

**RESOLUTION NO. 2002-46**

**A RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF ELK GROVE  
CHANGING THE DATE FOR HEARINGS CONCERNING  
EAST FRANKLIN COMMUNITY FACILITIES DISTRICT NO. 2002-1**

**WHEREAS**, on March 7, 2002, the City Council duly adopted its Resolution No. 2002-40, a Resolution of Intention to Establish East Franklin Community Facilities District No. 2002-1 (the "Resolution of Intention"), and its Resolution No. 2002-41, a Resolution Declaring the Necessity to Incur a Bonded Indebtedness (the "Resolution of Necessity") with respect to the East Franklin Community Facilities District No. 2002-1 (the "District");

**WHEREAS**, the Resolution of Intention and the Resolution of Necessity each fixed Wednesday, April 17, 2002, as the date for a public hearing on, respectively, the establishment of the District and the proposed bonded indebtedness;

**WHEREAS**, the City Council subsequently cancelled its meeting of April 17, 2002;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Elk Grove that:

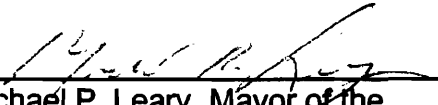
1. **Recitals.** The above recitals are true and correct.
2. **Change of Hearing Date.** The City Council hereby amends the Resolution of Intention and the Resolution of Necessity to fix 6:30 p.m., or as soon thereafter as practicable, on Wednesday, April 10, 2002, at the regular meeting place of the City Council, City Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, as the time and place for a public hearing on the establishment of the District and a public hearing on the proposed bonded indebtedness. The City Council shall conduct the hearings as a single consolidated hearing.
3. **Publication of Notice.** The City Council directs the City Clerk to publish a notice of the consolidated hearing, in substantially the form attached as Exhibit A, once not later than seven days prior to the date fixed for the hearing, in *The Elk Grove Citizen*, a newspaper of general circulation published in the area of the District.
4. **Effective Date.** This resolution shall take effect immediately upon its adoption.

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**PASSED AND ADOPTED** by the City Council of the City of Elk Grove on March 20, 2002.

  
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Michael P. Leary, Mayor of the  
City of Elk Grove

**ATTEST:**

  
\_\_\_\_\_  
Peggy Jackson, City Clerk  
City of Elk Grove

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Anthony Manzanetti, City Attorney

**AYES:** Leary, Scherman, Cooper,  
Briggs, Soares  
**NOES:** None  
**ABSTAIN:** Non  
**ABSENT:** None

**EXHIBIT A**

**Form of Notice of Public Hearing**

**NOTICE OF PUBLIC HEARING**

**ON PROPOSED ESTABLISHMENT OF A COMMUNITY  
FACILITIES DISTRICT AND ISSUANCE OF DEBT**

**CITY OF ELK GROVE  
EAST FRANKLIN COMMUNITY FACILITIES DISTRICT NO. 2002-1**

NOTICE IS HEREBY GIVEN that the City Council of the City of Elk Grove on March 7, 2002, adopted its Resolution No. 2002-40, in which it declared its intention to establish a community facilities district and to levy a special tax to pay for certain public school facilities, all pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the California Government Code. The resolution describes the boundaries of the proposed district, the facilities proposed to be financed, and the rate, method of apportionment, and manner of collection of the proposed special tax. The City proposes to tax all interests in property that may be taxed under the Act. The City Council has adopted its Resolution No. 2002-41, in which it declared the necessity to incur a bonded indebtedness in the amount of \$125,000,000 to finance all or a portion of the proposed facilities. Any bonds issued would be secured by the special taxes to be levied in the proposed community facilities district. For further details, the two resolutions are available in the office of the City Clerk at City Hall, 8400 Laguna Palms Way, Elk Grove, California.

NOTICE IS HEREBY FURTHER GIVEN that, pursuant to the foregoing resolutions, as amended by Resolution No \_\_\_\_, adopted on March 20, 2002, the City Council has fixed Wednesday, April 10, 2002, at the hour of 6:30 p.m., or as soon thereafter as the matter may be heard, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, as the time and place when and where the City Council will hold a public hearing to consider the establishment of the district and the issuance of debt. At the hearing, the testimony of all interested persons, including all persons owning property in the area, or taxpayers for or against the establishment of the district, the extent of the district, the furnishing of the specified public facilities, the levy of the special tax, and the debt issue will be heard.

If six registered voters residing within the proposed district or the owners of one-half or more of the area of land in the territory included in the district and not exempt from the special tax file written protests against the establishment of the district, and the protests are not withdrawn so as to reduce the value of the protests to less than a majority, the creation of the district and the tax levy shall not be considered for a period of one year from the date of the decision of the City Council after the hearing. If the majority protests of the registered voters or

landowners are only against a specific type of facility or a specified tax, then that type of facility or tax shall be precluded.

NOTICE IS HEREBY FURTHER GIVEN that if, at the conclusion of the public hearing, the City Council determines to establish the district, the City Council will order an election to be held by the landowners of the district by mailed ballot, with each landowner having one vote for each acre or portion of an acre of land that such landowner owns within the proposed district, on the questions of levying the special tax and incurring debt.

DATED: March \_\_, 2002

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Peggy Jackson, City Clerk  
City of Elk Grove