

RESOLUTION NO. 2010-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE PROVIDING FOR THE LEVY OF THE SPECIAL TAXES OR ASSESSMENTS FOR FISCAL YEAR 2010-11, AND DIRECTING THE CLERK TO FILE LISTS OF PARCELS SUBJECT TO THE SPECIAL TAXES OR ASSESSMENTS, INCLUDING THE AMOUNT OF THE TAXES OR ASSESSMENTS TO BE LEVIED ON EACH PARCEL, WITH THE COUNTY AUDITOR (CITY OF ELK GROVE COMMUNITY FACILITIES, MAINTENANCE, AND SPECIAL DISTRICTS)

WHEREAS, the City of Elk Grove (the "City") has formed Community Facilities District No. 2002-1 (East Franklin); Community Facilities District No. 2003-1 (Poppy Ridge); Community Facilities District No. 2005-1 (Laguna Ridge); Community Facilities District No. 2003-2 (Police Services); Community Facilities District No. 2006-1 (Maintenance Services); Street Maintenance District No. 1; and Street Lighting and Maintenance District No. 1 (collectively the "Districts"); and

WHEREAS, special elections were held by landowners within each of the Districts at which elections two-thirds (2/3's) of the votes cast were in favor of levying the special tax or assessment; and

WHEREAS, for each of the Districts, the City Council of the City of Elk Grove (the "Council") enacted an ordinance (collectively the "Ordinances") levying the Special Tax or Assessment in each District for the initial Fiscal Year and all subsequent Fiscal Years in the amount of the maximum authorized tax rate in accordance with each of the District's Rate and Method of Apportionment, or Engineer's Report, adopted with the resolution establishing each of the Districts; and

WHEREAS, pursuant to Section 53340 of the Government Code (the "Law") of the State of California, the Council may levy the Special Tax or Assessment annually by resolution, provided the Special Tax or Assessment is levied at the same rate or at a lower rate than the rate provided by the Ordinances, if a certified copy of such resolution and a list of all parcels subject to the Special Tax or Assessment levy is filed by the City Clerk's office with the County Auditor; and

WHEREAS, the Council pursuant to the Law desires to levy the Special Taxes or Assessments for each of the District's for Fiscal Year 2010-11 by resolution; and

WHEREAS, the Special Taxes or Assessments to be levied for Fiscal Year 2010-11 will not be levied at a higher rate than the rate provided by the Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds, approves and adopts:

- 1) The foregoing recitals are true and correct and this Council so determines.

- 2) The attached Special Tax Reports or Special Assessment Reports for the Districts are hereby approved, which reports contain by reference a list of all parcels subject to the Special Tax or Assessment along with the Special Tax or Assessment to be levied on each parcel.
- 3) The Council hereby levies the Special Tax or Assessment for the Districts for Fiscal Year 2010-11 at the rates provided in the Special Tax Reports.
- 4.) The appropriate officers and agents of the City are authorized, pursuant to the Ordinances, to make adjustments to the Special Tax or Assessment roll prior to final posting of the Special Taxes to the County of Sacramento tax roll each Fiscal Year, as may be necessary to achieve a correct match of the Special Tax or Assessment levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.
- 5.) The City Clerk's office is hereby authorized and directed to file the Special Tax or Assessment roll with the Auditor of the County of Sacramento.
- 6.) This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 26th day of May 2010.


SOPHIA SCHERMAN MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, INTERIM CITY CLERK

APPROVED AS TO FORM:


SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-109**

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

I, Jason Lindgren, Interim 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 May 26, 2010 by the following vote:

AYES : COUNCILMEMBERS: Scherman, Detrick, Cooper, Hume

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Davis



**Jason Lindgren, Interim City Clerk
City of Elk Grove, California**