

RESOLUTION NO. 2005-128

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT
AGREEMENT REGARDING ALLOCATION OF EXCESS WASTEWATER
TREATMENT CAPACITY**

WHEREAS on June 30, 1999, the governing board of SRCSD enacted a District Treatment Capacity Buyback Ordinance whereby the District did purchase unused industrial treatment capacity; and

WHEREAS, pursuant to the provisions of that Ordinance, the District did purchase \$12.3 million dollars worth of excess wastewater treatment capacity from four industries within the jurisdictional limits of the District; and,

WHEREAS, the excess treatment capacity initially purchased converts to 16,606 ESDs (Equivalent single-family dwelling units); and,

WHEREAS, the District found that it was in the best interests of the District and its Rate Payers to place the 16,606 ESDs in a Economic Development Treatment Capacity Bank; and,

WHEREAS, the purpose of the Bank is to encourage economic development within the District's jurisdictional limits in that the purchased ESDs could be sold at a discounted rate to reduce the sewer impact fees; and,

WHEREAS, Agencies have acknowledged that their ability to offer ESDs at a reduced amount will assist them in encouraging economic development; and,

WHEREAS, the District has determined that it is in the best interests of the District and its ratepayers to distribute the ESDs within the Bank to the member Agencies of the District; and,

WHEREAS, in distributing the initial ESDs to the various Agencies who are a party to this Agreement, the District recognized historical industry closures within the City of Sacramento; and

WHEREAS, the Agencies to this Agreement recognize and acknowledge that it is in the best interests of each jurisdiction to participate in this Bank distribution; and

WHEREAS, the governing board of SRCSD amended the Agreement on July 23, 2003 to provide flexibility to allow Agencies to utilize their bank credits to promote the construction of affordable housing; and

WHEREAS, the Agencies and SRCSD desire to formally amend said Agreement to provide flexibility to allow newly incorporated cities or annexed territories that are

within the SRCSD service area to participate in the bank and to allow Agencies the flexibility to utilize credits to promote infill and transit-oriented housing.


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby approves the agreement regarding SRCSD allocation of excess wastewater treatment capacity

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of May, 2005.



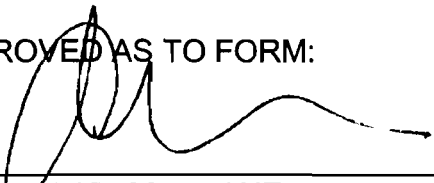
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-128**

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 11th day of May, 2005 by the following vote:

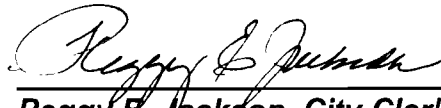
AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





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