

RESOLUTION NO. 2013-244

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
GRANTING CONSENT FOR INCLUSION OF LAND WITHIN THE TERRITORIAL
JURISDICTION OF THE CITY IN THE COUNTY OF SACRAMENTO COMMUNITY
FACILITIES DISTRICT 2012-1 (CLEAN ENERGY)**

WHEREAS, the Board of Supervisors (the "Board") of the County of Sacramento (the "County") has formed its Community Facilities District No. 2012-1 (Clean Energy) (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982 (California Government Code §§ 53311 and following, the "Act") with particular reference to Section 53328.1 thereof and its provision that the only means by which a parcel may be included in the District is through the unanimous written consent of all of the owners of that parcel; and

WHEREAS, Section 53315.8 of the Act provides that the County may not form a district within the territorial jurisdiction of a city without the consent of the legislative body of the city; and

WHEREAS, the County has designated the entire jurisdictional territory of the County as territory proposed for annexation to the District in the future, subject to the requirement that before any parcel within incorporated territory may annex to the District, the city council of the incorporated city must consent to annexations from within its territory; and

WHEREAS, the County secured a court validation judgment finding that formation of the District, and related proceedings and documents, complied with all applicable laws; and

WHEREAS, the City Council (the "Council") of the City of Elk Grove (the "City") wishes to grant its consent to the annexation, to the District, of any parcel within the territorial jurisdiction of the City; and

WHEREAS, the Council is fully advised in this matter.

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

Section 1. The above recitals are true and correct, and the Council so finds and determines.

Section 2. The Council, as the legislative body of the City, hereby grants its consent to the Board of Supervisors of the County to annex property within the territorial jurisdiction of the City to the District.


Section 3. The inclusion of any parcel of land within the City in the District shall be in accordance with the Unanimous Approval Agreement that must be executed by all of the owners of that parcel, and that parcel shall be treated by the County in respect of the District on the same basis and under all the same terms and conditions

as if the parcel were not within the territorial jurisdiction of the City but, instead, were located in unincorporated territory of the County.

Section 4. This consent is intended to fulfill the requirements of Section 53315.8 of the Act.

Section 5. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of December 2013.



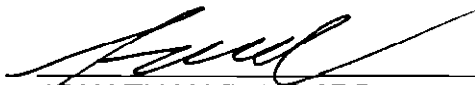
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-244**

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

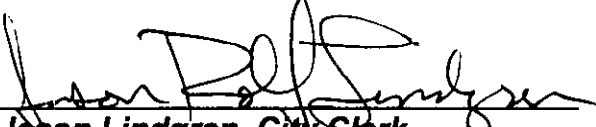
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 11, 2013 by the following vote:

AYES : COUNCILMEMBERS: *Davis, Detrick, Hume, Trigg*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Cooper*


**Jason Lindgren, City Clerk
City of Elk Grove, California**