

ORDINANCE NO. 98-1

AN ORDINANCE OF THE RANCHO MURIETA
COMMUNITY SERVICES DISTRICT ADDING
CHAPTER 21A TO THE DISTRICT CODE
ESTABLISHING A SPECIAL TAX FOR THE
PROVISION OF SECURITY SERVICE WITHIN
THE DISTRICT SUBJECT TO THE APPROVAL OF
THE VOTERS

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT, Rancho Murieta, Sacramento County, California, as follows:

Section 1. Chapter 21A is hereby added to the District Code to read as follows:

CHAPTER 21A

Section 1.00. Findings.

The Board of Directors of the District hereby finds and declares that the District's ability to continue to provide security services depends on the availability of funds to support these services. The security services are a portion of the public safety or police services related to real property and provide for the security and protection of the real property and property owners within the District. The special tax levied herein, if approved by a two-thirds vote of the voters, will provide for a special and secure funding source to continue to provide security services.

Section 2.00. Authority.

This special tax is levied under each of the following authorities:

Government Code section 61615 which provides the District with the power to tax for the purpose of carrying out the operations of the District; Government Code section 61615.1 which authorizes the District to impose special taxes pursuant to Government Code section 50075, et seq.; Government Code section 50075 through section 50077 which authorizes special districts, among others, to impose special taxes; Government Code section 61622 which authorizes the District to perform all acts necessary to carry out fully the provisions of the Community Services District law; Government Code section 53978, et seq., which authorizes the District to impose a special tax for police protection services, which includes security services; and Article XIII of the California Constitution. This tax is based, to the extent practicable, upon the cost of providing security services to the properties within the District and is not an ad valorem property tax.

Section 3.00. Security Tax.

If approved by the voters, commencing July 1, 1998, property within the District shall be assessed a monthly security tax. The maximum tax rates shall be as follows:

		Monthly Maximum Special Tax Rates Base Year 1998-99
DEVELOPED PROPERTY		Maximum rates will Increase at 2% per year
Residential		
Inside Gates		
- <i>Metered</i>	Per Lot	\$19.62
- <i>Unmetered</i>	Per Lot	\$15.70
Outside Gate	Per Lot	\$ 4.73
Non-Residential		
- <i>Highway Retail</i>	Per Building Sq. Ft.	\$0.175
- <i>Other Retail/Commercial</i>	"	\$0.021
- <i>Industrial/Warehouse/Lt Industrial</i>	"	\$0.041
- <i>Office</i>	"	\$0.011
- <i>Institutional</i>	"	\$0.011
- <i>Public Utility</i>	"	\$0.030
- <i>Equine Complex</i>	"	\$0.003
- <i>RMCC</i>	"	\$0.050
- <i>Airport</i>	"	\$0.014
UNDEVELOPED PROPERTY		
- Inside Gates	Per Acre	\$16.59
- Outside Gates	Per Acre	\$2.48

Charges for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

For the fiscal year beginning July 1, 1998, and annually thereafter, the District Board shall set the actual security tax for the applicable fiscal year. The actual security tax set by the Board shall not exceed the maximum tax rate set forth in this section as adjusted pursuant to section 5.00 of this Ordinance. If necessary to meet expenses, the Board may adjust the actual tax rate during a fiscal year so long as the actual tax rate does not exceed the maximum allowable tax rate.

Section 4.00. Collection.

The Security Tax shall be collected with other monthly District taxes, fees and/or charges and shall be subject to the same penalties for non-payment as other monthly District taxes, fees and/or charges.

Section 5.00. Annual Adjustment.

Commencing July 1, 1999 and each July 1 thereafter, the amounts specified in Section 3.00 shall be increased by two percent (2%) per year. The General Manager of the District shall maintain a current schedule of maximum tax rates based on the yearly increased specified herein and shall make the same available to any interested party upon request.

Section 6.00. Disposition of Revenue.

Revenues collected under the provisions of this Ordinance shall be deposited in a special fund called the Security Tax fund and shall be used only for the provision of security services within the District. Security services include:

- (a) Operating the security gates located at the entrances to Rancho Murieta, 24 hours a day, 365 days a year, including but not limited to staffing these gates;
- (b) Providing a 24 hour a day mobile patrol of the District and its boundaries;
- (c) Operating a radio communication system to maintain contact with external police, fire and other emergency services as well as the appropriate entities within the District;
- (d) Providing assistance to other agencies providing first aid, fire fighting, police and emergency services within the District;
- (e) Monitoring, controlling and registering guests or invitees of District customers and other visitors within the District;
- (f) Conducting such other activities as the Board in its discretion may authorize for the protection of District customers and their property; and
- (g) Other incidental costs of providing the services listed above.

Section 7.00. Effective Date.

