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DEPARTMENT OF PARKS  
AND COMMUNITY SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
SUITE 400  
SACRAMENTO, CA  
95814-2977

ROBERT P. THOMAS  
DIRECTOR

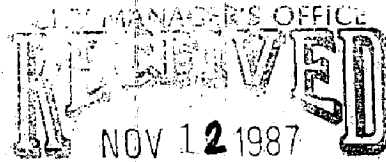
November 6, 1987

916-449-5200

G. ERLING LINGGI  
ASSISTANT DIRECTOR

DIVISIONS:  
CROCKER ART MUSEUM  
GOLF  
METROPOLITAN ARTS  
MUSEUM AND HISTORY  
PARKS  
RECREATION  
ZOO

WALTER S. UEDA  
DEPUTY DIRECTOR



Budget and Finance Committee  
Sacramento, California

Honorable Members in Session:

SUBJECT: Village Garden North - Intent to Create a Maintenance Assessment District

SUMMARY

This report provides information regarding park and landscape median maintenance at Village Garden North, a residential subdivision. In addition, this report recommends that City Council, by resolution, give notice of intent to create a maintenance assessment district under the authority of the Landscaping and Lighting Act of 1972.

BACKGROUND INFORMATION

Village Garden North is a residential subdivision located north of Interstate 80 and east of Norwood Avenue. The subdivision improvement agreements for this subdivision anticipate a park approximately one-half acre in size and landscape medians to be developed and maintained. The subdivider has agreed to develop a park approximately one and one-half acres in size if the City will acquire the land. (Refer to accompanying report regarding this acquisition.) The subdivision improvement agreements anticipate that the development and maintenance of the park and landscape medians will be done through a homeowner's association or similar method acceptable to the City.

On May 26, 1987, City Council approved the Department of Parks and Community Services Median Strip Master Plan and Criteria. At that time, staff indicated that possible utilization of the Landscaping and Lighting Act was being investigated. This act can be implemented as a means of funding maintenance of neighborhood park and landscaped spaces in new subdivisions within the City. The Department's 1984 Master Plan recommendations regarding the financing of parks and recreation include the policy of recognizing the need to develop new facilities in conjunction with populations generated by new development. Further, the master plan calls for the implementation of new financing concepts. Creation of the Village Garden North landscape maintenance assessment district addresses these directives.

Other Sacramento region agencies have also begun to diversify methods of funding open green spaces necessary to maintain quality of life in this urban area. The Elk Grove Community Services District and Southgate Recreation and Park District have successfully implemented assessment districts within their boundaries using the Landscaping and Lighting Act.

Staff members of the Department of Parks and Community Services, working together with staff from the City Attorney's office, Finance Department, Real Estate and Engineering Divisions, have been meeting over the last several months with the developers of Village Garden North. These meetings have been for the purpose of establishing an assessment district to finance both the initial capital construction and ongoing maintenance cost of the park and linear green spaces within this 208-unit subdivision. Following these discussions with the subdivider, Parks and Community Services staff have concluded that the best method to use for these purposes is to form an assessment district under the Landscaping and Lighting Act of 1972. (Streets and Highways Code, Sections 22500 et seq.) This district will make the property included subject to annual assessments for maintenance of the improvements. Under the authority of the Landscaping and Lighting Act, the costs of landscape and park maintenance may be assessed and an assessment for costs of construction of the landscape improvements may be made for up to five years. It is anticipated that the Village Garden North subdivider will pay the costs of installing the park and median landscape improvements and be partially reimbursed through this assessment revenue.

Because of the moderate price structure of the residential project to be constructed, the subdivider is of the opinion that the assessments should not exceed one hundred dollars per year per residential unit. The City will deduct the contract cost of maintenance from the assessments and use the remainder to partially reimburse the subdivider for construction costs during the first five years in which the assessment is made. After the first five years of the assessments, only landscape maintenance costs will be assessed. Currently, it is anticipated that the annual assessment for maintenance in the Village Garden North subdivision will be \$29 per unit.

The steps in forming this park and landscape maintenance district include the adoption of a resolution of intent to create the maintenance assessment district and following adoption of that resolution, adoption of a resolution forming the district. This report recommends adoption of the resolution of intent to create a landscape maintenance assessment district in the Village Garden North subdivision. Staff will report back with the resolution to form the district within one week.

