

RESOLUTION NO. 2016-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DISPENSING WITH THE COMPETITIVE BIDDING PROCESS PURSUANT TO ELK GROVE MUNICIPAL CODE SECTION 3.42.140(B)(3) AND ADOPTING A LETTER OF ENGAGEMENT WITH PIPER JAFFRAY FOR UNDERWRITING SERVICES IN CONNECTION WITH A NEW DEBT ISSUANCE AND REFUNDING RELATED TO LAGUNA RIDGE CFD 2005-1

WHEREAS, the City Council, on March 8, 2006, approved Resolution No. 2006-62 establishing the Laguna Ridge CFD 2005-1 and calling a special election for March 8, 2006, at which the questions of levying a special tax and establishing an appropriations limit with respect to the CFD were submitted to the qualified electors within the CFD; and

WHEREAS, on March 8, 2006, the City Council adopted Resolution No. 2006-63 determining the results of the special election and finding that more than two-thirds (2/3) of all votes cast at the special election were cast in favor of the proposition presented, and such proposition passed; and

WHEREAS, Fieldman Rolapp, the City's Financial Advisors, have advised that it is critical to have the finance team, including underwriting services, in place to prepare for a Summer 2016 refinancing; and

WHEREAS, Piper Jaffray has provided the City with underwriting services for several of its previous debt issuances, including its Laguna Ridge CFD 2005-1, Series 2007 bonds; the Elk Grove Finance Authority (EGFA) Series 2007 and Series 2010 Lease Revenue Bonds; the EGFA Series 2006 Special Tax Revenue Bonds; and the EGFA Series 2015 refunding bonds; and

WHEREAS, it is staff's recommendation that adopting a Letter of Engagement for Underwriting Services with Piper Jaffray is in the best interest of the City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Elk Grove determines that compliance with the bidding and solicitation procedures for Bond Counsel services is not in the best interest of the City, and hereby dispenses with the formal bidding and solicitation procedures pursuant to Elk Grove Municipal Code Section 3.42.140(B)(3), and

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to enter into a Letter of Engagement for Underwriting Services with Piper Jaffray in an amount not to exceed 0.75% of the bond par amount of the bonds (\$7.50 per \$1,000 bond), which was negotiated by the City's Finance Advisor, Fieldman Rolapp, on behalf of the City and is to include the takedown as well as all expenses of the underwriter, including the fees of the underwriter's counsel. That is the maximum not to exceed amount, meaning it is possible the City may incur costs that are less than that percentage amount.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of March 2016.



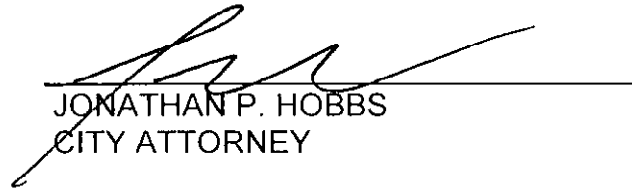
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2016-035

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

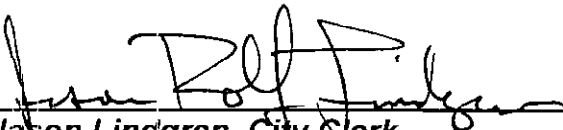
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 9, 2016 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Ly, Detrick, Hume, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California