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DEPARTMENT OF
PUBLIC WORKS

TECHNICAL SERVICES

CITY OF SACRAMENTO
CALIFORNIA

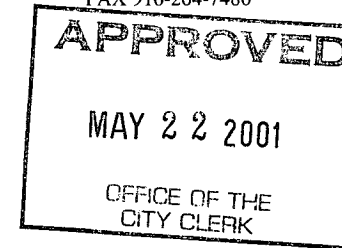
SPECIAL DISTRICTS
1231 I Street
SACRAMENTO, CA 95814

PH 916-264-7113
FAX 916-264-7480

May 3, 2001

City Council
Sacramento, California

AG 2001-038



Honorable Members in Session:

**SUBJECT: GRANITE PARK COMMUNITY FACILITIES DISTRICT (CFD) NO. 2001-01,
PUBLIC HEARING**

LOCATION AND COUNCIL DISTRICT:

The Granite Park CFD No. 2001-01 is located east of Power Inn Road and south of Light Rail Line / Jackson Road in Council District 6 (see attached map, Exhibit A).

RECOMMENDATION:

This report recommends that City Council adopt the following:

- Resolution approving Acquisition Agreement for Granite Park CFD.
- Resolution establishing the Granite Park CFD.
- Resolution to incur bonded indebtedness and call for Special Election.

CONTACT PERSON:

Ron Wicky, Special Districts Analyst, 264-5628

FOR COUNCIL MEETING:

May 22, 2001

SUMMARY:

This report presents a proposal to form a Mello-Roos Community Facilities District (CFD) entitled "Granite Park Community Facilities District No. 2001-01". The district will fund certain street, drainage and park improvements.

Department of
PUBLICWORKS
CITY OF
SACRAMENTO

City Council
Granite Park Community Facilities District (CFD)
May 22, 2001

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

The Granite Park Community Facilities District No. 2001-01 (CFD) consists of approximately 260 acres of proposed mixed use office and recreation (see Exhibit A). Of the 3.5 million square feet of proposed office buildings, three buildings totaling 450,000 square feet have been completed. A dog park, championship horseshoe pits, soccer fields and a lake have been built on a portion of the proposed 130 acre park.

The full bond authorization for this CFD will be approximately \$80 million. Bonds will be issued in four phases. The first phase (\$9 million) will finance a portion of Ramona and Cucamonga Avenues, storm drainage improvements and certain development fees that were paid in connection with the three new office buildings. The improvements financed by the authorized bonds and the first phase improvements are described in Exhibits A and A-1, respectively, of the acquisition agreement proposed to be approved by resolution. Construction of the improvements financed by the first phase bonds have been completed, but not yet accepted or acquired by the City.

The remaining bond sale phases will occur over the next ten to fifteen years. Proceeds will be used to finance the remainder of street and utility improvements, park improvements, and development fees on the remaining office buildings. It is anticipated that bonds for phase two will be sold within the next year.

With adoption of the attached resolutions, Council will call for a special election on May 29, 2001, and declare the results the same day (see attached Schedule Exhibit B).

FINANCIAL CONSIDERATIONS:

All improvements for this CFD are funded through bond proceeds. There will be no impact to the General Fund.

ENVIRONMENTAL CONSIDERATIONS:

The City Council's action in approving this Resolution of Intention to form a CFD is solely for the purpose of initiating the process by which a CFD may ultimately be formed and is itself therefore, not a project for purposes of the California Environmental Quality Act.

City Council
Granite Park Community Facilities District (CFD)
May 22, 2001

POLICY CONSIDERATIONS:

The procedures under which this district is being formed are set forth in Title 5 of the Government Code, Sections 53311-53317.5 entitled "The Mello-Roos Community Facilities Act of 1982."

Continuing Disclosure

New Securities and Exchange Commission Rule 15c2-12(b)(5) created a requirement that certain third parties other than the City would provide ongoing disclosure of specified categories of information, in an effort to protect the secondary bond market. A continuing disclosure certificate may be required by certain third party landowners. This requirement will be resolved prior to bond issuance.

ESBD CONSIDERATIONS:

None. No goods or services are being purchased.

Respectfully submitted,



Gary Alm, Manager
Development Services

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

EXHIBIT A



EXHIBIT B

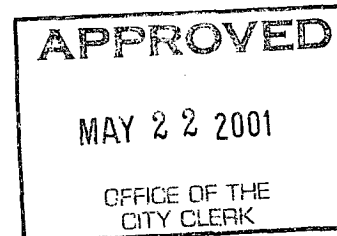
Schedule for Granite Park Community Facilities District No. 2000-01

April 17, 2001	City Council - District Initiation Set Hearing Date
May 22, 2001	City Council – Public Hearing Formation of District. Call for Special Election
May 29, 2001	City Council Action Declare Election Results Pass for Publication - Ordinance to Levy Special Tax
June 5, 2001	City Council Action Ordinance to Levy Special Tax Authorize Sale of Bonds

RESOLUTION NO. 2001-310

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____



**A RESOLUTION APPROVING ACQUISITION AGREEMENT
FOR GRANITE PARK COMMUNITY FACILITIES DISTRICT**

WHEREAS,

A. On April 17, 2001, the City Council adopted Resolution 2001-210, wherein the City Council declared its intention to and proposed to establish City of Sacramento Granite Park Community Facilities District No. 2001-01 (the "District") to finance certain development fees and the acquisition and construction of certain improvements ("Improvements").

B. Pursuant to City policy, the acquisition of the Improvements by the District shall be pursuant to an acquisition agreement between the City and developer, in this case Phase One Regional Park Limited, a California limited partnership, which agreement shall set forth the terms and conditions under which the Improvements will be acquired. Such acquisition agreement between said parties heretofore has been lodged with the City Clerk (the "Acquisition Agreement"). The City Council hereby finds that the Acquisition Agreement describes the Improvements to be financed, which include, without limitation, facilities to be constructed following the adoption by the City Council, if such is the case, of a resolution forming the District, plus facilities which the City Council hereby finds were constructed prior to any such adoption, in Exhibits "A" and "A-1," respectively, to the agreement.

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

1. The Acquisition Agreement is hereby approved and the City Manager is authorized to execute the same in the form as lodged with the City Clerk.

