



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

CONSENT
May 26, 2009

**Honorable Mayor and
Members of the City Council**

Title: Power Inn Road Maintenance District – Initiate Annual Proceedings

Location/Council District: Power Inn Road from 14th Avenue to the Regional Transit light rail overcrossing in Council District 6 (Exhibit A, page 6).

Recommendation: Adopt 1) a **Resolution** directing filing of Annual Report for FY2009/10; 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10; and 3) setting a time and place for a Public Hearing for June 9, 2009.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788

Presenters: Not Applicable

Department: Finance

Division: Public Improvement Financing

Organization No: 06001321

Description/Analysis

Issue: The Power Inn Road Maintenance District ("District") is required by the California Streets and Highways Code to present an annual budget to City Council for approval. Approval of the District's annual budget will authorize the City to collect assessments in the amount sufficient to provide funding for maintenance of the landscaped areas adjacent to the parcels in this District for FY2009/10.

Policy Considerations: The annual proceedings for this District are being processed as set forth in the Landscaping and Lighting Act of 1972, California Streets and Highways Code sections 22500, et seq. This process is consistent with the City's Strategic Plan 3-Year Goal to "achieve sustainability and enhance livability".

Environmental Considerations: Under California Environmental Quality Act (CEQA) guidelines, annual proceedings of a Special District do not constitute a project, and are therefore exempt from review.

Sustainability Considerations: There are no sustainability considerations applicable to the formation process and administration of a special district.

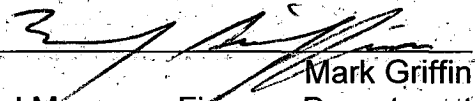
Committee/Commission: None

Rationale for Recommendation: The actions in the recommended Resolutions are required by the California Streets and Highways Code, as set forth in Section 22500 of the Landscaping and Lighting Act of 1972, for annual proceedings of an existing district.

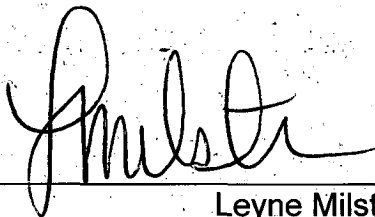
Financial Considerations: This District is self-supporting and has no impact on the General Fund. The estimated budget for FY2009/10 is projected at \$19,777 (\$9,700 in assessments and \$10,077 from surplus) as shown on Exhibit B, page 10, and detailed in the Engineer's Report on file with the City Clerk. The proposed FY2009/10 assessment of \$2.157 per linear foot of frontage represents a 1.16% increase from the FY2008/09 assessment and is the maximum allowed annual increase in the District.

Emerging Small Business Development (ESBD): City Council approval of these proceedings is not affected by City policy related to the ESBD Program.

Respectfully Submitted by:


Mark Griffin
Fiscal Manager, Finance Department

Approved by:


Leyne Milstein
Director, Finance Department

Recommendation Approved:

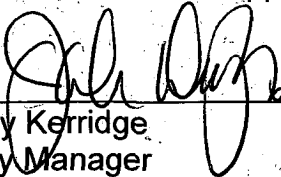

Ray Kerridge
City Manager

Table of Contents:

Report	Pg 1
Attachments	
1 Background	Pg 4
2 Schedule of Proceedings	Pg 5

3	Resolution, Directing Filing of Annual Report	Pg 6
	Exhibit A, Map of District	Pg 7
4	Resolution, Approving Engineer’s Annual Report and Intention to Order Maintenance of Improvements.....	Pg 8
	Exhibit A, Map of District	Pg 10
	Exhibit B, District and Parcel Assessments	Pg 11

BACKGROUND

On July 29, 2003, City Council approved formation of the Power Inn Road Maintenance District. This district provides funding for the maintenance of the landscaped corridor located along the frontage of lots adjacent to Power Inn Road between 14th Avenue and the Regional Transit over-crossing located just south of Folsom Boulevard. The landscaped corridor is designated as the area between the separated sidewalk and the curb and gutter.

SCHEDULE OF PROCEEDINGS

**POWER INN ROAD MAINTENANCE DISTRICT
FY2009/10**

May 26, 2009

**Council Considers Resolution of Intention and Sets Date
for Hearing**

May 27, 2009

Publish Notice of Meeting and Hearing

June 9, 2009

City Council – Public Hearing
Council Orders Annual Levy

July 2009

Assessments to County for Placement on Tax Roll

RESOLUTION NO.

