

RESOLUTION NO. 83-178

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

MARCH 8, 1983

FOR IMPROVEMENT PROCEEDING NO. 5232

ROBLA ACRES SEWER
ASSESSMENT DISTRICT NO. 1

- (1) Describing Proposed Improvements For Proposed Robla Acres Sewer Assessment District No. 1;
- (2) Declaring that Public Convenience and Necessity Require Said Improvements; and
- (3) Setting Time and Place for a Hearing Respecting the Public Convenience and Necessity for said Improvements.

WHEREAS, on March 8th, 1983, the City Engineer-Superintendent of Streets of the City of Sacramento presented to this Council a map for the proposed "Robla Acres Sewer Assessment District No. 1" and said map showed a boundary line enclosing an area in the City of Sacramento, and

WHEREAS, on March 8th, 1983, this Council adopted a Resolution Approving said map and therein granted the name Robla Acres Sewer Assessment District No. 1 to the Area in the City of Sacramento shown enclosed by said boundary line on said map, and

WHEREAS, on March 8th, 1983, the City Engineer-Superintendent of Streets of the City of Sacramento at the direction of this Council presented to this Council a

"Report Respecting Robla Acres Sewer Assessment District No. 1"

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which report contained among other items plans and specifications for certain public improvement work that the City of Sacramento proposes to do on public streets and easements within and adjacent to the area of said Robla Acres Sewer Assessment District No. 1, and

WHEREAS, this Council acting under the provisions of Article XVI, Section 19 of the Constitution of the State of California, desires to do and construct said public improvement work under a lawful declaration that the public convenience and necessity require the same, and

WHEREAS, this Council desires to assess all of the costs and expenses of said public improvement work on the District of lands mentioned hereinabove, to-wit: said Robla Acres Sewer Assessment District No. 1.

NOW, THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

1. That this Council hereby preliminarily determines that the public convenience and necessity require that the City of Sacramento construct in and adjacent to the area in the City of Sacramento designated Robla Acres Sewer Assessment District No. 1 the public improvement work that is shown and described on the plans and specifications contained in said Report and preliminarily approved by this Council on March 8th, 1983.

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2. That the places where said public improvement work shall be done and a general description of the types of work shown in said plans and specifications are as follows:

- A. Sanitary Sewers and sewer services, together with all necessary appurtenances thereto within and adjacent to the following streets and easements in the City of Sacramento, to-wit:

Claire Avenue, Exchange Street and Santa Ana Avenue from the center line of Sully Street to the center line of Rio Linda Boulevard;

Irving Avenue from the center line of Rio Linda Boulevard to a point located 605 feet west of the center line of Rio Linda Boulevard;

Pinedale Avenue from a point located 1,285 feet west of the center line of Sully Street to the center line of Rio Linda Boulevard;

Sully Street from the center line of Claire Avenue to a point located 490 feet south of the center line of Santa Ana Avenue;

Rio Linda Boulevard from a point located 160 feet north of the center line of Claire Avenue to a point located 620 feet south of the center line of Santa Ana Avenue;

Public Utility Easements within the Private Roads known as 5th Street, Willard Avenue, Wallace Avenue, Warren Avenue and Wilson Street from the center line of Santa Ana Avenue to a point located 660 feet south of the center line of Santa Ana Avenue;

3. That this Council declares that depending on conditions encountered during the course of construction of said public improvement work or depending on other facts including the recommendation of the City Engineer-Superintendent of Streets, the public improvement work hereinabove

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described may be changed as to location, materials, or any other construction detail or new work may be done on streets or easements in said district not now named hereinabove, but all such changes or additions shall be limited to the extent lawfully permitted in the Municipal Improvement Act of 1913, the Act under which this Council proposes to do and construct said public improvement work.

