



1.16

APPROVED  
BY THE CITY COUNCIL

JUN 24 1997

OFFICE OF CITY HALL  
CITY CLERK  
ROOM 200  
SACRAMENTO, CA  
95814-2008  
4697-096

PH 916-264-7113  
FAX 916-264-5573

DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

SPECIAL DISTRICTS  
DIVISION

June 18, 1997

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: DISPLAY WAY ASSESSMENT DISTRICT #96-04, INITIATION  
ACTIONS**

**LOCATION AND DISTRICT:**

The Display Way Assessment District is in Council District #2 (please see attached Exhibit A). The district includes 6 parcels of land located just west of Rio Linda Boulevard and south of Interstate 80.

**RECOMMENDATION:**

This report recommends that the City Council adopt the following:

- Resolution Approving Agreement for Legal Services.
- Resolution Accepting the Petition and Appointing Engineering of Work.
- Resolution Approving Map of Proposed Boundaries.
- Resolution of Intention.
- Resolution Preliminarily Approving Engineer's Report.

**CONTACT PERSON:**

Ronald Wicky, Special Districts Analyst, 264-5628

**FOR COUNCIL MEETING OF:**

June 24, 1997

**SUMMARY:**

This report initiates formation of the assessment district to be known as "Display Way Assessment District #96-04" for the City of Sacramento. Adoption of the attached resolutions will set the date, time and place for the public hearings. The hearings are scheduled for the afternoon of July 22 and August 12, 1997.

City Council  
Display Way AD #96-04  
June 16, 1997

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

The developer, Norwood/I-80 Business Park, has petitioned the City to form an assessment district to construct street improvements for the extension of Display Way. This street extension will allow the existing business park to expand from approximately 26 acres to 35 acres. This proposed district is comprised of six separate parcels of land owned by Norwood/I-80 Business Park.

The proposed street improvements will front properties owned by 12 neighboring landowners. Nine of the parcels contain residential homes, the other three are vacant. SHRA has signed an agreement (City Agreement No. 97-178) to make a \$225,000 contribution for the improvements adjacent to those 12 parcels.

**FINANCIAL CONSIDERATIONS:**

The project will be funded by the property owners within the district and a contribution by SHRA. The following is a summary of project costs.

Estimated Construction Cost	\$338,877
Contingency	<u>33,888</u>
Subtotal	\$372,765
Drain Line Acquisition	<u>19,000</u>
Total Construction	\$391,765
Engineering	
Design	15,825
Project Management/Staking & Inspection	<u>50,000</u>
Subtotal	\$457,590
Bond Incidentals	<u>45,319</u>
Subtotal	\$502,909
Contributions	
SHRA	<u>(225,000)</u>
Project Cost	\$277,909
Reserve Account	<u>32,128</u>
Total Expenditures	\$310,037
Bond Discount	<u>11,245</u>
Total Amount Assessed to Property	\$321,282

The above expenditures are detailed in the Engineer's Report on file with the City Clerk. Final budgeting recommendations will be made at the time of contract award and sale of bonds. There is no impact to the General Fund as a result of this district.

City Council  
Display Way AD #96-04  
June 13, 1997

**ENVIRONMENTAL CONSIDERATIONS:**

On August 20, 1996, City Council adopted Resolution No. 96-074 Ratifying the Negative Declaration and the Mitigation Monitoring Plan for this project.

**POLICY CONSIDERATIONS:**

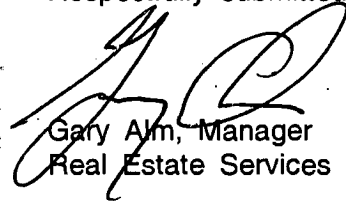
The procedures under which this district is being formed are set forth in the California Streets and Highways Code, specifically Division 12 entitled, "*Municipal Improvement Act of 1913*" and Division 10 entitled, "*Improvement Bond Act of 1915.*"

Project approval and authorization for bid advertisement are consistent with Title 58, Article III, Section 58.301, of the City Code.

**MBE/WBE:**

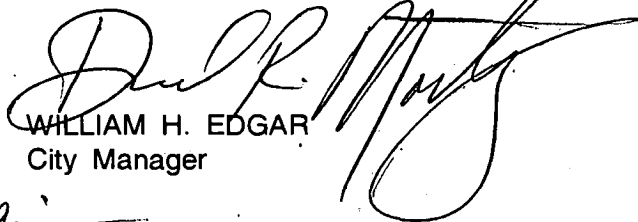
Participation will be presented to Council at the public hearing.

Respectfully submitted,



Gary Alm, Manager  
Real Estate Services & Special Districts

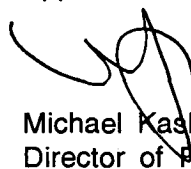
RECOMMENDATION APPROVED:



WILLIAM H. EDGAR  
City Manager



Approved:



Michael Kashiwagi  
Director of Public Works

MEMORANDUM OF PROCEEDINGS TO BE CONSIDERED BY THE  
CITY COUNCIL OF THE CITY OF SACRAMENTO  
ON TUESDAY, JUNE 24, 1997 IN CONNECTION WITH  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

It is in order for the City Council to consider the following items to initiate special assessment proceedings in the City of Sacramento Display Way Assessment District No. 96-04:

A. CITY COUNCIL ACTION ITEMS:

1. Resolution Approving an Agreement for Legal Services for the City of Sacramento Display Way Assessment District No. 96-04 ([R-1])
2. Resolution Accepting Petition for Special Assessments and Appointing an Engineer of Work for the City of Sacramento Display Way Assessment District No. 96-04 ([R-2])
3. Resolution Approving Map of Proposed Boundaries of Display Way Assessment District No. 96-04 ([R-3])
4. Resolution of Intention to Order Improvements in Display Way Assessment District No. 96-04 ([R-4])
5. Resolution Preliminarily Approving an Engineer's Report on Public Improvements in and for the City of Sacramento Display Way Assessment District No. 96-04 and Fixing the Time and Place for a Public Meeting on the Levy of an Assessment and Fixing the Time and Place for a Public Hearing of Protests to the Acquisition and Construction of Such Public Improvements, the Extent of the Assessment District and the Levy of the Assessment and Providing for Property Owner Ballots for Such Assessment District ([R-5])

Date of Public Meeting: July 22, 1997;

Date of Public Hearing and Deadline for return of Property Owner Ballots: August 12, 1997.

B. ITEMS TO BE FILED WITH THE CITY CLERK:

1. Agreement for Legal Services
2. Petition [P-1], with Certificate of Ownership [C-1]
3. Boundary Map
4. Affidavit of Recording Boundary Map [A-2].

5. Engineer's Report.
6. Form of Notice of Property Owners Meeting and Public Hearing, and of Property Owner Ballot Procedure [N-1]
7. Form of Property Owner Ballot [B-1].
8. Affidavit of Mailing Notice to Property Owners of Time and Place of a Public Meeting and a Public Hearing of Protests and Notice of Property Owner Ballot Procedure (together with the Property Owner Ballot) [A-1].

C. ADDITIONAL INSTRUCTIONS TO THE CITY CLERK:

1. Agreement for Legal Services.

Enclosed are the original and two copies of the Agreement for Legal Services for execution. Attach the signed agreement to the Resolution Approving Agreement for Legal Services.

2. Petition.

a. Ron Wicky will have the Petition signed by the property owner and will provide the City Clerk with the signed original of the Petition.

b. Certificate of Ownership [C-1] - The Certificate of Ownership [C-1] should be signed by the Director of Public Works in triplicate and the signed original should be filed with the City Clerk and two signed copies should be return to Amy Wong at Orrick.

3. Boundary Map. A mylar and three blue-line prints of the Boundary Map should be provided to the City Clerk by Ron Wicky.

a. Please mark the Boundary Map filed and approved as of June 24, 1997.

b. No later than 15 days after this Council meeting, the mylar of the boundary map is to be filed for record in the office of the County Recorder of the County of Sacramento, and the three blue-line prints are to be conformed with the recording data by the County Recorder. Please keep one conformed blue-line print of the map in the City Clerk's file of proceedings and send two conformed blue-line prints to Amy Wong at Orrick.

c. Affidavit of Recording Boundary Map [A-2].

Complete the Affidavit of Recording Boundary Map in triplicate after the Boundary Map has been recorded in the office of the County Recorder.

4.

Engineer's Report. Four copies of the Engineer's Report should be provided to the City Clerk by Ron Wicky. On the certificate page of the Engineer's Report, the City Clerk should do the following:

- a. The first certificate should have been dated June 24, 1997 and signed by the Director of Public Works as the Engineer or Work.
- b. Complete the filing certificate of the City Clerk using June 24, 1997 as the date of filing and sign.
- c. Do not complete the rest of the certificates at this time and keep all four copies of the report in the City Clerk's files until further instructions from Orrick.

5. Notice of Public Meeting and Public Hearing, and of Property Owner Ballot Procedure [N-1], and Property Owner Ballot [B-1].

After Council actions, the Notice [N-1] and the Property Owner Ballot [B-1] should be prepared in final form and should be mailed by first class mail, postage prepaid, to the property owner, no later than 45 days prior to the public hearing.

6. Affidavit of Mailing Notice to Property Owners of Time and Place of a Public Meeting and a Public Hearing of Protests and Notice of Property Owner Ballot Procedure (together with the Property Owner Ballot) [A-1].

After mailing the Notice of Public Meeting and Public Hearing, and of Property Owner Ballot Procedure, together with the Property Owner Ballot, the City Clerk should execute the Affidavit of Mailing in triplicate. Keep the original in the City Clerk's file of proceedings and send two copies to Amy Wong at Orrick.

7. Following is a summary of the signed documents to be returned to Amy Wong, Legal Assistant, at Orrick, Herrington & Sutcliffe LLP, for the transcript files:
- a. Two certified copies of each of the above five resolutions adopted at this Council meeting.
  - b. Two executed copies of the Agreement for Legal Services.
  - c. Two copies of the signed Petition [P-1].
  - d. Two signed copies of the Certificate of Ownership [C-1].
  - e. Two conformed blue-line prints of the recorded Boundary Map.
  - f. Two executed copies of the Affidavit of Mailing Notice of Property Owners Meeting and Public Hearing and Notice of Property Owner Ballot Procedure [A-1].
  - g. Two executed copies of the Affidavit of Recording Boundary Map [A-2].

