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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

DEVELOPMENT SERVICES
& SPECIAL DISTRICTS
1231 I STREET, ROOM 300
SACRAMENTO, CA 95814

TECHNICAL SERVICES
DIVISION

APPROVED
BY THE CITY COUNCIL

PH 916-264-8300
FAX 916-264-8281

May 5, 1998

MAY 19 1998

City Council
Sacramento, California

OFFICE OF THE
CITY CLERK

Honorable Members in Session:

**SUBJECT: DEVELOPMENT FEE FINANCING COMMUNITY FACILITIES DISTRICT (CFD)
NO. 95-01 ANNEXATION NO. 1 - ELECTION RESULTS**

LOCATION AND COUNCIL DISTRICT:

Properties included in this annexation are located in Council Districts 1, 2, 5 and 6 (see attached map marked Exhibit A).

RECOMMENDATION:

This report recommends that the City Council adopt the attached resolution determining the results of the special election to annex territory to the Development Fee Financing Community Facilities District (CFD) No. 95-01.

CONTACT PERSON:

Jim Johnston, Administrative Analyst, 264-7967

FOR COUNCIL MEETING OF:

May 19, 1998

SUMMARY:

The purpose of this report is to declare the results of a special election held on May 12, 1998 for the Development Fee Financing CFD No. 95-01. Election results will be reported verbally during the May 19, 1998 afternoon Council meeting. A two-thirds (2/3) vote in favor of the annexation is required to confirm the annexation of property to the CFD and the special tax.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

Annexation No. 1 to the Development Fee Financing CFD was initiated by City Council on March 31, 1998 (Resolution 98-103) and a public hearing was held on May 7, 1998. At the conclusion of the hearing, a resolution was adopted to annex seven properties to the CFD and to call for a special election. The purpose of the election was to submit to the landowners the question of annexing property to the CFD. The election was held on May 12, 1998. Each

City Council
Development Fee Financing Community Facilities District
May 4, 1998

property owner signed a waiver and consent form to shorten the election process to accommodate the schedule shown as Exhibit B. Due to the shortened election process and submission of this report, the results of the election will be presented verbally.

FINANCIAL CONSIDERATIONS:

All costs associated with this annexation process are borne by the property owners involved. There is no cost to the general fund.

ENVIRONMENTAL CONSIDERATIONS:

The environmental review for the development projects listed in this report have previously been completed. Council action in approving this CFD is exempt from CEQA because it will have no conceivable affect on the physical environment.

POLICY CONSIDERATIONS:

Council approved the Development Fee Financing CFD on April 6, 1995. The procedures under which this annexation is being conducted are set forth in Title 5 of the Government Code, Sections 53311-53317.5 entitled "The Mello-Roos Community Facilities Act of 1982."

MBE/WBE:

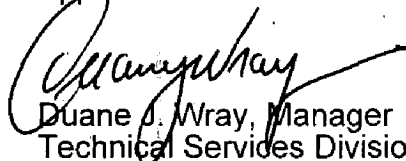
City Council adoption of the attached resolutions is not affected by City policy related to MBE/WBE.

Respectfully submitted,



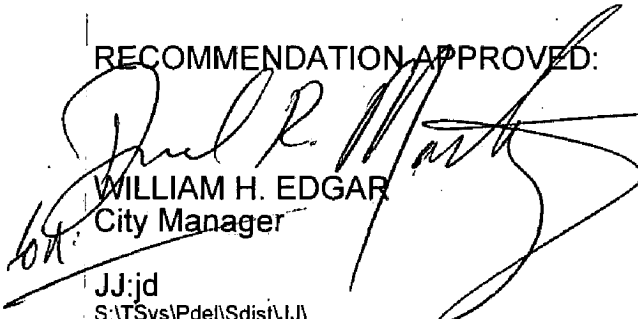
for Gary Alm, Manager
Development Services and Special Districts

Approved:



