



# CITY OF SACRAMENTO

March 24th, 1981

CITY MANAGER'S OFFICE  
**RECEIVED**  
MAR 18 1981  
IRVIN E. MORAES  
REAL ESTATE SUPERVISOR

REAL ESTATE AND STREET ASSESSMENTS DIVISION  
915 I STREET  
CITY HALL ROOM 207  
SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5626

City Council  
Sacramento, California

Honorable Members In Session:

SUBJECT: Hearing on Resolution of Intention and Public Convenience and Necessity for Improvement Proceeding No. 5171, Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District

SUMMARY

A Hearing on all appeals respecting the Resolution of Intention and the Public Convenience and Necessity for the public improvement work for Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District has been set for this date, pursuant to the advertising and posting of the Resolution of Intention and the Resolution Declaring the Public Convenience and Necessity on the proposed line of improvement. We have been advised that no protests have been received prior to this meeting.

BACKGROUND INFORMATION

See attached Engineer's Report concerning said Resolution of Intention.

FINANCIAL DATA

In the 1980-81 budget, the City Council budgeted \$53,000.00 of C.D. B.G. Funds for the construction of the project. The total cost of the project is estimated to be as follows:

Estimated Construction Cost	\$ 95,000.00
Incidental Expenses	14,250.00
Bond Discount 85%	9,000.00
<hr/>	
Estimated Total Project Cost	\$118,250.00
Property Owners Share	56,250.00
<hr/>	
Estimated City Contribution	\$ 62,000.00

**APPROVED**  
BY THE CITY COUNCIL

MAR 24 1981

OFFICE OF THE  
CITY CLERK

Rather than appropriate any additional funds at this time, it is recommended that bids be received first so that we can determine if additional funds are necessary or not.

RECOMMENDATION

Since no protests were received, and in the event none are received at this meeting, it is recommended that the Hearing be closed and the following Resolutions be adopted:

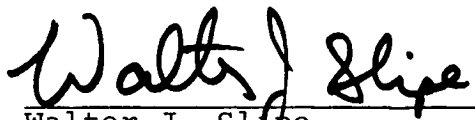
1. Resolution Determining that the Public Convenience and Necessity Require said Improvements, Etc. This Resolution disposes of and eliminates the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and requires a 4/5 vote of the Council or 8 aye votes.
2. Resolution Ordering Work, which calls for bids to be received on April 14th, 1981.

Respectfully submitted,



\_\_\_\_\_  
R. H. Parker  
City Engineer

For Transmittal to City Council



\_\_\_\_\_  
Walter J. Slife  
City Manager

RHP:CGP:bd  
Attachments  
File # 5171

March 24th, 1981  
DISTRICT NO. 5

81-215

**RESOLUTION No.**

**Adopted by The Sacramento City Council on date of**

MARCH 24, 1981

FOR IMPROVEMENT PROCEEDING NO. 5171

HECKES TRAINOR TRACT NO. 3  
AND WRIGHT & KIMBROUGH TRACT NO. 36  
STREET LIGHTING  
ASSESSMENT DISTRICT

**RESOLUTION:**

- (1) DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE IMPROVEMENTS TO BE MADE AND PAID FOR BY SPECIAL ASSESSMENTS, AND
- (2) DETERMINING THAT THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 SHALL NOT APPLY TO PROCEEDINGS THEREFOR.

WHEREAS, on March 3rd, 1981, the City Council adopted for Improvement Proceeding No. 5171, Resolution No. 81-150, entitled  
**RESOLUTION**

- (1) Describing Proposed Improvements for Proposed Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District
- (2) Declaring that Public Convenience and Necessity Require said Improvements, and
- (3) Setting Time and Place for a Hearing Respecting the Public Convenience and Necessity for said Improvements.