Adopted by the Sacramento City Council

DIRECTING FILING OF ANNUAL REPORT FOR THE POWER INN ROAD MAINTENANCE DISTRICT (FY2009/10) (Pursuant to Landscaping and Lighting Act of 1972)

BACKGROUND:

- A.** The Power Inn Road Maintenance District (“District”), as depicted in Exhibit A, was established by the City Council and approved by the property owners on July 29, 2003.
- B.** The City Council established the District under the Landscaping and Lighting Act of 1972 (part 2 of division 15 in the Streets and Highways Code, beginning with section 22500) (“the 1972 Act”), and has previously levied assessments on property in the District to pay for landscaping maintenance services and related services to be provided within the District, all in accordance with the 1972 Act.
- C.** The Council is fully advised in this matter.

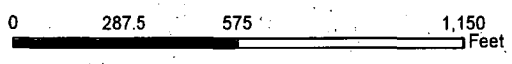
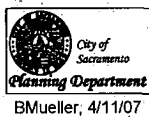
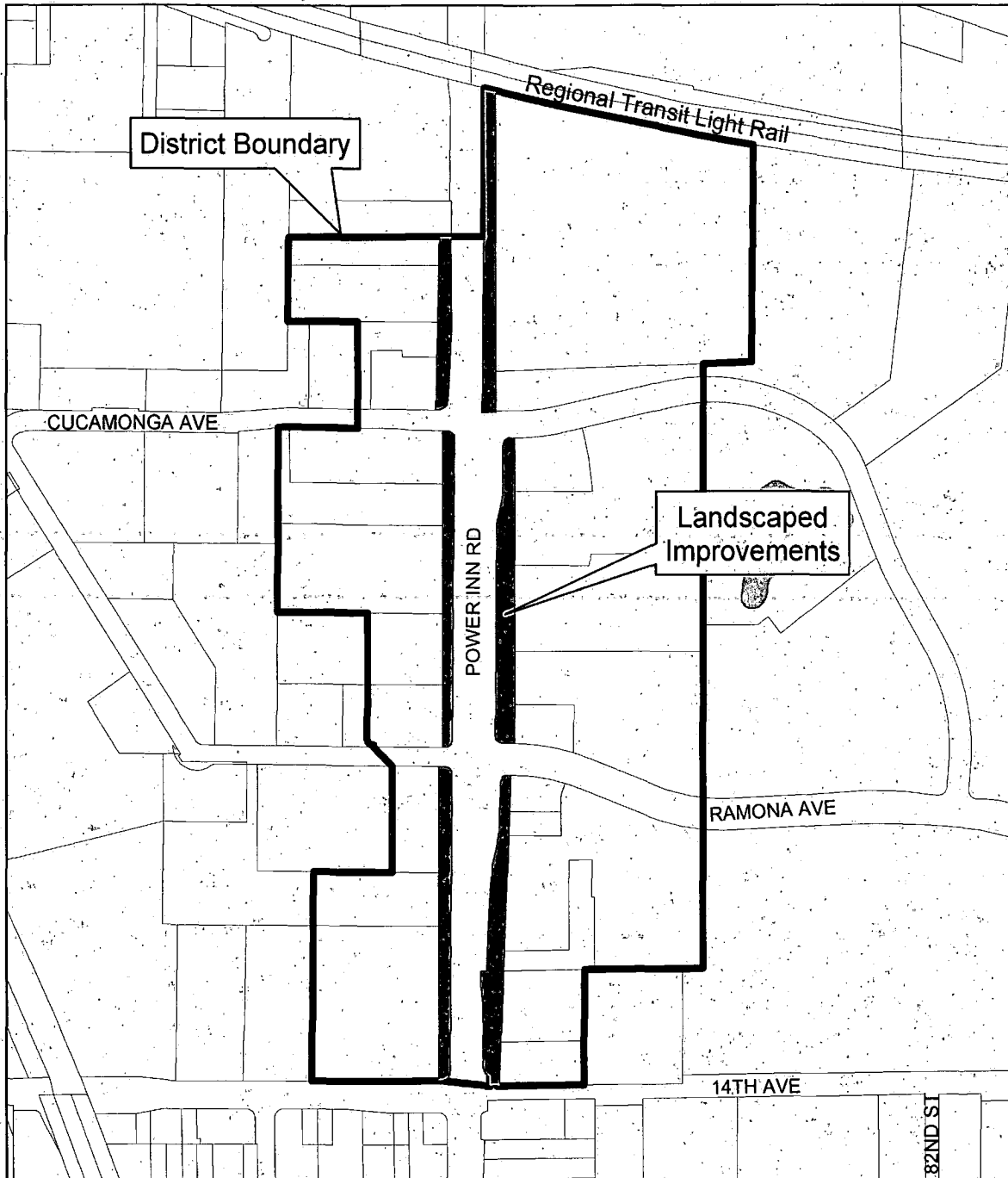
BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1.** The City Council finds and determines that the background statements A through C are true and correct.
- Section 2.** The Supervising Engineer of the Department of Transportation, the person designated by this Council as the Engineer of Work for the District, is hereby directed to file an annual report in accordance with the provisions of the Landscaping and Lighting Act of 1972.
- Section 3.** This resolution is adopted pursuant to Section 22622 of the Streets and Highways Code.
- Section 4.** Exhibit A is part of the resolution.

