

ORDINANCE NO. 2000 – 8

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ELK GROVE PROVIDING FOR
SACRAMENTO COUNTY FEES, CHARGES, RATES AND ASSESSMENTS
TO REMAIN IN EFFECT AFTER INCORPORATION

The City Council of the City of Elk Grove does ordain as follows:

Section 1. The Council of the City of Elk Grove finds that the ballot measure regarding incorporation of the City of Elk Grove specifically included authorization by the voters for the City to continue to levy and collect within the City the same general taxes, fees, charges, and assessments and rates as are presently levied and collected by the County of Sacramento, and that in adopting this ordinance it is the intent of the Council to exercise such authorization. In light of said approval by the voters, no further approval is required pursuant to Government Code section 57135, Proposition 62, or Proposition 218 prior to the adoption of the general taxes levied by this ordinance.

Section 2. The purpose of this ordinance is to continue in effect the applicability and enforceability of all Sacramento County fees, rates, charges and assessments (hereafter collectively referred to as the “County Fees and Assessments”) applicable to the territory now comprising the City of Elk Grove, whether such County Fees and Assessments were adopted or set by ordinance, resolution, or otherwise, until expressly superseded by subsequent City Ordinance.

Section 3. The County Fees and Assessments shall remain in full force and effect as City of Elk Grove fees, rates, charges and assessments from July 1, 2000, until the City Council has enacted ordinances superseding the County Fees and Assessments.

Section 4. No subsequent City of Elk Grove ordinance shall be deemed to supersede any or all of the County Fees and Assessments unless the subsequent City ordinance specifically refers to all or a portion of the County Fees and Assessments and states an intention to supersede it.

Section 5. The City shall be solely entitled to enforce and receive payment of the County Fees and Assessments in the incorporated area of Elk Grove, except insofar as enforcement services are provided by Sacramento County as part of its obligation to continue providing services for the remainder of the 2000-2001 fiscal year in accordance with Government code section 57384.

Section 6. In applying, interpreting and enforcing the County Ordinances, the following general rules of construction and interpretation shall apply:

a. The use of the words “County,” “District,” or their equivalents shall be understood to mean “City of Elk Grove.” The use of the words “Board of Supervisors,” “Board

of Directors,” “Board of Commissioners,” “Board” or their equivalents shall be understood to mean “City Council.”

b. In the event there are seemingly conflicting or inconsistent provisions in the County Ordinances, the inconsistent provisions should be reconciled to avoid the declaration of an irreconcilable conflict and to carry out the fundamental legislative propose of the County Ordinances.

Section 7. This ordinance shall take effect immediately as an urgency ordinance. Commencing July 1, 2000, the City of Elk Grove will be required to provide services to its citizens. The City is also required to make “revenue-neutrality” payments to Sacramento County in accordance with state law. In order to meet these obligations, the City must ensure that it begin receiving revenue from all sources to which it is entitled. For these reasons, the City Council finds that the immediate passage of this ordinance is necessary for the immediate preservation of the public peace, health and safety, and the fiscal integrity of the City.

Section 8. The City Clerk may post a copy of this ordinance in at least three public places in the City within fifteen days after its final passages, in lieu of publication.

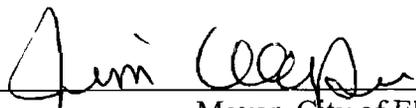
PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 1st day of July, 2000, by the following vote:

AYES: Cooper, Soares, Leary, Scherman, Briggs

NOES: 0

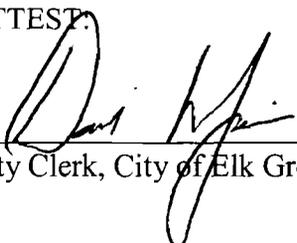
ABSENT: 0

ABSTAIN: 0



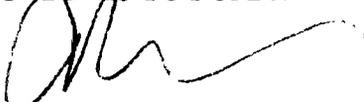
Mayor, City of Elk Grove

ATTEST:



City Clerk, City of Elk Grove

APPROVED AS TO FORM:



City Attorney, City of Elk Grove