

RESOLUTION NO. 2006-772

Adopted by the Sacramento City Council

October 24, 2006

APPROVING JOINT COMMUNITY FACILITIES AGREEMENT WITH THE SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT IN CONNECTION WITH NATOMAS CENTRAL COMMUNITY FACILITIES DISTRICT NO. 2006-02, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

BACKGROUND

- A. The City Council (the "Council") of the City of Sacramento (the "City") is undertaking proceedings pursuant to the Mello-Roos Community Facilities Act of 1982 to consider formation of a community facilities district to be known and designated "Natomas Central Community Facilities District No. 2006-02, City of Sacramento, County of Sacramento, State of California" (the "Community Facilities District"), the authorization of a special tax to be levied within the Community Facilities District to finance specified fees and facilities, and the authorization and issuance of bonds of the Community Facilities District to be repaid by the special tax.
- B. The Council is considering including, among the fees and facilities to be authorized to be financed by the Community Facilities District, certain fees which are imposed to benefit, and which are paid to, the Sacramento Metropolitan Air Quality Management District (the "District").
- C. The Council is advised that in order for it to authorize the Community Facilities District to finance fees which will fund facilities to be owned, maintained and operated by the District, it must enter into a joint community facilities agreement (the "JCFA") with the District.
- D. The Council has determined that the JCFA and the resulting facilities will be beneficial to the residents of the Community Facilities District.
- E. A form of the JCFA is on file with the City Clerk.
- F. The Council is fully advised in this matter.

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

- Section 1.** The form of the JCFA with the Sacramento Metropolitan Air Quality Management District is hereby approved. The City Treasurer or his designee is hereby authorized and directed to execute and deliver the

JCFA in substantially the form presented to this meeting, with such changes as are approved by the City Treasurer in consultation with the City Attorney and Bond Counsel, such approval and consultation to be conclusively evidenced by such execution and delivery. The City Clerk of the City is authorized to attest its execution.

Section 2. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

Section 3. This Resolution shall take effect immediately upon its adoption.

Adopted by the City of Sacramento City Council on October 24, 2006 by the following vote:

Ayes: Councilmembers, Cohn, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Vice Mayor Fong.


Noes: None.

Abstain: None.

Absent: Mayor Fargo.

Attest:


Shirley Concolino, City Clerk


Robert King Fong, Vice Mayor