

# **EAST BAY REGIONAL PARK DISTRICT**

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*Fiscal Year 2024/25 Annual Report for:*

**Community Facilities District No. A/C-3**

**October 2024**

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## DISTRICT SUMMARY

On May 1, 2018, the Board of Directors of the East Bay Regional Park District (the “District”) adopted Resolution No. 2018-05-097, which established Community Facilities District No. A/C-3 (the “CFD”), and called for a vote of the community. On November 6, 2018, a special tax was approved by the registered voters for a period of 20 years.

The CFD provides funding for all or a portion of the direct and incidental costs of the maintenance, improvement, and servicing of parklands, trails, open space, and related parkland access improvements; public safety protection services; recreation and open-space program services; flood and storm protection services; maintenance and operation of District property, including open space; and the construction, expansion, improvement, or rehabilitation of District property, including park, recreation, open-space, and flood and storm protection facilities.

The CFD may also fund any of the following related to the maintenance of the services described in the preceding paragraph: obtaining, constructing, reconstructing, furnishing, and operating and maintaining equipment, apparatuses or facilities related to providing the services; equipment, apparatuses, facilities, or fixtures in areas to be maintained; paying the salaries and benefits of personnel necessary or convenient to provide the services; payment of insurance costs and other related expenses; and the provision of reserves for repairs, replacements, and for the future provision of services. It is expected that the services will be provided by the District, either with its own employees or by contract with third parties, or any combination thereof. The CFD may also fund administrative fees of the District related to the CFD.

No bonds have been issued for this CFD.

### Levy

The following table provides a summary of the Fiscal Year 2024/25 final levy amount.

District	County	Parcel Count <sup>(1)</sup>	FY 2024/25 Levy
Community Facilities District No. A/C-3	Alameda	155,333	\$2,757,448.44
	Contra Costa	54,696	798,921.24
<b>Totals:</b>		<b>210,029</b>	<b>\$3,556,369.68</b>

(1) Parcels shown are those levied in Fiscal Year 2024/25.

### Discounts and Exemptions

Senior citizens, whose annual income is below the State of California defined poverty level, are entitled to a 50% discount on their special tax. For Fiscal Year 2024/25, there were 224 parcels that qualified for the 50% discount.

For purposes of the Fiscal Year 2024/25 special tax, there were a total of 31,350 parcels within the CFD that were exempt from the special tax.

### **Delinquencies**

NBS does not perform delinquency management functions for the District. NBS recommends that the District closely monitor the special tax revenue apportionments from the County.

### **NBS**

Charmane Custodio, Administrator  
Darrylanne Zarate, Project Manager  
Tim Seufert, Client Services Director

# 1. SB 165: LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT

Senate Bill 165, filed with the Secretary of State on September 19, 2000, enacted the Local Agency Special Tax and Bond Accountability Act (the “Act”). This Act requires that any local special tax or local bond measure subject to voter approval contain a statement indicating the specific purposes of the special tax, require that the proceeds of the special tax be applied to those purposes, require the creation of an account into which the proceeds shall be deposited, and require an annual report containing specified information concerning the use of the proceeds. The Act only applies to any local special tax measure or local bond measure adopted on or after January 1, 2001, in accordance with Section 50075.1 of the California Government Code.

Some of the requirements of the Act are handled at the formation of the Special Tax District and others are handled through annual reports. This Section of this report intends to comply with Sections 50075.3 of the California Government Code that states:

“The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain both of the following:

1. The amount of funds collected and expended.
2. The status of any project required or authorized to be funded as identified in subdivision (a) of Sections 50075.1.”

The requirements of the Act apply to the Funds for the following:

East Bay Regional Park District  
Community Facilities District No. A/C-3

## Purpose of Special Tax

The special tax provides funding for all or a portion of the direct and incidental costs of the maintenance, improvement, and servicing of parklands, trails, open space, and related parkland access improvements; public safety protection services; recreation and open-space program services; flood and storm protection services; maintenance and operation of District property, including open space; and the construction, expansion, improvement, or rehabilitation of District property, including park, recreation, open-space, and flood and storm protection facilities.

The project(s) are ongoing on an annual basis.

## Collections and Expenditures

Fund Name	06/30/2023 Balance	Amount Collected	Amount Expended	06/30/2024 Balance
CFD No. A/C-3	\$1,041,090.07	\$3,477,559.31	\$3,126,768.00	\$1,391,881.38

## 2. SPECIAL TAX ANALYSIS

### 2.1 Levy Summary

A summary of the levy for Fiscal Year 2024/25 is shown in the table and chart below.