ATTEST:

MAYOR

CITY CLERK

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RESOLUTION NO. _____

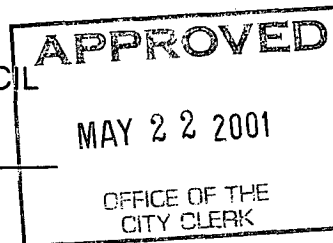
DATE ADOPTED: _____

RESOLUTION NO. 2001-211

[R-4]

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF May 22, 2001



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO ESTABLISHING THE CITY OF SACRAMENTO GRANITE PARK COMMUNITY FACILITIES DISTRICT NO. 2001-01, AND PROVIDING FOR THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR SUCH COMMUNITY FACILITIES DISTRICT AND CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN SUCH COMMUNITY FACILITIES DISTRICT THE QUESTION OF LEVYING SUCH SPECIAL TAX AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR SUCH COMMUNITY FACILITIES DISTRICT

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") has duly adopted Resolution No. 2001-210 (the "Resolution") on April 17, 2001, wherein the Council declared its intention to and proposed to establish a community facilities district 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 of the Government Code of the State of California, as amended (the "Act"), to be known and designated as the "City of Sacramento Granite Park Community Facilities District No. 2001-01" (the "Community Facilities District"), to finance the acquisition and construction of those certain public facilities with an estimated useful life of five (5) years or longer in and for the Community Facilities District under and pursuant to the Act (which are public facilities that the City is authorized by law to construct, own or operate and that are necessary to meet increased demands placed upon the City as a result of development occurring and anticipated to occur in the Community Facilities District), and which public facilities are listed in Exhibit B attached hereto and incorporated herein and made a part hereof (the "Facilities"). The cost of financing the acquisition and construction of the Facilities includes incidental expenses for the Facilities comprising the costs of planning and designing the Facilities, together with the costs of environmental evaluations thereof, and all costs associated with the creation of the Community Facilities District, the issuance of bonds, the determination of the amount of any special taxes or the collection or payment of any special taxes and costs otherwise incurred in order to carry out the authorized purposes of the

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Community Facilities District, together with any other expenses incidental to the acquisition and construction of the Facilities; and

WHEREAS, the Resolution fixed a time and place for a public hearing to be held by the Council to consider the establishment of the Community Facilities District, the proposed rate, method of apportionment and manner of collection of a special tax to finance the acquisition and construction of the Facilities in and for the Community Facilities District and all other matters set forth in the Resolution; and

WHEREAS, the City Council has determined that it is in the best interests of the City and the property owners within the Community Facilities District to amend the boundary map to provide that the boundaries of the Community Facilities District are as shown on the Amended Boundary Map attached hereto as Exhibit A and incorporated herein and made a part hereof; and

WHEREAS, the City Council has determined that it is in the best interests of the City and the property owners within the Community Facilities District to amend the Rate and Method of Apportion of the Special Tax to provide that the rate, method of apportionment and manner of collection of the special tax are as set forth in the Rate and Method of Apportionment of the Special Tax attached hereto as Exhibit C and incorporated herein and made a part hereof; and

WHEREAS, a report on such proposal was prepared by the Director of Public Works of the City in accordance with the Resolution, which such report was submitted to the Council for review and has been reviewed by the Council, and which such report is incorporated herein and made a part of the record of the hearing hereinafter referred to on the Resolution; and

WHEREAS, pursuant to the Resolution, a public hearing was set by the Council for Tuesday, the 22nd day of May, 2001, at the hour of 7:00 o'clock P.M., at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, at which hearing the Council considered the establishment of the Community Facilities District, the proposed rate, method of apportionment and manner of collection of such special tax, and all other matters set forth in the Resolution, and at such public hearing all persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, were given an opportunity to appear and be heard, and the testimony of all interested persons and all taxpayers, property owners and registered voters for or against the establishment of the Community Facilities District and the levy of such special tax, or the extent of the Community Facilities District, or the acquisition and construction of any of the Facilities proposed therefor, or on any other matters set forth in the Resolution, was heard and considered, and such special tax has not been precluded by a majority protest pursuant to Section 53324 of the Government Code of the State of California, and the Council at the conclusion of said hearing was fully advised in the premises, and was authorized to proceed as hereinafter provided; and

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DATE ADOPTED: _____

WHEREAS, on the basis of the foregoing, the Council has determined at this time to call an election in the Community Facilities District to authorize the levy of a special tax therein (as the rate, method of apportionment and manner of collection of such tax, as amended, is more particularly set forth in Exhibit C, attached hereto and incorporated herein and made a part hereof) to pay for the acquisition and construction of the Facilities proposed to be provided in and for the Community Facilities District, and to establish an appropriations limit for the Community Facilities District;

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 the Council so finds and determines.

Section 2. The Council hereby reapproves and readopts the Resolution, and reconfirms all of its findings and determinations contained therein.

Section 3. The Council hereby approves the Amended Boundary Map as set forth in Exhibit A attached hereto and incorporated herein and made a part hereof. The City Clerk is hereby directed to have the Amended Boundary Map recorded in the office of the County Recorder of the County of Sacramento no later than fifteen (15) days after the adoption of this resolution.

Section 4. The Council hereby approves the amended rate, method of apportionment and manner of collection of the special tax in and for the Community Facilities District as set forth in Exhibit C attached hereto and incorporated herein and made a part hereof, and upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of the State of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the Community Facilities District, which lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien cancelled in accordance with law or until collection of the special tax by the Council ceases.

Section 5. The Council finds and determines that written protests to the establishment of the Community Facilities District and the levy of such special tax, or the extent of the Community Facilities District, or the acquisition and construction of any of the Facilities proposed therefor, are insufficient in number and in amount under the Act, and the Council hereby further orders and determines that all protests to the establishment of the Community Facilities District therefor, or the levy of the special tax proposed to be levied therein, or the extent of the Community Facilities District, or the acquisition and construction of any of the Facilities therefor, or the establishment of an appropriations limit for the Community Facilities District, are hereby overruled.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Section 6. The Council finds and determines that all prior proceedings had and taken by the Council with respect to the establishment of the Community Facilities District are valid and in conformity with the requirements of the Act; and accordingly, the Council finds, determines and orders that, consistent with the Resolution, the Community Facilities District is hereby established under and pursuant to the terms and provisions of the Act, the boundaries of which, as amended, are as set forth in Exhibit A, attached hereto and incorporated herein and made a part hereof.

Section 7. Except where funds are otherwise available, a special tax sufficient to pay for the acquisition and construction of the Facilities, including the payment of interest on and principal of bonds to be issued to finance the acquisition and construction of the Facilities and including the repayment of funds advanced by the City for the Community Facilities District and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or the reimbursement for the lesser of the value or cost of work in-kind provided by any person for the Community Facilities District, which tax shall be secured by recordation of a continuing lien against all nonexempt property in the Community Facilities District, will be annually levied within the boundaries of the Community Facilities District, and for particulars as to the rate, method of apportionment and manner of collection of such special tax reference is made to Exhibit C, attached hereto and incorporated herein and made a part hereof, which sets forth the rate, method of apportionment and manner of collection of such special tax in sufficient detail to allow each landowner or resident within the Community Facilities District to estimate the maximum amount that such person will have to pay for the acquisition and construction of the Facilities, and which specifies the conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied as provided therein.

