

RESOLUTION NO. 2005-196

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ADOPTING AN UPDATED APPLICATION FEE FOR THE COSTS OF
ESTABLISHING NEW ZONES OF BENEFIT AND ANNEXING PROPERTY TO
THE CITY'S STREET MAINTENANCE DISTRICT NO. 1**

WHEREAS, the City collects fees to offset the costs associated with establishing new zones of benefit within Street Maintenance District No. 1 and conducting the proceedings for annexations to the district pursuant to applications from developers;

WHEREAS, the City desires to update the application fee to include non-residential projects to offset the costs associated with establishing this new zones of benefit within the assessment district and conducting the proceedings for annexations to the district;

WHEREAS, the adoption of the updated application fee is not a "project" subject to the California Environmental Quality Act, because it is a funding mechanism having no physical effect on the environment;

WHEREAS, because the application fee is a fee described in Government Code section 66014, (i) notice of the time and place of this meeting as well as a general description of the matter to be considered was mailed at least 14 days prior to the date of this meeting to those parties (if any) who have filed requests for such notification and (ii) data indicating the amount of the estimated updated cost required to establish new zones of benefit and conduct the assessment proceedings and the resources anticipated to fund those costs were made available to the public at least 10 days prior to the date of this meeting, all in accordance with Government Code section 66016;

WHEREAS, the amount of the updated application fee to include non-residential projects does not exceed the estimated reasonable cost of establishing new zones of benefit and conducting the assessment proceedings;

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

Section 1. Recitals. The foregoing recitals are true and correct and the City Council so finds and determines.

Section 2. Establishment of City of Elk Grove Street Maintenance District No. 1 Updated Application Fee. An updated fee schedule is hereby established in the amounts detailed on Exhibit A for the purpose of funding the cost of establishing new zones of benefit and conducting proceedings for the annexation of property to the City's Street Maintenance District No. 1.

Section 3. Collection of Street Maintenance District No. 1 Application Fee. The fees levied pursuant to this resolution shall be paid by the property owner to the City at least three weeks prior to adoption of the resolution of intention to annex the developer's property to Street Maintenance District No. 1.

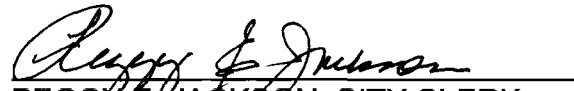
Section 4. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of July 2005.




DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

Exhibit A

Street Maintenance District No. 1 Annexation Application Fee Amounts

- For each development project outside of Zone 1, the application fee shall be \$70 per residential unit up to 100 proposed residential units, for a maximum application fee of \$7,000 per project.
- For each development project annexing to Zone 1, the application fee shall be \$45 per residential unit, up to the 100 proposed residential units, for a maximum application fee of \$4,500 per project.
- In cases where over one-half of a Specific Plan area annexes into the District at one time, the application fees for annexation to the District will be subject to an advance deposit agreement for application processing costs in-lieu of the \$70 per residential unit cost stated above.
- For each non-residential development project annexed, or for each non-residential portion of mixed use projects annexed, the application fee shall be \$280 per acre up to a maximum of \$7,000 per project to recover the cost of annexations to the District.

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-196

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

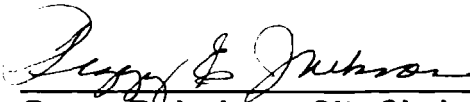
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 13th day of July, 2005 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Cooper



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

