

## RESOLUTION NO. 2015-0127

Adopted by the Sacramento City Council

May 19, 2015

### DECLARING RESULTS OF SPECIAL MAILED-BALLOT ELECTION WITHIN THE CREAMERY COMMUNITY FACILITIES DISTRICT NO. 2015-02 (IMPROVEMENTS), CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

#### BACKGROUND

- A. On Thursday, April 23, 2015, the City Council duly adopted Resolution No. 2015-0099 (the “**Resolution of Formation**”) and Resolution No. 2015-0100 (the “**Resolution Deeming it Necessary to Incur Bonded Indebtedness**”) and, collectively, the “**Formation Resolutions**”), thereby forming a community facilities district under the Mello-Roos Community Facilities Act of 1982, set forth at Government Code sections 53311 through 53368.3 (the “**Act**”), known and designated as the “Creamery Community Facilities District No. 2015-02 (Improvements), City of Sacramento, County of Sacramento, State of California (the “**CFD**”).
- B. To confer the authority contained in the Formation Resolutions on the City Council, a two-thirds approving vote by the qualified electors within the CFD is required.
- C. A special, mailed-ballot election has been conducted under the City Council’s Resolution No. 2015-0101, adopted April 23, 2015.
- D. A Certificate of Clerk re: Preparation and Distribution of Ballots, Receipt of Executed Ballots, and Declaring Election Results (the “**Certificate of Election Results**”), dated May 11, 2015, executed by the City Clerk, has been filed with the City Council.
- E. The City Council has received, reviewed and hereby accepts the Certificate of Election Results and wishes by this resolution to declare the results of the special mailed-ballot election.

#### BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council finds that the statements in the Background are true.

Section 2. The City Council hereby finds and determines and declares that the ballot measure submitted to the qualified electors of the CFD has been passed and

approved by those qualified electors in accordance with Government Code sections 53328 and 53355.

Section 3. The City Council hereby authorizes and directs the City Clerk to cause a Notice of Special Tax Lien to be prepared and to be recorded with the County Recorder of the County of Sacramento (the "**County Recorder**") in accordance with the provisions of California Streets and Highways Code Section 3114.5 and California Government Code Section 53328.3. The Notice of Special Tax Lien shall be recorded in the County Recorder's office within fifteen days of the date of adoption of this resolution.

Section 4. This resolution takes effect when adopted.

Adopted by the City of Sacramento City Council on May 19, 2015, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Harris, Jennings, Schenirer, Warren and Mayor Johnson

Noes: None

Abstain: Member Hansen

Absent: None

Attest:

**Shirley Concolino** Digitally signed by Shirley Concolino  
DN: cn=Shirley Concolino, o=City of Sacramento, ou=City  
Clerk, email=sconcolino@cityofsacramento.org, c=US  
Date: 2015.05.21 16:45:22 -07'00'

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Shirley Concolino, City Clerk