Section 8. It is the intention of the Council, pursuant to Section 53317.3 of the Government Code of the State of California, to levy the special tax on property that is not otherwise exempt from the special tax and that is acquired by a public entity through a negotiated transaction, or by gift or devise.

Section 9. It is the intention of the Council, pursuant to Section 53317.5 of the Government Code of the State of California, to treat the special tax levied against property that is acquired by a public entity through eminent domain proceedings as if it were a special annual assessment.

Section 10. It is the intention of the Council, pursuant to Section 53340.1 of the Government Code of the State of California, to levy the special tax on the leasehold or possessory interests in property owned by a public agency (which property is otherwise exempt from the special tax) to be payable by the owner of the leasehold or possessory interests in such property.

Section 11. A special mailed-ballot election shall be and is hereby called and ordered to be held in the Community Facilities District on Tuesday, May 29, 2001, in accordance

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RESOLUTION NO.: _____

DATE ADOPTED: _____

with and subject to the Act and applicable law and the terms hereof, at which special election there shall be submitted to the landowners within the Community Facilities District (which landowners are the electors and persons qualified to vote at said special election) the question of levying such special tax and the establishment of an appropriations limit in the amount of eighty million dollars (\$80,000,000) per fiscal year in connection therewith for the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California, and the Council hereby directs that the election at which the question of levying such special tax and establishing such appropriations limit is submitted to the landowners within the Community Facilities District shall be consolidated with the election at which the question of incurring a bonded indebtedness in the amount of eighty million dollars (\$80,000,000) for the Community Facilities District is submitted to the landowners within the Community Facilities District, and the question of levying such special tax and establishing such appropriations limit shall be combined in one ballot proposition with the question of incurring such bonded indebtedness to finance the acquisition and construction of the Facilities and to be secured by a special tax to be levied within the Community Facilities District, all as provided by the Act.

Section 12. The City Clerk of the City is hereby designated as the official to conduct said special election, in accordance with and subject to the Act and applicable law and the following provisions:

(a) Said special election shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined, as provided herein; and in all particulars not prescribed by this resolution said special election shall be held and conducted and the votes received and canvassed in the manner provided by law for the holding of special elections in the City and consistent with the Act.

(b) All landowners within the Community Facilities District upon the date of the special election herein provided for shall be qualified to vote upon the proposition to be submitted at said special election.

(c) Said special election shall be conducted as a mailed-ballot election, in accordance with the provisions of Sections 1340 et seq. and Section 23511.1 of the Elections Code of the State of California and the prior proceedings of the City taken thereunder, and there shall be no polling places for said special election. All ballots shall be delivered by the City Clerk of the City to such landowners, and all voted ballots are required to be received at the office of the City Clerk of the City not later than 2:00 o'clock P.M. on the day of the election in order to be counted, except that if all qualified electors have voted on the proposition hereby submitted, the election shall be closed.

(d) Each voter to vote for the proposition to be submitted at said special election and for levying such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall mark a cross (+) in the blank space opposite the word "YES" on the ballot to the right of said proposition, and to vote against said proposition and against levying

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RESOLUTION NO.: _____

DATE ADOPTED: _____

such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall mark a cross (+) in the blank space opposite the word "NO" on the ballot to the right of said proposition, which cross (+) may be marked with either pen or pencil.

(e) The City Clerk of the City shall commence the canvass of the returns of said special election at 2:00 P.M. on Tuesday, May 29, 2001, at the City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, and at the conclusion thereof shall determine the results of said special election; provided, that if all the qualified voters have voted prior to such date and time, the City Clerk of the City shall close said special election and thereupon shall proceed to canvass the returns of said special election and to determine the results thereof.

(f) The Council shall meet at its regular meeting on Tuesday, May 29, 2001, at 2:00 P.M. at its usual meeting place and declare the results of said special election, and shall cause to be spread upon its minutes a statement of the results of said special election as ascertained by said canvass.

Section 13. If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing such appropriations limit are cast in favor of levying such special tax and establishing such appropriations limit, as determined by the Council after reviewing the canvass of the returns of such consolidated election, the Council may levy such special tax within the territory of the Community Facilities District under the Act in the amount and for the purposes specified in this resolution, and such appropriations limit shall be established for the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California. Such special tax may be levied only at the rate and may be apportioned only in the manner specified in this resolution, subject to the Act, except that such special tax may be levied at a rate lower than that specified herein. Such special tax may be levied only so long as it is needed to pay for the acquisition and construction of the Facilities referred to in Section 5 of this resolution, or so long as it is needed to pay the principal of and interest on the bonded indebtedness incurred in order to finance the acquisition and construction of the Facilities (including the repayment of funds advanced for the Community Facilities District).

Section 14. The Special Districts Analyst, Department of Public Works of the City, at 1231 I Street, Room 300, Sacramento, California 95814 (telephone 916/264-5628) will be responsible for preparing annually a current roll of special tax levy obligations by Sacramento County Assessor's parcel numbers, and will be responsible for estimating future special tax levies pursuant to Section 53340.1 of the Government Code of the State of California.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

PASSED AND ADOPTED by the Council of the City of Sacramento this 22nd day of May, 2001, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Mayor of the City of Sacramento

ATTEST:

