

RESOLUTION NO. 2004-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A TAX-EXEMPT BOND FINANCING TO BE ISSUED BY THE
CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO
BENEFIT SUTTER HEALTH AND CERTAIN AFFILIATES**

WHEREAS, Sutter Health, Sutter Medical Foundation and certain other affiliates of Sutter Health, each a nonprofit public benefit corporation (collectively, Sutter Health), have requested that the California Statewide Communities Development Authority (CSCDA) issue bonds in one or more series in an aggregate principal amount not to exceed \$375,000,000 (Bonds) for the purpose of, among other things, financing or refinancing the acquisition, improvement and equipping (Financing) of certain health facilities owned or operated by Sutter Health, including Sutter Medical Foundation (Facilities) located in the City of Elk Grove (City); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (Code), the issuance of the Bonds by the CSCDA must be approved by the City of Elk Grove because the Facilities are located within the territorial limits of the City; and

WHEREAS, the City Council of the City (Council) is the elected legislative body of the City and is one of the applicable elected representatives required to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, the CSCDA has requested that the Council approve the issuance of the Bonds by the CSCDA in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 9 of the Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (Agreement), among certain local agencies, including the City; and

WHEREAS, pursuant to Section 147(f) of the Code, the Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the CSCDA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELK GROVE:

1. The Council hereby approves the issuance of the Bonds by the CSCDA. It is the purpose and intent of the Council that this Resolution constitute approval of the issuance of the Bonds by the CSCDA, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Facilities are to be located, in accordance with said Section 147(f) and (b) Section 9 of the Agreement.
2. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all

documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.


3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 21st day of January 2004.

for 

SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-12

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 the 21st day of January 2004 by the following vote:

AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:



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