If you have any questions, please contact:

Carlo S. Fowler, Bond Attorney (415) 773-5884  
or  
Amy Wong, Legal Assistant (415) 773-4262  
at  
ORRICK, HERRINGTON & SUTCLIFFE LLP

## DISPLAY WAY ASSESSMENT DISTRICT #96-04

June 24, 1997	COUNCIL ADOPTS RESOLUTION OF INTENTION AND SETS HEARING DATES
June 1997	Record Boundary Map with County Recorder
June 1997	Mail, Publish Notice of Hearing
July 22, 1997	Council Holds Public Meeting (Hearing)
August 12, 1997	Council Holds Public Hearing
	COUNCIL CONSIDERS RESOLUTIONS TO OVERRULE PROTESTS AND LEVY THE ASSESSMENTS
August 1997	Record Assessment Diagram and Notice of Assessment with County
September 16, 1997	COUNCIL CONSIDERS RESOLUTION AUTHORIZING SALE OF BONDS, APPROPRIATION OF FUNDS — AWARD OF CONTRACT
September 1997	Bond Closing
September 1997	City Receives Proceeds from Bonds
September 1997	Contractor Notice to Proceed
November 1997	Estimated Completion Date for Improvements

PROPOSED BOUNDARIES OF  
 DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

CITY OF SACRAMENTO, CALIFORNIA  
 MORTON & PITALO, INC.  
 SHEET 1 OF 1 SHEET



SCALE: 1"=100'

INTERSTATE FREEWAY 80

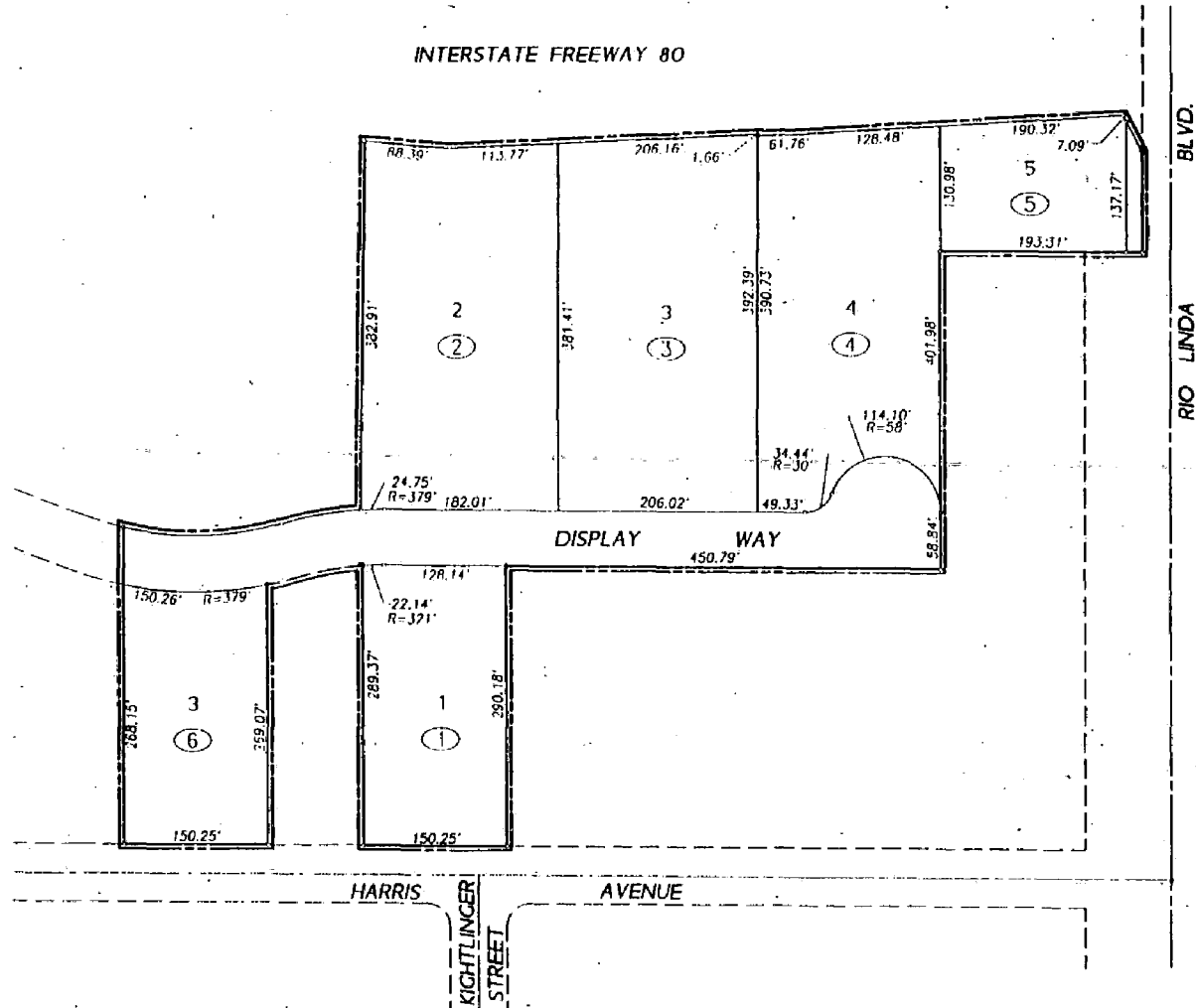


EXHIBIT A

LEGEND

- BOUNDARY OF ASSESSMENT.
- ASSESSMENT DISTRICT BOUNDARY.
- ASSESSMENT NUMBER.
- LOT NUMBER.

NOTE

DISTANCES ALONG CURVED LINE ARE CHORD MEASUREMENTS.

9

RESOLUTION NO. 97-361

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APPROVED BY THE CITY COUNCIL

JUN 24 1997

OFFICE OF THE CITY CLERK

ON DATE OF \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO APPROVING AN AGREEMENT FOR LEGAL SERVICES FOR THE CITY OF SACRAMENTO DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

WHEREAS, there has been filed with the City Clerk of the City of Sacramento (the "City") an agreement between the City and Orrick, Herrington & Sutcliffe LLP for legal services of that firm for the City of Sacramento Display Way Assessment District No. 96-04, dated June 24, 1997, the form of which agreement is attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento (the "Council"), as follows:

Section 1. The foregoing recital is true and correct and the Council so finds and determines.

Section 2. The Council approves said agreement between the City and Orrick, Herrington & Sutcliffe LLP, and the Mayor of the City is authorized to sign said agreement and the City Clerk of the City is authorized to attest its execution.

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 24th day of June, 1997, of which meeting all of the members of said Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

PASSED AND ADOPTED by the City Council of the City of Sacramento this 24th day of June, 1997, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor of the City of Sacramento

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Sacramento

[SEAL]

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

8

AGREEMENT FOR LEGAL SERVICES

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04  
(SACRAMENTO COUNTY, CALIFORNIA)

This is an agreement for legal services between the City of Sacramento, Sacramento County, California, a California municipality (the "City"), and Orrick, Herrington & Sutcliffe LLP, San Francisco, California ("Bond Counsel"), as follows:

1. The City retains Bond Counsel as special counsel to perform the following legal services relating to special assessment proceedings under the Municipal Improvement Act of 1913 for the City of Sacramento Display Way Assessment District No. 96-04 (Sacramento County, California) and the sale of limited obligation improvement bonds in an anticipated principal amount of not to exceed \$321,282.00, pursuant to the Improvement Bond Act of 1915 for financing the acquisition and construction of public improvements within the assessment district (the "Project"):

- (a) Preparation of all forms of resolutions, notices, affidavits, certificates and other documents required by the laws governing the financing, including reviewing the legal format of the Engineer's Report required by Section 10204 of the Streets and Highways Code, and reviewing other documents prepared by the Director of Public Works or consulting engineers, including the boundary map, assessment diagram, assessment roll, and the method of spread of the assessments.
- (b) Preparation of written instructions to the City Clerk and the Director of Public Works and other City staff members concerning the performance of legally required duties in connection with the financing.

- (c) Telephone consultation with City staff members and interested citizens to answer legal questions about the proceedings.
- (d) Arrangements for the printing of bonds, including the printing of a bond register.
- (e) Assistance with the sale of bonds by negotiation with the selected underwriter, including a review of disclosure documents in connection with such sale. Bond Counsel will require a statement in the Official Statement to the effect that Bond Counsel expresses no opinion regarding the accuracy, completeness or fairness of the information contained in the Official Statement, although Bond Counsel will give an opinion that the descriptions of the bonds and of Bond Counsel's bond opinion (but not of the Assessment Acts themselves) in the Official Statement are accurate in all material respects.
- (f) Preparation of bond delivery documents and coordination of the closing.
- (g) Rendition of Bond Counsel's usual and customary legal opinion with respect to the validity of the bonds and the tax exempt status thereof.
- (h) Preparation of a transcript of the legal proceedings in loose-leaf form for the use of the City.

2. Bond Counsel and the City acknowledge that City has a City Attorney to render day-to-day ongoing legal services to the City. Bond Counsel shall circulate documents to and coordinate its services with the City Attorney to the extent requested by the City or the City Attorney, and Bond Counsel shall be entitled to assume that the City Attorney has reviewed all documents and matters submitted to the City Council for adoption or approval or to officers of the City for execution prior to such adoption, approval or execution.

3. Bond Counsel services are limited to those specifically set forth above, and Bond Counsel services will not extend past

4. In consideration of the services set forth in Section 3, the City shall pay to Bond Counsel the following fee and costs:

- (a) Bond Counsel shall be paid a fixed fee of \$10,000.
- (b) In addition to the fee provided in paragraph (a) above, Bond Counsel shall be reimbursed for its expenses (copying, telephone, telecopy, word processing, legal research database charges, postage, express delivery service and the like), but not to exceed \$1,500 in total.
- (c) Payment of the fee set forth in paragraph (a) above and reimbursement of the expenses set forth in paragraph (b) above shall be payable only following the receipt of the proceeds of the sale of improvement bonds issued in the proceedings, except that if no such bonds are issued, Bond Counsel shall be paid no fee.
- (d) The cost of some services for which Bond Counsel makes arrangements under this agreement (such as bond printing costs) shall be billed to the City and shall be paid by the City directly to the payee.

5. This agreement and all legal services to be rendered under it may be terminated at any time by written notice from either party, with or without cause. In that event, all finished and unfinished documents prepared for adoption or execution by the City, shall, at the option of the City, become its property and shall be delivered to it or to any party it may designate; provided, that Bond Counsel shall have no liability whatsoever for any subsequent use of such documents. In the event of termination by the City, Bond Counsel shall be paid for all satisfactory work, unless the termination is made for cause, in which event compensation, if any, shall be adjusted in the light of the particular facts and circumstances involved in the

termination. If not sooner terminated as aforesaid, this agreement and all legal services to be rendered under it shall terminate upon issuance of the bonds; provided, that the City shall remain liable for any unpaid compensation or reimbursement due under Section 6 hereof. Upon termination, Bond Counsel shall have no future duty of any kind to or with respect to the bonds or the City under this agreement.

6. The role of bond counsel, generally, is to prepare or review the procedures for issuance of the bonds, notes or other evidence of indebtedness and to provide an expert legal opinion with respect to the validity thereof and other subjects addressed by the opinion. Consistent with the historical origin and unique role of bond counsel, and reliance thereon by the public finance market, Bond Counsel's role as bond counsel under this agreement is to provide an opinion and related legal services that represent an objective judgment on the matters addressed rather than the partisan position of an advocate.

In performing its services as bond counsel in connection with the bonds, Bond Counsel will act as special counsel to the City with respect to issuance of the bonds; i.e., Bond Counsel will assist the City Attorney in representing the City but only with respect to the validity of the bonds and the major legal documents and tax status of interest on the Bonds, and in a manner not inconsistent with the role of Bond Counsel described in the first sentence of this section.

Bond Counsel's function and responsibility under this agreement, and as bond counsel with respect to the issuance of

the bonds, terminates upon issuance of the bonds (unless terminated sooner as provided herein). Bond Counsel's services as bond counsel through bond issuance are limited to those contracted for explicitly in this agreement. Any engagement of Bond Counsel with respect to rebate compliance, post-issuance disclosure or any other matter after Bond issuance shall be separate and distinct from its engagement as bond counsel through bond issuance. However, unless otherwise provided, any such post-issuance engagement with respect to the bonds shall continue on the same basis set forth in this section.

7. Bond Counsel certifies that it has no interest, either direct or contingent, in any property or contract arising from or affected by the proposed financing, except as Bond Counsel under this agreement. Bond Counsel does not represent any owner of property within the limits of the proposed assessment district, and has not received a fee from any source for services connected with the Project.

8. Bond Counsel shall staff the financing project with the following attorney: Carlo S. Fowler. Bond Counsel may use other attorneys and paralegals on the project, who will always be under the direct supervision of Mr. Fowler, to provide the most efficient delivery of services and expertise to the financing.

