

SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

AQMD Resolution No. _____

WHEREAS, the City of Sacramento is conducting proceedings under the Mello-Roos Community Facilities Act of 1982 (the “Act”) in which it is considering formation of a community facilities district to be denominated “Natomas Central Community Facilities District No. 2006-02, City of Sacramento, County of Sacramento, State of California” (the “Community Facilities District”) to finance certain public fees and facilities under a bond issuance, and

WHEREAS, the City of Sacramento would like to use a portion of the bond proceeds to pay air quality mitigation fees associated with the Community Facilities District, and

WHEREAS, the Sacramento Air Quality Management District (SMAQMD) would like to assist the City in its bond financing efforts because the City has determined that use of bond financing will benefit the citizens of Sacramento, and

WHEREAS, to meet the bond financing requirements regarding use of the bond proceeds to pay air quality mitigation fees, it is necessary for the City of Sacramento and SMAQMD to enter into an Agreement identifying the ultimate use of the bond proceeds, and

WHEREAS, the City of Sacramento and SMAQMD have negotiated an agreement requiring SMAQMD to use its best efforts to insure that the Community Facilities District air quality mitigation fees are used solely to finance projects that qualify for funding under the District’s Heavy Duty Low Emission Vehicle Incentive Program (HDLEV Program), and further states that SMAQMD will use its best efforts to insure that 20 percent of the funds are used to finance publicly owned projects, and

WHEREAS, the Agreement also requires SMAQMD to establish, at a later date, the time period for distributing the air quality mitigation fees.

NOW, THEREFORE, BE IT RESOLVED that the Air Pollution Control Officer is authorized to execute the attached Agreement and to make, in consultation with the District Counsel, such minor modifications of the Agreement as may become necessary; and

BE IT FURTHER RESOLVED that the Air Pollution Control Officer is authorized to take all actions necessary to implement this Resolution.

ON A MOTION by Director _____ and seconded by Director _____, the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District, State of California, the 26th day of October, 2006.

AYES Directors

NOES Directors

ABSTAIN Directors

Chair, Board of Directors
Sacramento Metropolitan
Air Quality Management District

(SEAL)

ATTEST. _____
Clerk of the Board of Directors