

## **RESOLUTION NO. 2007-087**

Adopted by the Sacramento City Council

February 13, 2007

### **DECLARING RESULTS OF SPECIAL MAILED-BALLOT ELECTION WITHIN 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") has conducted proceedings under and pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 (beginning with Section 53311) of the Government Code of the State of California (the "Act"), to form its Natomas Central Community Facilities District No. 2006-02, City of Sacramento, County of Sacramento, State of California (the "Community Facilities District"), to authorize a special tax to finance certain governmental development-impact fees and the acquisition or construction of certain facilities and to authorize the issuance of debt, and to establish the appropriations limit for the Community Facilities District, all as set forth in the Council's Resolution No. 2007-056 (Resolution of Formation) and Resolution No. 2007-057 (Resolution Deeming it Necessary to Incur Bonded Indebtedness), both adopted on January 30, 2007 (collectively, the "Formation Resolutions").
- B.** In order to confer upon the Council the authority contained in the Formation Resolutions, a two-thirds approving vote by the qualified electors within the Community Facilities District is required.
- C.** A special, mailed-ballot election has been conducted pursuant to the Council's Resolution No. 2007-058, adopted January 30, 2007, to which reference is made for further particulars.
- 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 February 9, 2007, executed by the City Clerk of the City (the "Clerk"), has been filed with the Council.
- E.** The Council has received, reviewed and hereby accepts the Clerk's Certificate of Election Results and wishes by this resolution to declare the results of the special mailed-ballot election.
- 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 above recitals are true and correct, and the Council so finds and determines.
- Section 2.** The Council hereby finds and determines and declares that the ballot measure submitted to the qualified electors of the Community Facilities District has been passed and approved by those qualified electors in accordance with Sections 53328(a) and 53355 of the Government Code.
- Section 3.** The Council hereby authorizes and directs the Clerk to cause a Notice of Special Tax Lien to be prepared and to be recorded with the County Recorder of the County of Sacramento in accordance with the provisions of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code. The Notice shall be recorded in the County Recorder's office within fifteen days of today's date.
- Section 4.** This resolution takes effect immediately upon its passage.

Adopted by the City of Sacramento City Council on February 13, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

Attest  
  
Shirley Concolino, City Clerk

  
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Mayor, Heather Fargo