9. The City understands that Bond Counsel regularly performs legal services for many private and public entities in connection with a wide variety of matters. Some of these clients may have some direct or indirect relationship with the City or the City's other consultants or agents, as, for example,

underwriters, financial advisors, fiscal agents, paying agents, trustees, insurers, suppliers, lenders, bankers, landlords, developers or owners of property within the jurisdiction of the City. Bond Counsel may represent or have represented or in the future may represent the underwriter, fiscal agent or other participants in the financing on other matters. With such varied client representation, there is always the possibility of other transactions between clients or disputes among them. It is agreed that City does not object to Bond Counsel performing such services now or in the future; provided, that Bond Counsel does not represent any participant other than the City in connection with the financing which is the subject of this agreement and the City waives any actual or potential conflict which may be posed by such representation.

10. Nothing in this agreement or in any of the documents contemplated hereby, expressed or implied, is intended or shall be construed to give any person other than the City and Bond Counsel any legal or equitable right or claim under or in respect of this agreement, and this agreement shall inure to the sole and exclusive benefit of the City and Bond Counsel.

Bond Counsel may not assign its obligations under this agreement without written consent of the City except to a successor partnership or corporation to which all or substantially all of the assets and operations of Bond Counsel are transferred. The City shall assign its rights and obligations under this agreement to (but only to) any other public entity that issues the bonds (if not the City), in which

case the City hereby acknowledges that any relationship or obligation of Bond Counsel to the City under or by virtue of this agreement shall be deemed to be totally annulled *ab initio*. The City shall not otherwise assign its rights and obligations under this agreement without written consent of Bond Counsel. All references to Bond Counsel and the City in this agreement shall be deemed to refer to any such successor of Bond Counsel and to any such assignee of the City and shall bind and inure to the benefit of such successor and assignee whether so expressed or not.

11. This agreement may be executed in any number of counterparts and each counterpart shall for all purposes be deemed to be an original, and all such counterparts shall together constitute but one and the same agreement.

12. Any and all notice pertaining to this agreement shall be sent by U.S. Postal Service, first class, postage prepaid to

Bond Counsel at 400 Sansome Street, San Francisco, CA 94111,  
Attention: Carlo S. Fowler and to the City at 915 I Street,  
Room 200, Sacramento, CA 95814, Attention: Director of Public  
Works.

DATED: June 24, 1997.

**CITY OF SACRAMENTO, a California  
municipality**

By \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

**ORRICK, HERRINGTON & SUTCLIFFE LLP**

By \_\_\_\_\_  
Carlo S. Fowler, a Partner

[R-2]  
**APPROVED**  
BY THE CITY COUNCIL  
JUN 24 1997  
OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 97-362**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO ACCEPTING PETITION FOR SPECIAL ASSESSMENTS AND APPOINTING AN ENGINEER OF WORK FOR THE CITY OF SACRAMENTO DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

WHEREAS, certain owners of real property located within the City of Sacramento (the "City") have filed with the City Clerk of the City a signed petition requesting the acquisition and construction of certain public improvements described in the petition, with the cost thereof to be specially assessed against the land benefitting from such improvements, which petition contains an express waiver of the statutory proceedings under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (as provided in Section 2804 of the Streets and Highways Code);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento that the City Council of the City hereby finds and determines that the petition has been signed by the owners of more than sixty per cent (60%) in area of the land subject to assessment for the proposed improvements and that the petition meets the requirements of Section 2804 and 2804.5 of the Streets and Highways Code; and accordingly the City Council accepts the petition and hereby determines that it is necessary, convenient and desirable to acquire and construct such public improvements and hereby directs that special assessment proceedings shall be undertaken under the Municipal Improvement Act of 1913 by the terms of the petition, without further compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931; and

BE IT FURTHER RESOLVED by the City Council of the City of Sacramento that the Director of Public Works of the City of Sacramento is hereby appointed as the Engineer of Work for such special assessment proceedings, and such Engineer of Work is hereby authorized and directed to cause to be done and performed

SF2-75474.1

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

18

all engineering work necessary in and for such proceedings, including the preparation of a description and plans and specifications for said public improvements to be acquired and constructed in and for said assessment district, together with estimates of costs thereof, and the preparation of a map of such assessment district, an assessment diagram and an assessment therefor.

PASSED AND ADOPTED by the City Council of the City of Sacramento this 24th day of June, 1997, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

---

Mayor of the City of Sacramento

ATTEST:

---

City Clerk of the City of Sacramento

[SEAL]

---

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 24th day of June, 1997, of which meeting all of the members of said Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda for said meeting was posted at least seventy-two (72) hours before said meeting at the City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: \_\_\_\_\_, 1997.

---

City Clerk of the City  
of Sacramento

[SEAL]

# RESOLUTION NO. 97-363

APPROVED  
BY THE CITY COUNCIL  
JUN 24 1997

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OFFICE OF THE  
CITY CLERK

ON DATE OF \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SACRAMENTO APPROVING MAP OF  
PROPOSED BOUNDARIES OF DISPLAY WAY  
ASSESSMENT DISTRICT NO. 96-04

WHEREAS, in accordance with prior proceedings duly had and taken, the City Council (the "Council") of the City of Sacramento (the "City") has determined that it is necessary, convenient and desirable to acquire and construct those certain public improvements hereinafter described, which public improvements are more particularly described in Exhibit A, attached hereto and incorporated herein and made a part hereof, in and for an assessment district in the City designated "Display Way Assessment District No. 96-04," and has declared its intention to and has determined to undertake proceedings pursuant to the provisions of the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 for the acquisition and construction of said public improvements in and for said assessment district; and

WHEREAS, the Council, by resolution duly adopted, appointed the Director of Public Works of the City as Engineer of Work in said proceedings and authorized and directed such officer to cause to be done and performed all engineering work necessary in and for said proceedings, including the preparation of the plans and specifications for said public improvements to be acquired and constructed in and for said assessment district, together with estimates of costs thereof, and the preparation of a map of said assessment district, the assessment diagram and the assessment therefor; and

SP2-75440.1

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

21

WHEREAS, said Engineer of Work has submitted to the Council a map entitled "Boundary Map, Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, California" indicating the proposed boundaries of said assessment district, a copy of which map, labeled Exhibit B, is attached hereto and incorporated herein and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, as follows:

Section 1. The foregoing recitals are true and correct and the Council so finds and determines.

Section 2. Said map is hereby approved by the Council as the map of the proposed boundaries of said assessment district, and the City Clerk of the City is hereby authorized and directed to endorse the certificate on said map evidencing the date and adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Sacramento this 24th day of June, 1997, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor of the City of Sacramento

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Sacramento

[SEAL]

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

22

EXHIBIT A

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

DESCRIPTION OF IMPROVEMENTS

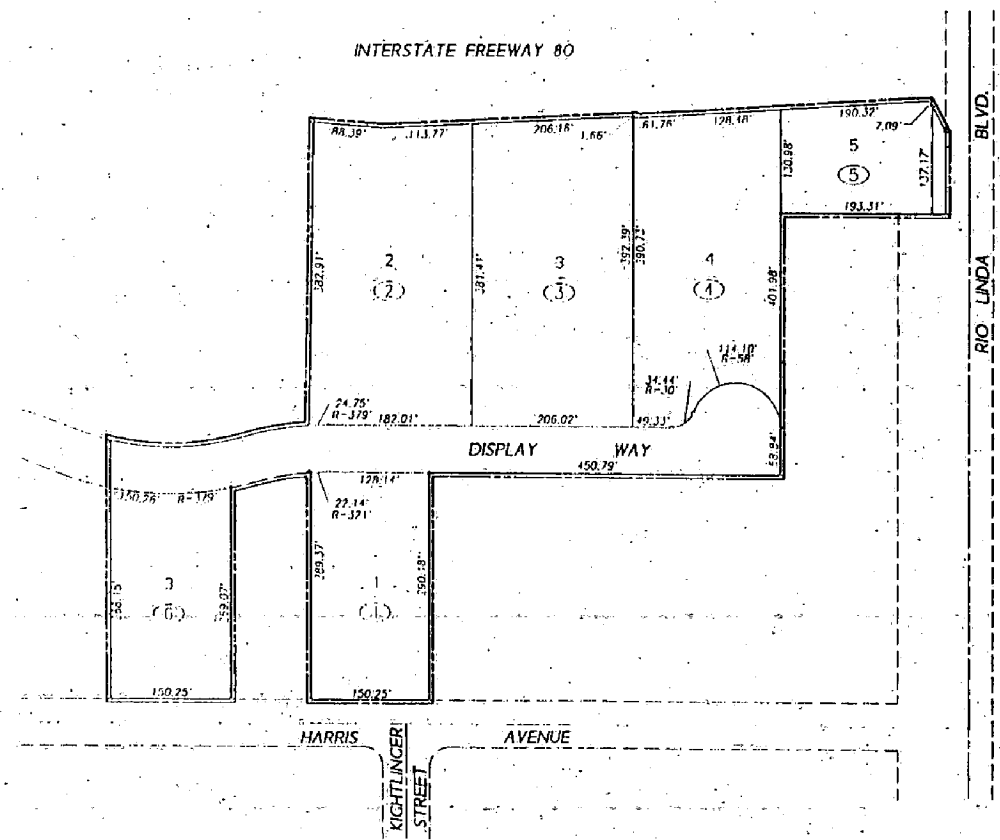
- A. The construction of street improvements including clearing, grubbing, grading, construction of pavement, curbs, gutters, sidewalks, driveways, where required, and the installation of a street lighting system on the extension of Display Way, a new street, from a point 700 feet, more or less, east of the intersection of Taylor Street, thence 600 feet, more or less, along an easterly bearing to connect to the existing Williams Avenue adjacent to Altos Avenue. Also, an addition to the easterly half of Rio Linda Boulevard, beginning at the intersection of Rio Linda Boulevard and North Avenue, thence 150 feet, more or less, along a northerly bearing to end at the southerly edge of a City of Sacramento drainage ditch. The construction of water drains and related appurtenances, services and hydrants, where required. The construction of a storm drainage collection system including drop inlets, manholes and services, where required, along the streets described above.
- B. The acquisition of an existing 24" drain line in an easement perpendicular to Display Way located east approximately 650 feet from the intersection of Taylor Street & Display Way. The drain line is approximately 650 feet in length and runs from Display Way north to the existing City ditch.

PROPOSED BOUNDARIES OF  
 DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

CITY OF SACRAMENTO, CALIFORNIA  
 MORTON & PITALO, INC.  
 SHEET 1 OF 1 SHEET



SCALE: 1"=100'



**LEGEND**

BOUNDARY OF ASSESSMENT DISTRICT

ASSESSMENT DISTRICT BOUNDARY

ASSESSMENT NUMBER

LOT NUMBER

**NOTE**

DISTANCES ALONG CURVED LINE ARE CHORD MEASUREMENTS.

**CLERK'S MAP FILING STATEMENT**

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1997.

\_\_\_\_\_  
 VALERIE BURROWS, CITY CLERK  
 CITY OF SACRAMENTO

**CLERK'S MAP CERTIFICATE**

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04, CITY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1997, BY ITS RESOLUTION NO. \_\_\_\_\_.

\_\_\_\_\_  
 VALERIE BURROWS, CITY CLERK  
 CITY OF SACRAMENTO

**COUNTY RECORDER'S FILING STATEMENT**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1997 AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ P.M. IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

\_\_\_\_\_  
 COUNTY RECORDER OF THE COUNTY  
 OF SACRAMENTO, CALIFORNIA

BY: \_\_\_\_\_

EXHIBIT B

SAN 19901900310.0011 ACURV 90710402.0006 24-01-97 11:41 am

HC

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 24th day of June, 1997, of which meeting all of the members of said Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda for said meeting was posted at least seventy-two (72) hours before said meeting at the City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: \_\_\_\_\_, 1997.