WHEREAS, the City Council set March 24th, 1981 in said Resolution as the date for hearing all persons interested in the matters contained in said Resolution, and

WHEREAS, the City Clerk has filed her affidavit showing that on March 6th, 1981 she mailed a notice to each property owner in said Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District stating the time and place of a hearing on the matters contained in said Resolution and containing all other matters the City Council directed the City Clerk to include in said Notice, and

**APPROVED**  
BY THE CITY COUNCIL

MAR 24 1981

OFFICE OF THE  
CITY CLERK

WHEREAS, the City Engineer has filed his affidavit showing that on March 13th, 1981, he caused notices to be posted on the streets and easements in said Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District stating the time and place of a hearing on the matters contained in said Resolution and containing all other matters City Council directed said City Engineer to include in said notice, and

WHEREAS, on March 5th and 6th, 1981, the City Clerk published in The Daily Recorder a notice stating the time and place of a hearing on the matters contained in said Resolution and containing all other matters the City Council directed the City Clerk to include in said notice and an affidavit of the said Daily Recorder has been filed showing said publication was done on said dates. NOW THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA:

1. That the City Council finds that each of the recitals stated above is true.
2. That the City Council finds and determines that the public convenience and necessity require that the City of Sacramento construct the public improvement work and necessary changes or additions thereto that is described in said Resolution for Improvement Proceeding No. 5171, adopted by this Council on March 3rd, 1981, and that this Council finds and determines that the public convenience and necessity require that the City of Sacramento determines that said public improvement work shall be paid for by special assessments levied on lands in the City of Sacramento that this Council in said Resolution adopted March 3rd, 1981 for Improvement Proceeding No. 5171, has designated by the name Heckes Trainor Tract No. 3 and Wright &

Kimbrough Tract No. 36 Street Lighting Assessment District and that this Council determines that none of the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall apply to the proceedings wherein said work and improvements are done and the special assessments therefor are levied.

3. That this Council determines that the public improvement work and special assessments therefor and all proceedings for the same shall be done pursuant to the terms and provisions of the Improvement Act of 1911.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS 24TH DAY OF MARCH, 1981, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

81-216

**RESOLUTION NO.**

Adopted by The Sacramento City Council on date of

MARCH 24, 1981

**RESOLUTION ORDERING WORK**

FOR IMPROVEMENT PROCEEDING NO. 5171  
HECKES TRAINOR TRACT NO. 3  
AND WRIGHT & KIMBROUGH TRACT NO. 36  
STREET LIGHTING  
ASSESSMENT DISTRICT

RESOLVED, that the public interest and convenience require, and the City Council of the City of Sacramento hereby orders, the following work to be done, to-wit:

The improvement of Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District,

in the City of Sacramento, to the extent, with the materials and in the manner set forth in Resolution No. 81-149, entitled RESOLUTION OF INTENTION for Improvement Proceeding No. 5171, passed and adopted by said City Council on March 3rd, 1981, reference to which Resolution of Intention is hereby made for a description of said work and improvement.

That this Council has heretofore adopted it's Engineer's Report and the same is attached hereto and marked Exhibit "A" and incorporated by reference herein.

The City Clerk is hereby directed to post conspicuously for five (5) days on or near the Council Chamber door of the City Council notice hereof, with specifications, inviting sealed proposals or bids for doing said work; and to publish twice a notice hereof, inviting sealed proposals or bids for doing said work, and referring to the specifications posted and on file, the said publication to be in the Daily Recorder, a newspaper published 5 times a week, published and circulated in said City of Sacramento and hereby designated for that purpose.

All such proposals or bids shall be received by the City Clerk at her office in the City Hall of said City, up to the hour of 10:00 o'clock A.M., on the date of April 14th, 1981, and said day is hereby designated as the day on which, at the hour of 10:15 o'clock A.M., the said proposals or bids shall be opened in the Council Chambers in said City Hall of said City, all of which shall be specified in said notice, and said notice shall require with said proposals or bids a check certified by a responsible bank, payable to the City of Sacramento, for an amount not less than ten per cent (10%) of the aggregate of the proposal, or by a bond for the said amount, and so payable, signed by the bidder and two sureties, all as prescribed by law.