This Ordinance shall take effect July 1, 1998.

Section 8.00. Suspension of Security Fee.

Upon the effective date of the levying of the tax established by the ordinance, and except as provided herein, the District shall suspend the collection of the security fee established in and collected under District Code Chapter 21, section 5.00. To the extent that a property or property owner is or becomes legally exempt from payment of the tax established in this Ordinance, such property and/or property owner shall remain subject to and shall pay the security fee established

in and collected under District Code Chapter 21, section 5.00; and, to that extent, that security fee shall remain in effect.

Section 9.00. Appeals.

Any taxpayer aggrieved by the amount of this tax shall file a written appeal with the General Manager stating the grounds for the appeal. The General Manager shall meet with the taxpayer; they may agree to a resolution of the appeal or set the matter for determination by the Board. The Board may adopt rules for the timing, filing and hearing of appeals under this Ordinance.

Section 10.00. Severability.

If any sentence, clause, article, section, subsection, phrase or portion of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the District hereby declare that they would have adopted the remainder of this Ordinance, including each sentence, clause, article, section, subsection, phrase or portion of this Ordinance, irrespective of the invalidity of any other sentence, clause, article, section, subsection, phrase or portion of this Ordinance.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting duly held on January 21, 1998, by the following roll call vote:

Ayes: Thurston, Menicucci, Lensch, Sevier and Stevens

Noes: None

Abstain: None

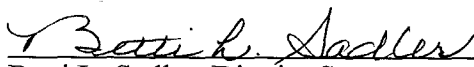
Absent: None



Elliot K. Sevier, President, Board of Directors
Rancho Murieta Community Services District

[Seal]

Attest:


Betti L. Sadler, District Secretary

RESOLUTION NO. 98-1

RESOLUTION OF BOARD OF DIRECTORS OF THE
RANCHO MURIETA COMMUNITY SERVICES DISTRICT
CALLING A SPECIAL ELECTION WITHIN THE DISTRICT FOR THE PURPOSE
OF SUBMITTING TWO SPECIAL TAX ORDINANCES TO THE VOTERS;
ORDINANCE NO.98-1, AN ORDINANCE ESTABLISHING A SPECIAL TAX FOR
SECURITY SERVICES TO THE VOTERS AND ORDINANCE 98-2, AN ORDINANCE
ESTABLISHING A SPECIAL TAX FOR DRAINAGE SERVICES
AND REQUESTING CONSOLIDATION OF SAID ELECTION WITH OTHER
ELECTIONS TO BE HELD ON JUNE 2, 1998

WHEREAS, the Board of Directors of the Rancho Murieta Community Services District has adopted Ordinance No. 98-1, an ordinance establishing a special tax for the provisions of security services, subject to approval by a two-thirds vote of the voters; and

WHEREAS, the Board of Directors of the Rancho Murieta Community Services District has adopted Ordinance No. 98-2, an ordinance establishing a special tax for the provisions of drainage services, subject to approval by a two-thirds vote of the voters;

NOW, THEREFORE, the Board of Directors of the Rancho Murieta Community Services District, does resolve as follows:

Section 1. Pursuant to the requirements of the laws of the State of California relating to special district elections, a special election is hereby ordered to be held on Tuesday, June 2, 1998, in the Rancho Murieta Community Services District, County of Sacramento, State of California, for the purpose of submitting to the voters within said district the following measures:

1. Measure _____.

(Special Tax)

Shall Ordinance No. 98-1, an ordinance of the Rancho Murieta Community Services District be approved authorizing a special tax for security services to fund continuation of security service by the District, including but not limited to operating 24-hour security gates, providing 24-hour mobile patrol, both 365 days a year, together with ancillary services including assistance to outside agencies, and other services authorized by the Board to protect its customers and their property?

Passage of said measure shall require an affirmative vote of two-thirds of the voters voting on the measure.

A complete copy of Ordinance No. 98-1, is attached hereto and incorporated herein.

2. Measure _____
(Special Tax)

Shall Ordinance No. 98-2, an ordinance of the Rancho Murieta Community Services District be approved authorizing a special tax for drainage services to fund continuation of drainage service by the District, including operation, maintenance, repair or replacement of the drainage system, including culverts, natural and constructed channels, pipes, drain inlets, pump stations, floodways, levees and all other appropriate facilities, and pay for, including but not limited to, power, customer service, administration, overhead, and debt service?

Passage of said measure shall require an affirmative vote of two-thirds of the voters voting on the measure.

A complete copy of Ordinance No. 98-2, is attached hereto and incorporated herein.

Section 2. In all particulars not recited herein, said election shall be held and conducted As provided for by law for the holding of district elections.