\_\_\_\_\_  
City Clerk of the City  
of Sacramento

[SEAL]

# RESOLUTION NO. 97-364

APPROVED  
BY THE CITY COUNCIL  
JUN 24 1997  
OFFICE OF THE  
CITY CLERK

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO TO ORDER IMPROVEMENTS IN DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

WHEREAS, in accordance with prior proceedings duly had and taken, the City Council (the "Council") of the City of Sacramento (the "City") has determined that it is necessary, convenient and desirable to acquire and construct those certain public improvements hereinafter described, which public improvements are more particularly described in Exhibit A, attached hereto and incorporated herein and made a part hereof, in and for an assessment district in the City designated "Display Way Assessment District No. 96-04," and has declared its intention to and has determined to undertake proceedings pursuant to the provisions of the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 for the acquisition and construction of said public improvements in and for said assessment district; and

WHEREAS, the Council, by resolution duly adopted, appointed the Director of Public Works of the City as Engineer of Work in said proceedings and authorized and directed such officer to cause to be done and performed all engineering work necessary in and for said proceedings, including the preparation of the plans and specifications for said public improvements to be acquired and constructed in and for said assessment district, together with estimates of costs thereof, and the preparation of a map of said assessment district, the assessment diagram and the assessment therefor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, as follows:

SF2-75445.1

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Section 1. The foregoing recitals are true and correct and the Council so finds and determines.

Section 2. It is the intention of the Council to order said public improvements to be acquired and constructed under the authority of the City in and for an assessment district in the City designated "Display Way Assessment District No. 96-04," the exterior boundaries of which are hereinafter specified and described in Section 3 hereof, which such public improvements shall be acquired and constructed pursuant to the provisions of the Municipal Improvement Act of 1913.

Section 3. The Council hereby declares that the territory within the boundaries hereinafter specified and described is the assessment district to be benefitted by the acquisition and construction of said public improvements and to be assessed to pay the cost and expenses thereof; that the cost and expenses of the acquisition and construction of said public improvements shall be made chargeable upon said assessment district; and that the exterior boundaries of said assessment district are hereby specified and described to be as shown on that certain map now on file in the office of the City Clerk of the City approved by that certain resolution adopted by the Council on June 24, 1997, entitled "Boundary Map, Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, California," which said map indicates by a boundary line the exterior boundaries of the territory included in said assessment district and shall govern for all details as to the extent of said assessment district.

Section 4. The Council hereby determines and notice is hereby given that limited obligation serial bonds, term bonds or both, to represent unpaid assessments and to bear interest at the rate of not to exceed twelve per cent (12%) per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and the last installment of such bonds shall mature a maximum of twenty-four (24) years from the 2nd day of September next succeeding twelve (12) months from their date. The Council hereby further determines and notice is hereby further given that the principal amount of such bonds maturing or becoming subject to mandatory prior redemption each year shall be other than an amount equal to an even annual proportion of the aggregate principal of such bonds, and that the amount of principal maturing or becoming subject to mandatory prior redemption in each year plus the amount of interest payable in that year will

---

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

be an aggregate amount that is substantially equal each year, except for the moneys falling due on the first maturity or mandatory prior redemption date of such bonds which shall be adjusted to reflect the amount of interest earned from the date when such bonds bear interest to the date when the first interest is payable on the bonds. The Council hereby further determines and notice is hereby further given that, in addition to any other rights to refund such bonds reserved by the Council, such bonds may be refunded on or after September 2, 2002, upon determination by resolution of the Council to do so, provided, there will be a reduction in the interest cost to maturity by reason of the refunding of such bonds, and that the refunding bonds shall bear interest at a rate not to exceed the maximum rate permitted by law and shall have a maximum number of years to maturity not in excess of the term of such bonds, and any adjustment to assessments resulting from the issuance of the refunding of such bonds will be done on a pro rata basis. The Council hereby further determines and notice is hereby further given that it proposes to proceed under the alternative procedure authorized in Part 11.1 of said Improvement Bond Act of 1915 relative to collecting assessments and advance retirement of such bonds. The Council hereby further determines and notice is hereby given that it proposes to include, as an additional expense of the proceedings, an amount not in excess of ten per cent (10%) of the total amount of assessments as a special reserve fund for such bonds, as authorized in said Improvement Bond Act of 1915, and that it proposes to sell such bonds at a discount not in excess of three and one-half per cent (3.50%) of the principal amount thereof.

Section 5. The Council hereby determines and notice is hereby given that the City will not obligate itself to advance available funds from the City treasury to cure any deficiency which may occur in the bond redemption fund for such bonds.

Section 6. The Council hereby determines and notice is hereby given that a maximum annual assessment of two thousand two hundred dollars (\$2,200) upon each of the several subdivisions of land in said assessment district is proposed to pay costs incurred by the City and not otherwise reimbursed for the administration and collection of the assessments or for the administration of the reserve fund or other related funds or for the registration of the bonds issued to represent unpaid assessments.

---

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Section 7. After completion of the acquisition and construction of said public improvements and the payment of all claims from the improvement fund to be provided in the proceedings hereafter to be taken pursuant to this resolution, the Council shall determine the amount of the surplus, if any, remaining in said improvement fund by reason of the assessment (and any supplemental assessment) levied for the acquisition of said public improvements, and any such surplus shall be used as a credit on the assessment (as provided in Section 10427.1 of the Streets and Highways Code).

Section 8. The Council hereby determines and notice is hereby given that it is the intention of the Council that a penalty of two per cent (2%) per month of the total amount of any delinquent assessment installment shall be added to such delinquent assessment installment after the close of business on the delinquency date, and that an additional penalty of two per cent (2%) of the amount of such delinquency shall be added thereto at the beginning of business on the tenth (10th) day of each succeeding month until such delinquent assessment installment and all penalties are fully paid, which penalties shall be in lieu of all other penalties assessed by other provisions of law, and that the Treasurer of the County of Sacramento shall collect such penalties with and as a part of such delinquent assessment installments, and all penalties collected shall be deposited into the bond redemption fund for such bonds.

Section 9. The Council hereby refers said public improvements to said Engineer of Work and hereby authorizes and directs said Engineer of Work to cause to be prepared by said Assessment Engineer a report in writing containing the matters specified in Section 10204 of the Streets and Highways Code, and thereafter to file said report with the City Clerk of the City, which such report shall reflect an assessment of \$321,282, with the balance of the cost of said public improvements in the amount of \$225,000 to be paid as a contribution by SHRA.

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

PASSED AND ADOPTED by the City Council of the City of Sacramento this 24th day June, 1997, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Mayor of the City of Sacramento

ATTEST:

City Clerk of the City of Sacramento

[SEAL]

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

EXHIBIT A

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

DESCRIPTION OF IMPROVEMENTS

- A. The construction of street improvements including clearing, grubbing, grading, construction of pavement, curbs, gutters, sidewalks, driveways, where required, and the installation of a street lighting system on the extension of Display Way, a new street, from a point 700 feet, more or less, east of the intersection of Taylor Street, thence 600 feet, more or less, along an easterly bearing to connect to the existing Williams Avenue adjacent to Altos Avenue. Also, an addition to the easterly half of Rio Linda Boulevard, beginning at the intersection of Rio Linda Boulevard and North Avenue, thence 150 feet, more or less, along a northerly bearing to end at the southerly edge of a City of Sacramento drainage ditch. The construction of water drains and related appurtenances, services and hydrants, where required. The construction of a storm drainage collection system including drop inlets, manholes and services, where required, along the streets described above.
- B. The acquisition of an existing 24" drain line in an easement perpendicular to Display Way located east approximately 650 feet from the intersection of Taylor Street & Display Way. The drain line is approximately 650 feet in length and runs from Display Way north to the existing City ditch.

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 24th day of June, 1997, of which meeting all of the members of said Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda for said meeting was posted at least seventy-two (72) hours before said meeting at the City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: \_\_\_\_\_, 1997.

---

City Clerk of the City  
of Sacramento

[SEAL]

APPROVED  
BY THE CITY COUNCIL

JUN 24 1997

OFFICE OF THE  
CITY CLERK

# RESOLUTION NO. 97-365

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO PRELIMINARILY APPROVING AN ENGINEER'S REPORT ON PUBLIC IMPROVEMENTS IN AND FOR THE CITY OF SACRAMENTO DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04 AND FIXING THE TIME AND PLACE FOR A PUBLIC MEETING ON THE LEVY OF AN ASSESSMENT AND FIXING THE TIME AND PLACE FOR A PUBLIC HEARING OF PROTESTS TO THE ACQUISITION AND CONSTRUCTION OF SUCH PUBLIC IMPROVEMENTS, THE EXTENT OF THE ASSESSMENT DISTRICT AND THE LEVY OF THE ASSESSMENT AND PROVIDING FOR PROPERTY OWNER BALLOTS FOR SUCH ASSESSMENT DISTRICT

WHEREAS, in accordance with prior proceedings duly had and taken, the City Council (the "Council") of the City of Sacramento (the "City") has determined that it is necessary, convenient and desirable to acquire and construct those certain public improvements hereinafter described, which public improvements are more particularly described in Exhibit A, attached hereto and incorporated herein and made a part hereof, in and for an assessment district in the City designated "Display Way Assessment District No. 96-04," and has declared its intention to and has determined to undertake proceedings pursuant to the provisions of the Municipal Improvement Act of 1913 and issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 for the acquisition and construction of said public improvements in and for said assessment district; and

WHEREAS, the Council, by resolution duly adopted, appointed the Director of Public Works of the City as Engineer of Work in said proceedings and authorized and directed such officer to cause to be done and performed all engineering work necessary in and for said proceedings, including the preparation of the

FOR CITY CLERK USE ONLY

plans and specifications for said public improvements to be acquired and constructed in and for said assessment district, together with estimates of costs thereof, and the preparation of a map of said assessment district, the assessment diagram and the assessment therefor; and

WHEREAS, the Council, by a Resolution of Intention heretofore duly adopted on June 24, 1997, declared its intention to order said public improvements to be acquired and constructed under the authority of the City in and for said assessment district; and

WHEREAS, the Council in and by said resolution referred said public improvements to said Engineer of Work, and authorized and directed said Engineer of Work to cause to be prepared and filed with the City Clerk of the City a report in writing containing the matters specified in Section 10204 of the Streets and Highways Code; and

WHEREAS, in accordance with said resolution, said Engineer of Work caused to be prepared and filed with the City Clerk of the City a report in writing containing the matters specified in said Section 10204 of the Streets and Highways Code, which said report was duly presented by the City Clerk of the City to the Council for consideration and has been fully considered by the Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento, as follows:

Section 1. The foregoing recitals are true and correct and the Council so finds and determines.

Section 2. The report is hereby preliminarily approved by the Council, and 2:00 o'clock P.M. on Tuesday, July 22, 1997, at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, is hereby fixed as the time and place for a public meeting at which members of the Council will hear public testimony regarding the levy of the assessment set forth in the report, and 2:00 o'clock P.M. on Tuesday, August 12, 1997, at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, is hereby fixed as the time and place for a public hearing of protests to the acquisition and construction of said public improvements, to the extent of said assessment district and to the levy of said assessment. Any interested person may object to

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

the acquisition and construction of said public improvements, or to the extent of said assessment district or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing; provided, that each protest must contain a description of the property in which the signer thereof is interested sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at said time appointed for said hearing shall present to the Council all protests filed with her.