IN THE CITY COUNCIL

Sacramento, California  
March 24th, 1981

**APPROVED**  
BY THE CITY COUNCIL

MAYOR

CITY CLERK

MAR 24 1981

OFFICE OF THE  
CITY CLERK

EXHIBIT "A"  
March 24th, 1981  
CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Improvement )  
Proceeding No. 5171, Heckes Trainor )  
Tract No. 3 and Wright & Kimbrough ) ENGINEER'S REPORT  
Tract No. 36 Street Lighting Assess- )  
ment District )

A Public Hearing is scheduled for this date pertaining to the proposed public improvement work in Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District, Improvement Proceeding No. 5171.

This public improvement proceeding has been undertaken due to the following facts:

1. That on March 3rd, 1981, the City Engineer presented to the Council the Resolution of Intention for the project for approval. On that date, the Council did approve said Resolution, which set a Hearing date on the project for this date.

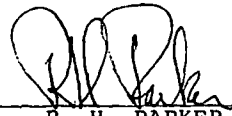
2. The project would consist of constructing a street lighting system complete in the proposed assessment district.

The purpose of the project is to construct these improvements in order to improve the safety of the neighborhood.

3. No letters have been received by the City Clerk protesting the district.

4. It is my opinion that said improvements will improve the aesthetics and safety of the neighborhood.

Executed this 24th day of March, 1981.

  
\_\_\_\_\_  
R. H. PARKER  
CITY ENGINEER



# CITY OF SACRAMENTO

March 3rd, 1981

REAL ESTATE AND STREET ASSESSMENTS DIVISION  
915 I STREET  
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5626

CITY MANAGER'S OFFICE  
**RECEIVED**  
IRVIN E. MORAES  
REAL ESTATE SUPERVISOR  
FEB 25 1981

City Council  
Sacramento, California

Honorable Members In Session:

SUBJECT: Heckes Trainor Tract No. 3 and Wright & Kimbrough  
Tract No. 36 Street Lighting Assessment District,  
Improvement Proceeding No. 5171

## SUMMARY

Adoption of the necessary Resolutions to initiate the Assessment District.

## BACKGROUND INFORMATION

This Improvement Proceeding is a continuation of the Council's policy initiated in 1974 to subsidize street improvements in low income neighborhoods.

Plans and specifications for Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District have been completed and the work is estimated to cost \$118,250.00. On February 17th, 1981, the Budget and Finance Committee approved a maximum assessment of \$230.00 per lot in this Assessment District (See attached).

The \$230.00 per lot assessment (approximately \$4.00 per front foot) is a deviation from the \$3.00 per front foot assessment rate set for street lighting assessment districts by the Council in July of 1978.

Staff is of the opinion that most residential street light assessment districts shall be assessed on a unit basis and recommendations for a unit cost for individual assessment districts will be made as these districts are processed in the future.

## FINANCIAL DATA

In the 1980-81 budget, the City Council budgeted \$53,000.00 of C. D. B. G. Funds for the construction of the project. The total cost of the project is estimated to be as follows:

APPROVED  
BY THE CITY COUNCIL

HR9 3-24-81

MAR -3 1981

OFFICE OF THE  
CITY CLERK



Estimated Construction Cost	\$ 95,000.00
Incidental Expenses	14,250.00
Bond Discount 85%	9,000.00
	<hr/>
Estimated Total Project Cost	\$118,250.00
Property Owners Share	56,250.00
	<hr/>
Estimated City Contribution	\$ 62,000.00

Rather than appropriate any additional funds at this time, it is recommended that bids be received first so that we can determine if additional funds are necessary or not.

RECOMMENDATION

It is recommended that the following Resolutions be adopted in the order listed below:


1. Resolution Approving District Map
2. Resolution Approving Plans, Specifications and Cost Estimate
3. Resolution Declaring that Public Convenience and Necessity Require said Improvements, which sets a Hearing for March 24th, 1981.
4. Resolution of Intention, which sets a Hearing for March 24th, 1981.