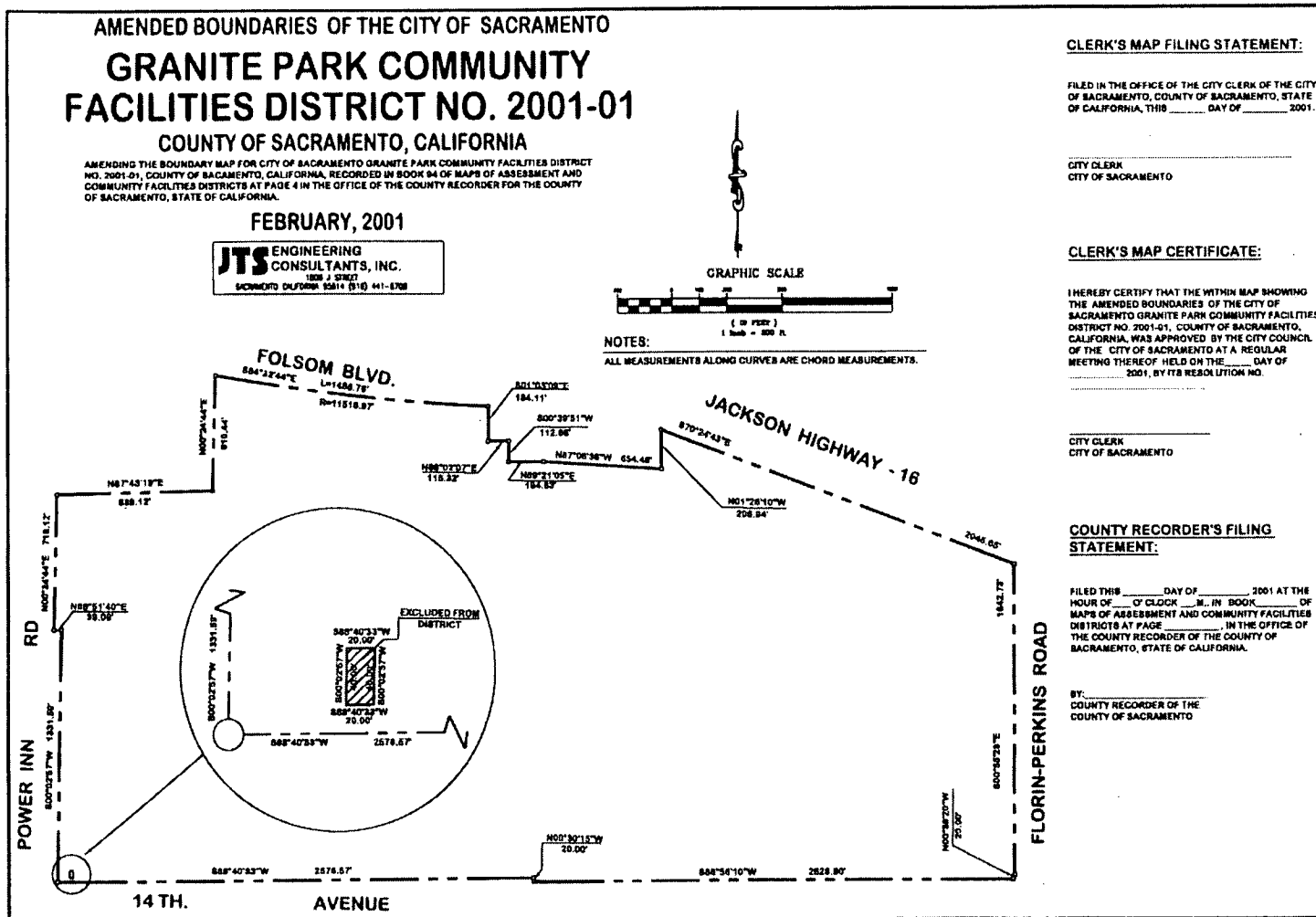
City Clerk of the City of Sacramento

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RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT A



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RESOLUTION NO: _____

DATE ADOPTED: _____

EXHIBIT B

**CITY OF SACRAMENTO
GRANITE PARK COMMUNITY FACILITIES DISTRICT NO. 2001-01**

LIST OF ELIGIBLE FACILITIES

The Facilities authorized to be financed with the proceeds of the sale of the bonds for the City of Sacramento Granite Park Community Facilities District No. 2001-01 constitute facilities eligible for funding under the guidelines set forth in the City's "Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing" approved by the City Council of the City on August 9, 1994, by Resolution No. 94-491, as it may be amended from time to time, and are described as follows:

1. Development fees which are directly related to public improvements which are eligible for funding as defined in the City of Sacramento Development Fee Financing Program approved by the City Council of the City of Sacramento by Resolution No. 97-002 (as presently existing and as it may be amended), including reimbursement for qualified fees of approximately \$3,692,000 previously paid to the City;
2. Water improvements, including water transmission lines and all necessary appurtenances;
3. Drainage improvements, including lift stations, dewatering and measures to control groundwater during construction and wetlands construction, including reimbursement for an existing drainage interconnection between the West and East Basins and for an existing storm drainage basin in the north part of the East Basin and for rough grading and construction drainage improvements at the regional public park site;
4. Sewer improvements, including sanitary sewer trunk and interceptor lines and pipes, manholes, lift stations and all necessary appurtenances;
5. Park improvements, including landscaping, equipment and facilities; provided, that eligible park facilities shall not include those park improvements accepted by the City as consideration for the conveyance of City land to the developers of the Granite Regional Park PUD pursuant to City Ordinance No. 2000-042 and City Agreement No. 2000-165, as they may be amended from time to time; and
6. Road improvements, including Ramona Avenue from Power Inn Road to Florin Perkins Road, Cucamonga Avenue from Power Inn Road to Ramona Avenue, Spline from 14th Avenue to north property line and the north side of 14th Avenue from Power Inn Road to Spline, and other major roads and/or offsite road improvements, together with all clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping, storm drainage facilities, street signs, curbs, gutters, sidewalks, street lights, corridor landscaping, major utility conduits, utility conduit crossings, right-of-way acquisition, and other necessary appurtenances to these roads, and related pedestrian walkways, bikeways and public transit facilities and other onsite and offsite road improvements which are required by the City to mitigate traffic, including reimbursement for the existing segments of Cucamonga Avenue from Power Inn Road to the west edge of the West Basin and within the West Basin from Ramona Avenue to a point approximately 600 feet to the north and from the existing Ramona Avenue from Power Inn Road to Cucamonga Avenue.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT C

CITY OF SACRAMENTO GRANITE PARK COMMUNITY FACILITIES DISTRICT NO. 2001-01

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in the City of Sacramento Granite Park Community Facilities District No. 2001-01 (herein "CFD No. 2001-01") shall be levied and collected according to the tax liability determined by the City Council of the City of Sacramento, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2001-01, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, or other parcel map recorded at the County Recorder's Office.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees and expenses of its counsel) employed in connection with any Bonds of CFD No. 2001-01, and the expenses of the City in carrying out its duties for such Bonds, including, but not limited to, the levy and collection of the Special Tax, the fees and expenses of its counsel, charges levied by the County in connection with the levy and collection of Special Taxes, amounts needed to rebate the federal government with respect to arbitrage earnings on any of such Bonds, costs associated with complying with continuing disclosure requirements, and all other costs and expenses of the City in any way related to the establishment or administration of CFD No. 2001-01.

"Administrator" shall mean the person or firm designated by the City to administer the Special Tax according to this Rate and Method of Apportionment of Special Tax.

"Assessor's Parcel" or **"Parcel"** means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor of the County of Sacramento designating parcels by County Assessor's Parcel number.

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act), whether in one or more series, issued by CFD No. 2001-01 under the Act.

"Building Space" means the total gross square footage of the floor area of a building determined by calculating the combined floor area contained within a building's exterior walls including the area of any addition where floor area is increased. Parking areas and exterior walkways shall not be included in the calculation of Building Space. The determination of Building Space shall be made by reference to appropriate records kept by the City's Planning and Building Department, or as otherwise determined by the Administrator, if such records are not available.

"City" means the City of Sacramento.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

"Council" means the City Council of the City of Sacramento, acting as the legislative body of CFD No. 2001-01.