4. That this Council hereby preliminarily determines to do and to construct the public improvement work described in this Resolution and any changes thereto under proceedings that the City Council shall conduct for the same under the Municipal Improvement Act of 1913, and the City Council hereby preliminarily determines to undertake said proceedings under said Municipal Improvement Act of 1913 without complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

5. That this Council hereby preliminarily determines to pay for the cost of all of said public improvement work and all expenses appertaining thereto by levying special assessments on the lands situate within the boundaries of said Robla Acres Sewer Assessment District No. 1, saving and excepting therefrom the area of all public easements, freeways, highways, streets and roads, and saving and excepting all parcels of property located therein that are

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owned by the City of Sacramento and used in a public function, and also preliminarily determines to assess said lands in accordance with the benefits that each parcel of land in

6. The City of Sacramento will contribute a portion of the cost of constructing the above described public improvement work. The amount of said contribution shall be the approximate sum of \$ 361,971.21 , and the final amount thereof shall be determined at the time when this Council confirms the assessment for the work herein described.

7. That the City Council hereby sets April 12th, 1983 at the hour of 7:30 o'clock P.M. in the Council Chambers of the City Council, in the City Hall on I Street, between 9th and 10th Streets in the City of Sacramento, California, as the time and the place for a public hearing whereat any person interested may appear and show cause why the City Council should not find and determine that the public convenience and necessity require the City of Sacramento to do and construct the public improvement work hereinafter set forth without complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

8. That this Council hereby directs the City Clerk of the City of Sacramento to notify all interested persons of said hearing by doing all of the following:

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(a) Cause a notice to be published in the newspaper of general circulation known as The Daily Recorder and cause said notice to be published in two entire issues of said newspaper, one of which shall be published on one day and the other shall be published on a day subsequent to the day the first notice is published but not less than 5 days after the first notice of publication and cause said notice to be published for the first time at least 20 days before the date hereinabove set for said hearing.

(b) Mail prepaid at least 20 days before the date hereinabove set forth for said hearing a notice to each owner of land within the proposed Robla Acres Sewer Assessment District No. 1 whose name and address is shown on the last equalized assessment roll of the County of Sacramento last prior to the date of this Resolution, and mail such a notice to the owner of any said land whose land is assessed under the provisions of Article XIII, Section 19 of the Constitution of California at the address for said owner shown on the Board roll last transmitted to the County Auditor prior to the date of this Resolution.

(c) Cause notices to be posted on all open streets within the boundaries of the proposed Robla Acres Sewer Assessment District No. 1 at not more than 300 feet in distance apart, but not less

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than 3 said notices on each said street and shall complete posting all said notices at least 20 days prior to the date set herein for said public hearing and said notices so posted shall be headed Notice of Improvement set in type not less than one inch in height.

8. That the notice herein ordered to be published, the notice herein ordered to be mailed and the notice herein ordered to be posted along the public streets shall state the following:

That the City Council has passed this resolution and has preliminarily determined that the public convenience and necessity requires that the City of Sacramento do and construct certain public improvement work under proceedings to be taken under the Municipal Improvement Act of 1913 without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and all for an assessment district to be known as Robla Acres Assessment District No. 1.

That plans and specifications showing the nature and extent of said public improvement work are on file in the office of the City Clerk of the City of Sacramento.

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That this Resolution declares the location of said public improvement work. That a public hearing will be held at the time and place stated herein whereat any interested person may file a written objection and show cause therein why the City Council should not find and determine that the public convenience and necessity require said public improvement work to be done without compliance with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931. That all protests shall be in writing and shall state the name and address of the protestor.

That the City Clerk is hereby authorized to accomplish any notice herein directed in combination with any notice published, mailed or posted that is required under the Municipal Improvement Act of 1913.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 8TH DAY OF MARCH, 1983, by the following

vote:

AYES: Mayor Miller, Councilmembers: Shore, Fisher, Pope, Rudin, Serna, Garcia, Kastanis, Robie.

NOES: None.

ABSENT: None.

ATTEST:


MAYOR


CITY CLERK OF THE CITY OF SACRAMENTO

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