

RESOLUTION NO. 2004-173

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
EXPRESSING ITS INTENTION TO LEVY STORM DRAINAGE FEES ON ALL
REMAINING PROPERTIES WITHIN THE CITY LIMITS THAT ARE NOT SUBJECT
TO A STORM DRAINAGE LEVY**

WHEREAS, by its Ordinance No. 22-2003, adopted on June 18, 2003 (the "Ordinance"), the City Council (the "Council") of the City of Elk Grove (the "City") reaffirmed the levy of storm drainage fees imposed by the County of Sacramento on lands within the boundaries of the City that were included within Zone 12 of the Sacramento County Water Agency on June 30, 2003; and

WHEREAS, a portion of the property tax collected by the County on land in other areas within the boundaries of the City that were part of the former Metropolitan Storm Drainage Maintenance District ("property tax revenue lands") are paid to the City and dedicated to storm drain maintenance; and

WHEREAS, until now, the Council has continued the County's practice of extending the levy of storm drainage fees to additional property within the City that was neither property tax revenue land nor included in Zone 12 when the owners of such property have applied for development approvals; and

WHEREAS, it would be more efficient to undertake a single proceeding in which the Council would extend the levy of storm drainage fees to all remaining properties within the City that are neither property tax lands nor currently subject to the storm drain fees.

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

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

Section 2. Declaration of Intention. This Council hereby declares its intention to levy the storm drainage fees on all properties within the City that are neither property tax lands nor currently subject to the storm drainage fees, which properties are depicted on Exhibit A, in the amounts calculated as described in Exhibit B and otherwise in accordance with the procedures described in the Ordinance.

Section 3. Notice of Public Hearing. On Wednesday, September 15, 2004 at 6:30 p.m., or as soon thereafter as the matter may be heard, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, the City Council shall hold a public hearing on the levy of the storm drainage fees.

Section 4. Publication and Mailing of Notice. The City Clerk is directed (i) to publish a notice of the hearing in The Elk Grove Citizen twice in a ten-day period with at least five days intervening between publications (per Government Code §6062a), commencing not later than Friday, August 20, 2004, and (ii) to mail a notice of the public hearing by first-class mail, postage prepaid, to the owner(s) of the property upon which the fees are proposed to be levied. The notice of the hearing shall be in the form attached hereto as Exhibit B. The mailing shall be completed by July 30, 2004, which is at least 45 days before the date of the hearing.

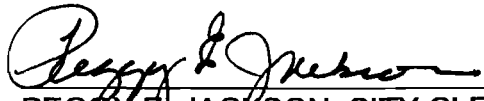
Section 5. Effective Date. This resolution shall take effect from and after the date of its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 21st day of July 2004.



SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

EXHIBIT A MAP OF PROPERTY

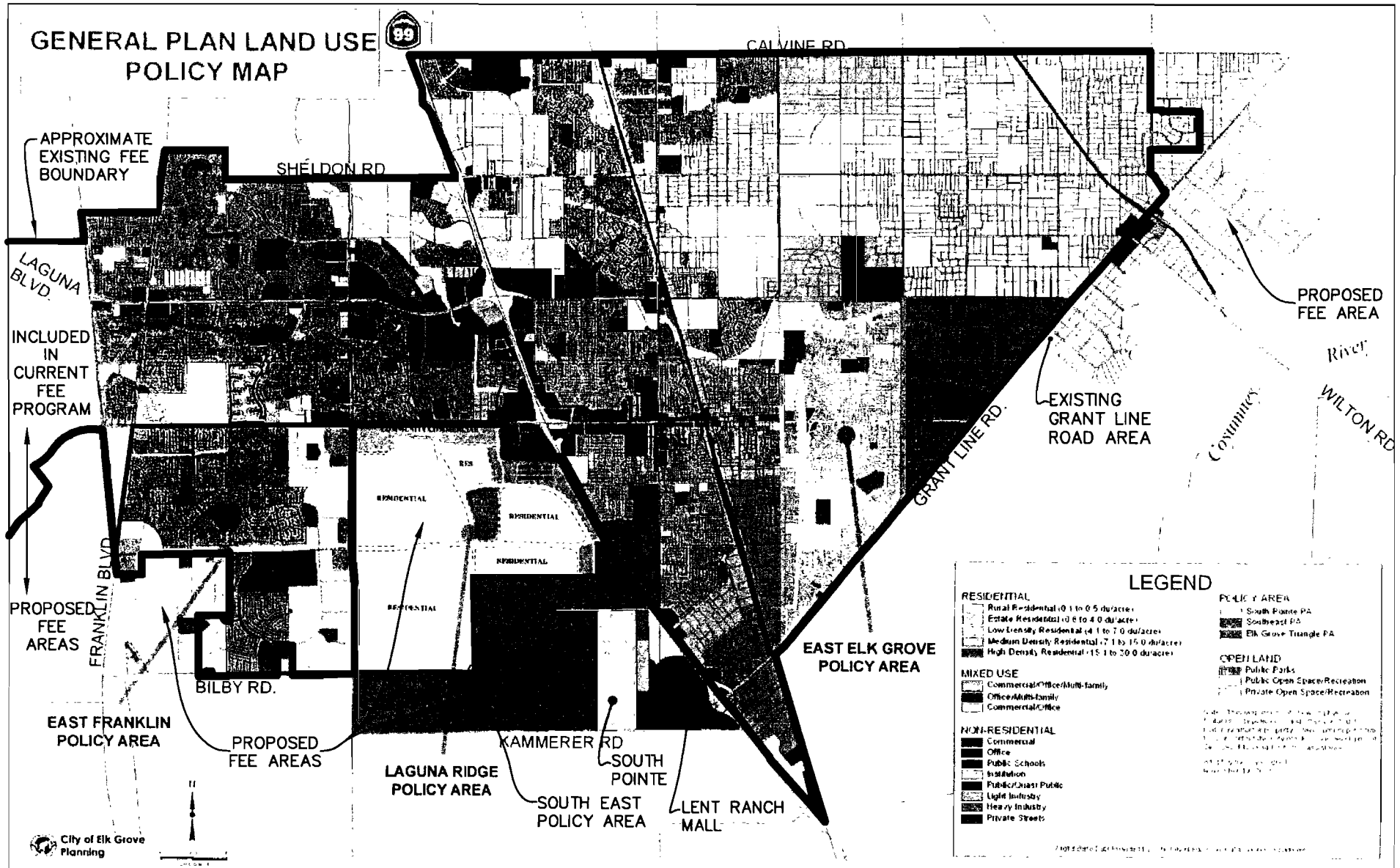


Exhibit B

Form of Published and Mailed Notice

CITY OF ELK GROVE NOTICE OF HEARING ON PROPOSED STORM DRAINAGE FEE FOR MASS ANNEXATION

Hearing. Notice is hereby given that on Wednesday, September 15, 2004, at 6:30 p.m., or as soon thereafter as the matter may be heard, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, the City Council of the City of Elk Grove shall hold a public hearing on the proposed levy of fees to pay for the cost of storm drainage services. The storm drainage fees are proposed to be levied on all remaining properties within the City that currently is neither subject to taxes used to pay for storm drainage nor subject to storm drainage fees.

Storm Drainage Fee. The amount of the proposed fee is based on each parcel's proportional share (based on the amount of stormwater runoff from the parcel) of the cost of operating and maintaining drainage facilities. The fees are calculated as follows:

1. A single-family residential parcel shall pay a monthly charge equal to the administrative charge + (Unit Service Charge (USC) x each residential dwelling unit).
2. All other non-exempt parcels shall pay a monthly charge equal to the administrative charge + (USC x parcel area in square feet x the Impervious Factor + 2000).

The administrative charge is the amount of each parcel's share of the actual cost of billing and collecting storm drainage service fees, and administration. The initial amount of the administrative charge is \$1.71.

The initial amount of the Unit Service Charge shall be \$11.80. The Impervious Factors are given in the following table:

Property Category	Impervious Factor
Commercial/Office	0.80
Industrial	0.70
High Density Residential	0.60
Institutional/Medium Density Residential	0.50
Low Impervious Development	0.10

The administrative charge and the Unit Service Charge (USC) may be increased annually by not more than the percentage change in the Consumer Price Index (CPI) - All Urban Consumers for the San Francisco - Oakland - San Jose areas.

Dated: July 30, 2004

Peggy E. Jackson, City Clerk
City of Elk Grove

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-173

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

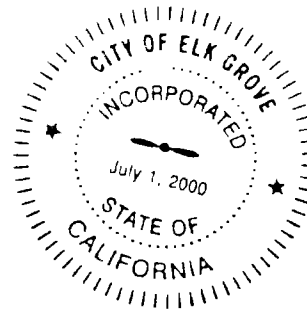
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 21st day of July 2004 by the following vote:

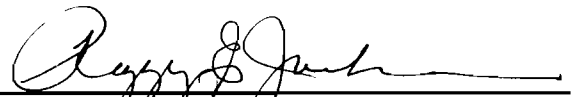
AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





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