Section 3. The City Clerk of the City is hereby directed to cause a notice to property owners of the time and place of said public meeting and said public hearing and of the property owner ballot procedure required by Article XIIID of the California Constitution (together with the property owner ballots) to be given by mailing notices thereof (together with such ballots) in the time, form and manner provided by law, and upon the completion of the mailing of said notice and said ballots, the City Clerk of the City is hereby directed to file with the Council an affidavit setting forth the time and manner of the compliance with the requirements of law for mailing said notice and said ballots.

Section 4. Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, is hereby designated to answer inquiries regarding the protest proceedings herein provided for.

---

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

PASSED AND ADOPTED by the City Council of the City of Sacramento this 24th day of June, 1997, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor of the City of Sacramento

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Sacramento

[SEAL]

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

EXHIBIT A

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

DESCRIPTION OF IMPROVEMENTS

- A. The construction of street improvements including clearing, grubbing, grading, construction of pavement, curbs, gutters, sidewalks, driveways, where required, and the installation of a street lighting system on the extension of Display Way, a new street, from a point 700 feet, more or less, east of the intersection of Taylor Street, thence 600 feet, more or less, along an easterly bearing to connect to the existing Williams Avenue adjacent to Altos Avenue. Also, an addition to the easterly half of Rio Linda Boulevard, beginning at the intersection of Rio Linda Boulevard and North Avenue, thence 150 feet, more or less, along a northerly bearing to end at the southerly edge of a City of Sacramento drainage ditch. The construction of water drains and related appurtenances, services and hydrants, where required. The construction of a storm drainage collection system including drop inlets, manholes and services, where required, along the streets described above.
- B. The acquisition of an existing 24" drain line in an easement perpendicular to Display Way located east approximately 650 feet from the intersection of Taylor Street & Display Way. The drain line is approximately 650 feet in length and runs from Display Way north to the existing City ditch.

CLERK'S CERTIFICATE

I, Valerie A. Burrowes, City Clerk of the City of Sacramento, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 24th day of June, 1997, of which meeting all of the members of said Council had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

An agenda for said meeting was posted at least seventy-two (72) hours before said meeting at the City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: \_\_\_\_\_, 1997.

---

City Clerk of the City  
of Sacramento

[SEAL]

---

**O**RRICK, HERRINGTON  
& SUTCLIFFE LLP

June 19, 1997

Direct Dial

(415) 773-4262

Bonnie Mallory  
Department of Public Works  
City of Sacramento  
915 I Street, Room 200  
Sacramento, CA 95841

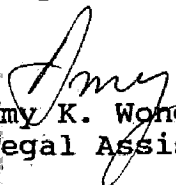
Re: City of Sacramento  
Display Way Assessment District No. 96-04  
Resolution of Intention

Dear Bonnie:

As requested by Ron Wicky, we enclose herewith a replacement page 3 for the Resolution of Intention for the subject assessment district to be adopted by the City Council on June 24, 1997.

If you have any questions, please do not hesitate to call.

Very truly yours,

  
Amy K. Wong  
Legal Assistant

Enc.

be an aggregate amount that is substantially equal each year, except for the moneys falling due on the first maturity or mandatory prior redemption date of such bonds which shall be adjusted to reflect the amount of interest earned from the date when such bonds bear interest to the date when the first interest is payable on the bonds. The Council hereby further determines and notice is hereby further given that, in addition to any other rights to refund such bonds reserved by the Council, such bonds may be refunded on or after September 2, 2002, upon determination by resolution of the Council to do so, provided, there will be a reduction in the interest cost to maturity by reason of the refunding of such bonds, and that the refunding bonds shall bear interest at a rate not to exceed the maximum rate permitted by law and shall have a maximum number of years to maturity not in excess of the term of such bonds, and any adjustment to assessments resulting from the issuance of the refunding of such bonds will be done on a pro rata basis. The Council hereby further determines and notice is hereby further given that it proposes to proceed under the alternative procedure authorized in Part 11.1 of said Improvement Bond Act of 1915 relative to collecting assessments and advance retirement of such bonds. The Council hereby further determines and notice is hereby given that it proposes to include, as an additional expense of the proceedings, an amount not in excess of ten per cent (10%) of the total amount of assessments as a special reserve fund for such bonds, as authorized in said Improvement Bond Act of 1915, and that it proposes to sell such bonds at a discount not in excess of three per cent (3%) of the principal amount thereof.

Section 5. The Council hereby determines and notice is hereby given that the City will not obligate itself to advance available funds from the City treasury to cure any deficiency which may occur in the bond redemption fund for such bonds.

Section 6. The Council hereby determines and notice is hereby given that a maximum annual assessment of two thousand two hundred dollars (\$2,200) upon each of the several subdivisions of land in said assessment district is proposed to pay costs incurred by the City and not otherwise reimbursed for the administration and collection of the assessments or for the administration of the reserve fund or other related funds or for the registration of the bonds issued to represent unpaid assessments.

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

28

CITY OF SACRAMENTOPETITION FOR ACQUISITION AND CONSTRUCTION  
OF IMPROVEMENTS UNDER THE  
MUNICIPAL IMPROVEMENT ACT OF 1913 AND FOR A WAIVER  
OF INVESTIGATION PROCEEDINGS UNDER THE  
SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND  
MAJORITY PROTEST ACT OF 1931

---

To the City Council of the City of Sacramento:

The undersigned owners of the real property hereinafter described (including the beneficiaries under all deeds of trust secured by such real property) located within the proposed assessment district hereinafter described, which property is proposed to be subject to assessment for the acquisition and construction of those certain public improvements hereinafter described which are not now in existence or installed in place but which are proposed to be acquired and constructed under the authority of the City of Sacramento (the "City") within said assessment district, hereby petition the City Council of the City to undertake proceedings pursuant to the provisions of the Municipal Improvement Act of 1913 and to issue bonds in said proceedings under the provisions of the Improvement Bond Act of 1915 for the acquisition and construction of those certain public improvements more particularly described in Exhibit A, attached hereto and incorporated herein and made a part hereof, in and for

said assessment district in the City, and hereby petition for a waiver of all investigation proceedings in such matter required by the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and in connection therewith represent as follows:

1. This petition is submitted in accordance with the provisions of Sections 2804 and 2804.5 of the Streets and Highways Code, and the undersigned by signing this petition understand that they are waiving certain rights contained in the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 to protest against and stop the formation of said assessment district.

2. Said assessment district proposed to be formed, which contains the real property proposed to be assessed for the acquisition and construction of said public improvements, is described as City of Sacramento Display Way Assessment District No. 96-04 and comprises all that real property within the City the boundaries of which are shown upon that map entitled "Boundary Map, Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, California," marked Exhibit B, attached hereto and incorporated herein and made a part hereof.

3. The total cost of the acquisition and construction of said public improvements proposed to be financed by the bonds issued in and for said assessment district is not in excess of \$321,282.00.

Name of  
Petitioner

Address

Description  
of Property  
(Sacramento County  
Assessor's  
Parcel Number)

Date


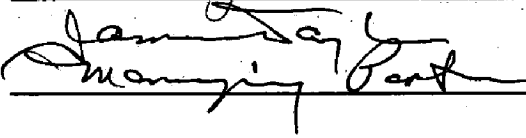
		250-045-03 250-045-04 250-045-08	6-17-97
Margaret L Leal		250-045-04 250-045-07	6/17/97
		250-045-08 46 49 29 51	6/18/97

EXHIBIT A

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

DESCRIPTION OF IMPROVEMENTS

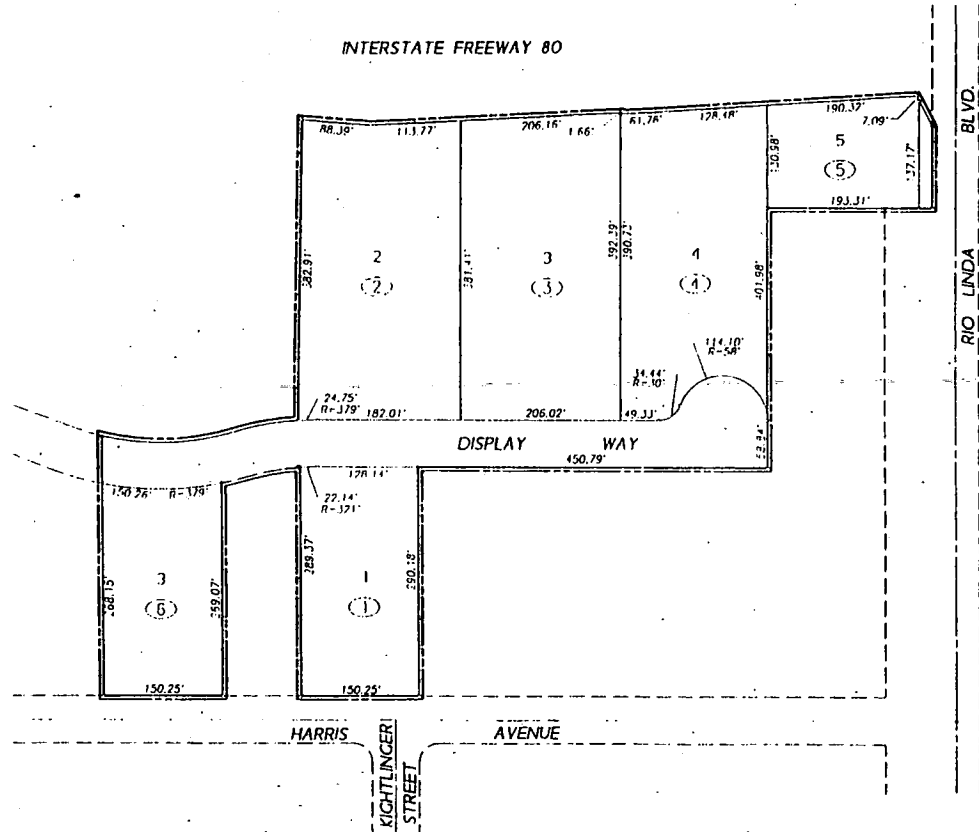
- A. The construction of street improvements including clearing, grubbing, grading, construction of pavement, curbs, gutters, sidewalks, driveways, where required, and the installation of a street lighting system on the extension of Display Way, a new street, from a point 700 feet, more or less, east of the intersection of Taylor Street, thence 600 feet, more or less, along an easterly bearing to connect to the existing Williams Avenue adjacent to Altos Avenue. Also, an addition to the easterly half of Rio Linda Boulevard, beginning at the intersection of Rio Linda Boulevard and North Avenue, thence 150 feet, more or less, along a northerly bearing to end at the southerly edge of a City of Sacramento drainage ditch. The construction of water drains and related appurtenances, services and hydrants, where required. The construction of a storm drainage collection system including drop inlets, manholes and services, where required, along the streets described above.
- B. The acquisition of an existing 24" drain line in an easement perpendicular to Display Way located east approximately 650 feet from the intersection of Taylor Street & Display Way. The drain line is approximately 650 feet in length and runs from Display Way north to the existing City ditch.

PROPOSED BOUNDARIES OF  
 DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

CITY OF SACRAMENTO, CALIFORNIA  
 MORTON & PITALO, INC.  
 SHEET 1 OF 1 SHEET



INTERSTATE FREEWAY 80



LEGEND

- BOUNDARY OF ASSESSMENT: \_\_\_\_\_
- ASSESSMENT DISTRICT BOUNDARY: \_\_\_\_\_
- ASSESSMENT NUMBER: (1)
- LOT NUMBER: 1

NOTE

DISTANCES ALONG CURVED LINE ARE CHORD MEASUREMENTS.

CLERK'S MAP FILING STATEMENT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04, CITY OF SACRAMENTO, STATE OF CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1997.