#### FINANCIAL DATA

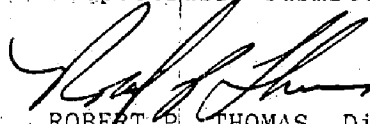
Staff is recommending that ten lots be purchased for a one and one-half acre neighborhood park (see accompanying report) to be located in the Village Garden North residential subdivision and which park is to be developed by the subdivider. This report recommends creation of a landscape maintenance assessment district to include all of the Village Garden North development. It is expected that this assessment district will offset all costs of landscape maintenance in this subdivision.

There is no other financial impact to the City.

RECOMMENDATION

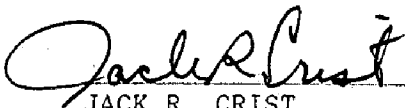
It is recommended that the Budget and Finance Committee approve this report and refer it to the full City Council for action. Further, it is recommended that City Council initiate and pursue the formation of the landscape maintenance assessment district in the Village Garden North residential subdivision and adopt the attached resolution of intention to create this district.

Respectfully submitted,



ROBERT P. THOMAS, Director  
Parks and Community Services

Recommendation Approved:



JACK R. CRIST  
Deputy City Manager

RPT:ja

November 17, 1987  
District No. 1

## RESOLUTION No.

Adopted by The Sacramento City Council on date of

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO APPROVING ENGINEER'S REPORT, DECLARING ITS INTENTION TO CREATE AN ASSESSMENT DISTRICT, DESCRIBING THE WORK TO BE PERFORMED, THE AREA TO BE BENEFITED, AND ASSESSED TO PAY THE COST THEREOF, TOGETHER WITH THE ESTIMATES OF THE ASSESSMENT TO BE LEVIED AND FIXING THE TIME AND PLACE FOR HEARING PROTEST AND OBJECTIONS TO SAID WORK, THE EXTENT OF THE DISTRICT TO BE ASSESSED ON BOTH AND GIVING NOTICE THEREOF.

### Maintenance District No. 1

#### Village Garden North Landscaping and Lighting Assessment District

BE IT RESOLVED, determined and ordered by the City Council that:

1. An Engineer's Report has been prepared in accordance with Section 22565 et seq. of the California Streets and Highways Code, filed with the City Clerk, duly considered by the City Council and is hereby deemed sufficient and approved.

2. It is the intention of the City Council to order the formation of the Village Garden North Landscaping and Lighting Assessment District and to levy and collect annual assessments to pay the cost of said work pursuant to Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof), said work is described as follows:

Furnish all tools, equipment, apparatus, facilities, labor, material, supplies and utilities necessary or desirable to construct, install, maintain and service the park and landscape strips as shown on the subdivision map of Village Garden North. "Improvements" shall include all items authorized by the Landscaping and Lighting Act of 1972 as shown on plans and specifications for the improvements approved by the City of Sacramento on file at the office of the City Clerk. "Maintenance" and "service" shall be defined in the Landscaping and Lighting Act of 1972. The City Council anticipates that cost for the construction and installation of the improvements is greater than can be conveniently raised from a single annual assessment. If such is the case, it is the intention of the City Council to order that such estimated cost to be levied and collected in installments over a period not to exceed five fiscal years.

3. The proposed Village Garden North Landscaping and Lighting Assessment District consists of those areas shown in the subdivision maps for Village Garden North Units 1 through 5 inclusive and reference is hereby made to the aforementioned Engineers Report on file with the City Clerk for a full and detailed description and map of the boundaries of the proposed assessment district.

4. The contemplated construction, installation and maintenance work is in the opinion of the City Council more than of ordinary public benefit and specifically enhances the aesthetic environment and economic value of those properties located within the proposed assessment district, and the City Council hereby declares its intention to make the expenses of performing said work chargeable upon a district which the City Council finds to be the district benefited by said work and to be assessed to pay the cost and expenses thereof. The assessments to pay the cost to perform the work herein described shall be levied in accordance with the procedures of the Landscaping and Lighting Act of 1972 in the amounts preliminarily determined and set forth in the Engineers Report. Said assessment is to be levied against each parcel of real property in the district in accordance with a determination of benefit to be derived by each such parcel as a result of the performance of the work herein described. Annually the amount of work to be performed by the district shall be determined and new assessments levied in order to provide funds necessary to pay the cost of said work.

5. Should any surplus arise as a result of the assessments, such amount would be carried over for the calculation of the assessments for the following year. Should a deficit occur, the City may borrow funds from any source and the repayment of such loans, together with any interest expenses, will be included in assessments for subsequent years.

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MAYOR

ATTEST:

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CITY CLERK