"Developed Property" means, in any Fiscal Year, all Assessor's Parcels which meet both of the following criteria: (i) the first permanent certificate of occupancy was issued for a building or a portion of a building on the Parcel prior to June 1 of the preceding Fiscal Year, and (ii) the owner of record in the County Assessor's Office is not the City, federal government, State of California or other local governments or public agencies.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C, that can be levied in any Fiscal Year.

"Proportionately" means, for Developed Property, that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Taxable Public Property, "Proportionately" means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Public Property.

"Public Property" means any property within the boundaries of CFD No. 2001-01 that is owned by the City, federal government, State of California, or other local governments or public agencies.

"Special Tax" means any special tax to be levied on Assessor's Parcels of Taxable Property in CFD No. 2001-01 to fund the Special Tax Requirement.

"Special Tax Requirement" means the amount necessary in any Fiscal Year (i) to pay principal and interest on Bonds, (ii) to create or replenish reserve funds, (iii) to cure any delinquencies in the payment of principal or interest on indebtedness of CFD No. 2001-01 which have occurred in the prior Fiscal Year or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected, (iv) to pay Administrative Expenses, and (v) to pay construction expenses to be funded directly from Special Tax proceeds, if any.

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2001-01 that are Developed Property or Taxable Public Property, as defined herein.

"Taxable Public Property" means, in any Fiscal Year, all Assessor's Parcels that had been Developed Property on which a Special Tax had been levied in prior Fiscal Years and which subsequently became Public Property.

B. DATA FOR ANNUAL ADMINISTRATION OF SPECIAL TAX

On or before July 1 of each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Taxable Property within CFD No. 2001-01. The Administrator shall also identify the Building Space for all Parcels of Developed Property, and, if a building sits on more than one Assessor's Parcel, the Acreage of each Parcel for purposes of allocating the Special Tax among the Parcels pursuant to Section C.1 below.

C. MAXIMUM SPECIAL TAX

1. Developed Property

The maximum Special Tax for each Assessor's Parcel classified as Developed Property is \$1.98 per square foot of Building Space. Once a Special Tax has been levied on a Parcel of Developed Property, the Maximum Special Tax that can be levied on the Parcel may increase in future Fiscal Years due to an increase in Building

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Space on the Parcel; provided, that the Maximum Special Tax assigned to the Parcel shall not decrease regardless of subsequent reductions in Building Space on the Parcel for whatever cause.

If the Building Space of a building rests on more than one Assessor's Parcel, the Maximum Special Tax for each Parcel shall be determined as follows:

- Step 1.** Multiply the Building Space of the building by the Maximum Special Tax for Developed Property to determine the total Maximum Special Tax for the building.
- Step 2.** Sum the Acreage of all Assessor's Parcels on which the building is located.
- Step 3.** Divide the total Maximum Special Tax for the building determined in Step 1 by the Acreage calculated in Step 2 to determine the Maximum Special Tax per Acre.
- Step 4.** Multiply the Maximum Special Tax per Acre from Step 3 by the Acreage of each Assessor's Parcel to determine the Maximum Special Tax for each Parcel.

2. *Taxable Public Property*

The Maximum Special Tax for an Assessor's Parcel of Taxable Public Property shall be equal to the Maximum Special Tax that had been assigned to the Parcel during the Fiscal Year before it became Public Property. Once a Special Tax has been levied on a Parcel of Taxable Public Property, the Maximum Special Tax that can be levied on the Parcel may increase in future Fiscal Years due to an increase in Building Space on the Parcel; provided, that the Maximum Special Tax assigned to the Parcel shall not decrease regardless of subsequent reductions in Building Space on the Parcel for whatever cause.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2001-02 and for each following Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected from Taxable Property in CFD No. 2001-01 in the Fiscal Year. The Special Tax shall then be levied as follows:

First: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the Maximum Special Tax for Developed Property, as determined pursuant to Section C above;

Second: If additional revenues are needed to satisfy the Special Tax Requirement after the first step has been applied, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to 100% of the Maximum Special Tax for each Parcel of Taxable Public Property, as determined by reference to Section C above.

E. MANNER OF COLLECTION OF THE SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, that prepayments are permitted as set forth in Section G below; and provided further, that the Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet financial obligations of CFD No. 2001-01, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

F. EXEMPTIONS

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Public Property with the exception of Taxable Public Property, as defined in Section A above.

G. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section G:

"Outstanding Bonds" means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor's Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as determined by the Administrator), that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of **"Outstanding Bonds"** for purposes of this prepayment formula.

"Previously Issued Bonds" means all Bonds that have been issued by CFD No. 2001-01 prior to the date of prepayment.

"Public Facilities Requirements" means either (i) \$40.0 million in 2001 dollars, which shall increase on January 1, 2002, and on each January 1 thereafter by the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available, or (ii) such lower number as shall be determined by the Council as sufficient to fund public facilities to be provided by CFD No. 2001-01 under the authorized bonding program for CFD No. 2001-01.

The Special Tax obligation applicable to an Assessor's Parcel in CFD No. 2001-01 may be prepaid and the obligation of the Assessor's Parcel to pay the Special Tax permanently satisfied as described herein; provided, that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the City with written notice of intent to prepay. Within 30 days of receipt of such written notice, the City shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 75 days prior to any interest payment date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. The Prepayment Amount shall be calculated as follows (capitalized terms as defined below):

Bond Prepayment Amount	
plus	Future Facilities Prepayment Amount
plus	<u>Administrative Fees and Expenses</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

FULL PREPAYMENT

A. Bond Prepayment Amount

Step 1: Compute the total Maximum Special Tax that could be collected from the Assessor's Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the City.

Step 2: Divide the Maximum Special Tax computed pursuant to Step 1 for such Assessor's Parcel by the Maximum Special Tax revenues that could be collected in that Fiscal Year from all Taxable Property in the CFD.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

- Step 3:** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid. (*the "Bond Redemption Amount"*).
- Step 4:** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the redemption premium as such amount is defined in the applicable bond indenture on the Outstanding Bonds to be redeemed (*the "Redemption Premium"*).
- Step 5:** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 5, 6 and 7 of this prepayment formula will not apply.
- Step 6:** Compute the amount of interest the City reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.
- Step 7:** Take the amount computed pursuant to Step 5 and subtract the amount computed pursuant to Step 6.
- Step 8:** If the reserve fund established for the Outstanding Bonds is at the reserve requirement, as defined in the applicable bond indenture, multiply the quotient determined in Step 2 by the amount of the reserve requirement to determine the reserve fund credit associated with the prepayment.
- Step 9:** The bond portion of the Prepayment Amount is equal to the sum of the amounts computed pursuant to Steps 3, 4, and 7, less the amount computed pursuant to Step 8.