Description	Amount
Maintenance Services	\$3,547,810.68
Administrative Fees/Expenses	8,559.00
<b>Total Special Tax Levy Amount:</b>	<b>\$3,556,369.68</b>
Levied Parcel Count <sup>(1)</sup>	210,029

(1) Parcels shown are those levied in Fiscal Year 2024/25.

### 2.2 Special Tax Rates

The Fiscal Year 2024/25 applied rates and special tax levy are shown in the table below.

Land Use Classification	District Total		Senior Discount <sup>(2)</sup>		FY 2024/25 Maximum Tax Rate <sup>(3)</sup>	FY 2024/25 Applied Tax Rate	Total FY 2024/25 Special Tax Levy
	Parcel Count	Dwelling Units <sup>(1)</sup>	Parcel Count	Dwelling Units <sup>(1)</sup>			
Single Family Residential	177,130	177,130	211	211	\$12.00	\$12.00	\$2,124,294.00
Multi-Family Residential	32,899	172,970	13	28	8.28	8.28	1,432,075.68
Exempt	31,350	N/A	N/A	N/A	0.00	0.00	0.00
<b>Totals:</b>	<b>241,379</b>	<b>350,100</b>	<b>224</b>	<b>239</b>			<b>\$3,556,369.68</b>

(1) Dwelling Units used to calculate Fiscal Year 2024/25 levy for Multi-Family Residential parcels.

(2) Property owners who are eligible may receive a 50% discount on their levy.

(3) Rate does not increase annually.

