

RESOLUTION NO. 2006-266

Adopted by the Sacramento City Council

April 18, 2006

APPROVING AND CONFIRMING THE REPORT ON THE LEVY OF REASSESSMENTS AND THE REFUNDING OF LIMITED OBLIGATION IMPROVEMENT BONDS IN CONNECTION WITH REASSESSMENT DISTRICT II NO. 2006-01 (WILLOWCREEK II A.D. NO. 96-01 AND NORTH NATOMAS A.D. NO. 88-03)

BACKGROUND

- A.** The City Council (the "Council") of the City of Sacramento (the "City"), by proceedings duly had and taken, previously formed the following assessment districts (the "Prior Districts"):
- 1) North Natomas Assessment District No. 88-03; and
 - 2) Willowcreek II Assessment District No. 96-01.
- B.** The Council also, in connection with the Prior Districts, provided for the issuance of the following bonds (the "Prior Bonds"):
- 1) City of Sacramento Limited Obligation Improvement Bonds, North Natomas Assessment District No. 88-03 in the original principal amount of \$38,446,534.32, dated April 26, 1989; and
 - 2) City of Sacramento Limited Obligation Improvement Bonds, Willowcreek II Assessment District No. 96-01 in the original principal amount of \$14,248,542.57, dated July 24, 1997;

The unmatured portions of the Prior Bonds are now outstanding.

- C.** The Council has determined to issue refunding bonds (the "Refunding Bonds") for the purpose of refunding the unmatured portions of the Prior Bonds under and pursuant to the conditions and terms of the Refunding Act of 1984 for 1915 Improvement Act Bonds, (being Division 11.5 of the California Streets and Highways Code) (the "Refunding Act") and to provide for the levy and collection of reassessments as security for the Refunding Bonds.
- D.** The Council referred the matter of the refunding of the Prior Bonds and the levy and collection of reassessments as security for the Refunding Bonds to Harris & Associates, civil engineers (the "Reassessment Engineer"), as the qualified engineer in these proceedings, and directed said Reassessment Engineer to prepare and file with the City Clerk a report in writing containing the matters specified in Section 9523 of the Refunding Act.

- E. The Reassessment Engineer has prepared and filed with the City Clerk a report in writing (the "Report") containing the matters required by Section 9523 of the Refunding Act, which Report was presented by the City Clerk to the Council for consideration.
- F. The Report demonstrates satisfaction of the conditions prescribed by Section 9525 of the Refunding Act to authorize the Council to act upon the Report without notice and hearing as otherwise required by the Refunding Act.
- G. The Report has been considered by the Council, which is fully advised in this matter.

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

Section 1. The above recitals are true, and the Council so finds and determines.

Section 2. The Council hereby finds and determines that, as set forth in the Report, (a) within each of the Prior Districts, each estimated annual installment of principal and interest on the reassessment (other than amounts added to such annual installments due to delinquencies in the payment of the assessments for the Prior Bonds), as shown in the Report, is less than the corresponding annual installment of principal and interest on the portion of the original assessment being superseded and supplanted by the same percentage (which percentage is different as between each of the Prior Districts) for all subdivisions of land within the reassessment district; (b) the number of years to maturity of the Refunding Bonds allocable to each subdivision of land within the assessment districts for which the Prior Bonds were issued is not more than the number of years to the last maturity of the Prior Bonds allocable to such subdivision of land; and (c) within each of the Prior Districts, the principal amount of the reassessment (other than amounts added to such principal amount due to delinquencies in the payment of the assessments for the Prior Bonds) on each subdivision of land within the reassessment district is less than the unpaid principal amount of the portion of the original assessments being superseded and supplanted by the same percentage (which percentage is different as between each of the Prior Districts) for each subdivision of land within the reassessment district. Reference is made to the more detailed explanation of the meeting of these requirements contained in the Report, which is hereby adopted. Accordingly, the Council finds and determines that all of the conditions in connection with the levy of reassessments and the issuance of the Refunding Bonds specified in Section 9525 of the Refunding Act are satisfied and that the Council may therefore take action upon the Report without notice and hearing.

Section 3. The Report is hereby approved and confirmed by the Council, and the reassessments contained therein are hereby confirmed and levied by the Council, and upon making the necessary recordings and filings as required by the Refunding Act, the reassessments shall become a lien upon the various parcels of land reassessed in the assessment districts for which the Prior Bonds were issued.

Section 4. The City Clerk is hereby directed to record the reassessments referred to in Section 3 hereof and the related reassessment diagram in the office of the Superintendent of Streets (being the Development Engineering Manager, Development Services Department) of the City. The City Clerk is also directed (1) to record the reassessment diagram and notices thereof as required by Division 4.5 of the California Streets and Highways Code, and (2) to file copies of this Resolution with the Auditor of the County of Sacramento to facilitate collection of installments on account of unpaid reassessments on the secured property tax roll of the County.

Section 5. This Resolution shall take effect immediately upon its adoption.

Adopted by the City of Sacramento City Council on April 18, 2006 by the following vote:

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

Noes: None.


Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk