

RESOLUTION NO. 2005-135

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 0 8 2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO
RELATING TO THE NORTH NATOMAS COMMUNITY FACILITIES DISTRICTS NO. 4,
NO. 2000-01 and NO. 2001-03 AUTHORIZING THE AMENDMENT OF PROJECT
EXPENDITURE BUDGETS TO REFLECT THE APPROPRIATION OF INTEREST
EARNING ON BOND PROCEEDS FOR LEGALLY PERMISSIBLE PURPOSES**

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") has heretofore duly established North Natomas Community Facilities District No. 4, North Natomas Community Facilities District No. 2000-01 and North Natomas Community Facilities District No. 2001-03 (collectively "the Districts") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982, (being Sections 53311 et seq. of the Government Code of the State of California), and all laws amendatory thereof or supplemental thereto, (the "Mello-Roos Act"), for purposes of issuance of bonds to finance the acquisition and construction of certain common drainage facilities (the "Primary Facilities") and, upon completion of the Primary Facilities or assurances of sufficient funds to complete the Primary Facilities, to finance the acquisition and construction of certain other improvements (the "Secondary Facilities"); and

WHEREAS, the City has determined that the Primary Facilities have been completed or there is adequate assurance that there will be sufficient funding to complete the Primary Facilities in the Districts, thus allowing for the use of bond proceeds for Secondary Facilities; and

WHEREAS, bonds issued pursuant to the purposes of the Districts have earned interest on available cash balances that must be used in the respective Districts, and are deemed to not have arbitrage liability as governed by the U.S. Treasury regulations, and

WHEREAS, the bond interest can be used for remaining, authorized Secondary Facilities as provided for in the legal covenants governing the bond issues.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
SACRAMENTO, AS FOLLOWS:**

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

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Section 2. The Council hereby authorizes the City Manager to amend the project budgets to reflect the appropriation of \$2,094,598 in bond interest earnings for North Natomas Community Facilities District No. 4, North Natomas Westlake Community Facilities District No. 2000-01, and North Natomas Regency Park Community Facilities District No. 2001-03 as follows:

North Natomas Community Facilities District No. 4	\$1,627,474
North Natomas Community Facilities District No. 2000-01	\$247,830
North Natomas Community Facilities District No. 2001-03	<u>\$219,294</u>
	\$2,094,598

APPROVED:

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

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