Table of Contents:

Exhibit A: District Map -1 Page

Power Inn Road Maintenance District 2003-01



RESOLUTION NO.

Adopted by the Sacramento City Council

APPROVING ENGINEER'S ANNUAL REPORT AND INTENTION TO ORDER MAINTENANCE OF IMPROVEMENTS FOR THE POWER INN ROAD MAINTENANCE DISTRICT (FY2009/10) (Pursuant to Landscaping and Lighting Act of 1972)

BACKGROUND:

- A.** The Power Inn Road Maintenance District ("District"), as depicted in Exhibit A, was established by the City Council and approved by the property owners on July 29, 2003.
- B.** The City Council established the District under the Landscaping and Lighting Act of 1972 (part 2 of division 15 in the Streets and Highways Code, beginning with section 22500) ("the 1972 Act"), and has previously levied assessments on property in the District to pay for landscaping maintenance services and related services to be provided within the District, all in accordance with the 1972 Act.
- C.** The Supervising Engineer of the Department of Transportation, the person designated by this Council as the Engineer of Work for the Power Inn Road Maintenance District, was directed to file an annual report in accordance with the provisions of the 1972 Act.
- D.** The Council is fully advised in this matter.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1.** The City Council finds and determines that the background statements A through D are true and correct.
- Section 2.** City Council hereby approves the Engineer's Annual Report (FY2009/10) on file in the City Clerk's Office.
- Section 3.** The City Council intends to levy and collect assessments within the Power Inn Road Maintenance District during FY2009/10. The area of land to be assessed is located in the City of Sacramento, Sacramento County.
- Section 4.** The maintenance of improvements to be made in this assessment district is

generally described as follows:

Furnish all tools, equipment, apparatus, facilities, labor, material, supplies and utilities necessary or desirable to maintain and service the landscape improvements adjacent to Power Inn Road on the East side from 14th Avenue to approximately 900 feet north of Cucamonga Avenue and on the west side from 14th Avenue to approximately 590 feet north of Cucamonga Avenue, and more particularly described on plans and specifications approved by the City of Sacramento on file at the City of Sacramento, Public Improvement Financing Division of the Planning Department, 915 "I" Street, 3rd Floor, Sacramento, California 95814.

The improvements generally consist of landscaping and irrigation systems for the landscape area adjacent to Power Inn Road (Exhibit A) between the back of curb and the front of the sidewalk. Maintenance of said improvements will include, but not be limited to, periodic mowing of grass, trimming of trees and shrubs, and fertilizing, together with the regular furnishing of water for irrigation of all plant material, and the repair, maintenance and replacement of the irrigation system, planted materials and amenities.

Section 5. In accordance with this Council's resolution directing the filing of an annual report, the Engineer of Work has filed with the City Clerk the report required by the 1972 Act. All interested parties are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district and the proposed assessments upon assessable lots and parcels of land within the assessment district.

Section 6. At the hour of 6:00 pm on Tuesday, June 9, 2009, the City Council will conduct a public hearing on the questions of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located in the City Hall, 915 I Street, First Floor, Sacramento, California.

Section 7. This year's assessments are an increase from the previous year, and are equal to the highest authorized amount for this district shown on Exhibit B.

Section 8. The City Clerk is authorized and directed to give the notice of hearing required by the Landscaping and Lighting Act of 1972.

