

RESOLUTION NO. 2004-278

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING THE RESULTS OF AN ELECTION HELD REGARDING STORM
DRAINAGE FEES**

WHEREAS, the City Council (the "Council") on July 21, 2004, duly adopted its Resolution No. 2004-173 (the "Resolution of Intention"), which proposed levying storm drainage fees according to the procedures and methodology described in Ordinance No. 15.10, adopted by the Council on June 18, 2003, but at a unit service charge rate described in the Resolution of Intention (the "Storm Drainage Fees"), on all remaining properties within the City that currently are neither subject to taxes used to pay for storm drainage nor subject to storm drainage fees and as more fully identified on Figure 1 attached to the South Elk Grove Storm Water Drainage Utility Fee Analysis Report dated September 2004 (the "Property"); and

WHEREAS, the Council on September 15, 2004, duly adopted its Resolution No. 2004-241 (the "Resolution Calling Election"), which ordered an election concerning the levy of the Storm Drainage Fees on the Property to be held on November 9, 2004; and

WHEREAS, the City Clerk has duly canvassed the returns of the election as required by the Resolution Calling Election and has filed with the Council a statement of all votes cast at the election showing the number of votes cast for and against the proposed levy and also filed, attached to the statement, her certificate as to the correctness of the statement (the "Statement of Election Results"), which is attached hereto as Exhibit A.

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.

Section 2. Canvass. The canvass by the City Clerk as shown by the Statement of Election Results is hereby ratified, confirmed, and approved. A majority of all the votes cast at the election were in favor of levying the Storm Drainage Fees on the Property, and the levy of the fees was approved.

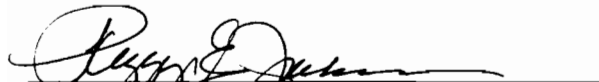
Section 3. Levy of Storm Drainage Fees. In accordance with Ordinance No. 30-2004, the Storm Drainage Fees shall be levied on the Property effective November 19, 2004.

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 17th day of November 2004.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

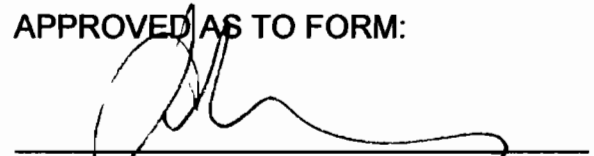

ANTHONY B. MANZANETTI
CITY ATTORNEY

EXHIBIT A

STATEMENT OF ELECTION RESULTS

I, Peggy Jackson, City Clerk of the City of Elk Grove (the "City"), hereby certify that:

1. On November 10, 2004, at my office, 8380 Laguna Palms Way, Elk Grove, California, after having closed the election, I canvassed the returns of the election called for November 9, 2004, concerning the proposed levy of storm drainage fees on the property identified in Resolution No. 2004-173, adopted by the City Council on July 21, 2004.

2. The total number of votes eligible to be cast, the total number of votes actually cast at the election, and the total number of votes cast for and against the levy are set forth below. The totals as shown for and against the levy are true and correct. A majority of all the votes cast at the election were in favor of the levy and the levy was approved.

Eligible Votes	Votes Cast	YES	NO
1760	1413	1348	65

Dated: November 10, 2004

Peggy E. Jackson for
Peggy E. Jackson, City Clerk, City of Elk Grove

Assessor's Parcel Number(s):

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-278**

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

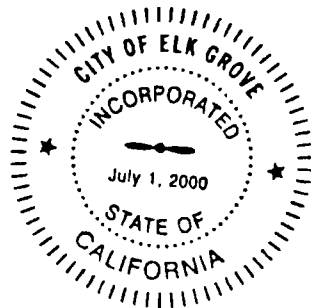
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 17th day of November 2004 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:



A handwritten signature in cursive script, appearing to read "Peggy E. Jackson".

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