B. Future Facilities Prepayment Amount

- Step 10:** Divide the Maximum Special Tax computed pursuant to Step 1 for such Assessor's Parcel by the Maximum Special Tax revenues that could be generated at buildout of all property in the CFD based on anticipated land uses as determined by the City.
- Step 11:** Multiply the quotient computed pursuant to Step 10 by the Public Facilities Requirement at the time of the prepayment calculation to determine the Parcel's fair share of the total infrastructure costs to be funded by CFD No. 2001-01 (*the "Fair Share of Facilities Costs"*).
- Step 12:** Using information from the official statement(s) prepared for the Outstanding Bonds, divide the net construction proceeds originally generated from the sale of the Bonds by the total principal amount of Bonds originally sold. If multiple series of Bonds are outstanding, do the calculation separately for each series of Bonds and take the average of the quotients, weighted based on the original principal amount of each series of Bonds.
- Step 13:** Multiply the Previously Issued Bonds by the quotient from Step 12, then multiply the result by the quotient from Step 2 to determine the facilities costs that

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RESOLUTION NO.: _____

DATE ADOPTED: _____

will be paid by the Parcel through the Bond Prepayment Amount. Add to this number the amount determined by multiplying the quotient from Step 3 by any facilities costs that have been paid directly from Special Tax proceeds. (*the "Paid Facilities Costs"*).

Step 14:

Compare the Paid Facilities Costs from Step 13 to the Fair Share of Facilities Costs from Step 11. If the Paid Facilities Costs are greater than or equal to the Fair Share of Facilities Costs, the amount for purposes of this Step 14 shall be zero. If the Paid Facilities Costs are less than the Fair Share of Facilities Costs, subtract the Paid Facilities Costs from the Fair Share of Facilities Costs to determine the facilities costs that must still be paid by the Parcel owner (*the "Future Facilities Prepayment Amount"*).

Step 15:

The administrative fees and expenses associated with the prepayment are as calculated by the City and include the costs of computing the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (*the "Administrative Fees and Expenses"*).

Step 16:

The total Special Tax prepayment for the Parcel is equal to the sum of the amounts computed pursuant to Steps 9, 14, and 15 (*the "Prepayment Amount"*).

PARTIAL PREPAYMENT

A partial prepayment may be made in an amount equal to any percentage of full prepayment desired by the party making a partial prepayment. The Maximum Special Tax that can be levied on a Parcel after a partial prepayment is made is equal to the Maximum Special Tax that could have been levied prior to the prepayment, reduced by the percentage of the full prepayment that the partial prepayment represents, as determined by or at the direction of the Administrator.

H. APPEALS

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the City appealing the levy of the Special Tax. The City shall then promptly review the appeal, and if necessary, meet with the applicant. If the City verifies that the Special Tax should be modified, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties or any definition applicable to the CFD.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 22nd day of May, 2001, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda for said meeting was posted at least seventy-two (72) hours before said meeting at the Sacramento City Hall, 915 I Street, Sacramento, California 95814, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

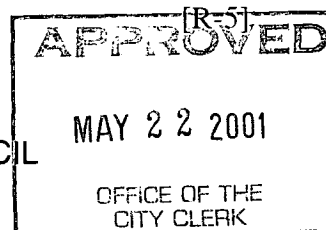
Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: _____, 2001.

City Clerk of the City of Sacramento

[SEAL]

RESOLUTION NO. 2001-312



ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF May 22, 2001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO DECLARING THE NECESSITY TO INCUR A BONDED INDEBTEDNESS TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR THE CITY OF SACRAMENTO GRANITE PARK COMMUNITY FACILITIES DISTRICT NO. 2001-01, AND CALLING A SPECIAL ELECTION THEREIN TO SUBMIT TO THE QUALIFIED ELECTORS OF SUCH COMMUNITY FACILITIES DISTRICT THE PROPOSITION OF INCURRING SUCH BONDED INDEBTEDNESS

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") has duly adopted Resolution No. 2001-210 on April 17, 2001, wherein the Council declared its intention to and proposed to establish a community facilities district 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 of the Government Code of the State of California (the "Act"), to be known and designated as the "City of Sacramento Granite Park Community Facilities District No. 2001-01" (the "Community Facilities District"), to finance the acquisition and construction of those certain public facilities which are listed in Exhibit B attached hereto and incorporated herein and made a part hereof (the "Facilities) in and for the Community Facilities District and, except where funds are otherwise available, to levy a special tax sufficient to pay for the acquisition and construction of the Facilities pursuant to the Act; and

WHEREAS, the Council has heretofore on April 17, 2001, duly adopted Resolution No. 2001-211 (the "Resolution") declaring its intention to incur a bonded indebtedness in the amount of eighty million dollars (\$80,000,000) to finance the acquisition and construction of the Facilities in and for the Community Facilities District, which Facilities are necessary to meet increased demands placed upon the City as a result of development occurring in the Community Facilities District; and

WHEREAS, pursuant to said Resolution No. 2001-211, a public hearing was set by the Council for Tuesday, the 22nd day of May, 2001, at the hour of 7:00 o'clock P.M., at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, at which hearing all persons interested, including all

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RESOLUTION NO.: _____

DATE ADOPTED: _____

taxpayers, property owners and registered voters within the Community Facilities District, were given an opportunity to appear and be heard, and the testimony of all interested persons and all taxpayers, property owners and registered voters for or against the establishment of the Community Facilities District and the levy of the special tax therein, or the extent of the Community Facilities District, or the acquisition and construction of any of the Facilities proposed therefor, or the establishment of an appropriations limit therefor, or on any other matters set forth in the Resolution, was heard and considered; and

WHEREAS, pursuant to the Resolution, a public hearing was convened by the Council on Tuesday, the 22nd day of May, 2001, at the hour of 7:00 o'clock P.M., at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, at which public hearing all persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, were given an opportunity to appear and be heard on the proposed debt issue or on any other matters set forth in the Resolution, and they were permitted to present any matters relating to the necessity for incurring such bonded indebtedness to finance the costs of the acquisition and construction of the Facilities and to be secured by a special tax to be levied within the Community Facilities District; and

WHEREAS, at the end of said public hearings the Council duly adopted a resolution establishing the Community Facilities District; and

WHEREAS, the Council is fully advised in the premises.

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

Section 1. All of the above recitals are true and correct, and the Council so finds and determines.

Section 2. The Council hereby declares and deems that the public convenience and necessity require and it is necessary that a bonded indebtedness in the principal amount of eighty million dollars (\$80,000,000) be incurred to finance the acquisition and construction of the Facilities in and for the Community Facilities District, which amount includes all costs and estimated costs incidental to, or connected with, the accomplishment of the purpose for which such bonded indebtedness is proposed to be incurred, including, but not limited to, the estimated costs of acquisition of land, rights-of-way, capacity or connection fees, satisfaction of contractual obligations relating to expenses or the advancement of funds for expenses existing at the time the bonds are issued pursuant to the Act, architectural, engineering, inspection, legal, fiscal, and financial consultant fees, bond and other reserve funds, discount fees, interest on any bonds of the Community Facilities District estimated to be due and payable within two (2) years of issuance of the bonds, election costs, and all costs of issuance of the bonds, including, but not

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RESOLUTION NO.: _____

DATE ADOPTED: _____

limited to, fees for bond counsel, costs of obtaining credit ratings, bond insurance premiums, fees for letters of credit, and other credit enhancement costs, and printing costs.

