

**RESOLUTION NO. 2007-136**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE EXECUTION OF  
JOINT COMMUNITY FACILITIES AGREEMENTS WITH THE  
COUNTY OF SACRAMENTO FOR THE LAGUNA CREEK RANCH/ELLIOT RANCH  
COMMUNITY FACILITIES DISTRICT NO. 1, IMPROVEMENT AREA NO. 1 (CITY  
REFERS TO THIS AS THE LAGUNA WEST CFD) AND IMPROVEMENT AREA NO. 2  
(CITY REFERS TO THIS AS THE LAKESIDE CFD)**

**WHEREAS**, prior to the incorporation of the City, the County of Sacramento (the "County") established the Laguna Creek Ranch/Elliott Ranch Community Facilities District No. 1, Improvement Areas Nos. 1 and 2 (the "Districts") within territory that is now within the boundaries of the City and issued bonds to finance the costs of certain public improvements that would serve the Districts; and

**WHEREAS**, the City intends to design, construct, and install certain of the roadway and park and ride transit facilities that are authorized to be financed by taxes collected in the Districts or by bond proceeds; and

**WHEREAS**, Government Code Section 53316.2(a) provides that a public entity may use a community facilities district ("CFD") to finance facilities owned by an entity other than the agency that forms the CFD, but only pursuant to a joint community facilities agreement or joint exercise of powers agreement; and

**WHEREAS**, Government Code Section 53316.2(d) authorizes the legislative bodies of two or more local agencies to enter into a joint community facilities agreement after formation of the CFD if the legislative body of each entity determines that such a joint agreement is necessary to allow an orderly transition of governmental facilities and finances in the case of a change in governmental organization; and

**WHEREAS**, the City Council duly considered the contents of the draft joint community facilities agreements between the City and the County (the "Agreements"), one for each of the Improvement Districts within the Laguna Creek Ranch/Elliott Ranch Community Facilities District No. 1, a copy of each is on file with the City Clerk, and hereby determines that the execution of the Agreements is necessary to allow an orderly transition of governmental facilities and finances relating to the Districts following the incorporation of the City.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Elk Grove that:


1. **Recitals**. Each of the above recitals is incorporated herein and is true and correct.
2. **Authorization of Officers to Execute and Deliver Agreements**. The City Council hereby authorizes and directs the Mayor, the City Manager, the Director of

Administrative Services, and the City Clerk, and each of them individually (the "Designated Officers"), for and in the name of and on behalf of the City, to execute and deliver the Agreements in substantially the forms of the drafts presented to this meeting, which Agreements are hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the Designated Officer or Officers executing the Agreements for the City. The execution of the Agreements by a Designated Officer or Officers of the City shall constitute conclusive evidence of such officer's or officers' and the City Council's approval of the Agreements and any such changes, insertions, revisions, corrections, or amendments.

3. **General Authorization.** The Designated Officers and other officers of the City, and each of them individually, are hereby authorized and directed, for and in the name of and on behalf of the City, to do any and all things and take any and all actions that may be necessary or advisable, in their discretion, in order to effect the purposes of this resolution. All actions heretofore taken by officers, employees, and agents of this City that are in conformity with the purposes and intent of this resolution are hereby approved, confirmed, and ratified.

4. **Effective Date.** This resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 27<sup>th</sup> day of June 2007.

  
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JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
INTERIM CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-136**

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

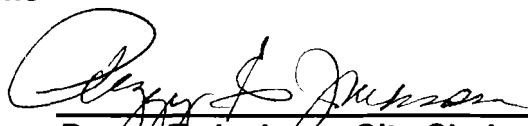
***I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 27, 2007 by the following vote:***

**AYES :        COUNCILMEMBERS:        Cooper, Scherman, Davis, Leary, Hume**

**NOES:        COUNCILMEMBERS:        None**

**ABSTAIN :   COUNCILMEMBERS:        None**

**ABSENT:     COUNCILMEMBERS:        None**

  
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**Peggy E. Jackson, City Clerk  
City of Elk Grove, California**