VALERIE BURROWS, CITY CLERK  
 CITY OF SACRAMENTO

CLERK'S MAP CERTIFICATE

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04, CITY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1997, BY ITS RESOLUTION NO. \_\_\_\_\_.

VALERIE BURROWS, CITY CLERK  
 CITY OF SACRAMENTO

COUNTY RECORDER'S FILING STATEMENT

I HEREBY CERTIFY THAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1997 AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT DISTRICTS AND COMMUNITY FACILITIES DISTRICTS, AT PAGE \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY  
 OF SACRAMENTO, CALIFORNIA

BY: \_\_\_\_\_

EXHIBIT B

AFFIDAVIT

STATE OF CALIFORNIA )  
                                  )    ss.  
COUNTY OF SACRAMENTO )

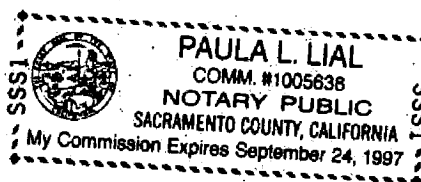
Edwin C. Lial , being first duly sworn, deposes and says:

That he is one of the petitioners (or an officer of one of the petitioners) above named, and is over the age of eighteen years and is a property owner (or an officer of a property owner) in the area of the proposed assessment district described in the within and foregoing petition; that he solicited the signatures appearing on said petition; that he saw written the signatures appearing thereon and that each signature is the genuine signature of the person whose name it purports to be; that each petitioner, to the best information and belief of affiant, is a property owner (or an officer of a property owner) in said described area and proposed assessment district; that each signer himself wrote his name and date of signing and verified the address and description(s) of property shown above as owned by him or the petitioner for whom he signed; and that all of said signatures on said petition were obtained by affiant between the 17<sup>th</sup> day of June , 1997, and the 17<sup>th</sup> day of June , 1997.

Paula L. Lial

Subscribed and sworn to before me  
this 17<sup>th</sup> day of June , 1997.

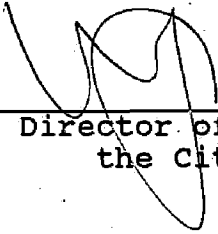
Paula L. Lial  
Notary Public  
State of California



CERTIFICATE OF OWNERSHIP

This will certify that, based on my review of the public records of the County of Sacramento, the petition for the formation of City of Sacramento Display Way Assessment District No. 96-04 in the City of Sacramento, filed with the City Council of the City of Sacramento on June 24, 1997, is signed by the owners of all assessable real property in said proposed assessment district, as set forth in the map attached to said petition, and said petition is also signed by the beneficiaries under all deeds of trust secured by such real property.

Dated: June 24, 1997.



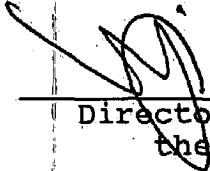
---

Director of Public Works of  
the City of Sacramento

CERTIFICATE OF OWNERSHIP

This will certify that, based on my review of the public records of the County of Sacramento, the petition for the formation of City of Sacramento Display Way Assessment District No. 96-04 in the City of Sacramento, filed with the City Council of the City of Sacramento on June 24, 1997, is signed by the owners of all assessable real property in said proposed assessment district, as set forth in the map attached to said petition, and said petition is also signed by the beneficiaries under all deeds of trust secured by such real property.

Dated: 6/24, 1997.

  
\_\_\_\_\_  
Director of Public Works of  
the City of Sacramento

**ENGINEER'S REPORT**

**DISPLAY WAY ASSESSMENT DISTRICT #96-04**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated June 24, 1997.

Michael Kashiwagi, Director of Public Works  
City of Sacramento, Engineer of Work

By  \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the 24<sup>th</sup> day of June, 1997.

Valerie A. Burrowes, City Clerk  
City of Sacramento, Sacramento County,  
California

By  \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Sacramento, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 1997.

Valerie A. Burrowes, City Clerk  
City of Sacramento, Sacramento County  
California

By \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was recorded in my office on the \_\_\_ day of \_\_\_, 1997.

Michael Kashiwagi, Director of Public Works  
City of Sacramento, Engineer of Work

By \_\_\_\_\_

## ENGINEER'S REPORT

### DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

The Director of Public Works, Engineer of Work for Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, State of California makes this report, as directed by the City Council, pursuant to Section 10204 of the Streets and Highways Code (Municipal Improvement Act of 1913).

The improvements, which are the subject of this report, are briefly described as follows:

- A. The construction of street improvements including clearing, grubbing, grading, construction of pavement, curbs, gutters, sidewalks, driveways, where required, and the installation of a street lighting system on the extension of Display Way, a new street, from a point 700 feet, more or less, east of the intersection of Taylor Street, thence 600 feet, more or less, along an easterly bearing to connect to the existing Williams Avenue adjacent to Altos Avenue. Also, an addition to the easterly half of Rio Linda Boulevard, beginning at the intersection of Rio Linda Boulevard and North Avenue, thence 150 feet, more or less, along a northerly bearing to end at the southerly edge of a City of Sacramento drainage ditch. The construction of water drains and related appurtenances, services and hydrants, where required. The construction of a storm drainage collection system, including drop inlets, manholes and services, where required, along the streets described above.
- B. Acquiring an existing 24" drain line in an easement perpendicular to Display Way located east approximately 650 feet from the intersection of Taylor Street and Display Way. The drain line is approximately 650 feet in length and runs from Display Way north to the existing City ditch.

Bonds representing unpaid assessments and bearing interest at a rate not to exceed 12% per annum shall be issued in the manner provided by the Improvement Bond Act of 1915 (Division 10, Streets and Highways Code), and the last installment of the bonds shall mature not to exceed 20 years from the second days of September next succeeding 12 months from their date.

The report includes the following attached exhibit:

- EXHIBIT A — Plans and specifications for improvements to be constructed. Plans and specifications are a part of this report whether or not separately bound.
- EXHIBIT B — An estimate of the cost of the improvements.

- EXHIBIT C — An assessment roll, showing the amount proposed to be specially assessed against each parcel of real property within this assessment district. Each parcel is described by County Assessor's parcel number or other designation, and each parcel is also assigned a separate "assessment number" for the purposes of this proceeding.
- EXHIBIT D — A statement of the method by which the undersigned determined the amount proposed or be assessed again each parcel, based on benefits to be derived by each parcel, respectively, from the improvements.
- EXHIBIT E — A list of the names and addresses of the owners of real property within this assessment district, as shown on the last equalized assessment roll of taxes or as known to the clerk. This list is keyed to Exhibit C by assessment number.
- EXHIBIT F — A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Exhibit C by assessment number.
- EXHIBIT G — Proposed maximum annual assessment per parcel for current costs and expenses.

Respectfully submitted,  
MICHAEL KASHIWAGI  
Director of Public Works, Engineer of Work

**EXHIBIT A**

**PLANS AND SPECIFICATIONS, THOUGH  
BOUND SEPARATELY, ARE A PART OF THIS REPORT**

## EXHIBIT B

## DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

## COST ESTIMATE

Item No.	Description	Est. Quantity	Unit	Est. Cost	Est. Total
1	Preconstruction Photographs	1	JOB	\$550.00	\$550.00
2	Clearing and Grubbing	1	JOB	\$13,400	\$13,400.00
3	Trees to Remove	8	EA	\$300	\$2,400.00
4	Roadway Excavation and Grading	4400	CY	\$11	\$48,400.00
5	Aggregate Base Class 2 to Place	3000	TON	\$16	\$48,000.00
6	Asphalt Concrete to Place	1000	TON	\$32.50	\$32,500.00
7	Curb and Gutter No. 13 to Construct	416	LF	\$16.00	\$6,656.00
8	Curb and Gutter No.4 to Construct	1,262	LF	\$14.50	\$18,299.00
9	Sidewalk, 3-1/2" PCC to Construct	7,622	SF	\$3.00	\$22,866.00
10	Concrete Residential Driveway	9	EA	\$450.00	\$4,050.00
11	Commercial Driveway to Construct	3	EA	\$1,250.00	\$3,750.00
12	Street Barricades to Construct	2	EA	\$180.00	\$360.00
13	Maintenance Hole No. 3 to Construct	3	EA	\$1,250.00	\$3,750.00
14	Maintenance Hole No. 3A to Construct	2	EA	\$1,400.00	\$2,800.00
15	Maintenance Hole No. 4 to Construct	1	EA	\$2,000.00	\$2,000.00
16	Drop Inlet, Type B to Construct	3	EA	\$1,100.00	\$3,300.00
17	Ditch Box to Construct	2	EA	\$900.00	\$1,800.00
18	Reconstruct Maintenance Hole Head to Grade	2	EA	\$450.00	\$900.00
19	12" Drainage Pipe to Place	167	LF	\$30.00	\$5,010.00
20	18" Drainage Pipe to Place	190	LF	\$38.00	\$7,220.00
21	24" Drainage Pipe to Place (RCP Class III)	126	LF	\$45.00	\$5,670.00
22	12" Drain Service to Place	1	EA	\$1,250.00	\$1,250.00
23	12" Drain Lead to Place	59	LF	\$28.00	\$1,652.00
24	Rock Cobbles to Place	1	JOB	\$2,500.00	\$2,500.00
25	8" Inside Drop Connection to Construct	1	EA	\$650.00	\$650.00
26	6" Sewer Service to Place	4	EA	\$1,250.00	\$5,000.00
27	Sewer Services to Remove and Replace	9	EA	\$2,500.00	\$22,500.00
28	Sewer Pipe 8" Diameter to Place	407	LF	\$32.00	\$13,024.00
29	12" Diameter Water Pipe to Place	460	LF	\$62.00	\$28,520.00
30	Existing Water Service to remove and Replace	7	EA	\$950.00	\$6,650.00
31	12" Diameter Gate Valve to Place	2	EA	\$1,200.00	\$2,400.00
32	Fire Hydrant Assembly to Remove	1	EA	\$1,400.00	\$1,400.00
33	Fire Hydrant to Place	2	EA	\$3,200.00	\$6,400.00
34	No Parking Sign to Place	1	EA	\$250.00	\$250.00
35	Private Driveway Sign to Place	1	EA	\$250.00	\$250.00
36	Removeable Pipe Barriers to Place	1	JOB	\$750.00	\$750.00
37	6' High Chain Link Fence to Place	200	LF	\$15.00	\$3,000.00
38	8' Wide Chain Link Gate to Place	4	EA	\$250.00	\$1,000.00
39	Street Lights	1	JOB	\$8,000.00	\$8,000.00

TOTAL CONSTRUCTION COST

\$338,877.00

EXHIBIT B

DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

COST ESTIMATE

DESCRIPTION		AMOUNT
Construction Costs		\$338,877.00
Misc. Engineering		\$45,000.00
Contingencies	10.00%	\$33,887.70
Drain Line to Acquire		\$22,694.00
Incidentals		
Special Districts		\$16,000.00
Consultant Engin		\$15,825.00
City Attorney		\$5,000.00
Misc		\$5,306.00
Bond Printing		\$2,500.00
Bond Reg & Admin		\$2,500.00
CDAC		\$0.00
Bond Counsel		\$10,000.00
SDIRS		\$5,319.23
Sub Total		\$502,908.93
Contributions		\$225,000.00
Project Costs		\$277,908.93
Reserve Acct.	10.00%	\$32,128.20
Total Expenditures		\$310,037.13
Bond Discount	3.50%	\$11,244.87
Total Bond Cost		\$321,282.00

**Exhibit C**  
**Display Way Assessment District No. 96-04**  
**Assessment Roll**

Assessment Number	Assessment Amount	Parcel Description
1	\$73,806.34	Portion of 250-0450-008
2	\$76,050.46	Portion of both 250-0450-003 & 008
3	\$66,741.55	Portion of both 250-0450-003 & 008
4	\$25,308.59	Portion of both 250-0450-004 & 008
5	\$41,599.18	Portion of 250-0450-004
6	\$37,775.88	250-0450-007

## **EXHIBIT D**

### **DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04 ASSESSMENT METHODOLOGY**

The following describes the proposed method of spreading assessments for Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, State of California.