Respectfully submitted,



R. H. Parker  
City Engineer

For Transmittal to City Council



Walter J. Slize  
City Manager

RHP:IEM:bd  
Attachments  
File # 5171

March 3rd, 1981  
DISTRICT NO. 5



# CITY OF SACRAMENTO

## DEPARTMENT OF ENGINEERING

915 I STREET SACRAMENTO, CALIFORNIA 95814  
CITY HALL ROOM 207 TELEPHONE (916) 449-5281

R. H. PARKER

CITY ENGINEER

J. F. VAROZZA

ASSISTANT CITY ENGINEER

February 11, 1981

Budget and Finance Committee  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Assessment Rate for the Heckes/Trainor Street Lighting Assessment District

### SUMMARY:

Plans and specifications have been prepared for the subject project. Council has previously established a \$3 per front foot assessment rate for street light assessment districts in low and moderate income residential areas. If this rate is used for the subject project, an additional allocation of \$15,000 will be required. Instead of an additional appropriation, this report recommends that the assessment rate be set at \$230 per lot (approximately \$4 per front foot) for the Heckes/Trainor Street Lighting Assessment District.

### BACKGROUND:

In July 1978 the Council established a policy of assessing \$3 per front foot for street lighting in low and moderate income residential areas. The only project, in that category, completed since then is the Oak Park Street Lighting Assessment District. Sufficient funds were budgeted in that project to maintain the \$3 assessment rate.

Plans, specifications and estimates have recently been completed for the Heckes/Trainor Street Lighting Assessment District. Based on the estimate for this project, an additional \$15,000 would be required in order to maintain the \$3 per front foot assessment rate. Staff is of the opinion that instead of a front footage rate, a uniform rate of \$230 per lot should be assessed in this project. The \$230 rate would be equivalent to a front foot cost of approximately \$4, which does not seem unreasonable in light of inflationary cost increases since July 1978. The flat rate is being recommended instead of a front footage rate because there is some inconsistency in the lot sizes. With a front foot rate, adjacent lots could be paying a different amount for, in essence, the same benefit. The \$230 rate would result in the City paying about half the cost of street lighting for this district.

FINANCIAL:

The 1980/81 Capital Improvement Budget includes \$53,000 of CDBG funds for the Heckes/Trainor Street Lighting Assessment District. If the \$230 per lot rate is established for the project, it is estimated that no additional funds will be required to complete the project. If the \$3 per front foot rate is used, it is estimated that an additional \$15,000 of CDBG funds will be required for this project. In any case, no requests for additional funding will be made until after bids have been received.

RECOMMENDATION:

It is recommended that the assessment rate for the Heckes/Trainor Street Lighting Assessment District be set at \$230 per lot.

Respectfully submitted,



R. H. PARKER  
City Engineer

Recommendation Approved:

  
Jack Crist, Finance Director

**RESOLUTION NO.** 81-148

Adopted by The Sacramento City Council on date of

MARCH 3RD, 1981

APPROVING DISTRICT MAP  
FOR IMPROVEMENT PROCEEDING NO. 5171  
HECKES TRAINOR TRACT NO. 3 AND WRIGHT  
& KIMBROUGH TRACT NO. 36 STREET LIGHTING  
ASSESSMENT DISTRICT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That the map submitted by the City Engineer showing the  
HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36  
boundaries of STREET LIGHTING ASSESSMENT DISTRICT

be, and the same is hereby, approved, and that the City Clerk shall  
file it in her office.

That all of the Resolutions to be adopted respecting said HECKES  
TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36  
STREET LIGHTING ASSESSMENT DISTRICT shall refer to  
said map in lieu of describing the boundaries of said district in  
detail.

