



DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

SPECIAL DISTRICTS
1231 I Street, Room 300
SACRAMENTO, CA

TECHNICAL SERVICES

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December 18, 2000

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES DISTRICT NO.
2000-01 – ADOPT ORDINANCE LEVYING SPECIAL TAX**

LOCATION AND COUNCIL DISTRICT:

The proposed Community Facilities District (CFD) will include approximately 350 acres in the North Natomas Community Plan area, located in Council District 1 (see Boundary map, Exhibit A).

RECOMMENDATION:

This report recommends that the City Council adopt the following:

- Ordinance Levying a Special Tax

CONTACT PERSON: Rita Goolkasian, Special Districts Analyst, 264-5236

FOR COUNCIL MEETING OF: January 9, 2001

SUMMARY:

It is requested that City Council adopt the attached ordinance to levy a special tax for the North Natomas Westlake Community Facilities District No. 2000-01. This council action provides flexibility and preparedness in the event bonds are sold.

City Council
North Natomas Westlake Community Facilities District
December 18, 2000

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

The North Natomas Westlake CFD No. 2000-01 was approved by property owners and formed by the City Council on October 31, 2000 to finance the acquisition and construction of certain public improvements within the CFD. Those improvements relate to the City's North Natomas drainage improvements specific to drainage basin 8A in the Westborough community. While it is undetermined at this time when bonds will be sold, the ordinance authorizes the tax to be levied in FY 2001/02 to provide for the greatest flexibility and preparedness. A schedule of the district proceedings is shown on Exhibit B.

FINANCIAL CONSIDERATIONS:

If applicable, revenue from tax proceeds beginning in Fiscal Year 2001/02 may reimburse the landowner for prepaid construction expenses, cover administrative costs and bond related expenses.

ENVIRONMENTAL CONSIDERATIONS:

The North Natomas Comprehensive Drainage Plan EIR was approved by City Council on May 20, 1997. The City Council's action in adopting the attached ordinance is solely for the purpose of levying taxes and therefore, is not a project for purposes of the California Environmental Quality Act.

POLICY CONSIDERATIONS:

The procedures under which this district is being formed are set forth in Title 5 of the Government Code Sections 53311-53317.5 entitled "The Mello-Roos Community Facilities Act of 1982" and the City's "Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing for Infrastructure and Public Facilities", adopted June 29, 1993, Resolution No. 93-381 and updated August 9, 1994, Resolution 94-491.

Continuing Disclosure

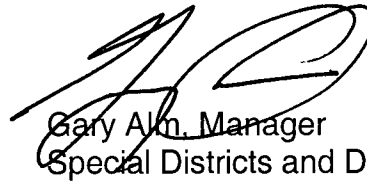
New Securities and Exchange Commission Rule 15c2-12(b)(5) created a requirement that certain third parties other than the City would provide ongoing disclosure of specified categories of information, in an effort to protect the secondary bond market. A continuing disclosure certificate may be required by certain third party landowners. This requirement will be resolved prior to bond issuance.

City Council
North Natomas Westlake Community Facilities District
December 18, 2000

ESBD CONSIDERATIONS:

None. No goods or services are being purchased.

Respectfully submitted:



Gary Alm, Manager
Special Districts and Development Services

Approved:



Duane J. Wray, Manager
Technical Services

RECOMMENDATION APPROVED:



