

RESOLUTION NO. 2018-0468

Adopted by the Sacramento City Council

December 4, 2018

Declaring Results of Special Mailed-Ballot Election Within Improvement Areas within the City of Sacramento Greenbriar Community Facilities District No. 2018-03 (Improvements)

BACKGROUND

- A. On Tuesday, November 27, 2018, the City Council duly adopted Resolution No. 2018-0459 (the “**Resolution of Formation**”) and Resolution No. 2018-0460 (the “**Resolution Deeming it Necessary to Incur Bonded Indebtedness**”) and, collectively, the “**Formation Resolutions**”), thereby (1) establishing a community facilities district within the City’s jurisdictional boundaries 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 “City of Sacramento Greenbriar Community Facilities District No. 2018-03 (Improvements)” (the “**CFD**”); (2) designating within the CFD two improvement areas, known as “Improvement Area No. 1 of the City of Sacramento Greenbriar Community Facilities District No. 2018-03 (Improvements)” (“**IA-1**”) and “Improvement Area No. 2 of the City of Sacramento Greenbriar Community Facilities District No. 2018-03 (Improvements)” (“**IA-2**”); (3) authorizing the levy a special tax within IA-1 and IA-2 to finance the acquisition and construction of certain public facilities (the “**Facilities**”) and to finance certain governmental fees for public facilities (the “**Fees**”); and (4) declaring the necessity of incurring Debt (as defined in the Act) to finance the acquisition and construction of the Facilities and to finance the Fees for IA-1 in an amount not exceeding \$55 million and for IA-2 in an amount not exceeding \$50 million.
- B. To confer on the City Council the authority contained in the Formation Resolutions, a two-thirds approving vote by the qualified electors within each improvement area of the CFD is required.
- C. A special, mailed-ballot election has been conducted for each improvement area of the CFD pursuant to the City Council’s Resolution No. 2018-0461, adopted on November 27, 2018.
- 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 November 28, 2018, executed by the City Clerk, has been filed with the City Council.
- E. The City Council hereby accepts the Certificate of Election Results and wishes by this resolution to declare the results of the special mailed-ballot elections.

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 IA-1 has been passed and approved by the qualified electors in IA-1 in accordance with Government Code sections 53328 and 53355.
- Section 3. The City Council hereby finds and determines and declares that the ballot measure submitted to the qualified electors of IA-2 has been passed and approved by the qualified electors in IA-2 in accordance with Government Code sections 53328 and 53355.
- Section 4. The City Council hereby authorizes and directs the City Clerk to cause a Notice of Special Tax Lien for IA-1 and a Notice of Special Tax Lien for IA-2 to be prepared and recorded, in each case, with the Sacramento County Clerk/Recorder in accordance with the provisions of California Streets and Highways Code section 3114.5 and California Government Code section 53328.3. Each Notice of Special Tax Lien shall be recorded with the Sacramento County Clerk/Recorder within 15 days of the date of adoption of this resolution.
- Section 5. This resolution takes effect when adopted.

Adopted by the City of Sacramento City Council on December 4, 2018, by the following vote:

Ayes: Members Carr, Guerra, Hansen, Harris, Jennings, Schenirer, and Mayor Steinberg

Noes: None

Abstain: None

Absent: Members Ashby and Warren

Attest: Mindy Cuppy Digitally signed by Mindy Cuppy
Date: 2019.01.02 17:04:11 -08'00'
Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.