

RESOLUTION NO. 2004-158

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING THE RESULTS OF AN ELECTION HELD ON JULY 6, 2004
REGARDING STORM DRAINAGE FEES**

WHEREAS, the City Council on August 6, 2003, duly adopted its Resolution No. 2003-135 (the "Resolution of Intention"), which proposed levying storm drainage fees in the amount described in Ordinance No. 22-2003, adopted by the Council on June 18, 2003 (the "Storm Drainage Fees"), on the property commonly referred to as Schuler Ranch Units 1 & 2 and as more fully identified on Exhibit A to the Resolution of Intention (the "Property"); and

WHEREAS, the City Council on May 19, 2004, duly adopted its Resolution No. 2004-107 (the "Resolution Calling Election"), which ordered an election concerning the levy of the Storm Drainage Fees on the Property to be held on July 6, 2004; and

WHEREAS, pursuant to the terms of the Resolution Calling the Election, the City Clerk closed the election on July 6, 2004 after having received ballots from all or a majority of the property owners; and

WHEREAS, the City Clerk has duly canvassed the returns of the election as required by the resolution and has filed with the City 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. The City Council hereby levies the Storm Drainage Fees on the Property.

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 21st day of July 2004.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY MANZANETTI
CITY ATTORNEY

EXHIBIT A

**Schuler Ranch Units 1 and 2
Storm Drainage Fee Election**

STATEMENT OF ELECTION RESULTS

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

1. On July 6, 2004, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, having received ballots from all or a majority of the property owners and having closed the election, I canvassed the returns of the election called for July 6, 2004, concerning the proposed levy of storm drainage fees on the property identified below.

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. All or 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
151	145	143	2

Dated: July 9, 2004



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

Property description: **Schuler Ranch Units 1 and 2**



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-158**

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 21st day of July 2004 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





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