

RESOLUTION NO. 2004-148

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
CONFIRMING THE WRITTEN REPORT
OF FISCAL YEAR 2004/2005 SERVICE CHARGES AND
ESTABLISHING FISCAL YEAR 2004/2005 SERVICE CHARGES
FOR CERTAIN MISCELLANEOUS EXTENDED SERVICES WITHIN
THE LAGUNA WEST SERVICE AREA (FORMERLY COUNTY SERVICE AREA 5)**

WHEREAS, on November 24, 1992, the Board of Supervisors of the County of Sacramento, pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the Government Code (the "County Service Area Law"), and Resolution No. 92-1766 ordered the formation of County Service Area No. 5 (CSA 5), and on July 27, 1993, adopted County Ordinance No. 1418 (the "Ordinance") providing a procedure for collection of service charges for certain miscellaneous services (the "Services") within CSA 5, which is located in the Laguna West area; and

WHEREAS, on December 15, 2003, the Laguna West area was annexed to the City of Elk Grove (the "City") and the City was authorized pursuant to Resolution No. LAFC 1261 to administer CSA 5, now known as the Laguna West Service Area, and continue to levy the service charges utilizing the procedures provided in Government Code section 25210.77a; and

WHEREAS, Government Code section 25210.77a and the Ordinance require that once a year the governing jurisdiction cause to be prepared a written report containing a description of each parcel of real property within CSA 5 receiving a Service, the amount of the per parcel annual charge for such Service, and the Services provided; and

WHEREAS, in accordance with the County Service Area Law, a written report for fiscal year 2004-2005 (the "Written Report"), styled as an engineer's report, was prepared by MuniFinancial and is now on file with the City Clerk; and

WHEREAS, the City Clerk fixed 6:30 p.m. (or as soon thereafter as the matter may be heard) on Wednesday, June 16, 2004, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, as the time and place for a public hearing on the Written Report; and

WHEREAS, notice of the time, date, and place for the public hearing has been published for two successive weeks in The Elk Grove Citizen as required by the County Service Area Law; and

WHEREAS, the public hearing was duly convened by the City Council at the time and place indicated in the notice and all protests received by the City Clerk were presented to the Council and the City Council heard and considered all objections and protests; and

WHEREAS, the City Council has considered the propriety of the Written Report, and has further considered the comments and evidence presented by all interested persons at the hearing and has determined to act upon the matter.

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

1. **Recitals**. The foregoing recitals are true and correct and this Council so finds and determines.
2. **Determination of Service Charges**. This Council hereby adopts, determines and levies the service charges as described in the Written Report.
3. **Final Approval of Written Report**. This Council hereby confirms the Written Report as now on file with it.
4. **Filing of Service Charge Roll**. This Council hereby directs the Director of Administrative Services to submit the listing of parcels and the amount of service charge to be levied, as prepared by MuniFinancial, to the County Auditor/Controller for inclusion on the 2004/05 property tax roll, in accordance with Government Code section 25210.77a(d) and Part IV of the Written Report.
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 16th day of June 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. 2004-148**

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 16th day of June 2004 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Cooper



A handwritten signature in cursive script, appearing to read "Peggy E. Jackson", written over a horizontal line.

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