

RESOLUTION NO. 2003-180

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING ITS INTENTION TO
ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2003-2 (POLICE SERVICES)
AND TO LEVY A SPECIAL TAX THEREIN**

WHEREAS, the City Council intends to institute proceedings to establish a community facilities district pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5, Part I, Division 2, Title 5 of the Government Code of the State of California, and to levy a special tax within the district pursuant to the terms of the Act to fund the cost of providing police services to the district;

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

1. **Intent to Establish Community Facilities District.** The City Council hereby declares that it proposes and intends to establish a community facilities district pursuant to the provisions of the Act, in the manner described below.
2. **Description of Boundaries.** The proposed boundaries of the community facilities district are shown on a map on file in the office of the City Clerk. The City Council hereby directs the City Clerk endorse the certificates set forth on the map indicating its filing in the office of the City Clerk and evidencing the date and adoption of this resolution. The City Council further directs the City Clerk to record a copy of the map with the Sacramento County Recorder within 15 days after the adoption of this resolution, in accordance with the provisions of Section 3111 of the California Streets and Highways Code.
3. **Name of the Community Facilities District.** The community facilities district proposed to be formed shall be known as "Community Facilities District No. 2003-2 (Police Services)" (the "District").
4. **Description of Services.** The services proposed to be financed by the District (the "Services") are described in Exhibit A hereto. The cost of providing the Services includes "incidental expenses," which include costs associated with the creation of the District, determination of the amount of special taxes, collection or payment of special taxes, or costs otherwise incurred in order to carry out the authorized purposes of the District. The Services authorized to be financed by the District are in addition to those currently provided in the territory of the District and do not supplant services already available within that territory.
5. **Levy of Special Tax.** Except where funds are otherwise available, a special tax sufficient to pay the costs of the Services (including incidental expenses), secured by recordation of a continuing lien against all nonexempt real property in the District, will be levied annually within the District. The rate, method of apportionment, and manner of collection of the special tax are specified in Exhibit B.

6. **Public Hearing.** The City Council hereby fixes 6:30 p.m., or as soon thereafter as practicable, on Wednesday, November 5, 2003, at the regular meeting place of the City Council, City Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, as the time and place for a public hearing on the establishment of the District.

7. **Notice of Hearing.** The City Council directs the City Clerk to publish a notice of the hearing, in substantially the form attached hereto as Exhibit C, once not later than seven days prior to the date fixed for the hearing, in *The Elk Grove Citizen*, a newspaper of general circulation published in the area of the District, and to mail the notice to each registered voter and each landowner within the District by first-class mail at least 15 days before the date fixed for the hearing.


8. **Hearing Report.** The City Council directs the Director of Administrative Services to study the proposed District and, at or before the time of the hearing, to cause to be prepared and filed with the City Council a report containing a brief description of the services that will in his opinion be required to adequately meet the needs of the District, his estimate of the cost of providing those services; and the fair and reasonable cost of incidental expenses to be incurred in connection therewith.

9. **Description of Proposed Voting Procedures.** If, at the conclusion of the public hearing, the City Council adopts a resolution establishing the District, the City Council proposes to order an election by mailed ballot and submit the question of the levy of the special tax to the qualified electors. The City Council hereby determines that the Services are necessary to meet increased demands placed upon the City as a result of development occurring within the boundaries of the District. Because fewer than twelve registered voters currently reside within the District, the qualified electors shall be the landowners within the District, and each landowner who is the owner of record at the close of the hearing shall have one vote for each acre or portion of an acre of land that such landowner owns within the proposed District.


PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 1st day of October 2003.



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. 2003-180

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

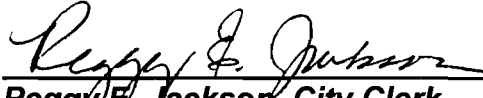
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 1st day of October 2003 by the following vote:

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