Section 3. The whole of the territory within the Community Facilities District will be benefited by such bonded indebtedness and will be subject to the special tax to pay for such bonded indebtedness.

Section 4. The maximum term of the bonds shall not exceed forty (40) years from the date of the bonds, or the date of any series thereof.

Section 5. The maximum annual rate or rates of interest to be paid on the bonds shall not exceed twelve percent (12%) per annum, payable annually the first year and semiannually thereafter.

Section 6. The Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting Mailed-Ballot Election in the Community Facilities District, a copy of which is attached hereto as Exhibit A. The Council hereby finds that the rights, procedures and time periods therein waived are solely for the protection of the voters, may be waived under Government Code Section 53326(a), and that the waiver constitutes a full and knowing waiver, by any voter who has executed the form, of those rights, procedures and time periods.

Section 7. The Council hereby accepts the Certificate of the City Clerk certifying that 100% of the voters eligible to vote in this election have delivered to the City Clerk properly executed waivers in the form of Exhibit A.

Section 8. A special mailed-ballot election shall be and is hereby called and ordered to be held in the Community Facilities District on Tuesday, May 29, 2001, in accordance with and subject to the Act and applicable law and the terms hereof, at which special mailed-ballot election there shall be submitted to the landowners within the Community Facilities District (which landowners are the electors and persons qualified to vote at said special mailed-ballot election) the question of incurring a bonded indebtedness in the amount of eighty million dollars (\$80,000,000) for the Community Facilities District, and the Council hereby directs that the question of incurring such bonded indebtedness shall be combined in one ballot proposition with the question of levying such special tax within the Community Facilities District and the establishment of an appropriations limit in the amount of eighty million dollars (\$80,000,000) per fiscal year in connection therewith, all in accordance with and subject to the Act, all the terms of which shall be applicable to such election. The combined ballot proposition of levying such special tax and establishing such appropriations limit and incurring such bonded indebtedness shall read as follows:

MEASURE (A): Shall the City of Sacramento Granite Park Community Facilities District No. 2001-01 be authorized to finance the acquisition and construction of public

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RESOLUTION NO.: _____

DATE ADOPTED: _____

facilities generally constituting water improvements, drainage improvements, sewer improvements, park improvements and road improvements, together with authorized development fees related to public improvements in the Community Facilities District, by incurring a bonded indebtedness in the principal amount of eighty million dollars (\$80,000,000), and shall an appropriations limit in the amount of eighty million dollars (\$80,000,000) per fiscal year in connection therewith be established for the Community Facilities District, and shall a special tax with a maximum rate and method of apportionment as provided in Resolution No. ____ adopted by the City Council of the City of Sacramento on May 22, 2001, which is incorporated herein by reference, be levied to pay for the acquisition and construction of such facilities, including the payment of principal of and interest on such bonds and including the repayment of funds advanced for the Community Facilities District?

Section 9. If the combined proposition for the levying of such special tax and the establishment of such appropriations limit and the incurring of such bonded indebtedness receives the approval of more than two-thirds (2/3) of the votes cast on the proposition, the bonds may be issued and sold for the purpose for which they were authorized, and the bonds (except where funds are otherwise available) shall be paid exclusively from the annual levy of such special tax and are not and shall not be secured by any other taxing power or funds of the City or the Community Facilities District.

Section 10. The City Clerk is hereby designated as the official to conduct the special mailed-ballot election pursuant to Elections Code Sections 14 and 15. In order to be counted, ballots must be returned to, and be physically received by, the City Clerk before 2:00 p.m. on May 29, 2001, provided, that if all authorized ballots are received by the City Clerk prior to that time, the City Clerk shall, pursuant to Government Code Section 53326(d), immediately close the election and declare the results.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

PASSED AND ADOPTED by the Council of the City of Sacramento this 22nd day of
May, 2001, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Mayor of the City of Sacramento

ATTEST:

City Clerk of the City of Sacramento

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RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT A

WAIVER AND CONSENT OF LANDOWNERS
IN THE PROPOSED CITY OF SACRAMENTO
GRANITE PARK COMMUNITY
FACILITIES DISTRICT NO. 2001-01
SHORTENING TIME PERIODS AND WAIVING VARIOUS
REQUIREMENTS FOR CONDUCTING A MAILED-BALLOT ELECTION

The undersigned is the owner (or the authorized representative of the owner) of certain real property in the City of Sacramento (the legal description of which is indicated in Attachment A attached hereto), which real property is located in the proposed City of Sacramento Granite Park Community Facilities District No. 2001-01 (the "Community Facilities District"), as the boundaries of the Community Facilities District are set forth on the map entitled "Amended Boundaries of the City of Sacramento Granite Park Community Facilities District No. 2001-01," designated Attachment B, attached hereto and incorporated herein, and in such capacity the undersigned certifies that the undersigned is legally entitled and authorized to cast the ballots for the above-referenced owner in the mailed-ballot election to be conducted within the Community Facilities District to determine, among other things, whether the land owned by the above-referenced owner shall be subject to the levy of a special tax by the Community Facilities District.

The undersigned hereby waives any and all minimum time requirements relative to such election pursuant to Section 53326(a) of the California Government Code, and the undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure to be submitted at such election, as well as arguments and rebuttal arguments in favor of or against such ballot measure pursuant to Section 53327(b) of the California Government Code,

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RESOLUTION NO.: _____

DATE ADOPTED: _____

and the undersigned hereby waives the requirement to publish a notice of such election pursuant to Section 53352 of the California Government Code, and the undersigned hereby waives the timing requirements regarding the mailing of ballots to the qualified electors within the Community Facilities District pursuant to Section 4101 of the California Elections Code.