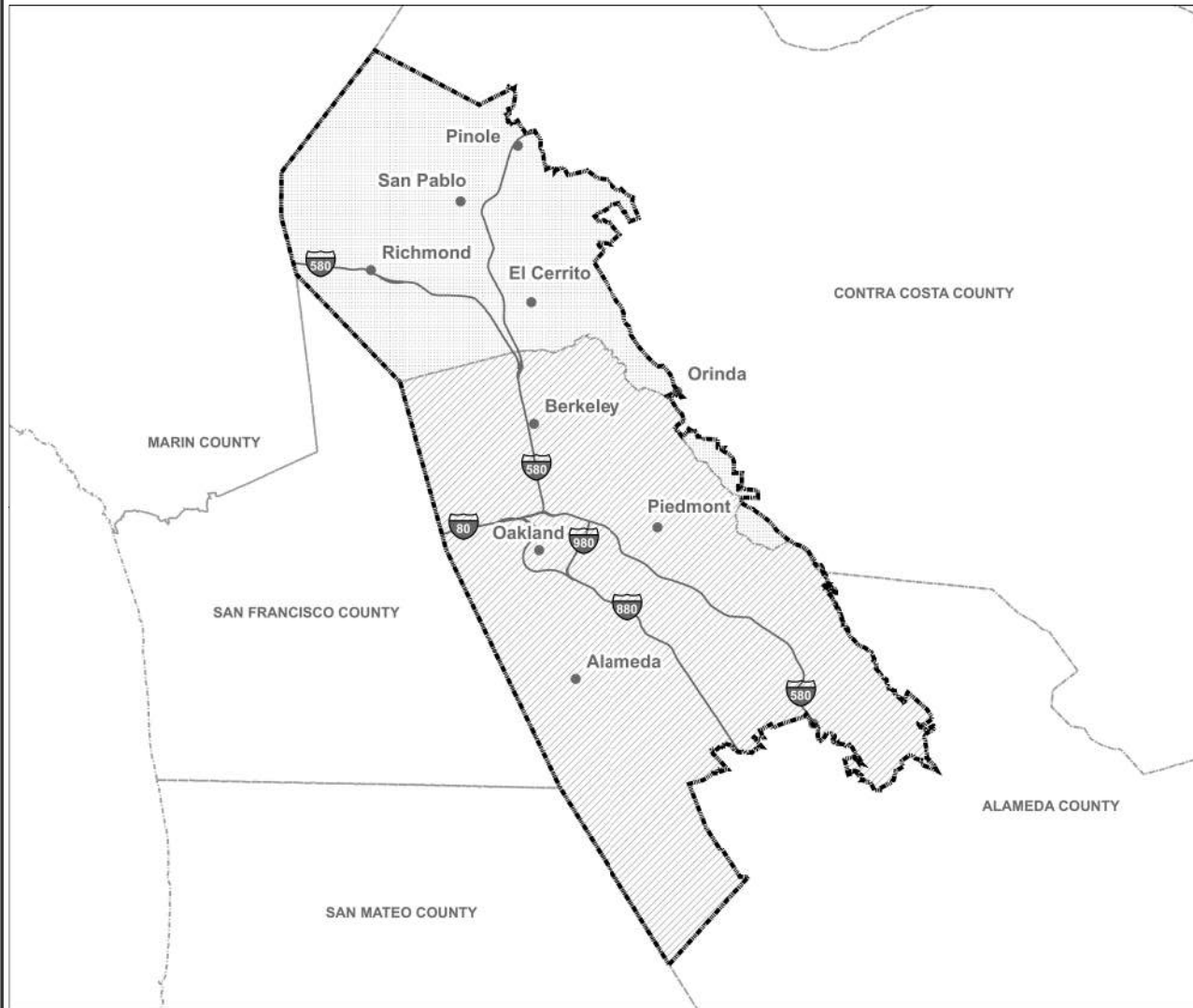
## APPENDIX A. DISTRICT BOUNDARY

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The following page shows the District Boundary Map.

# PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. A/C-3

EAST BAY REGIONAL PARK DISTRICT  
COUNTIES OF ALAMEDA AND CONTRA COSTA  
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CLERK OF THE BOARD OF DIRECTORS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

CLERK OF THE BOARD OF DIRECTORS  
EAST BAY REGIONAL PARK DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. A/C-3, EAST BAY REGIONAL PARK DISTRICT, COUNTIES OF ALAMEDA AND CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE BOARD OF DIRECTORS OF THE EAST BAY REGIONAL PARK DISTRICT AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_, BY ITS RESOLUTION NO. \_\_\_\_\_.

CLERK OF THE BOARD OF DIRECTORS  
EAST BAY REGIONAL PARK DISTRICT

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_M, IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF ALAMEDA, CALIFORNIA

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_M, IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF CONTRA COSTA, CALIFORNIA

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSORS, COUNTIES OF ALAMEDA AND CONTRA COSTA, STATE OF CALIFORNIA.

0 2.5 5 10 Miles



District Boundary

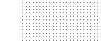


Cities



Alameda County Portion of District

Highways



Contra Costa County Portion of District



County Lines

Source: GIS Divisions of Counties of Alameda and Contra Costa  
Geographic Coordinate Reference: GCS North American 1983  
Projection: NAD 1983 StatePlane California VI FIPS 0403 Feet





## APPENDIX B. RATE AND METHOD OF APPORTIONMENT

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The following pages show the Rate and Method of Apportionment of the special tax.

**EAST BAY REGIONAL PARK DISTRICT  
COMMUNITY FACILITIES DISTRICT NO. A/C-3**

**RATE AND METHOD OF APPORTIONMENT**

A Special Tax as hereinafter defined shall be levied and collected in the East Bay Regional Park District Community Facilities District No. A/C-3 ("CFD No. A/C-3") each Fiscal Year, commencing in Fiscal Year 2020-2021, in an amount determined by the application of the procedures described below. All of the real property in CFD No. A/C-3, unless exempted by law or by the provisions hereof, shall be taxed for purposes of CFD No. A/C-3, to the extent and in the manner herein provided.

**A. DEFINITIONS**

The terms hereinafter set forth have the following meaning:

**"Act"** means the Mello-Roos Community Facilities Act of 1982, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California, as amended to date and as may be amended from time to time.

**"Administrative Expenses"** means the actual or reasonably estimated costs directly related to the administration of CFD No. A/C-3 including, but not limited to, the following: the costs of computing the Special Tax and preparing the annual Special Tax collection schedules (whether by the District, the CFD Administrator, or both); the costs of collecting the Special Taxes (whether by the County, the District, or otherwise); the costs to the District, CFD No. A/C-3, or any designee thereof of complying with disclosure requirements; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; and the costs of the District, CFD No. A/C-3, or any designee thereof related to any appeal of the levy or application of the Special Tax. Administrative Expenses shall also include amounts estimated or advanced by the District or CFD No. A/C-3 for any other administrative purposes, including, but not limited to, attorney's fees; costs associated with annexations to CFD No. A/C-3; and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

**"Assessor's Data"** means Use Code, Homeowner Exemption, Secured Roll or other Assessor's Parcel information contained in the records of the County Assessor.