That the said area set forth and described on said map is  
HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH  
hereby designated as "TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT  
" by which name it shall be known in all proceed-  
ings of this City Council relative thereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,  
THIS 3RD DAY OF MARCH , 1981, by the following vote:

AYES:  
NOES:  
ABSENT:

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**APPROVED**  
BY THE CITY COUNCIL

MAR -3 1981

OFFICE OF THE  
CITY CLERK

RESOLUTION NO. *81-149 81-150*

Adopted by The Sacramento City Council on date of

MARCH 3RD, 1981

APPROVING PLANS, SPECIFICATIONS,  
COST ESTIMATE AND GRADES  
FOR IMPROVEMENT PROCEEDING NO. 5171  
HECKES TRAINOR TRACT NO. 3 AND WRIGHT  
& KIMBROUGH TRACT NO. 36 STREET LIGHTING  
ASSESSMENT DISTRICT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That the Plans and Specifications submitted by the City Engineer showing the full and detailed description of the proposed improvements to be constructed in HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT, be, and the same are hereby, adopted and that the City Clerk shall file them in her office.

That the Resolution of Intention to be adopted respecting HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT shall refer to said plans and specifications for the full and detailed description of said work and improvements.

That the cost estimate, totaling the sum of \$ 118,250.00 submitted by the City Engineer which shows his detailed estimate of the cost of the proposed work to be done and of the proposed improvements constructed in HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT and the cost of the incidental expenses thereof, be, and the same are hereby accepted, and that the City Clerk shall file said cost estimate in her office.

That the grades for said work and improvements shown on said Plans, be, and the same are hereby, adopted as the Official <sup>Grades</sup> of said work and improvements.

**APPROVED**  
BY THE CITY COUNCIL

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,

**MAR -3 1981**

THIS 3RD DAY OF MARCH, 1981, by the following vote:

OFFICE OF THE  
CITY CLERK

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

RESOLUTION NO. 81-157

APPROVED  
BY THE CITY COUNCIL

Adopted by The Sacramento City Council on date of

MAR - 3 1981

MARCH 3RD, 1981

RESOLUTION

OFFICE OF THE  
CITY CLERK

- (1) Describing Proposed Improvements for Proposed HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT Improvement Proceeding No. 5171;
- (2) Declaring that Public Convenience and Necessity Require said Improvements; and
- (3) Setting Time and Place for a Hearing Respecting the Public Convenience and Necessity for said Improvements.

WHEREAS, on March 3rd, 1981, the City Engineer of the City of Sacramento presented to the City Council a map for the HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT " and said map showed a boundary line enclosing an area in the City of Sacramento, and

WHEREAS, on March 3rd, 1981, the City Council adopted Resolution No. \_\_\_\_\_ approving said map and therein granted the name HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT to the area in the City of Sacramento shown enclosed by said boundary line on said map, and

WHEREAS, on March 3rd, 1981, the City Engineer of the City of Sacramento presented to the City Council plans and specifications for certain work and improvements that the City of Sacramento proposes to do on public streets and easements within and adjacent to the area of said Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District, and

WHEREAS, on March 3rd, 1981, the City Council adopted Resolution No. \_\_\_\_\_ approving said plans and specifications, and

WHEREAS, the City Council desires to do said work and construct said improvements under a lawful declaration that the public convenience and necessity require the same, and

WHEREAS, the City Council desires to assess all of the costs and expenses of said work and improvements on the District of lands mentioned hereinabove, to-wit, said HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT.

NOW THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

1. That the City Council hereby preliminarily determines that the public convenience and necessity require that the City of Sacramento do the work and construct the improvements in and adjacent to the area in the City of Sacramento designated HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT that are shown and described on the plans and specifications approved by the City Council on February 24th, 1981.

2. That the City Council hereby preliminarily determines to pay for the cost of all of said work, said improvements and all expenses appertaining thereto by levying special assessments on the lands situate within the boundaries of said HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT, saving and excepting therefrom the area of all public streets and also preliminarily determines to assess the same in accordance with the benefits that each parcel of land in said district receives therefrom.