Duane J. Wray, Manager
Technical Services Division

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

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Attachments

DEVELOPMENT FEE FINANCING COMMUNITY FACILITIES DISTRICT NO. 95-01
ANNEXATION NO. 1

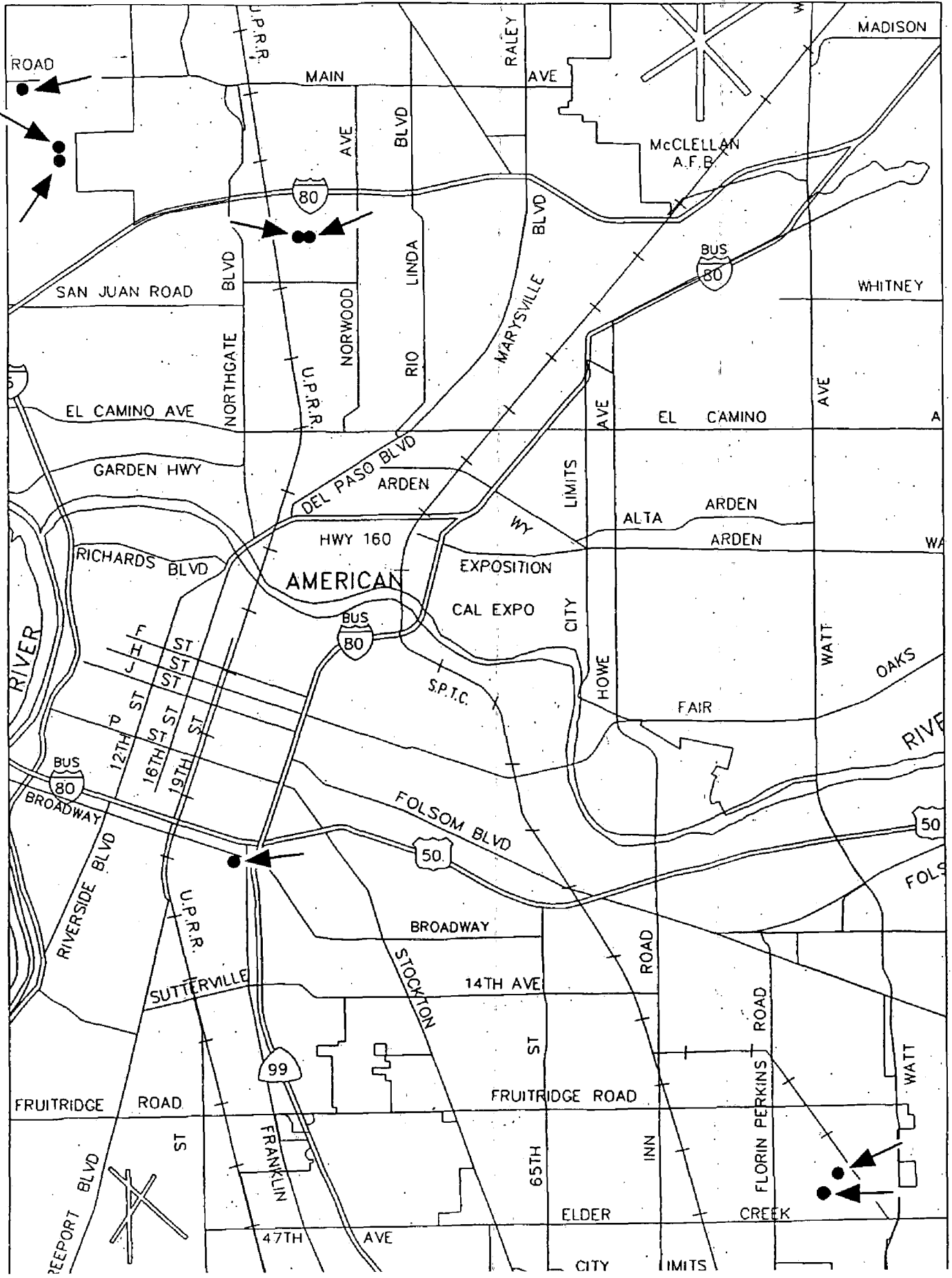


EXHIBIT B

DEVELOPMENT FEE FINANCING CFD ANNEXATION NO. 1 SCHEDULE

- March 1998 Receive from Property Owners:
- Final application, information, title reports
 - Annexation and Reimbursement Agreements
- March 31, 1998 Council Action:
- Adopt Resolution of Intention to Annex Property, to Increase the Special Tax Rate and Call for Public Hearing.
 - Adopt Resolution Approving Annexation and Reimbursement Agreements
- April 3, 1998 Hearing Notice and Consent and Waiver Form mailed to Property Owners
Proposed annexation boundary map is recorded.
- April 28, 1998 CFD Report is filed with City Clerk
- May 7, 1998 Council Action:
- Conduct Public Hearing
 - Adopt Resolution Approving Annexation and Special Tax Rate Increase and Calling for a Special Election.
- May 12, 1998 Ballots are due to City Clerk
- May 19, 1998 Council Action:
- Adopt Resolution Confirming Election Results.
- May 21, 1998 Record Notice of Special Tax Lien
- May 26, 1998 Council Action:
- Development Fee Financing CFD Annexation Ordinance - Pass for Publication
- June 4, 1998 Council Action:
- Adopt Ordinance Levying Special Tax
 - Adopt Resolution Levying a Special Tax
 - Adopt Resolution Appropriating Funds
 - Adopt Resolution Approving Official Statement
 - Adopt Bond Documents
- June/July 1998 Close bond sale, obtain and disburse proceeds.

APPROVED
BY THE CITY COUNCIL

MAY 19 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-194

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF May 19, 1998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO DETERMINING THE RESULTS OF THE SPECIAL ELECTIONS TO ANNEX TERRITORY TO AND TO INCREASE THE SPECIAL TAX RATE FOR DEVELOPMENT FEE FINANCING COMMUNITY FACILITIES DISTRICT NO. 95-01, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, ON MAY 12, 1998

WHEREAS, the City Clerk of the City of Sacramento has duly canvassed the votes cast at the special elections held to annex territory to and to increase the special tax rate for Development Fee Financing Community Facilities District No. 95-01, City of Sacramento, County of Sacramento, State of California (the "Community Facilities District"), on May 12, 1998, upon the propositions hereinafter set forth, and has certified to this City Council the results of the votes cast at such special elections upon such propositions, which certification is now on file in the office of the City Clerk of the City of Sacramento;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, AS FOLLOWS:

Section 1. The above recitals are true and correct, and this City Council so finds and determines.

Section 2. The canvass of the votes cast at the special elections held to annex territory to and to increase the special