The improvements described in this report will benefit all parcels of land within the proposed district. Therefore, the total cost will be spread to each parcel in proportion to its gross area to the total gross area included within the Assessment District.

**EXHIBIT E**

**DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04  
PROPERTY OWNER LIST**

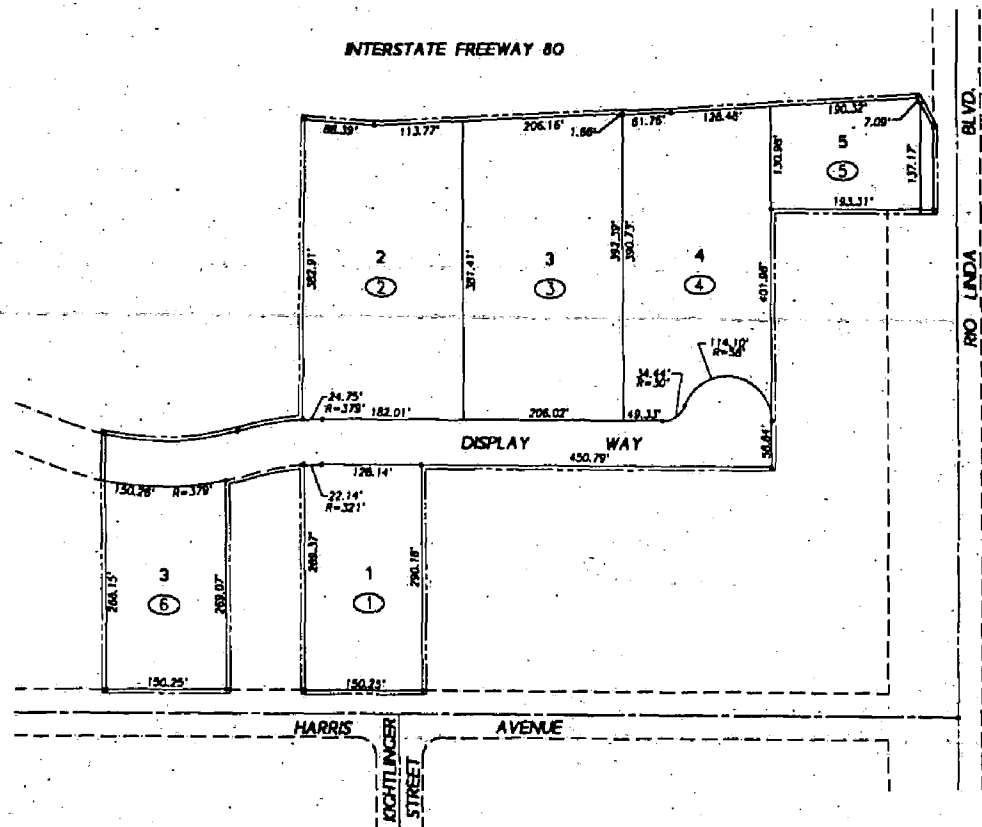
**#1-6**

**Edwin C. & Margaret L. Lial  
2100 Northrop Avenue, #500  
Sacramento, CA 95825**

ASSESSMENT DIAGRAM  
 DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04  
 CITY OF SACRAMENTO, CALIFORNIA  
 MORTON & PITALO, INC.  
 SHEET 1 OF 1 SHEET



SCALE 1"=100'



LEGEND

- BOUNDARY OF ASSESSMENT.....  
 ASSESSMENT DISTRICT BOUNDARY.....  
 ASSESSMENT NUMBER..... ①  
 LOT NUMBER..... 1

NOTE

DISTANCES ALONG CURVED LINE ARE CHORD MEASUREMENTS.

CLERK'S MAP FILING STATEMENT

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS \_\_\_\_ DAY OF \_\_\_\_ 1997.

\_\_\_\_\_  
 VALERIE BURROWS, CITY CLERK  
 CITY OF SACRAMENTO

CLERK'S CERTIFICATE

AN ASSESSMENT WAS LEVIED BY THE CITY OF SACRAMENTO OF THE COUNTY OF SACRAMENTO ON THE LOTS SHOWN ON THIS ASSESSMENT DIAGRAM. SAID ASSESSMENT WAS LEVIED ON THE \_\_\_\_ DAY OF \_\_\_\_ 1997. SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF SACRAMENTO ON THE \_\_\_\_ DAY OF \_\_\_\_ 1997. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE COUNTY SURVEYOR FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

\_\_\_\_\_  
 VALERIE BURROWS, CITY CLERK  
 CITY OF SACRAMENTO

SUPERINTENDENT OF STREETS RECORDING STATEMENT

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS \_\_\_\_ DAY OF \_\_\_\_ 1997.

\_\_\_\_\_  
 SUPERINTENDENT OF STREETS  
 CITY OF SACRAMENTO

COUNTY RECORDER'S FILING STATEMENT

FILED THIS \_\_\_\_ DAY OF \_\_\_\_ 1997 AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

\_\_\_\_\_  
 COUNTY RECORDER OF THE COUNTY  
 OF SACRAMENTO, CALIFORNIA

BY: \_\_\_\_\_

EXHIBIT F

**EXHIBIT G**

**PROPOSED MAXIMUM ANNUAL ASSESSMENT PER PARCEL  
FOR CURRENT COSTS AND EXPENSES**

**DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04**

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed, which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor. The maximum amount of such annual assessment to be levied upon each such parcel of land shall be the pro rata share of \$2,200 with annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

CITY OF SACRAMENTO

DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

AFFIDAVIT OF MAILING NOTICE TO PROPERTY OWNERS  
OF THE TIME AND PLACE OF A PUBLIC MEETING ON THE  
LEVY OF AN ASSESSMENT AND OF THE TIME AND PLACE OF A  
PUBLIC HEARING OF PROTESTS TO THE ACQUISITION AND  
CONSTRUCTION OF PUBLIC IMPROVEMENTS, THE EXTENT OF AN  
ASSESSMENT DISTRICT AND THE LEVY OF AN ASSESSMENT AND  
NOTICE OF THE PROPERTY OWNER BALLOT PROCEDURE  
(TOGETHER WITH THE PROPERTY OWNER BALLOTS)

STATE OF CALIFORNIA        )  
                                  )    ss.  
COUNTY OF SACRAMENTO    )

VALERIE A. BURROWES, being first duly sworn, deposes  
and says:

That she is now and at all times herein mentioned was  
the City Clerk of the City of Sacramento;

That pursuant to Resolution No. 97-365 (the  
"Resolution") adopted by the City Council of the City of  
Sacramento on June 24, 1997, setting the time and place of a  
public meeting on the levy of an assessment and the time and  
place of a public hearing of protests to the acquisition and  
construction of those certain public improvements described in  
the Resolution, the extent of the assessment district and the  
levy of said assessment in and for an assessment district in  
the City of Sacramento designated "the City of Sacramento  
Display Way Assessment District No. 96-04," as described in  
Resolution of Intention No. 97-364 adopted by the City Council  
of the City of Sacramento on June 24, 1997 (the "Resolution of

Intention"), she complied with all requirements of law for mailing notices of said public meeting and said public hearing and the property owner ballot procedure (together with the property owner ballots) required to be mailed under the proceedings taken pursuant to the provisions of the Municipal Improvement Act of 1913 by causing to be deposited not later than June 27, 1997, in the United States.

of said public improvements, the extent of said assessment district and the levy of said assessment and notice of the property owner ballot procedure, together with a property owner ballot, in the form of such notice and property owner ballot attached hereto, marked "Exhibit A" and "Exhibit B", respectively, and by reference incorporated herein and made a part hereof; and that there is and at said time was a regular communication by mail between said place of mailing and said places so addressed. A statement of the total estimated cost of the acquisition and construction of said public improvements and the amount as shown by said report which is proposed to be assessed against the particular parcel covered by the notice so mailed to each such person and a general description of the improvements that the assessments will fund and the address to which property owners may mail a protest against the assessments was shown on each notice so mailed as aforesaid.

*[Handwritten Signature]*  
City Clerk of the City of Sacramento

Subscribed and sworn to before me  
this 8<sup>th</sup> day of June, 1997.  
July 2-4-

*[Handwritten Signature]*  
NOTARY PUBLIC  
State of California

[Notarial Seal]



CITY OF SACRAMENTODISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

NOTICE TO PROPERTY OWNERS OF THE TIME AND PLACE OF A PUBLIC MEETING ON THE LEVY OF AN ASSESSMENT AND OF THE TIME AND PLACE OF A PUBLIC HEARING OF PROTESTS TO THE ACQUISITION AND CONSTRUCTION OF PUBLIC IMPROVEMENTS, THE EXTENT OF AN ASSESSMENT DISTRICT AND THE LEVY OF AN ASSESSMENT AND NOTICE OF THE PROPERTY OWNER BALLOT PROCEDURE FOR THE ASSESSMENT DISTRICT

NOTICE IS HEREBY GIVEN that on June 24, 1997, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 97-364, (the "Resolution of Intention"), wherein it declared its intention to order the acquisition and construction of those certain public improvements more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto under the provisions of the Municipal Improvement Act of 1913 in and for an assessment district in the City (therein provided for) designated the "City of Sacramento Display Way Assessment District No. 96-04."

NOTICE IS HEREBY FURTHER GIVEN that the Council in and by the Resolution of Intention referred said public improvements to the Director of Public Works of the City as the Engineer of Work in said proceedings and directed the Engineer of Work to prepare and file with the City Clerk of the City a report containing the matters specified in Section 10204 of the Streets and Highways Code of the State of California, and that the Engineer of Work duly prepared and filed his report dated June 24, 1997 with the City Clerk of the City on June 24, 1997, which report was presented to and was preliminarily approved by the Council by resolution adopted on June 24, 1997.

NOTICE IS HEREBY FURTHER GIVEN that 2:00 o'clock P.M. on Tuesday, July 22, 1997, at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, has been fixed by the Council as the time and place for a public meeting at which members of the Council will hear public testimony regarding the levy of the assessment as set forth in said report.

NOTICE IS HEREBY FURTHER GIVEN that 2:00 o'clock P.M. on Tuesday, August 12, 1997, at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, has been fixed by the

Council as the time and place for a public hearing of protests to the acquisition and construction of said public improvements, to the extent of said assessment district and to the levy of said assessment, and that any interested person may object to the acquisition and construction of said public improvements, or to the extent of said assessment district or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing, and all mailed protests should be addressed to the City Clerk, Sacramento City Hall, 915 I Street, Room 304, Sacramento, California 95814. Each protest must contain a description of the property in which each signer thereof is interested sufficient to identify the property and, if the signers are not shown on the last equalized assessment roll as the owners of the property, must contain or be accompanied by written evidence that the signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at the time appointed for said hearing shall present to the Council all protests filed with her.

NOTICE IS HEREBY FURTHER GIVEN that the total estimated cost of the acquisition and construction of said public improvements is \$546,282, of which \$321,282 is proposed to be met by the levy of said assessment in said proceedings, and that the duration for the payment of said assessment shall be not in excess of twenty-four (24) years.