The undersigned hereby further agrees to accept either mailed service or personal service of the ballot, and the undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots pursuant to Section 53327.5 of the California Government Code, and the undersigned further waives any and all defects in notice or procedure in the conduct of such election, whether known or unknown (other than the right to have ballots accurately counted), and the undersigned hereby states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

Dated: May 22, 2001

By _____
Authorized Representative

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RESOLUTION NO.: _____

DATE ADOPTED: _____

ATTACHMENT A

CITY OF SACRAMENTO GRANITE PARK
COMMUNITY FACILITIES DISTRICT NO. 2001-01

NAME OF
OWNER

SACRAMENTO COUNTY
ASSESSOR'S PARCEL NUMBER
OR LEGAL DESCRIPTION

SIGNATURE

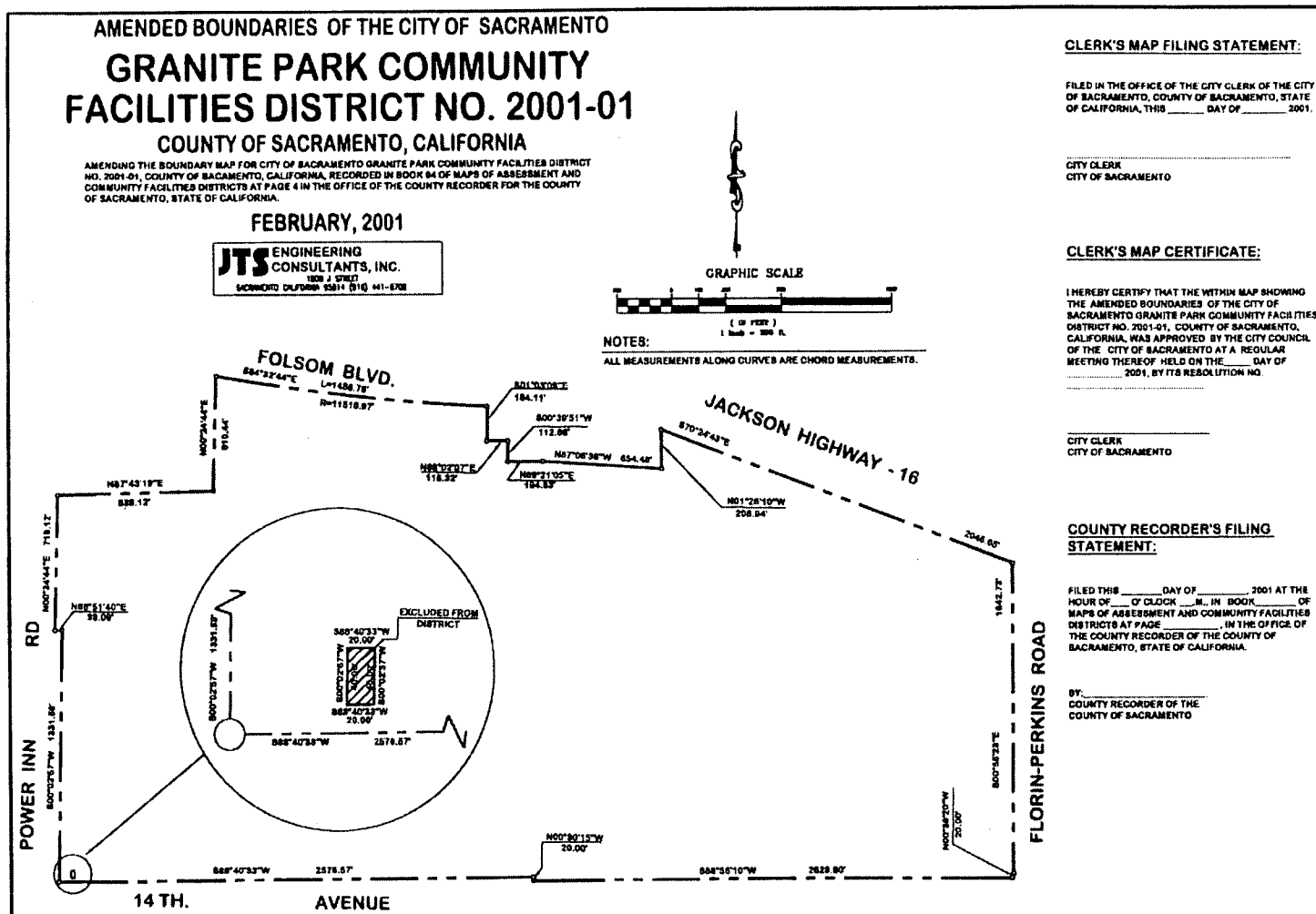
_____	_____	_____
_____	_____	_____

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

ATTACHMENT B



FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

EXHIBIT B

**CITY OF SACRAMENTO
GRANITE PARK COMMUNITY FACILITIES DISTRICT NO. 2001-01**

LIST OF ELIGIBLE FACILITIES

The Facilities authorized to be financed with the proceeds of the sale of the bonds for the City of Sacramento Granite Park Community Facilities District No. 2001-01 constitute facilities eligible for funding under the guidelines set forth in the City's "Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing" approved by the City Council of the City on August 9, 1994, by Resolution No. 94-491, as it may be amended from time to time, and are described as follows:

1. Development fees which are directly related to public improvements which are eligible for funding as defined in the City of Sacramento Development Fee Financing Program approved by the City Council of the City of Sacramento by Resolution No. 97-002 (as presently existing and as it may be amended), including reimbursement for qualified fees of approximately \$3,692,000 previously paid to the City;
2. Water improvements, including water transmission lines and all necessary appurtenances;
3. Drainage improvements, including lift stations, dewatering and measures to control groundwater during construction and wetlands construction, including reimbursement for an existing drainage interconnection between the West and East Basins and for an existing storm drainage basin in the north part of the East Basin and for rough grading and construction drainage improvements at the regional public park site;
4. Sewer improvements, including sanitary sewer trunk and interceptor lines and pipes, manholes, lift stations and all necessary appurtenances;
5. Park improvements, including landscaping, equipment and facilities; provided, that eligible park facilities shall not include those park improvements accepted by the City as consideration for the conveyance of City land to the developers of the Granite Regional Park PUD pursuant to City Ordinance No. 2000-042 and City Agreement No. 2000-165, as they may be amended from time to time; and
6. Road improvements, including Ramona Avenue from Power Inn Road to Florin Perkins Road, Cucamonga Avenue from Power Inn Road to Ramona Avenue, Spline from 14th Avenue to north property line and the north side of 14th Avenue from Power Inn Road to Spline, and other major roads and/or offsite road improvements, together with all clearing, grading, installing asphalt concrete with aggregate base, raised center median, median landscaping, storm drainage facilities, street signs, curbs, gutters, sidewalks, street lights, corridor landscaping, major utility conduits, utility conduit crossings, right-of-way acquisition, and other necessary appurtenances to these roads, and related pedestrian walkways, bikeways and public transit facilities and other onsite and offsite road improvements which are required by the City to mitigate traffic, including reimbursement for the existing segments of Cucamonga Avenue from Power Inn Road to the west edge of the West Basin and within the West Basin from Ramona Avenue to a point approximately 600 feet to the north and from the existing Ramona Avenue from Power Inn Road to Cucamonga Avenue.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 22nd day of May, 2001, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda for said meeting was posted at least seventy-two (72) hours before said meeting at the Sacramento City Hall, 915 I Street, Sacramento, California 95814, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: _____, 2001.

City Clerk of the City of Sacramento