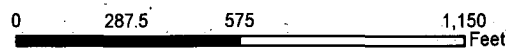
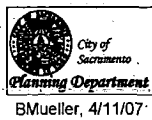
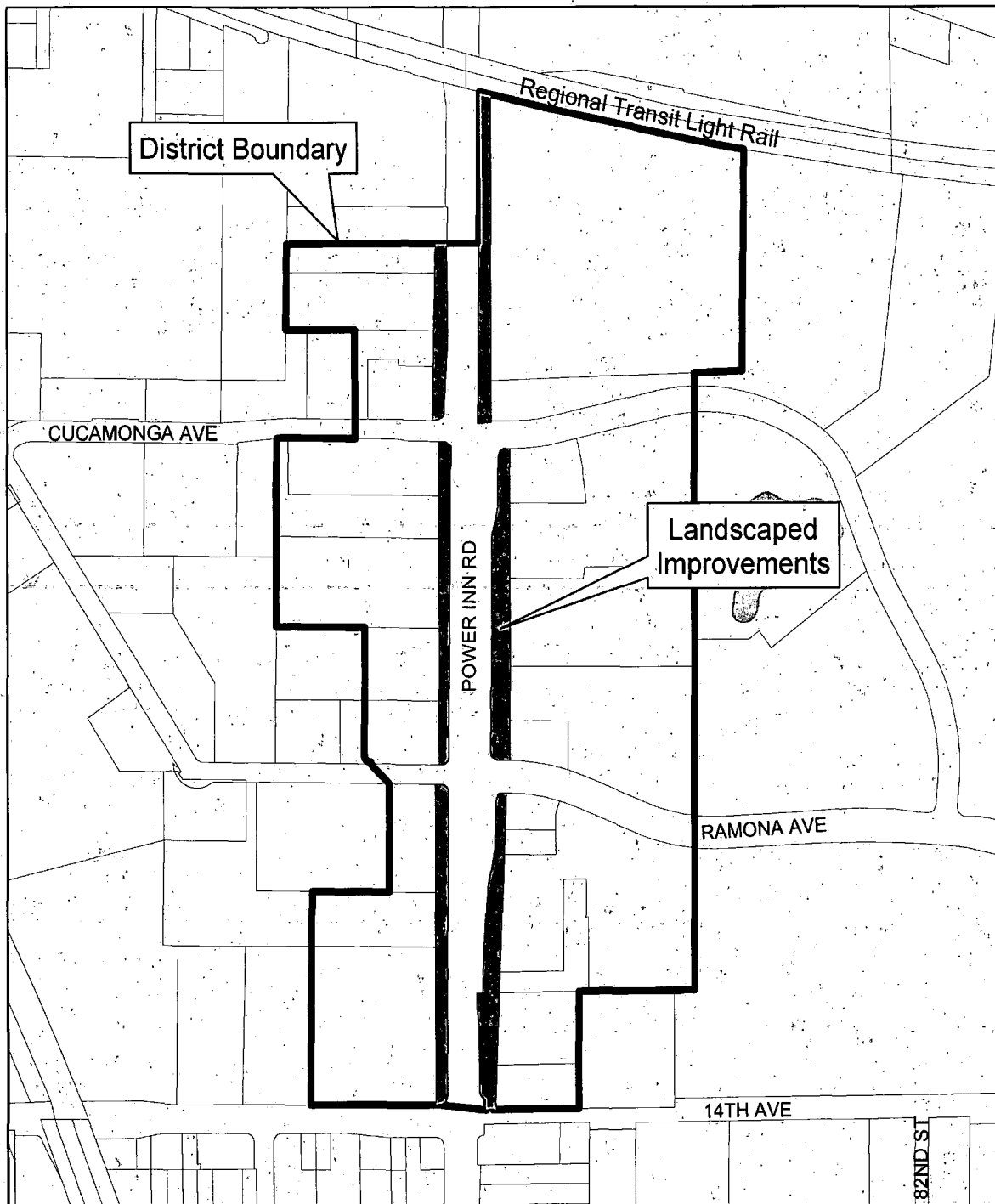
Section 9. Exhibits A and B are part of the resolution.

Table of Contents:

Exhibit A: District Map -1 Page

Exhibit B: FY2009/10 District & Parcel Assessment -1 Page

Power Inn Road Maintenance District 2003-01



**POWER INN ROAD MAINTENANCE DISTRICT
FY2009/10
DISTRICT AND PARCEL ASSESSMENT**

DISTRICT ASSESSMENT

Name	FY2009/10 Budget	Surplus/ (deficit)	FY2009/10 Assessed
Power In Road Maintenance District	\$19,777	(\$10,077)	\$9,700

PARCEL ASSESSMENT

The annual maintenance cost for each property owner is based on the linear footage of their property's street frontage multiplied by the following cost per foot.

Name	Maximum Authorized	FY2008/09	FY2009/10
Power In Road Maintenance District	\$2.157	\$2.132	\$2.157

Every fiscal year the cost per foot may be subject to an increase by the Consumer Price Index (CPI), San Francisco or by 4% per year, whichever is less.