**"Assessor's Parcel"** means a lot or parcel shown on an Assessor's Parcel Map with an assigned assessor's parcel number.

**"Assessor's Parcel Map"** means an official map of the County Assessor of the County designating Assessor's Parcels by an Assessor's Parcel number.

**"Authorized Services"** means the public services authorized to be funded by CFD No. A/C-3 as set forth in the resolutions of formation adopted by the Board establishing CFD No. A/C-3.

**"Board"** means the Board of Directors of the East Bay Regional Park District, acting as the legislative body of CFD No. A/C-3.

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

**“CFD No. A/C-3”** means the East Bay Regional Park District Community Facilities District No. A/C-3.

**“County”** means either the County of Alameda, the County of Contra Costa, or both.

**“District”** means the East Bay Regional Park District.

**“Dwelling Unit”** means an individual residential living space. The number of Dwelling Units assigned to each Assessor’s Parcel may be determined by (i) referencing Use Code data, (ii) site surveys and physical unit counts, (iii) reviewing County building permit data, and/or (iv) determining the number of Homeowner Exemptions reflected for an Assessor’s Parcel in the Assessor’s Data on the County Secured Roll.

**“Exempt Property”** means all Assessors’ Parcels that are exempt from the Special Tax pursuant to Section E.

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

**“Floating Home Property”** means all Assessor’s Parcels within CFD No. A/C-3 with an Alameda County Use Code of 0750.

**“Homeowner Exemption”** means a property tax exemption that is (i) permitted by the State to be taken against an individual’s primary residence and (ii) reflected in the Assessor’s Data on the County Secured Roll.

**“Maximum Annual Special Tax”** means the maximum annual Special Tax, determined in accordance with Section C, which may be levied in any Fiscal Year on any Assessor’s Parcel of Taxable Property.

**“Mobile Home Property”** means all Assessor’s Parcels within CFD No. A/C-3 (i) with an Alameda County Use Code of 0600 or 0700; or (ii) with a Contra Costa County Use Code of 88.

**“Multi-Family Residential Property”** means all Assessor’s Parcels of Taxable Property within CFD No. A/C-3 (i) with an Alameda County Use Code of 1200, 2100, 2200, 2300, 2400, 2440, 2500, 2600, 2700, 2800, 2900, 7100, 7200, 7430, 7500, 7600, 7700, 7701, 7800, or 7900, as those Use Codes may be amended in the future; or (ii) with a Contra Costa County Use Code of 13, 21, 22, 23, 24, 25, 26, 27, or 28, as those Use Codes may be amended in the future.

**“Non-Residential Property”** means all Assessor’s Parcels within CFD No. A/C-3 not classified as Floating Home Property, Mobile Home Property, Multi-Family Residential Property, Public Property, or Single-Family Residential Property.

**“Property Use”** means, in any Fiscal Year, the category of use assigned using the County Assessor’s Data Use Code, as indicated on the Secured Roll.

**“Proportionately”** means, in any Fiscal Year, that the ratio of the Special Tax levy on Taxable Property to the Maximum Annual Special Tax on Taxable Property is equal for all Assessors’ Parcels of Taxable Property authorized to be levied in that Fiscal Year.

**“Public Property”** means any property within the boundaries of CFD No. A/C-3 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; provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use. For purposes of this definition, a “public agency” includes the federal government, the State, the County, the District, or any other public agency.

**“Rate and Method”** means this Rate and Method of Apportionment for CFD No. A/C-3.

**“Secured Roll”** means that Assessor’s Data indicating the current Fiscal Year property value for County tax assessment purposes.

**“Single-Family Residential Property”** means all Assessor’s Parcels of Taxable Property within CFD No. A/C-3 (i) with an Alameda County Use Code of 1100, 1101, 1120, 1130, 1140, 1150, 1160, 1300, 1400, 1440, 1500, 1505, 1520, 1525, 1540, 1545, 1600, 1620, 1640, 1700, 1800, 1820, 1840, 1900, 1901, 5100, 7300, 7301, 7302, 7320, 7321, 7340, 7341, 7342, or 7400, as those Use Codes may be amended in the future; (ii) with a Contra Costa County Use Code of 11, 12, 14, 16, 19, 29 or 61, as those Use Codes may be amended in the future; or (iii) that meet neither of the two criteria listed above, but have a Homeowner Exemption reflected on the County Secured Roll.

