amount equal to the Tax Escalation Factor.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAXES

All Taxable Property shall be subject to the Special Taxes as follows. The Special Taxes shall be levied each Fiscal Year by the CFD Administrator.

The Annual Special Tax Requirement A shall be apportioned to each Parcel within CFD No. 2024-2 by the method shown below.

First: Determine the Annual Special Tax Requirement A.

Second: Levy the Special Tax A on each Parcel of Developed Property, Proportionately, up to the applicable Maximum Special Tax A for Developed Property.

Third: If additional monies are needed to satisfy the Annual Special Tax Requirement A after the second step has been completed, the Special Tax A shall be levied on each Parcel of Final Map Property, Proportionately, up to the applicable Maximum Special Tax A for Final Map Property.

The Annual Special Tax Requirement B shall be apportioned to each Parcel within CFD No. 2024-2 by the method shown below.

First: Determine the Annual Special Tax Requirement B.

Second: Levy the Special Tax B on each Parcel of Developed Property, Proportionately, up to the applicable Maximum Special Tax B for Developed Property.

Third: If additional monies are needed to satisfy the Annual Special Tax Requirement B after the

second step has been completed, the Special Tax B shall be levied on each Parcel of Final Map Property, Proportionately, up to the applicable Maximum Special Tax B for Final Map Property.

E. EXEMPTIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Taxes shall be levied on Open Space Property, Property Owner's Association Property, Undeveloped Property, Assessor's Parcels with public or utility easements making impractical their utilization for any use other than the purposes set forth in the easement, or Public Property, except as otherwise provided in Sections 53317.3, 53317.5 and 533401 of the Act.

No Special Taxes shall be levied on any Assessor's Parcel in any Fiscal Year in which such Assessor's Parcel is classified as Welfare Exempt Property.

F. APPEAL OF SPECIAL TAXES

Any property owner may file a written appeal of the Special Taxes with the CFD Administrator claiming that the amount or application of the Special Taxes is not correct. The appeal must be filed not later than one calendar year after having paid the Special Taxes that are disputed, and the appellant must be current in all payments of the Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Taxes are 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 County Board whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the County Board requires the Special Taxes to be modified or changed in favor of the property owner, then an adjustment shall be made to credit the Special Taxes in future years.

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. INTERPRETATIONS OF RATE AND METHOD OF APPORTIONMENT

The County reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Taxes. In addition, the interpretation and application of any section of this document shall be at the County's discretion. Interpretations may be made by the County Board by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

H. MANNER AND DURATION OF SPECIAL TAXES

The Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided that the County may directly bill the Special Taxes, may collect the Special

Taxes at a different time or in a different manner if needed to meet the financial obligations of CFD No. 2024-2, and may collect delinquent Special Taxes through available methods.

Special Taxes shall be levied commencing in Fiscal Year 2024/25 to the extent necessary to satisfy the Annual Special Tax Requirement A and Annual Special Tax Requirement B and shall be levied each Fiscal Year thereafter for as long as required to satisfy the Annual Special Tax Requirement A and Annual Special Tax Requirement B, respectively. However, should Initiative #1935 be included as an initiative measure at election and subsequently be approved by voters, the duration of the Special Taxes is in perpetuity.

I. PREPAYMENT OF SPECIAL TAXES

The Special Taxes may not be prepaid.