NOTICE IS HEREBY FURTHER GIVEN that it is the intention of the Council that a penalty of two per cent (2%) per month of the total amount of any delinquent assessment installment shall be added to such delinquent assessment installment after the close of business on the delinquency date, and that an additional penalty of two per cent (2%) of the amount of such delinquency shall be added thereto at the beginning of business on the tenth (10th) day of each succeeding month until such delinquent assessment installment and all penalties are fully paid, which penalties shall be in lieu of all other penalties assessed by other provisions of law, and that the Treasurer of the County of Sacramento shall collect such penalties with and as a part of such delinquent assessment installments, and all penalties collected shall be deposited into the bond redemption fund for the bonds issued to represent unpaid assessments.

NOTICE IS HEREBY FURTHER GIVEN that the basis on which the amount of such proposed assessment was calculated is more particularly set forth in Exhibit B attached hereto and incorporated herein and made a part hereof.

NOTICE IS HEREBY FURTHER GIVEN that a maximum annual assessment to be levied upon each of the parcels within said assessment district to pay costs incurred by the City and not otherwise reimbursed for the administration and collection of the

assessments or for the administration of the reserve fund or other related funds or for the registration of the bonds issued to represent unpaid assessments shall be the pro rata share of \$2,200, with annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

NOTICE IS HEREBY FURTHER GIVEN that, as required by Section 4 of Article XIIIID of the California Constitution, a Property Owner Ballot has been enclosed with this notice, along with a self-addressed, return envelope by which the ballot may be returned to the City Clerk at her office at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814. This ballot may be used by the owner or owners of any parcel to express either support for or opposition to the proposed assessment, and the ballot may be returned either by mail (which may be done using the enclosed envelope but requires the user to provide the required postage) or by personal delivery, either prior to or at the time of the public hearing of protests on August 12, 1997.

NOTICE IS HEREBY FURTHER GIVEN that, immediately following the close of the public hearing of protests, the returned property owner ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided, that in the event the City Clerk requires opportunity to determine whether any ballot has been properly signed by an owner or authorized representative of an owner, the Council reserves entitlement to continue the matter of announcing results to provide the City Clerk with such opportunity. In the event that ballots in opposition exceed ballots in support, there will be a "majority protest", and the City Council will be precluded from proceeding with the proposed assessment. THIS MEASURE OF MAJORITY PROTEST IS COMPLETELY INDEPENDENT OF THE WRITTEN PROTEST PROCEDURE, WHICH IS DESCRIBED ABOVE.

NOTICE IS HEREBY FURTHER GIVEN that Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, has been designated to answer inquiries regarding the protest proceedings.

NOTICE IS HEREBY FURTHER GIVEN that the legal records of Sacramento County indicate that you own that certain real property constituting the Sacramento County Assessor's Parcel Number set forth below, and that the amount proposed to be assessed against such parcel, as shown by said report, is set forth below.

For all further particulars concerning said proceedings reference is hereby made to the Resolution of Intention and to said report, both of which are on file in the office of the City Clerk of the City, Sacramento City Hall, 915 I Street, Sacramento, California 95814, and may be examined at said office by any interested persons.

Dated: June 27, 1997

Valerie A. Burrowes  
City Clerk of the City of Sacramento

Sacramento County Assessor's  
Parcel Number

Proposed  
Assessment

EXHIBIT A

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

DESCRIPTION OF IMPROVEMENTS

- A. The construction of street improvements including clearing, grubbing, grading, construction of pavement, curbs, gutters, sidewalks, driveways, where required, and the installation of a street lighting system on the extension of Display Way, a new street, from a point 700 feet, more or less, east of the intersection of Taylor Street, thence 600 feet, more or less, along an easterly bearing to connect to the existing Williams Avenue adjacent to Altos Avenue. Also, an addition to the easterly half of Rio Linda Boulevard, beginning at the intersection of Rio Linda Boulevard and North Avenue, thence 150 feet, more or less, along a northerly bearing to end at the southerly edge of a City of Sacramento drainage ditch. The construction of water drains and related appurtenances, services and hydrants, where required. The construction of a storm drainage collection system including drop inlets, manholes and services, where required, along the streets described above.
- B. The acquisition of an existing 24" drain line in an easement perpendicular to Display Way located east approximately 650 feet from the intersection of Taylor Street & Display Way. The drain line is approximately 650 feet in length and runs from Display Way north to the existing City ditch.

**EXHIBIT B**  
**DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04**  
**ASSESSMENT METHODOLOGY**

The following describes the proposed method of spreading assessments for Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, State of California.

The improvements described in this report will benefit all parcels of land within the proposed district, therefore the total cost will be spread to each parcel in proportion to its gross area to the total gross area included within the Assessment District.

CITY OF SACRAMENTO  
DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

PROPERTY OWNER BALLOT

This ballot is for the use of the property owner of the parcel identified below by Assessment Parcel Number, which parcel is located within the proposed City of Sacramento Display Way Assessment District No. 96-04. Please advise the City Clerk as soon as possible at (916) 264-5426 if the name set forth below is incorrect.

This ballot may be used to express either support for or opposition to the proposed assessment in the proposed assessment district, which is the subject of the Engineer's Report dated June 24, 1997, on file with the City Clerk and available for inspection at her office.

In order to be counted, this ballot must be signed below by an owner of the identified Assessment Parcel Number or, if such owner is not an individual, by an authorized representative of the owner. The ballot must then be returned to the City Clerk at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814, either by mail or in person.

Mail Delivery: If by mail, seal in the envelope provided, affix first class postage, and place in the mail not later than several days prior to August 12, 1997, as mailing later than this time creates a risk that the ballot may not be received in time to be counted.

Personal Delivery: If in person, to the City Clerk at any time up to 1:00 p.m. on August 12, 1997, at the City Clerk's office at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814, or at the protest hearing beginning at 2:00 p.m. on August 12, 1997 at the City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814.

THE BALLOT MUST BE RECEIVED BY THE CITY CLERK PRIOR TO THE CLOSE OF THE PUBLIC HEARING TO BE COUNTED.

TO CAST THIS BALLOT, RETURN EITHER THIS ENTIRE PAGE  
OR THE PORTION BELOW THIS LINE

-----  
**BALLOT**  
-----

AN "X" OR OTHER MARK WILL CAST YOUR VOTE IN THE SPACE PROVIDED

Assessment Number: 6

Assessor Parcel Number(s): 250-0450-007

Owner Name(s): Edwin & Margaret Lial

Votes Cast (Assessment Amount): \$37,775.88

\_\_\_\_ Yes, I approve of the proposed assessment amount on the parcel identified in this ballot.

\_\_\_\_ No, I do not approve of the proposed assessment on this parcel.

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

CITY OF SACRAMENTO

DISPLAY WAY ASSESSMENT DISTRICT NO. 96-04

AFFIDAVIT OF RECORDING BOUNDARY MAP

STATE OF CALIFORNIA     )  
                                          )    ss.  
COUNTY OF SACRAMENTO    )

VALERIE A. BURROWES, being first duly sworn, deposes and says:

That she is now and at all times herein mentioned was the City Clerk of the City of Sacramento;

That pursuant to Section 3111 of the California Streets and Highways Code, she recorded a map, entitled "Proposed Boundaries of Display Way Assessment District No. 96-04, City of Sacramento, County of Sacramento, California," in the office of the Sacramento County Recorder on June 27, 1997, as required by law.

*Virginia K. K...*  
\_\_\_\_\_  
Asst. City Clerk of the City of Sacramento

Subscribed and sworn to before me this 8th day of July, 1997.

*Stephanie Armstrong*  
\_\_\_\_\_  
NOTARY PUBLIC  
State of California



[Notarial Seal]

City Council  
 Display Way AD #96-04  
 July 28, 1997

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

The developer, Norwood/I-80 Business Park, has petitioned the City to form an assessment district to construct street improvements for the extension of Display Way. This street extension will allow the existing business park to expand from approximately 26 acres to 35 acres. This proposed district is comprised of six separate parcels of land owned by Norwood/I-80 Business Park.

The proposed street improvements will front properties owned by 12 neighboring landowners. Nine of the parcels contain residential homes, the other three are vacant. SHRA has signed an agreement (City Agreement No. 97-178) to make a \$225,000 contribution for the improvements adjacent to those 12 parcels.

**FINANCIAL CONSIDERATIONS:**

Bids were received on March 19, 1997, and are listed below:

Contractor	Bid Amount	MBE% Participation	WBE% Participation	Good Faith Effort
Kochoo Construction	\$318,277	8.01%	6.28%	No
RC Collet Inc.	\$338,877	14.73%	17.29%	N/A

Kochoo Construction did not meet MBE/WBE program goals or perform an adequate Good Faith effort, and is non-responsive. Recommendations for contract award will be presented to City Council on September 16, 1997.

The project will be funded by the property owners within the district and a contribution by SHRA. The following is a summary of project costs.

Estimated Construction Cost	\$338,877
Contingency	<u>33,888</u>
Subtotal	\$372,765
Drain Line Acquisition	<u>22,694</u>
Total Construction	\$395,459

City Council  
Display Way AD #96-04  
July 28, 1997

Engineering		
Design		15,825
Project Management /Staking & Inspection		<u>45,000</u>
Subtotal		\$456,284
Bond Incidentals		<u>41,225</u>
Subtotal		\$497,509
Contributions		
(SHRA)		<u>(225,000)</u>
Project Cost		\$272,509
Reserve Account		<u>31,504</u>
Total Expenditures		\$304,013
Bond Discount		<u>11,027</u>
Total Amount Assessed to Property Owners		\$315,040

The above expenditures are detailed in the Engineer's Report on file with City Clerk. Final budgeting recommendations will be made at the time of contract award and sale of bonds. There is no impact to the General Fund as a result of this district.

#### **ENVIRONMENTAL CONSIDERATIONS:**

On August 20, 1996, City Council adopted Resolution No. 96-074 ratifying the negative declaration and the mitigation monitoring plan for this project.

#### **POLICY CONSIDERATIONS:**

The procedures under which this district is being formed are set forth in the California Streets and Highways Code, specifically Division 12 entitled, "*Municipal Improvement Act of 1913*" and Division 10 entitled, "*Improvement Bond Act of 1915*".

Project approval and authorization for bid advertisement are consistent with Title 58, Article III, Section 58.301 of the City Code.

City Council  
Display Way AD #96-04  
July 28, 1997

**MBE/WBE:**

To encourage minority participation, plans and specifications were sent to 9 plan rooms and construction services organizations for publication. Four are directly involved with MBE/WBE construction firms. Staff actively recruited available MBE/WBE firms to participate in the bid process. The project was announced on the Project Information Bid Line and on the City's Internet site at [www.sacto.org/bids](http://www.sacto.org/bids). Project notices were sent to 30 organizations involved in MBE/WBE recruitment.

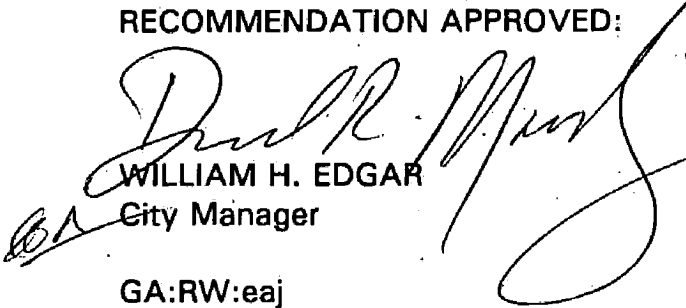
Respectfully submitted,




Gary Alm  
Development Services Manager

RECOMMENDATION APPROVED:

APPROVED:



WILLIAM H. EDGAR  
City Manager



Michael Kashiwagi  
Director of Public Works

GA:RW:eaj  
cc/sd.01  
Exhibits