**“Special Tax”** means the annual special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Special Tax Requirement.

**“Special Tax Requirement”** means that amount of Special Tax revenue required in any Fiscal Year, as determined by the CFD Administrator, for the following purposes: (i) to pay the costs of Authorized Services; (ii) to pay Administrative Expenses; (iii) to pay any amounts required to establish or replenish any repair and contingency funds, capital improvement replacement funds, or reserve funds for CFD No. A/C-3; (iv) to pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year. The Special Tax Requirement shall be net of a credit for any funds available to reduce the annual Special Tax levy, as determined by the CFD Administrator.

**“State”** means the State of California.

**“Taxable Property”** means all Assessor’s Parcels within the boundaries of CFD No. A/C-3 that are not classified as Exempt Property under the Act or Section E below which, in any Fiscal Year, have been assigned an Improvement Value greater than zero dollars (\$0.00) on the County Secured Roll for that Fiscal Year.

**“Use Code”** means (i) the four-digit use code assigned by the Alameda County Assessor’s Office to each Assessor’s Parcel within Alameda County; or (ii) the two-digit use code assigned by the Contra Costa County Assessor’s Office to each Assessor’s Parcel within Contra Costa County.

**B. DETERMINATION OF TAXABLE PARCELS**

On or about July 1 of each Fiscal Year, the CFD Administrator shall determine the valid Assessor's Parcels for all Assessor's Parcels within CFD No. A/C-3. If any Assessor's Parcels are no longer valid from the previous Fiscal Year, the CFD Administrator shall determine the new Assessor's Parcels that are in effect for the current Fiscal Year. To the extent Assessor's Parcels are subdivided, consolidated or otherwise reconfigured, the Maximum Special Tax rates shall be assigned to the new Assessor's Parcels pursuant to Section C. The CFD Administrator shall also determine whether Assessor's Parcels within CFD No. A/C-3 are Taxable Property or Exempt Property and, for all Taxable Property, the Property Use and Dwelling Units.

**C. MAXIMUM ANNUAL SPECIAL TAX**

The Maximum Annual Special Tax for each Assessor's Parcel of Taxable Property shall be assigned according to the table below:

Property Use	Maximum Annual Special Tax Rates
Single-Family Residential Property	\$12.00 per Dwelling Unit
Multi-Family Residential Property	\$8.28 per Dwelling Unit

**D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

The Special Tax shall be levied each Fiscal Year by the CFD Administrator. The Special Tax Requirement shall be apportioned to each Assessor's Parcel of Taxable Property within CFD No. A/C-3 by the method shown below.

First. Determine the Special Tax Requirement.

Second. Levy the Special Tax on each Assessor's Parcel of Taxable Property, Proportionately, up to the Maximum Special Tax Rates described in Section C to satisfy the Special Tax Requirement.

Notwithstanding the above, under no circumstances will the Special Tax levied in any Fiscal Year against any Assessor's Parcel of Taxable Property be increased by more than ten percent above the amount that would have been levied in that Fiscal Year had there never been any delinquency or default by the owner(s) of any other Assessor's Parcel within CFD No. A/C-3.

**E. EXEMPTIONS**

The CFD Administrator shall classify Assessor's Parcels with the following Property Use as Exempt Property: Floating Home Property, Mobile Home Property, Non-Residential Property, Public Property, Assessor's Parcels exempt from *ad valorem* taxation, and Assessor's Parcels with public or utility easements making impractical their utilization for any use other than the purposes set forth in the easement shall also be classified as Exempt Property.

If, in any Fiscal Year, the Property Use of an Assessor's Parcel of Exempt Property changes so that such Assessor's Parcel is no longer classified as Exempt Property, such Assessor's Parcel shall cease to be classified as Exempt Property and shall be classified as Taxable Property.

**F. APPEALS AND INTERPRETATION**

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 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 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 Board requires the Special Taxes to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Taxes, but 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.

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

**G. MANNER OF COLLECTION**

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes, provided that the District 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 CFD No. A/C-3.

**H. NO PREPAYMENT OF SPECIAL TAX**

The Special Tax may not be prepaid.

**I. TERM OF SPECIAL TAX**

The Special Tax shall be levied for a 20-year period, commencing in Fiscal Year 2020-2021 through Fiscal Year 2039-40, as necessary to satisfy the Special Tax Requirement.