

RESOLUTION NO. 2003-120

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR ADMINISTRATION OF  
THE ELK GROVE/WEST VINEYARD PUBLIC FACILITIES FINANCING PLAN  
BETWEEN THE COUNTY OF SACRAMENTO AND THE CITY OF ELK GROVE**

**WHEREAS**, the incorporation of the City became effective July 1, 2000; and

**WHEREAS**, the Elk Grove/West Vineyard Public Facilities Financing Plan ("EGWV Plan") was established by the County prior to the City's incorporation; and

**WHEREAS**, as a result of the City's incorporation, the area encompassed by the EGWV Plan is now split between the City and the unincorporated area of the County; and

**WHEREAS**, the terms and conditions of incorporation of the City of Elk Grove imposed by the Sacramento Local Agency Formation Commission (LAFCo) require the City and County to enter into discussions to determine the future administration of the EGWV Plan; and

**WHEREAS**, the City and the County have engaged in extensive discussions in an effort to negotiate a fair and equitable distribution of the existing EGWV road fund balance and create an arrangement under which the City will assume responsibility for administering that portion of the EGWV Plan that is located within the City's corporate limits and the County will continue to administer that portion of the EGWV that remains within the boundaries of the unincorporated area of the County; and

**WHEREAS**, the "Agreement for Administration of the Elk Grove/West Vineyard Public Facilities Financing Plan Between the County of Sacramento and the City of Elk Grove" (the "Agreement"), a draft of which has been submitted to the City Council, is intended to memorialize the terms and conditions under which the City will assume responsibility for the future administration of that portion of the EGWV Plan that lies within its boundaries.

**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 Agreement.** The City Council hereby authorizes and directs the Mayor, the City Manager, 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 Agreement in substantially the form of the draft presented to this meeting, which Agreement is hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the

Designated Officer or Officers executing the Agreement for the City. The execution of the 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 the 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.

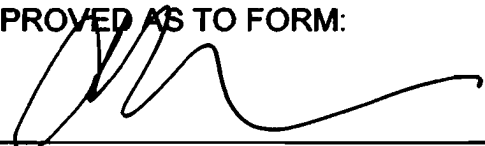
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 18<sup>th</sup> day of June 2003.

  
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RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

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

APPROVED AS TO FORM:

  
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ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**AYES:** Soares, Scherman, Cooper, Leary  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Briggs  
730443.2