

MEASURE _
Two-Thirds (2/3) Voter Approval Required
November 8, 2016

CITY OF NEWMAN COMMUNITY FACILITIES DISTRICT NO. 2016-1 MEASURE _:

To finance construction of community pool and splash pad, creating access to quality recreational opportunities for children, youth, adults, and seniors, including swimming lessons, water safety classes, and health and fitness programs; shall City of Newman Community Facilities District 2016-1 incur indebtedness not exceeding \$6,500,000, levy a special tax annually on taxable parcels (described in Resolution 2016-25), with discounts for low-income seniors, requiring audits, no increases to tax rate and establishing appropriations limit for Fiscal Year 2017/18 at \$750,000?

The Newman City Attorney has prepared the following pursuant to California Elections Code section 9280:

**CITY ATTORNEY'S IMPARTIAL ANALYSIS
OF MEASURE _
CITY OF NEWMAN COMMUNITY FACILITIES DISTRICT NO. 2016-1
(COMMUNITY POOL)**

On June 14, 2016, the City Council of the City of Newman ("City") established City of Newman Community Facilities District No. 2016-1 (Community Pool) ("District") pursuant to the Mello-Roos Community Facilities Act of 1982 (California Gov. Code Section 53311 et seq.) ("Act"). If approved by two-thirds of the voters of the District, an annual special tax will be levied on taxable parcels in the District with discounts for low-income seniors. The annual special tax will be used to fund all or a portion of the cost of acquisition, construction, operation, maintenance, and financing of a public aquatic facility project within the City which includes a community pool and related equipment, changing rooms, restrooms, bathhouse, splash pad, equipment building, and any and all related on-site improvements and facilities ("Project").

This ballot measure:

(i) authorizes the City, on behalf of the District, to incur bonded indebtedness and issue bonds or other debt (as defined in the Act; collectively, "Bonds") in the maximum amount of \$6,500,000 with interest at a rate or rates not to exceed the

maximum interest rate permitted by law at the time of sale of such Bonds for the purpose of funding the Project; and

(ii) authorizes the City to levy a special tax on taxable property within the District for no more than 30 years and in no event later than fiscal year 2047-48, to pay for debt service on the Bonds, the City's costs in administering the District, and the costs of funding the Project; and

(iii) establishes an annual appropriations limit for the District in the amount of \$750,000.00.

The measure is being placed on the ballot by the City Council. In order to pass, this measure requires two-thirds voter approval. If the measure is approved, each parcel within the District would be subject to a special tax according to the Rate and Method of Apportionment set forth in Resolution No. 2016-25 of the City Council ("Resolution"). If the measure is approved, upon recordation of a notice of special tax lien in accordance with applicable law, a continuing lien to secure the levy of the special tax would attach to all nonexempt property in the District.

The City Council has adopted the following accountability provisions with respect to this measure: (a) the Facilities and Services and related incidental costs, as defined in the Resolution of Formation, shall constitute the specific single purpose; (b) the proceeds of special taxes shall be applied only to the specific purposes identified in (a) above; (c) there shall be created one or more special accounts or funds into which the proceeds of special taxes shall be deposited; and (d) an annual report will be prepared as required by Government Code section 50075.3.

The Resolution contains a complete description of the boundaries of the District, nature of the Project, and Rate and Method of Apportionment. A **"YES"** vote on Measure _ enacts the special tax. A **"NO"** vote will result in the tax not being adopted.

/s/ PHAEDRA A. NORTON
Newman City Attorney

The above statement is an impartial analysis of Measure _ (City of Newman Resolution No. 2016-39). If you desire a copy of the measure, please call the Elections Official's office at 209-862-3725 and a copy will be mailed at no cost to you. A copy is also available on the City of Newman website at www.cityofnewman.com.