

RESOLUTION NO. 2021-006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE TO ABANDON PROCEEDINGS OF ANNEXATION NO. 63 OF MAINTENANCE SERVICES CFD 2006-1 AND ANNEXATION NO. 36 OF STORM WATER DRAINAGE FEE ZONE 2

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), the City Council of the City of Elk Grove (the "City Council"), on March 22, 2006, approved Resolution No. 2006-73 establishing the City of Elk Grove Community Facilities District No. 2006-1 (Maintenance Services) (the "CFD"); and

WHEREAS, the City Council adopted Ordinance No. 30-2004 amending Chapter 15.10 of the Elk Grove Municipal Code adding a "Levy of Charge in South Elk Grove Storm Drainage Utility Fee Area" which established a storm drainage utility fee over the southern areas of the City, an area commonly referred to as Zone 2; and

WHEREAS, California Health and Safety Code section 5471(a) provides the City of Elk Grove (the "City") with the authority to prescribe and collect fees for storm drainage systems provided the property is not classified as an exempt use; and

WHEREAS, on November 18, 2020, the City Council adopted Resolution No. 2020-259 and Resolution No. 2020-260, to annex territory into Maintenance Services CFD 2006-1 and Storm Water Drainage Fee Zone 2, respectively; and

WHEREAS, staff has determined that Annexation No. 63 of Maintenance Services CFD 2006-1 and Annexation No. 36 of Storm Water Drainage Fee Zone 2 is not recommended at this time for the subject project and that the project can annex under new annexations at a future date prior to building permit issuance; therefore, staff now recommends that the proceedings to complete the above annexations be abandoned by the City Council. The certificate of the City Clerk providing notice of the abandonment is attached hereto as Exhibit A and incorporated by reference.

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

Section 1. Abandonment of Proceedings. Based upon the foregoing, the City Council hereby orders that all proceedings of Annexation No. 63 of Maintenance Services CFD 2006-1 and Annexation No. 36 of Storm Water Drainage Fee Zone 2, be abandoned.

Section 2. Recording of Notice. The City Clerk is hereby directed to record, with the Sacramento County Recorder's Office, a certified copy of this Resolution of Abandonment pursuant to Section 3117 of the California Streets and Highways Code.

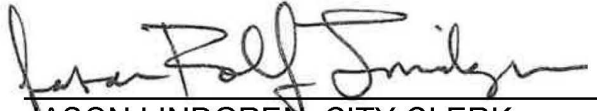
Section 3. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of January 2021




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY


EXHIBIT A

CERTIFICATE OF THE CITY CLERK

**ABANDONMENT OF PROCEEDINGS
(NOTICE OF ABANDONMENT)**

Pursuant to Section 3117 of the California Streets and Highways Code, the undersigned City Clerk of the City of Elk Grove hereby certifies the passage of the City of Elk Grove Resolution No. 2021-006 on January 13, 2021 entitled "A Resolution of the City Council of the City of Elk Grove to abandon proceedings of Annexation No. 63 of Maintenance Services CFD 2006-1 and Annexation No. 36 of Storm Water Drainage Fee Zone 2," whose resolutions of intent to initiate proceedings were originally adopted by the City Council on November 18, 2020, for the City's proposed annexations of territory into Maintenance Services CFD 2006-1 and Storm Water Drainage Fee Zone 2, commenced under Resolution No. 2020-259 and Resolution No. 2020-260, respectively, and to which Resolution and Map reference is hereby made for all particulars. Notice is hereby given that the proceedings of the City Council in and for the aforementioned annexations into Maintenance Services CFD 2006-1 and Storm Water Drainage Fee Zone 2, have been formally abandoned.

January 13, 2021
Date



Jason Lindgren, City Clerk
City of Elk Grove, California

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-006

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

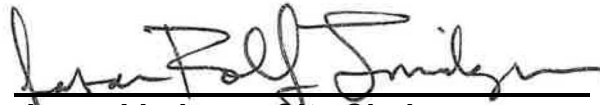
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 13, 2021 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California