Section 3. Pursuant to section 10403 of the Elections Code of the State of California, The Board hereby requests that this election be consolidated with any statewide or other election to be held on June 2, 1998.

Section 4. Pursuant to the Elections Code of the State of California, the Board of Directors of the Rancho Murieta Community Services District hereby requests the Board of Supervisors of the County of Sacramento to authorize the County Clerk to render all services otherwise required to be performed by the Secretary of the District for the special election to be held on June 2, 1998. Said services include, but are not limited to:

- Publication of Notices calling the election
- Publication of Notices calling for ballot arguments
- Arrangements for receiving center
- Provision of voter lists
- Provision of precinct maps
- Obtaining and staffing of polling places
- Hiring and training of precinct workers
- Provision and delivery of precinct supplies
- Provision of microfiche of voters and poll Locations (if desired)
- Counting of ballots and certification of election
- All aspects of election not specified above which may be agreed upon by the County Clerk and the Secretary of the District

Section 5. The Board of Supervisors of the County of Sacramento is hereby authorized and directed to canvas the returns of the election and to certify the results of the election to the Board of Directors as required by law.

Section 6. The Rancho Murieta Community Services District shall reimburse the County of Sacramento for all costs and expenses incurred by the County in conducting said election upon presentation of a bill to the District.

Section 7. The Secretary of the District is hereby authorized and directed to file a copy of this Resolution with the Board of Supervisors of the County of Sacramento and the County Clerk of the County of Sacramento upon its adoption by the Board of Directors.

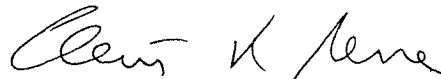
PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District at their regular meeting held on this 21st day of January 1998 by the following roll call vote:

Ayes: Thurston, Sevier, Menicucci, Stevens and Lensch

Noes: None

Absent: None

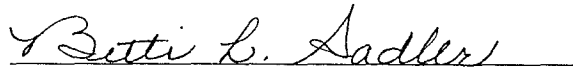
Abstain: None



Elliot K. Sevier, President
Board of Directors

[seal]

Attest:



Betti L. Sadler, District Secretary
Rancho Murieta Community Services District

**RANCHO MURIETA COMMUNITY SERVICES DISTRICT
TAX RATE STATEMENTS
SECURITY**

If approved by the voters, commencing July 1, 1998, property within the District shall be assessed a monthly security tax. The maximum tax rates shall be as follows:

		Monthly Maximum Special Tax Rates Base Year 1998-99
DEVELOPED PROPERTY		Maximum rates will Increase at 2% per year
Residential		
Inside Gates		
- Metered	Per Lot	\$19.62
- Unmetered	Per Lot	\$15.70
Outside Gate	Per Lot	\$ 4.73
Non-Residential		
- Highway Retail	Per Building Sq. Ft.	\$0.175
- Other Retail/Commercial	"	\$0.021
- Industrial/Warehouse/Lt Industrial	"	\$0.041
- Office	"	\$0.011
- Institutional	"	\$0.011
- Public Utility	"	\$0.030
- Equine Complex	"	\$0.003
- RMCC	"	\$0.050
- Airport	"	\$0.014
UNDEVELOPED PROPERTY		
- Inside Gates	Per Acre	\$16.59
- Outside Gates	Per Acre	\$2.48

Charges for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

**RANCHO MURIETA COMMUNITY SERVICES DISTRICT
TAX RATE STATEMENTS
DRAINAGE**

If approved by the voters, commencing July 1, 1998, property within the District shall be assessed a monthly drainage tax. The maximum monthly tax rates shall be as follows:

Monthly Maximum
Special
Tax Rates
Base Year 1998-99

LAND USE

DEVELOPED PROPERTY

Maximum rates will increase
at 2% per year

Residential

-Metered Developed	Per Lot	\$ 3.45
-Unmetered Developed	Per Lot	\$ 3.45
-The Villas	Per Lot	\$ 2.30
-Murieta Village	Per Lot	\$ 2.30

Total Residential

-Retail	Per Acre	\$17.28
-Industrial/Warehouse	"	\$18.36
-Light Industrial	"	\$14.04
-Office	"	\$16.20
-Landscaped Areas (golf course & park site)	"	\$ 3.24
-Equine Complex	"	\$ 1.25
-RMCC (club house & parking)	"	\$ 0.00
-Airport	"	\$ 1.44
-Geyer Property	"	\$10.80

UNDEVELOPED PROPERTY

Uses Drainage System

-Residential and Non-Residential	Per Acre	\$2.16
----------------------------------	----------	--------

Does Not Use Drainage System

-Winncrest Lakeview	"	\$0.00
-PTF Crest	"	\$0.00
-PTF Green	"	\$0.00
-PTF N of Cosumnes	"	\$0.00

Charges for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing drainage services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.