

RESOLUTION NO. 2010-151

Adopted by the Sacramento City Council

March 23, 2010

ABANDONING PROCEEDINGS WITHIN THE CITY OF SACRAMENTO NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02, ANNEXATION NO. 18, BASED ON DETERMINING THE RESULT OF THE SPECIAL MAILED BALLOT ELECTION HELD ON FEBRUARY 26, 2010

BACKGROUND:

- A. The City Council has taken a series of actions preliminary to considering the Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 18, pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code Sections 53339-53339.9) for annexation into an existing district.
- B. The City Clerk has duly canvassed the votes cast by the qualified electors within the City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 18, (Annexation No. 18) at the special mailed ballot election held within Annexation No. 18 on February 26, 2010, upon the proposition set forth below.
- C. The City Clerk has certified to the City Council the result of the votes cast at the special mailed ballot election upon the proposition, and the certification is now on file in the City Clerk's office.

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

Section 1. The statements in the Background are true.

Section 2. At the special mailed ballot election, the following proposition was submitted to the qualified voters of Annexation No. 18:

Measure (A): Shall the City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 18, be authorized to finance neighborhood parks maintenance, more fully described in Exhibit A, and shall set an appropriations limit in the amount of \$40,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2010-066 adopted by the City Council on February 9, 2010, which is incorporated herein by reference, and a tax be levied to pay for the maintenance of neighborhood parks.

Section 3. The canvass of the votes cast at the special mailed ballot election held in Annexation No. 18 on February 26, 2010, as shown by the City Clerk's

certification, is approved and confirmed.

Section 4. The total number of votes cast for and against the proposition at the special mailed ballot election in Annexation No. 18, as set forth in the canvass, is as follows:

Total Votes: 11 Votes For: 3 Votes Against: 8

Section 5. Less than two-thirds (2/3) of all votes cast at the special mailed ballot election were cast in favor of the proposition. The proposition failed. The City Council hereby abandons these proceedings and the City will take no further action on annexing the territory proposed in Annexation No. 18, shown on the Boundary Map referenced below, within City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, for a period of one year from the date of the election as provided by Government Code section 53339.9.

Section 6. The City Clerk is directed to enter this resolution on the minutes of the City Council, and that entry will constitute the official declaration of the result of the special mailed ballot election. The City Clerk is further authorized and directed to record this Resolution of Abandonment in accordance with Streets and Highways Code section 3117. As further specified by Streets and Highways Code section 3117, the following information pertains to these proceedings:

- (a) The date of adoption of this Resolution Abandoning Proceedings is March 23, 2010.
- (b) The date of adoption of the Resolution of Intention was January 7, 2010.
- (c) The boundary map for Annexation No. 18 was filed for record in the office of the County Recorder of Sacramento County on January 12, 2010, in Book 111 of Maps of Assessment and Community Facilities Districts, at Page 8.

Section 7. This resolution takes effect when adopted.

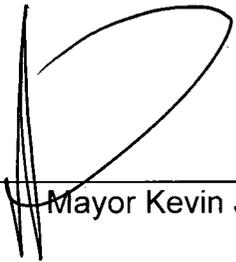
Adopted by the City of Sacramento City Council on March 23, 2010 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:


Shirley Concolino, City Clerk