

RESOLUTION NO. 2006-1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE
THE JOINT COMMUNITY FACILITIES AGREEMENTS FOR
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (LAGUNA RIDGE)**

WHEREAS, development within the Laguna Ridge Specific Plan area (the “Plan Area”) requires the construction of public facilities and improvements, including facilities to provide domestic water supply, and sanitary sewer service;

WHEREAS, the Sacramento County Water Agency (the “Water Agency”) owns and operates an integrated system of water facilities and County Sanitation District No. 1 (“County Sanitation”) owns and operates an integrated system of sewer facilities for the provision of service within their respective boundaries;

WHEREAS, the landowners and developers (the “Property Owners”) of the Plan Area have indicated their desire to undertake the design and construction of certain water, and sewer facilities to serve the Plan Area (the “Facilities”) to accommodate development within the Plan Area;

WHEREAS, the City has, in conjunction with Property Owners within the Plan Area, determined to finance the Facilities through the formation by the City of one or more community facilities districts pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (Government Code Sections 53311, et seq. (the “Act”) and the issuance of one or more series of bonds (the “Bonds”) secured by special taxes to be levied on non-exempt property located within the boundaries of the community facilities districts;

WHEREAS, Section 53316.2 of the Act provides that a public entity may use a community facilities district to finance facilities owned by an entity other than the agency that forms the community facilities district, but only pursuant to a joint community facilities agreement or joint exercise of powers agreement;

WHEREAS, Section 53316.2 of the Act authorizes the legislative bodies of two or more local agencies to enter into a joint community facilities agreement prior to the formation of the community facilities district if the legislative body of each entity adopts a resolution declaring that such a joint agreement would be beneficial to residents of that entity;

WHEREAS, the City Council duly considered the contents of the draft joint community facilities agreements between the City and the Water Agency, and County Sanitation, respectively (the “Agreements”), copies of which are on file with the City Clerk, and hereby determines that the execution of the Agreements would be beneficial to the residents 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 Finance Director, and the Public Works Director, 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 either Agreement 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 such Agreement 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 Elk Grove City Council on January 11, 2006.

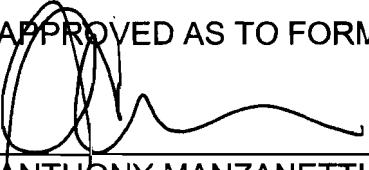


RICK SOARES MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY MANZANETTI
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-1

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 11th day of January, 2006 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:



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