

RESOLUTION NO. 2010-107

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
CONFIRMING THE WRITTEN REPORT OF FISCAL YEAR 2010-11 SERVICE
CHARGES AND ESTABLISHING FISCAL YEAR 2010-11 SERVICE CHARGES FOR
CERTAIN MISCELLANEOUS EXTENDED SERVICES WITHIN THE LAGUNA WEST
SERVICE AREA (FORMERLY COUNTY SERVICE AREA 5)**

WHEREAS, on November 24, 1992, the Board of Supervisors of the County of Sacramento, pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of Government Code (the "County Service Area Law"), and Resolution No. 92-1766 ordered the formation of County Service Area No. 5 (CSA 5), and on July 27, 1993, adopted County Ordinance 1418 (the "Ordinance") providing a procedure for collection of service charges for certain miscellaneous services (the "Services") within CSA 5, which is located in the Laguna West area; and

WHEREAS, on December 15, 2003, the Laguna West area was annexed to the City of Elk Grove (the "City") and the City was authorized pursuant to Resolution No. LAFC 1261 to administer CSA 5, now known as the Laguna West Service Area, and continue to levy the service charges utilizing the procedures provided in Government Code section 25210.77a; and

WHEREAS, the Ordinance requires that once a year the governing jurisdiction cause to be prepared a written report containing a description of each parcel of real property within CSA 5 receiving a Service, the amount of the per parcel annual charge for such Service, and the Services provided; and

WHEREAS, in accordance with the County Service Area Law, a written report for Fiscal Year 2010-11 (the "Written Report"), prepared as an engineer's report, was prepared by Wildan Financial Services and is now on file with the City Clerk; and

WHEREAS, notice of the time, date, and place for the public hearing has been published for at least two successive weeks in newspapers of general circulation as required by state law; and

WHEREAS, the public hearing was duly convened by the City Council at the time and place stated in the notice and all protests received by the City Clerk were presented to the City Council and the City Council heard and considered all objections and protests; and

WHEREAS, the City Council has considered the propriety of the Written Report, and has further considered the comments and evidence presented by all interested persons at the hearing and has determined to act upon the matter.

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

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

Section 2. Determination of Service Charges. This Council hereby adopts, determines and levies the service charges as described in the Written Report.

Section 3. Final Approval of Written Report. This Council hereby confirms the Written Report as now on file with it.

Section 4. Filing of Service Charge Roll. This Council hereby directs the City Clerk to submit the listing of parcels and the amount of service charge to be levied, as prepared by Wildan Financial Services, to the Sacramento County Auditor/Controller for inclusion on the 2010-11 property tax roll, in accordance with Government Code section 25215.5 and 53755 (formerly found at Government Code section 25210.77a(d)) and Part IV of the Written Report.


Section 5. Effective Date. This resolution shall take effect from and after the date of its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 26th day of May 2010.



SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, INTERIM CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-107**

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


I, Jason Lindgren, Interim 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 May 26, 2010 by the following vote:

AYES : COUNCILMEMBERS: *Scherman, Detrick, Cooper, Davis, Hume*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


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