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**APPROVED**  
BY THE CITY COUNCIL

DEPARTMENT OF  
PUBLIC WORKS

OFFICE OF THE DIRECTOR  
ADMINISTRATION

CITY OF SACRAMENTO  
CALIFORNIA

**JAN 24 1995**

OFFICE OF THE  
CITY CLERK

January 6, 1995

CITY HALL  
ROOM 207  
915 I STREET  
SACRAMENTO, CA  
95814-2608

PH 916-264-7110  
FAX 916-264-5573

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: WILLOWCREEK ASSESSMENT DISTRICT #94-03, PUBLIC MEETING**

**LOCATION AND COUNCIL DISTRICT:**

The Willowcreek Assessment District is located within the South Natomas Community Plan area in Council District #1 (please see attached Exhibit "A"). The district includes 43 parcels of undeveloped land, just west of the Natomas Main Drainage Canal, and south of Interstate 80.

**RECOMMENDATION:**

This report recommends that the City Council open the Public Meeting on the Willowcreek Assessment District; take public testimony and close the Meeting. A final Public Hearing will be held on January 31, 1995, at which time the Council may take action on this district.

**CONTACT PERSON:**

Ron Wicky, Special District Analyst, 264-5628

**FOR COUNCIL MEETING OF:**

January 24, 1995

**SUMMARY:**

The purpose of this Meeting is to receive public testimony for the Willowcreek Assessment District. On December 6, 1994, Council initiated the district and authorized staff to mail official notices to each of the property owners. Construction plans and specifications have been prepared and the project has been bid. The bid results will be reported to Council on January 31, 1995. Formation of this district will provide a portion of the infrastructure needed to enhance economic development in this area.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

The formation of the Willowcreek Assessment District is being requested by property owners within the proposed boundaries. The City has received a formal request by 47% of the landowners to initiate the proceedings for this district.

Infrastructure for drainage, water, sewer and streets are needed so that this area can fully develop. The property owners have requested that the project be constructed in two phases. The first phase which constitutes this district will provide the funding necessary to construct the pump station outfall structure for the drainage system at the Sacramento River. This phase will also purchase the necessary right-of-way for the outfall, and purchase the design plans for the future pump station. The second phase will provide the remaining infrastructure needed to begin development of the area.

The most westerly portion of the proposed district lies within County of Sacramento jurisdiction. On December 6, 1994, the County Board of Supervisors adopted a Resolution consenting to formation of the District.

Since the Willowcreek area lies within the 100-year floodplain, bonds for this district will be placed on property that may not be able to develop immediately. Most of the area is zoned residential, which cannot practically develop given the requirements of Resolution No. 90-101, adopted by Council February 6, 1990, which requires elevating residential structures above the 100-year flood elevations in the Natomas Basin. Approximately 20% of the land within the boundary is proposed to be non-residential and may be able to develop with restrictions, depending on whether this area is allowed to be mapped as "developed" by the Federal Emergency Management Agency (FEMA) under the proposed AR Zone regulations.

The Natomas School District has constructed a school on a 20-acre site within the district and will benefit from the improvements being furnished with this project. The school district is expected to sign an agreement that they make a contribution for their share of the cost of this project. It is estimated that the school district share will be approximately \$87,300. As of January 6, 1995, no protests have been received by the City Clerk's office.

#### **FINANCIAL CONSIDERATIONS:**

The project will be funded by the property owners within the district and a possible contribution by the Natomas School District. The following is a summary of costs for the project.

Estimated Construction Cost	\$ 540,000
Contingency	81,000
Right-of-Way	110,000
Engineering Design	70,700
Engineering, Administration & Staking	80,000
Purchase of Pump Station Plans	360,000
Bond Incidentals	<u>159,500</u>
Sub Total	\$ 1,401,200
Reserve Account	143,300
Bond Discount	<u>47,800</u>
Amount Assessed to Property Owners	\$1,592,300

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.

**ENVIRONMENTAL CONSIDERATION:**

The Environmental Services Section has reviewed the staff report and has noted that this project was evaluated in the Natomas West Assessment District EIR.

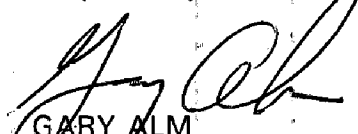
**POLICY CONSIDERATIONS:**

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.*"

**MBE/WBE:**

MBE/WBE goals relating to construction bid and contract award will be evaluated and reported to Council on January 31, 1995.