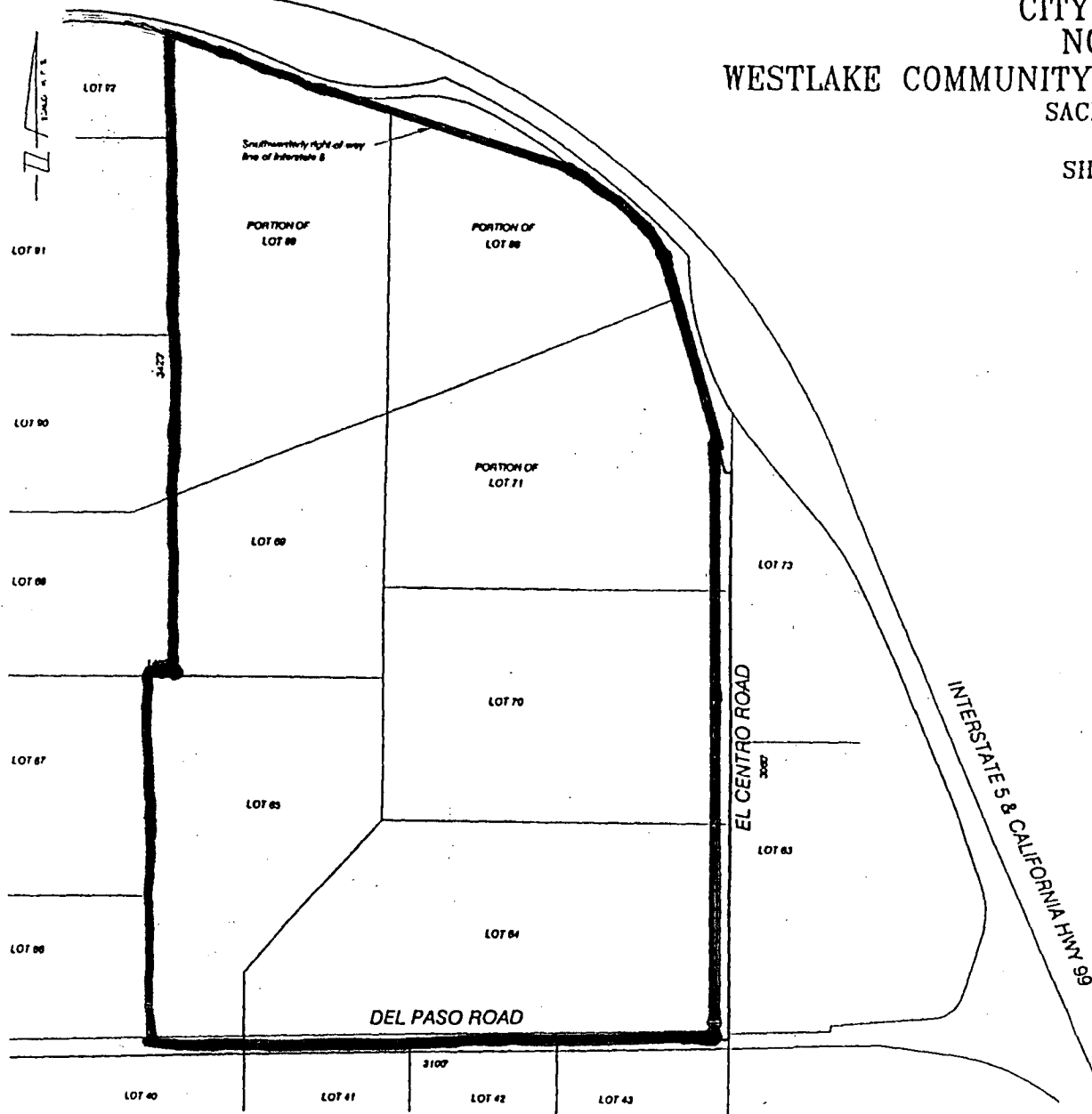
ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

INTERSTATE 5



PROPOSED BOUNDARIES OF CITY OF SACRAMENTO NORTH NATOMAS

WESTLAKE COMMUNITY FACILITIES DISTRICT No. 2000-01
SACRAMENTO, CALIFORNIA

SHEET 1 OF 1 SHEETS

CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,
THIS ____ DAY OF ____, 2000.

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MAP SHOWING PROPOSED BOUNDARIES
OF WESTLAKE COMMUNITY FACILITIES DISTRICT NO. 2000-01, CITY
OF SACRAMENTO, COUNTY 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 ____,
2000 BY IT'S RESOLUTION NO. ____.

CITY CLERK, CITY OF SACRAMENTO, CALIFORNIA

COUNTY RECORDER'S FILING STATEMENT:

FILED THIS ____ DAY OF ____, 2000 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 RECORDER OF THE COUNTY OF SACRAMENTO, STATE
OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF
SACRAMENTO, CALIFORNIA

LEGEND

____ DISTRICT BOUNDARY

The Spink Corporation

EXHIBIT B

SCHEDULE FOR NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES DISTRICT #2000-01 FOR DRAINAGE IMPROVEMENTS IN BASIN 8A

