

**RESOLUTION NO. 2018-199**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BIG  
HORN RBVP, L.P., A CALIFORNIA LIMITED PARTNERSHIP, FOR ACQUISITION OF  
FRONTAGE IMPROVEMENTS TO REARDAN PARK LOCATED WITHIN THE CITY OF  
ELK GROVE COMMUNITY FACILITIES DISTRICT NO. 2005-1 (LAGUNA RIDGE)**

**WHEREAS**, development within the geographic area included in the Laguna Ridge Specific Plan area (the "Plan Area") requires the construction of public facilities and improvements, some of which will be owned by the City and some of which will be owned by other public agencies (each an "operating agency"); and

**WHEREAS**, the City has, in conjunction with some of the landowners and developers within the Plan Area, determined to finance certain facilities through the formation by the City of a community facilities district to be known as the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge) ("CFD 2005-1"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (Government Code Sections 53311, et seq. (the "Act")), and the authorization of special tax levies and bond issues that will be used in part to pay for the public facilities and improvements; and

**WHEREAS**, on March 8, 2006, the City Council adopted Resolution No. 2006-62 (the "Resolution of Formation") and thereby established CFD 2005-1 and provided for the levy of a special tax to pay for the acquisition and construction of certain public facilities, as provided therein; and

**WHEREAS**, Big Horn RBVP, L.P., a California Limited Partnership (the "Developer") constructed or will cause to be constructed certain of the improvements that serve CFD 2005-1 (the "Projects"); and

**WHEREAS**, the City and the Developer desire to enter into an agreement to acknowledge the construction of the Projects in accordance with the requirements for acquisition by the City, in order to release the Laguna Ridge CFD 2005-1 Series 2018 funds payable from the City's 33% share, in a timely manner, pursuant to the Laguna Ridge Community Facilities District Guiding Principles that were adopted by Council on March 9, 2016, as Resolution No. 2016-048; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the Acquisition and/or Reimbursement Agreement with Big Horn RBVP, L.P., a California Limited Partnership, for privately-constructed facilities for Reardan Park, located within the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge) as described in the Agreement, in substantially the form presented to the City Council, and hereby authorizes the City Manager to execute the agreement.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 12<sup>th</sup> day of September 2018



STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
JONATHAN P. HOBBS  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-199**

STATE OF CALIFORNIA       )  
COUNTY OF SACRAMENTO    )  
CITY OF ELK GROVE         )       ss

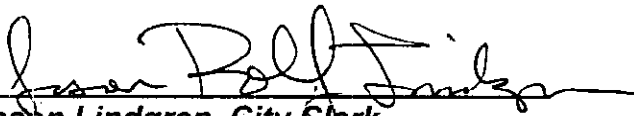
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 12, 2018 by the following vote:*

**AYES:           COUNCILMEMBERS:       Ly, Suen, Hume, Nguyen**

**NOES:           COUNCILMEMBERS:       None**

**ABSTAIN:       COUNCILMEMBERS:       None**

**ABSENT:        COUNCILMEMBERS:       Detrick**

  
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**Jason Lindgren, City Clerk  
City of Elk Grove, California**