

RESOLUTION NO. 2003-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE EXECUTION OF A FEE CREDIT AGREEMENT FOR THE EAST FRANKLIN SPECIFIC PLAN AREA

WHEREAS, the City will allow credits against and reimbursements of its roadway, landscaping and supplemental drainage fees included in the Laguna South Public Facilities Fee Program for the cost or value of major road and landscaping facilities constructed and land for drainage facilities acquired by developers; and

WHEREAS, the City Council has duly considered the contents of the draft fee credit agreement between the City and the East Franklin Implementation Group, LLC, and certain builders named therein (the "Agreement"), a copy of which is on file with the City Clerk, which would establish the conditions under which the City would grant credits against infrastructure fees in exchange for improvements constructed by the builders or land acquired by them;

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

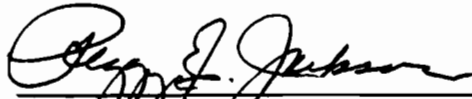
1. **Recitals**. Each of the above recitals is incorporated herein and is true and correct.
2. **Authorization of Officers to Execute and Deliver Agreement**. The City Council hereby authorizes and directs the Mayor, the City Manager, the City Engineer, and the City Clerk, and each of them individually (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 19th day of February 2003.




RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

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