

**RESOLUTION NO. 2004-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
ADOPTING AN APPLICATION FEE FOR THE COSTS OF ANNEXATION TO  
COMMUNITY FACILITIES DISTRICT NO. 2003-1  
(POPPY RIDGE)**

**WHEREAS**, the City of Elk Grove conditions approval of the development of property located in the southern portion of the East Franklin Specific Plan upon the developer's providing the City a means by which to obtain the funds needed to pay for the fair share of certain facilities and for additional police services required as a result of that development; and

**WHEREAS**, the mechanism to be used to obtain the necessary funds for certain facilities and additional police services is the inclusion of the developer's property within the Poppy Ridge CFD 2003-1 and the levy of special taxes within the district; and

**WHEREAS**, in order to comply with this development condition, the developer needs the City to apply to the City to conduct the proceedings necessary to annex the developer's property to the Poppy Ridge CFD 2003-1; and

**WHEREAS**, City Council intends to collect fees to offset the costs associated with proceedings for annexations to the Poppy Ridge CFD 2003-1 pursuant to applications from developers;

**WHEREAS**, the adoption of the 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 are to be 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 since no requests were filed no notices were mailed and (ii) data indicating the amount of the estimated cost required to conduct the Poppy Ridge CFD 2003-1 proceedings and the resources anticipated to fund the proceedings 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 application fee does not exceed the estimated reasonable cost of conducting the Poppy Ridge CFD 2003-1 annexation 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 the Poppy Ridge CFD 2003-1 Application Fee. A fee is hereby established in the amounts detailed on Exhibit A for the purpose of funding the cost of conducting proceedings for annexations of property to the City's Poppy Ridge CFD No. 2003-1.

Section 3. Collection of the Poppy Ridge CFD 2003-1 Application Fee. The fees levied pursuant to this resolution shall be paid by the property owner to the City at least one week prior to the annexation to the community facilities district.

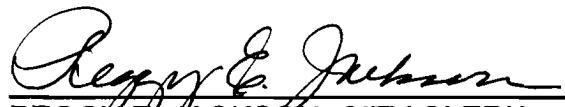
Section 4. Establishment of the Poppy Ridge CFD 2003-1 Proceedings Fund. There is hereby created a special interest-bearing trust fund at the City of Elk Grove entitled the "Poppy Ridge CFD 2003-1 Application Fund." All application fees collected pursuant to this resolution shall be placed in that fund and shall be expended by the City solely to pay the costs of proceedings for the annexations of property to the Poppy Ridge CFD 2003-1.

Section 5. Effective Date. This resolution shall take effect immediately upon adoption.

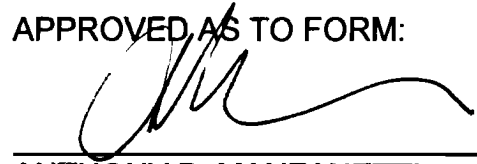
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 18th day of February 2004.

  
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**

### **City of Elk Grove Poppy Ridge CFD 2003-1 Annexation Application Fee Amount**

The application fee is as follows:

- For each annexation, total application fee of \$7,000 to be shared equally amongst project owners if more than one project is included in the annexation.

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-27**

**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 18<sup>th</sup> day of February 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**