

RESOLUTION NO. 2002-83

**A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING THE RESULTS OF THE
SPECIAL ELECTION HELD ON MAY 15, 2002
IN THE EAST FRANKLIN COMMUNITY FACILITIES DISTRICT NO. 2002-1**

WHEREAS, the City Council on May 15, 2002, duly adopted its Resolution No. 2002-81 (the "Resolution of Formation") and Resolution No. 2002-82 (the "Resolution Determining Necessity"), which, together, ordered a consolidated election in the East Franklin Community Facilities District No. 2002-1 (the "District") on the levy of the special tax, the establishment of an appropriations limit for the District, and the incurrence of a bonded indebtedness for the District;

WHEREAS, pursuant to the terms of the resolutions, the special election was held on May 15, 2002, and the City Clerk has duly canvassed the returns of the election as required by the resolutions and has filed with the City Council a statement of all votes cast at the election showing the whole number of votes cast in the District and the whole number of votes cast for and against the measure and also filed, attached to the statement, her certificate as to the correctness of the statement (the "Statement of Election Results"), which is attached hereto as Exhibit A;

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

1. **Recitals**. The foregoing recitals are true and correct.
2. **Canvass**. The canvass by the City Clerk as shown by the Statement of Election Results is hereby ratified, confirmed, approved, and entered upon the minutes of this meeting.
3. **Measure**. At the election, the following measure was submitted to the qualified electors of the District:

Shall the City of Elk Grove be authorized to levy a special tax at the rates and apportioned as described in Exhibit B to the Resolution of Formation (the "Resolution of Formation") for the East Franklin Community Facilities District No. 2002-1 (the "District") adopted by the City Council on May 15, 2002, which is incorporated herein by this reference, within the District to finance certain public facilities as set forth in Exhibit A to the Resolution of Formation, including any incidental expenses related thereto, and shall a bonded indebtedness in the amount of \$125,000,000 be incurred for the District, and shall an appropriations limit be established for the District in the amount of the special taxes collected?


4. **Votes Cast; Election Results.** The total number of votes cast in the District at the election was 1,299. The number of votes cast for the measure was 1,299 and the number of votes cast against the measure was 0. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

5. **Notice of Special Tax Lien.** The City Clerk is hereby directed to record a Notice of Special Tax Lien with the County Recorder of Sacramento County, in accordance with the provisions of Section 3114.5 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution.

PASSED AND ADOPTED by the Elk Grove City Council on May 15, 2002.



MICHAEL P. LEARY, Mayor

ATTEST:


PEGGY E. JACKSON, City Clerk

APPROVED AS TO FORM:


ANTHONY MANZANETTI, City Attorney

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



EXHIBIT A

STATEMENT OF ELECTION RESULTS

I, Peggy Jackson, City Clerk of the City of Elk Grove (the "City"), hereby certify that:


1. On May 15, 2002, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, I canvassed the returns of the election called for May 15, 2002, in the East Franklin Community Facilities District No. 2002-1 on the following measure:

Shall the City of Elk Grove be authorized to levy a special tax at the rates and apportioned as described in Exhibit B to the Resolution of Formation (the "Resolution of Formation") for the East Franklin Community Facilities District No. 2002-1 (the "District") adopted by the City Council on May 15, 2002, which is incorporated herein by this reference, within the District to finance certain public facilities as set forth in Exhibit A to the Resolution of Formation, including any incidental expenses related thereto, and shall a bonded indebtedness in the amount of \$125,000,000 be incurred for the District, and shall an appropriations limit be established for the District in the amount of the special taxes collected?

2. The total number of qualified landowner votes eligible to be cast, the total number of votes actually cast at the election, and the total number of votes cast for and against the measure are set forth below. The totals as shown for and against the measure are full, true, and correct. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Qualified Landowner Votes	Votes Cast	YES	NO
1289.452	1299	1299 Yes	0

Dated: May 15, 2002.



Peggy Jackson, City Clerk, City of Elk Grove