3. That the places where said work and improvements shall be done, a general description of the types of work shown in said plans are described as follows:

Improve 23rd Avenue, Atlas Avenue, Phyllis Avenue and 24th Avenue as shown on the official plat of Heckes Trainor Tract No. 3 and 23rd Avenue, Atlas Avenue, 24th Avenue and 28th Street as shown on the official plat of Wright & Kimbrough Tract No. 36, according to the official plats thereof, recorded in the office of the Recorder of Sacramento County, by constructing a High Pressure Sodium Street Lighting System Complete, together with all necessary appurtenances for the above described improvement and by removing and disposing therefrom of all refuse and surplus material.

The City of Sacramento will contribute for a portion of the cost of constructing the street lighting system for the above described Streets, the amount of said contribution is estimated to be \$62,000.00. The actual amount of said contribution shall be determined by the City Engineer upon the making of the assessment for the work herein described and shall be based upon the amount bid by the contractor to whom the contract is awarded. The City Engineer shall, at the time of making the assessment for the cost and expense of the work herein described, deduct from said cost and expense an amount determined as set forth above.



4. That the City Council declares that depending on conditions encountered during the course of construction of said improvements or depending on other facts including the recommendation of the City Engineer, the work and improvements hereinabove described may be changed as to location, materials, or any other construction detail or new work may be done on streets or easements in said district not now named hereinabove, but all said changes or additions shall be limited to the extent lawfully permitted in the Improvement Act of 1911, the Act under which the City Council proposes to do said work and construct said improvements.

That the City Council declares that depending on conditions encountered during the course of the construction of said improvements or depending on other facts including the recommendation of the City Engineer, the rights of way, places and properties above described may have added thereto new rights of way, places or properties that the City Council may deem to be necessary to carry out the work and improvements above described and any changes thereto but that the cost amount for all such new rights of way, places and properties shall be limited to the extent lawfully permitted in the Improvement Act of 1911, the Act under which the City Council proposes to do said work and construct said improvements and any changes or additions thereto and to acquire said rights of way, places and properties and any additions thereto.

5. That the City Council hereby preliminarily determines to do the work, to construct the improvements and any changes thereto, all under proceedings that the City Council shall conduct for the same under the Improvement Act of 1911 and the City Council hereby preliminarily determines to undertake said proceedings under said Improvement Act of 1911 without complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

6. That the City Council hereby sets March 24th, 1981, at the hour of 7:30 o'clock P. M. in the Council Chambers of the City Council, in the City Hall, on I Street, between 9th and 10th Streets in the City of Sacramento, California, as the time and the place for a public hearing whereat any person interested may appear and show cause why the City Council should not find and determine that the public convenience and necessity require the City of Sacramento to do the work and construct the improvements hereinabove set forth all without complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

7. That the City Council hereby directs the City Clerk of the City of Sacramento to notify all interested persons of said hearing by doing all of the following:

(a) Publish a notice in the newspaper of general circulation known as The Daily Recorder and publish said notice in two entire issues of said newspaper, one of which shall be published on one day and the other shall be published on a day subsequent to the day the first notice is published and publish said notice for the first time at least 10 days before the date hereinabove set for said hearing.

(b) Mail prepaid at least 15 days before the date hereinabove set forth for said hearing a notice to each owner of land within the proposed HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT whose name and address is shown on the equalized assessment roll of the County of Sacramento last prior to the date of this resolution, and mail such a notice to the owner of any said land whose name and whose address the Clerk knows, and mail such a notice to the owner of any said land whose land is assessed under the provisions of Section 19, Article XVI of the Constitution of California at the address for said owner shown on the Board roll last transmitted to the County Auditor prior to the date of this Resolution.

8. That the City Engineer shall post notices along the

lines of the contemplated work and on all open streets within the  
boundaries of the proposed HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH  
TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT

\_\_\_\_\_ at not more than 300 feet in distance apart, but  
not less than 3 said notices on each said street and shall complete  
posting all said notices at least 10 days prior to the date set  
herein for said public hearing and said notices so posted shall be  
headed Notice of Improvement set in type not less than one inch  
in height.