- February 25, 2000 Kick-Off Meeting with Landowner, Consultants and City Staff
- June 27, 2000 City Council Action – Resolution of Intention
- ROI to establish a CFD and Levy Special Tax (Sets Hearing Date & approves Boundary Map)
 - Resolution of Intention to Incur Bond Indebtedness
 - Resolution Approving Bond Counsel Agreement for Legal Services
- August 3, 2000 City Council Action – Conduct Hearing on District Formation and Hold Special Election – CONTINUED TO AUGUST 8, AND FURTHER CONTINUED TO AUGUST 22, SEPTEMBER 5, 19, and 26, 2000, THEN FURTHER CONTINUED TO OCTOBER 17, and 24, 2000
- October 24, 2000 City Council Action – Conduct Public Hearing
- October 31, 2000 Formation of District
- Adopt Resolution Establishing CFD and Calling for a Special Mailed Ballot Election
 - Adopt Resolution Declaring need to Incur Bonded Indebtedness and Calling for a Special Mailed Ballot Election
- October 31, 2000 Special Election
- November 9, 2000 City Council Action –
Declaring Results of Special Mailed Ballot Election
- January 2, 2001 City Council Action –
Adopt Ordinance Levying Special Tax – (Pass for Publication Title of Ordinance to Levy the Special Tax)
- | | |
|------------------------|--|
| January 9, 2001 | City Council Action –
Adopt Ordinance to Levy Tax |
|------------------------|--|
- To be Determined Adopt Resolution approving Legals & POS
Adopt Resolution to issue Bonds
Adopt Resolution approving Budget

ORDINANCE NO. 2001 - 002

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SACRAMENTO LEVYING A SPECIAL TAX FOR THE FISCAL
YEAR 2001-2002 AND FOLLOWING FISCAL YEARS SOLELY
WITHIN AND RELATING TO THE CITY OF SACRAMENTO
NORTH NATOMAS WESTLAKE COMMUNITY FACILITIES
DISTRICT NO. 2000-01**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SACRAMENTO:**

1. Pursuant to Government Code Sections 53328 and 53340, and in accordance with the Rate and Method of Apportionment of Special Tax as set forth in Exhibit A to Resolution No. 2000-627 Establishing the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 (Resolution No. 2000-627 adopted by the Council on October 31, 2000) (the "Resolution"), a special tax is hereby levied on all taxable parcels within the City of Sacramento North Natomas Westlake Community Facilities District No. 2000-01 for the 2001-2002 fiscal year and for all subsequent fiscal years in the amount of the maximum authorized tax, provided that this amount may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of the Council.

2. The Special Districts Analyst, Department of Public Works of the City of Sacramento (the "City"), is authorized and directed, with the aid of the appropriate officers and agents of the City, to determine each year, without further action of the Council, the Special Tax(es) (as that term is defined in Exhibit A of the Resolution), to prepare the annual Special Tax roll in the amount of the Special Tax in accordance with said Exhibit A and, without further action of the Council, to provide all necessary and appropriate information to the Sacramento County Auditor in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the Special Tax on the secured property tax roll of the County; provided, that as provided in the Resolution and Section 53340 of the California Government Code, the Council has reserved the right to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the City, including but not limited to, direct billing by the City to the property owners and supplemental billing.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

3. The appropriate officers and agents of the City are authorized to make adjustments to the Special Tax roll prior to the final posting of the Special Taxes to the county tax roll each fiscal year, as may be necessary to achieve a correct match of the Special Tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.

4. The City agrees that, in the event the Special Tax is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the Special Tax from the amounts collected, prior to remitting the Special Tax collections to the City.

5. Taxpayers who have requested changes or corrections of the Special Tax pursuant to Section 8 of the Rate and Method of Apportionment of the Special Tax and who are not satisfied with the decision of the Special Districts Analyst (whether the Special Districts Analyst simply disagrees with the taxpayer or feels the Department of Public Works is not authorized to consider the change requested), may appeal to the Council. The appeal must be in writing and fully explain the grounds of appeal, and must be based solely on the correction of mistakes in the levy based upon the status of the property, and no other appeals will be allowed. The Special Districts Analyst shall schedule the appeal for consideration within a reasonable time at a Council meeting.

6. If for any cause any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of the Special Tax to the remaining parcels, shall not be affected.

7. This ordinance shall take effect and be in force immediately as a tax measure.

8. The TITLE only of this Ordinance shall have been published at least once in a newspaper of general circulation published in the City of Sacramento, after being passed for publication of Title by the Council, at least three days before the adoption of this Ordinance by the Council, pursuant to Section 32(c) of the Sacramento City Charter. It is hereby found that the Title of this Ordinance was published in _____, a newspaper of general circulation published in the City of Sacramento on January_____, 2001.

* * *

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

This Ordinance was PASSED FOR PUBLICATION by the City Council of the City of Sacramento, County of Sacramento, State of California, on January _____, 2001; and PASSED AND ADOPTED by said Council this _____ day of January, 2001.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____