

RESOLUTION NO. 2004-199

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
REDUCING THE DEVELOPMENT IMPACT FEE FOR RECLAIMED WATER
FACILITIES IN THE LAGUNA SOUTH AREA**

WHEREAS, at the request of the Sacramento County Water Agency (the "SCWA"), the City of Elk Grove (the "City") included within its Laguna South Public Facilities Fee Program a developer impact fee to pay the costs of the SCWA's construction or acquisition of reclaimed water facilities; and

WHEREAS, the City has been collecting the Laguna South reclaimed water facilities development impact fee and forwarding the funds to the SCWA for construction or acquisition of reclaimed water facilities; and

WHEREAS, the SCWA has proposed that the SCWA assume responsibility from the City for the collection of revenues for this purpose from property owners, and this Council has concluded that such a transfer of responsibility would be in the best interests of the City; and

WHEREAS, the SCWA Board has adopted an ordinance that imposes a charge for reclaimed water facilities that will be effective as of September 1, 2004; and

WHEREAS, in order to coordinate with the SCWA's action, the City needs to reduce its fee for reclaimed water facilities to zero effective the same date.

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. Reduction of Reclaimed Water Facilities Fee. The fee for reclaimed water facilities that is described in Section 16.83.140 of the Elk Grove City Code is hereby reduced to zero, effective as of September 1, 2004.

Section 3. Transfer of Funds; General Authorization. City staff are hereby authorized and directed to transfer to the SCWA any fee revenues collected for reclaimed water facilities. City staff are hereby further authorized and directed to do any and all other things and take any and all other actions that may be necessary or advisable, in their discretion, in order to effect the purposes of this resolution. All actions heretofore taken by City staff that are in conformity with the purposes and intent of this resolution are hereby approved, confirmed, and ratified.

Section 4. 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 4th day of August 2004.




SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY MANZANETTI
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-199**

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

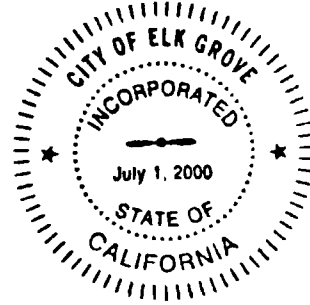
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 4th day of August 2004 by the following vote:

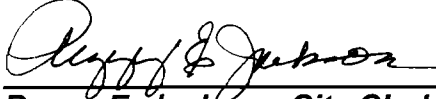
AYES 4: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Leary





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