

RESOLUTION NO. 2012-118

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO REMOVE THE SEASONS APARTMENTS'
FISCAL YEAR 2012-13 COMMUNITY FACILITIES DISTRICT NO. 2003-2 CHARGE
FROM THE PROPERTY TAX ROLL AND BILL IT DIRECTLY TO THE PROPERTY**

WHEREAS, the Seasons Apartments is a 222-unit affordable senior housing complex located at 7301 Bilby Road; and

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), the City Council (the "City Council") of the City of Elk Grove (the "City"), on November 5, 2003, approved Resolution No. 2003-214 establishing the City of Elk Grove Community Facilities District No. 2003-2 (Police Services) (the "CFD"); and

WHEREAS, on October 24, 2007, at an election held during a public hearing of the City Council, the *unanimous results of which* were certified by City Council Resolution No. 2007-230, the landowners of the land that is now Seasons Apartments, Assessor's Parcel Numbers 132-0050-028, 132-0050-029, 132-0050-034, and 132-0050-035 voted to be annexed into the CFD; and

WHEREAS, upon annexation, Seasons Apartments agreed to pay an annual special tax in the manner provided for in the CFD's Rate and Method of Apportionment to fund the required services of the CFD; and

WHEREAS, Seasons Apartments requested that the City directly bill the Fiscal Year 2012-13 charge in lieu of placing it on the property tax roll, and committed to making payment in two equal installments in July 2012 and January 2013; and

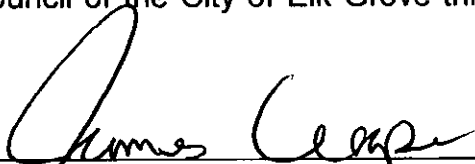
WHEREAS, Section F of the CFD 2003-2 Rate and Method of Apportionment, originally adopted by City Council on November 5, 2003, allows the City to direct bill charges; and

WHEREAS, staff evaluated the request and found it to be beneficial to the project and its residents, with little risk for the City; and

WHEREAS, this approval does not qualify as a "project" subject to the California Environmental Quality Act (CEQA) because it will result in no direct physical effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to remove the Seasons Apartments' Fiscal Year 2012-13 Community Facilities District No. 2003-2 charge from the property tax roll and bill it directly to the property.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of June 2012.




JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



JASON LINDGREN, CITY CLERK



JONATHAN P. HOBBS,
INTERIM CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-118

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

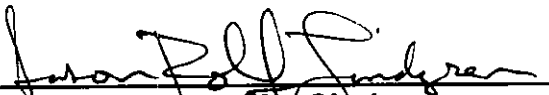
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 27, 2012 by the following vote:

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

NOES: **COUNCILMEMBERS:** **None**

ABSTAIN : **COUNCILMEMBERS:** **None**

ABSENT: **COUNCILMEMBERS:** **Hume**


Jason Lindgren, City Clerk
City of Elk Grove, California