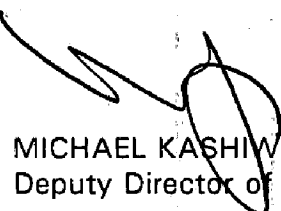
Respectfully submitted,

  
GARY ALM  
Manager, Special Districts

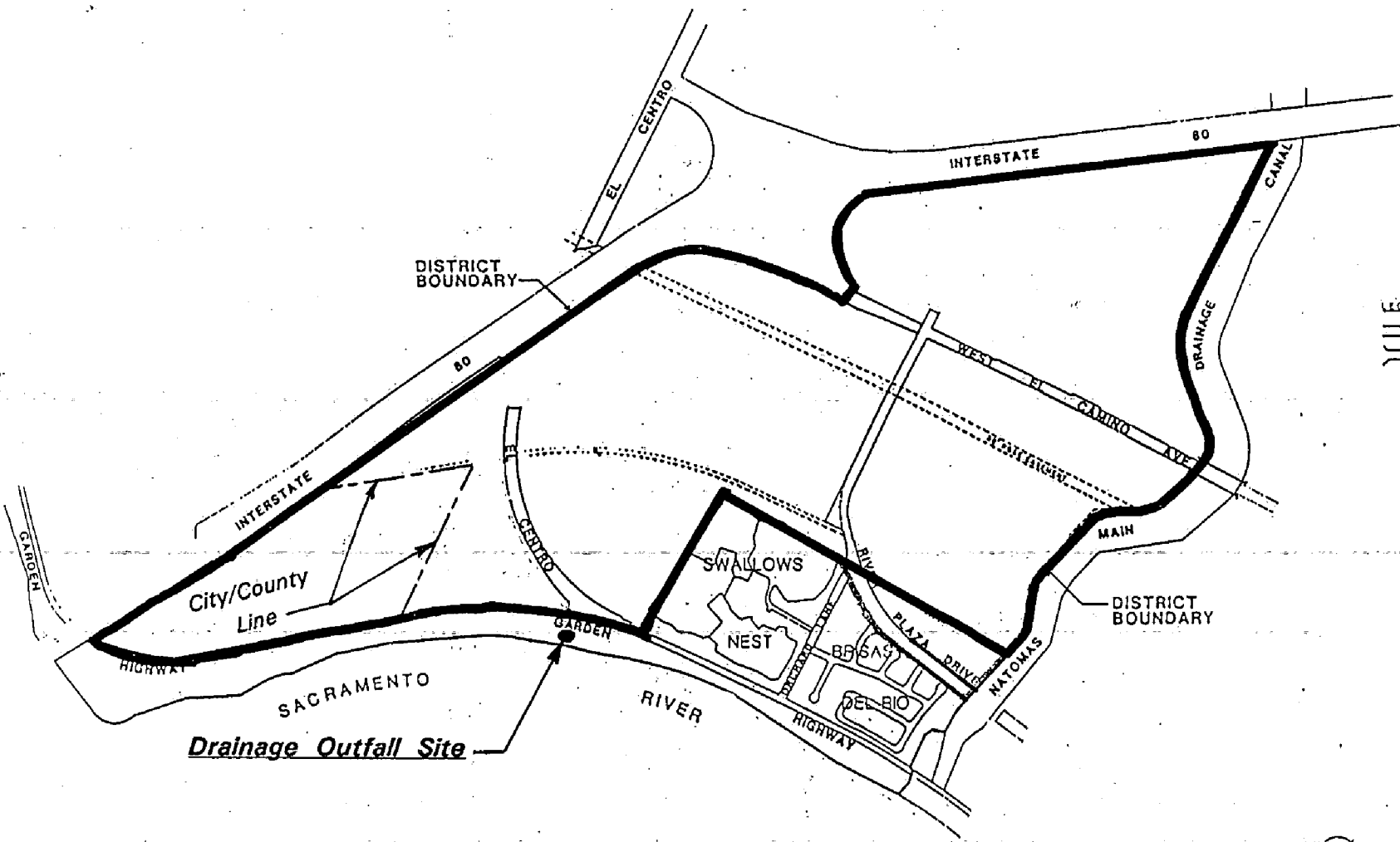
Recommendation Approved:

Approved:

  
WILLIAM H. EDGAR  
City Manager

  
MICHAEL KASHIWAGI  
Deputy Director of Public Works

GA:RW:yg



WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03  
LOCATION MAP

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**EXHIBIT "B"**

**WILLOWCREEK ASSESSMENT DISTRICT #94-03**

November 22, 1994	Council Requests Jurisdiction from County Board of Supervisors
December 1, 1994	Property Owner(s) Community Meeting
December 6, 1994	County Adopts Resolution Granting Jurisdiction to City of Sacramento
December 6, 1994	COUNCIL ADOPTS RESOLUTION OF INTENTION AND SETS HEARING DATES
December, 1994	Record Boundary Map with County Recorder
December, 1994	Publish and Mail Notices to Property Owners
January 18, 1995	Receive Bids

**January 24, 1995**

**COUNCIL HOLDS PUBLIC MEETING**

January 31, 1995	Council Holds Public Hearing  COUNCIL CONSIDERS RESOLUTIONS TO OVERRULE PROTESTS AND LEVY THE ASSESSMENTS (4/5 Vote Required)
February, 1995	Record Assessment Diagram and Notice of Assessment with County
March 21, 1995	COUNCIL CONSIDERS RESOLUTION AUTHORIZING SALE OF BONDS, APPROPRIATION OF FUNDS - AWARD OF CONTRACT
April 3, 1995	Bond Closing
April, 1995	City Receives Proceeds from Bonds
April, 1995	Contractor Notice to Proceed
July 1, 1995	Estimated Completion Date for Improvements