9. That the notice herein ordered to be published, the  
notice herein ordered to be mailed and the notice herein ordered  
to be posted along the public streets shall state the following:

That the City Council has passed this resolution and has  
preliminarily determined that the public convenience and  
necessity requires that the City of Sacramento do certain  
work and construct certain improvements under proceedings  
to be taken under the Improvement Act of 1911 without com-  
pliance with the provisions of the Special Assessment Invest-  
igation, Limitation and Majority Protest Act of 1931 all for  
an assessment district to be known as HECKES TRAINOR TRACT NO. 3 AND  
WRIGHT & KIMBROUGH TRACT NO. 36  
STREET LIGHTING  
ASSESSMENT DISTRICT. That plans and specifications

showing the nature and extent of said work and improvements  
are in file in the office of the City Clerk of the City of  
Sacramento. That this Resolution declares the location of  
said work and improvements.

That a public hearing will be held at the time and place stated  
herein whereat any interested person may file a written object-  
ion and show cause therein why the City Council should not find  
and determine that the public convenience and necessity require  
said work and improvements without compliance with the provisions  
of the Special Assessment Investigation, Limitation and Majority  
Protest Act of 1931.

That all protests shall be in writing and shall state the name and address of the protestor.

That the City Clerk and the City Engineer are hereby authorized to accomplish any notice herein directed in combination with any notice published, mailed or posted that is required under the Improvement Act of 1911.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,  
THIS 3RD. DAY OF MARCH , 1981 , by the following vote:

AYES:

NOES:

ABSENT:

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MAYOR

ATTEST:

---

CITY CLERK OF THE CITY OF SACRAMENTO

**RESOLUTION NO. 81-152**

Adopted by The Sacramento City Council on date of

MARCH 3RD, 1981

RESOLUTION OF INTENTION  
FOR IMPROVEMENT PROCEEDING NO. 5171  
HECKES TRAINOR TRACT NO. 3 AND  
WRIGHT & KIMBROUGH TRACT NO. 36 STREET  
LIGHTING ASSESSMENT DISTRICT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That it is the opinion of the City Council that the public interest and convenience require and that it is the intention of the City Council to order the following described work to be done and improvements to be constructed in certain places, rights of way and public roads in the City of Sacramento, to-wit:

Improve 23rd Avenue, Atlas Avenue, Phyllis Avenue and 24th Avenue as shown on the official plat of Heckes Trainor Tract No. 3 and 23rd Avenue, Atlas Avenue, 24th Avenue and 28th Street as shown on the official plat of Wright & Kimbrough Tract No. 36, according to the official plats thereof, recorded in the office of the Recorder of Sacramento County, by constructing a High Pressure Sodium Street Lighting System Complete, together with all necessary appurtenances for the above described improvement and by removing and disposing therefrom of all refuse and surplus material.

**APPROVED**  
BY THE CITY COUNCIL

MAR - 3 1981

OFFICE OF THE  
CITY CLERK

That the City Council hereby notifies all persons that if any disparity in level, size or location shall occur between the public improvement work that is described above and private property, that the City Council is of the opinion that it is more economical to do work on private property in order to eliminate such disparity than it is to adjust the work on public property in order to eliminate such disparity. That the City Council informs all persons that all of the cost of such work that may be done on a parcel of private property in order to eliminate such disparity will be assessed solely on that parcel of property where the work is done.

That all of said work shall be done and said improvements shall be constructed pursuant to Division 7 of the Streets and Highways Code of the State of California, the Improvement Act of 1911, as amended, and shall be of the sizes, dimensions, materials, and in the positions and locations and to the grades as shown and described upon and all in accordance with the plans and specifications for Heckes Trainor Tract No. 3 and Wright & Kimbrough Tract No. 36 Street Lighting Assessment District approved by the City Council on February 24th, 1981, by Resolution No. \_\_\_\_\_, and now on file in the office of the City Clerk.

