

RESOLUTION NO. 2005-319

**A RESOLUTION OF THE CITY COUNCIL OF ELK GROVE, CALIFORNIA,
DETERMINING TO LEVY STREET LIGHT AND SAFETY LIGHT MAINTENANCE
ASSESSMENTS IN STREET LIGHTING MAINTENANCE DISTRICT NO. 1**

WHEREAS, in 1987, the Sacramento County Board of Supervisors, pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the Government Code (the "County Service Area Law"), formed County Service Area No. 1 ("CSA 1"), providing a procedure for collection of service charges to fund street and safety light maintenance within CSA 1; and

WHEREAS, the City of Elk Grove (the "City") now desires to transfer the street lighting and safety lighting maintenance responsibility and the service charges from CSA 1 to the City for the areas serviced by CSA No. 1 that are within the City's boundaries; and

WHEREAS, on July 13, 2005, the City Council adopted Resolution No. 2005-207 (the "Resolution of Intention") determining to undertake proceedings pursuant to the provisions of the *Benefit Assessment Act of 1982, Part 1 of Division 2 of the California Government Code §54703* (the "Act") proposes to form Lighting Maintenance District No. 1 (the "District"), to levy assessments to finance costs of the operation, maintenance and servicing of street lighting, highway safety lighting, and all appurtenant facilities related thereto; and

WHEREAS, in accordance with the Act, the report for Fiscal Year 2006/2007 (the "Engineer's Report") was prepared by Koppel & Gruber Public Finance and the City Engineer, filed with the City Clerk, and preliminarily approved by this Council by the Resolution of Intention;

WHEREAS, this City Council fixed 6:30 p.m. (or as soon thereafter as the matter may be heard) on Wednesday, October 12, 2005, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, as the time and place for a public hearing on the Engineer's Report and the question of levying the assessments and provided for the notice of the hearing; and

WHEREAS, this City Council hereby finds that a notice of the time and place for the public hearing has been published for two successive weeks in The Elk Grove Citizen, and posted in three public places in the City in the time, form, and manner required by law; and

WHEREAS, the public hearing was duly convened by this City Council at the time and place indicated on the notice and all protests received by the City Clerk were presented to the City Council; and

WHEREAS, this City Council thereupon proceeded with the public hearing and duly heard all interested persons desiring to be heard and duly considered all of the protests at the hearing;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby resolves as follows:

Section 1: The foregoing recitals are true and correct and this City Council so finds and determines.

Section 2: The Engineer's Report now on file is hereby approved.


Section 3: The City Council hereby finds and determines that the assessment included in the Engineer's Report assesses all assessable lots or parcels described therein in proportion to the benefits received by each affected parcel, respectively, from the maintenance of street lights and safety lights.

Section 4: The City Council hereby determines that it will levy the assessments as described in the Engineer's Report.


Section 5: This Resolution shall take effect from the date of its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of October 2005.

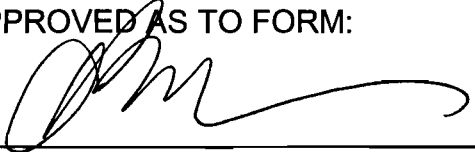



DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-319**

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

I, Peggy E. Jackson, 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 the 12th day of October, 2005 by the following vote:

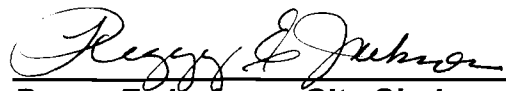
AYES 4: COUNCILMEMBERS: Briggs, Scherman, Soares, Cooper

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: Leary:

RECUSAL 0: COUNCILMEMBER:



**Peggy E. Jackson, City Clerk
City of Elk Grove, California**