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO

JAN 5 9 32 AM '95

2050 Garden Highway  
Sacramento, CA 95833  
January 3, 1995

Ms. Valerie A. Burrowes, City Clerk  
City of Sacramento  
915 I Street  
Sacramento, CA 95814-2693

**NOTICE OF IMPROVEMENT -- WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03**

Dear Ms. Burrowes:

I am a property owner in the County area to be included in the proposed Willowcreek Assessment District (APN 274-0220-051). The purpose of my letter is to document my protest to the formation of the District and inclusion of my property within it.

Proponents of the District believe that those who will ultimately benefit from its formation (in their view, the current owners) should fund these improvements. A building moratorium currently exists in this area. In all recent City and County meetings regarding development, it has been pointed out that none is likely to occur until the 100-year flood standard has been met, a period of five to eight years. In addition, I understand that Federal funding must be used in the flood protection work, a requirement that may add years to the time before the moratorium is lifted.

In the County of Sacramento's letter to the Board of Supervisors dated November 29, 1994 (Request for Jurisdiction by the City of Sacramento Pertaining to Its Willowcreek Assessment District No. 94-03), my estimated assessment share for the described work is \$92,383.28. Previous estimates of assessments for my property for all work required for a sewer district are nearly \$930,000, more than ten times that included in the November 1994 letter. This total assessment amount is more than the property's market value.

I am not a developer. My property is used for agricultural purposes, and it is my intention to continue to do so. Until such time as the building moratorium is lifted and development is imminent, there is no benefit to either the property owners or the area by formation of the proposed district and work on the described improvements. Given these circumstances, I believe formation of the District is premature. With development in the distant future, immediate assessment would place an unfair financial burden on the property owners. In fact, it may be necessary for some owners to sell property to meet the assessment demands.

Ms. Valerie A Burrowes, City Clerk  
January 3, 1995  
Page 2

Again, for these reasons I wish to protest formation of the proposed Willowcreek Assessment District and inclusion of my property within it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald Parr".

Donald Parr

THE DAILY RECORDER

...Since 1911...

1115 H Street P.O. Box 1048  
Sacramento, California 95812  
Telephone (916) 444-2355  
Fax (916) 444-0636

SAC. CITY CLERK (SAC)  
915 I St., Rm. 304/ V. HENRY  
Sacramento CA 95814

Proof of Publication

(2015.5 C.C.P.)

State of California )  
County of Sacramento ) ss

AD7905

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE DAILY RECORDER, a daily newspaper published in the English language in the City of Sacramento, County of Sacramento, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Sacramento, State of California, under date of May 2, 1913, Case No. 16,180. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

12/23/94

EXECUTED ON : 12/23/94  
AT LOS ANGELES, CALIFORNIA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

  
Signature

This space for filing stamp only

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CITY CLERKS OFFICE  
CITY OF SACRAMENTO

DEC 28 2 45 PM '94

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1-24-95

DJC8908266

NOTICE OF  
IMPROVEMENT

WILLOWCREEK ASSESSMENT  
DISTRICT NO. 94-03

The City Council of the City of Sacramento will conduct two public hearings on the Resolution of Intention (adopted December 13, 1994), and the Engineer's Report for the proposed Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California. At the hearings the Council will take public testimony, including protests against the proposed improvement, the extent of the assessment district, or the proposed assessment. The public hearings will be held in the Chambers of the City Council, 915 "I" Street, Sacramento, California:

At 7:00 p.m. on January 24, 1995;

At 7:00 p.m. on January 31, 1995;

The proposed improvement is briefly described as follows:

A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.

B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

The total estimated cost of the proposed improvement is \$1,592,278.18.

At the time and place set forth above, the City Council of the City of Sacramento will also hold a public hearing on the public convenience and necessity of the improvement, pursuant to the provisions of Article 16, Section 19 of the California Constitution, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

For further particulars you may refer to the Resolution of Intention and the Report on file with the City Clerk at 915 "I" Street, Sacramento,

to, CA. Inquiries about the improvement proceedings will be answered by Ron Wicky, Engineer of Work; telephone (916) 264-7113.

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 (i) 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 \$3,000 for the first year plus annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

Any interested person may file a written protest with the City Clerk at the address given above, at or before the time set for the second hearing. Each protest must contain a description of the property in which the signer is interested, sufficient to identify the property. If owners of more than 50% (by area) of the land subject to assessment file written protests, and if protests are not reduced by withdrawal during the hearings to less than a majority, the project will be abandoned unless the City Council overrules the protests by a 4/5th vote of its membership.

Dated: December 13, 1994  
VALERIE A. BURROWES  
City Clerk  
City of Sacramento  
Sacramento County,  
California  
SAC-DJC8908266/AD7905

12/23