That in the opinion of the City Council the public interest will not be served by allowing the property owners to take the contract to perform the work of improvement herein described and such property owners shall not be permitted to enter into a written contract to do said work.

That this Council informs all persons that the City of Sacramento is to use the City contribution to pay for a portion of the construction costs and to pay all of the incidental expenses for the proposed public improvement work described above in this Resolution.

That this Council, acting pursuant to Streets and Highways Code Section 5375.1, hereby determines to waive, and does hereby waive, the duty of the successful contractor to pay to the City of Sacramento the incidental expenses of the proposed public improvement work described above in this Resolution, but only, however, to the extent that the City of Sacramento applies contribution moneys described above to paying said incidental expenses.

That this Council, acting pursuant to Section 5374.1 of the Streets and Highways Code, hereby determines to pay contribution moneys described above, to the successful contractor in installments at the times and in the amounts, all as described and shown in the specifications for the proposed public improvement work described above in this Resolution.

That it is the opinion of the City Council that said work and improvements are of more than local and ordinary public benefit and that the City Council hereby orders that the costs and expenses of said work and improvements shall be charged upon a District and that the City Council hereby declares that said

District is the District to be benefited by said work and improvements and that said District shall be assessed to pay the costs and expenses of said work and improvements.

That the exterior boundaries of said District and the extent of the territory included therein are shown upon the map of said HECKES TRAINOR TRACT NO. 3 AND WRIGHT & KIMBROUGH TRACT NO. 36 STREET LIGHTING ASSESSMENT DISTRICT adopted and approved by this City Council on February 24th, 1981, by Resolution No. \_\_\_\_\_.

That said map is now on file in the office of the City Clerk and the City Council hereby refers to said map and to the Resolution approving said map for a particular description of the boundaries of said District and the extent of the territory included in said District, and that the City Council hereby declares that the area of all public highways, streets and roads included in said District is excepted from said District.

THAT THE CITY COUNCIL HEREBY GIVES NOTICE that serial bonds to represent unpaid assessments, and bear interest at the rate of ten percent ( 10 %) per annum will be issued hereunder in the manner provided by Division 10 of the Streets and Highways Code, the Improvement Bond Act of 1915, and the last installment of such bonds shall mature a maximum of fourteen ( 14) years from the second day of July next succeeding ten (10) months from their date.

THAT THE CITY COUNCIL HEREBY GIVES NOTICE that it sets March 24th, 1981, at the hour of 7:30 o'clock P. M. in the Council Chambers of the City Council of the City of Sacramento



in the City Hall, on I Street, between 9th and 10th Streets, in the City of Sacramento, California, as the time when and the place where any and all persons having any objections to the proposed work and improvements herein described may appear before the City Council and show cause why the proposed work and improvements should not be carried out in accordance with this Resolution of Intention, and THAT THE CITY COUNCIL HEREBY GIVES NOTICE that any owner of property liable to be assessed for said work and improvements may, at any time not later than the hour set for hearing objections to said work and improvements, make and file with the City Clerk a written protest against the proposed work and improvements, or against the extent of the District to be assessed, or both.

That the City Clerk shall cause this Resolution of Intention to be published twice in The Daily Recorder, a newspaper published and circulated in the City of Sacramento, which newspaper is hereby designated as the newspaper in which all further notices required to be made herein shall be published.

That the City Clerk is hereby directed to mail notices of the passage of this Resolution of Intention to all persons owning real property which is to be assessed to pay any part of the cost of the work and improvements hereinabove described.

That the City Engineer shall, in the time, form and manner provided by law, cause notices of the passage of this Resolution

of Intention to be conspicuously posted along the lines of the work and improvements described herein and on all the open streets within the District above described.

Any interested person with inquiries concerning the protest proceedings or the appeal procedure may call the office of the City Engineer of the City of Sacramento, at 449-5626, for answers to said inquiries.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,

THIS 3RD DAY OF MARCH , 1981, by the following vote:

AYES:

NOES:

ABSENT:

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MAYOR

ATTEST:

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CITY CLERK