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RESOLUTION NO.: _____

DATE ADOPTED: _____

tax rate for the Community Facilities District held on May 12, 1998, as shown by said certification, is hereby approved and confirmed.

Section 3. At such special election, the following proposition was submitted to the landowners in the area proposed for annexation to the Community Facilities District, and the number of votes cast for and against such proposition, as set forth in said canvass, is determined to be as follows:

BALLOT MEASURE

Shall the area of the Territory (as that term is defined in Resolution No. 98-164 adopted by the City Council of the City of Sacramento on May 7, 1998) be annexed to the Development Fee Financing Community Facilities District No. 95-01, City of Sacramento, County of Sacramento, State of California, as provided in such Resolution No. 98-164

Number of votes
YES

78

Number of votes
NO

0

Section 4. At such special election, the following proposition was submitted to the landowners in the Community Facilities District (as constituted after such annexation), and the number of votes cast for and against such proposition, as set forth in said canvass, is determined to be as follows:

BALLOT MEASURE

Shall the special tax rate for the Development Fee Financing Community Facilities District No. 95-01, City of Sacramento, County of Sacramento, State of California (as constituted after Annexation 1 thereto) be increased as provided in Resolution No. 98-164 adopted by the City Council of the City of Sacramento on May 7, 1998?

Number of votes
YES

78

Number of votes
NO

0

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Section 5. The total number of votes cast at such special elections for and against such propositions was and is set forth in said canvass.

Section 6. More than two-thirds (2/3) of all the votes cast at such special annexation election were cast in favor of such annexation proposition, and such annexation proposition carried.

Section 7. More than two-thirds (2/3) of all the votes cast at such special tax rate increase election were cast in favor of such special tax rate increase proposition, and such special tax rate increase proposition carried.

Section 8. The City Clerk of the City of Sacramento is hereby directed to enter this resolution on the minutes of this City Council, which shall constitute the official declaration of the results of such special elections, and is hereby further authorized and directed to record a notice of special tax lien in accordance with the provisions of Section 3114.5 of the Streets and Highways Code of the State of California.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

PASSED AND ADOPTED by the City Council of the City of Sacramento this 19th day of May, 1998, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

[SEAL]

Mayor of the City of Sacramento

ATTEST:

City Clerk of the City of Sacramento

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