



4.1

DEVELOPMENT SERVICES  
DEPARTMENT

DEVELOPMENT ENGINEERING  
AND FINANCE

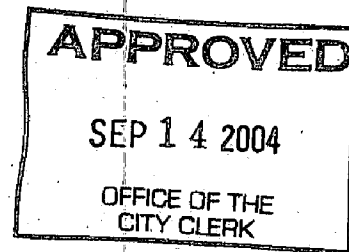
CITY OF SACRAMENTO  
CALIFORNIA

Special Districts  
1231 I Street, Room 300  
Sacramento, CA 95814  
PH: 916-808-7113  
Fax 916-808-7480

August 12, 2004

City Council  
Sacramento, California

Honorable Members in Session:



**SUBJECT: ANNEXATION # 8 TO THE NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02 – PUBLIC HEARING**

**LOCATION AND COUNCIL DISTRICT:**

The Neighborhood Parks Maintenance Community Facilities District (CFD) No. 2002-02 is located Citywide. Annexation No. 8 will include 10 separate areas located in Council Districts 1, 2, 4, 6 & 8 (see Attachment "A").

**RECOMMENDATION:**

This report recommends that City Council adopt the attached resolution:

- Conduct the Public Hearing and adopt the attached resolution of Annexation that calls for a Special Election on September 29, 2004.

**CONTACT PERSONS:** Ron Wicky, Program Specialist, 808-5628  
Bob Fleming, Parks & Tree Services Manager, 433-6301

**FOR COUNCIL MEETING OF:** September 14, 2004

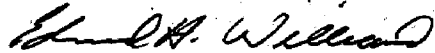
**SUMMARY:**

This report proposes the annexation of territory into the existing CFD to fund neighborhood park maintenance. The recommended Council action will call for a Special Election on September 29, 2004 (see Attachment "B").

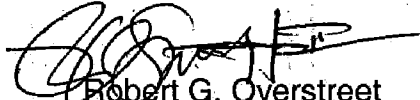
**ESBD CONSIDERATIONS:**

None. No goods or services are being purchased.

Respectfully submitted,



Edward H. Williams, Interim Manager  
Development Engineering  
and Finance



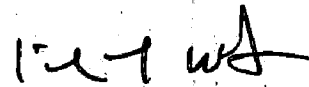
Robert G. Overstreet  
Parks and Recreation Director

**RECOMMENDATION APPROVED:**



ROBERT P. THOMAS  
City Manager

**Approved:**



Michael Medema, Interim Director  
Development Services Department

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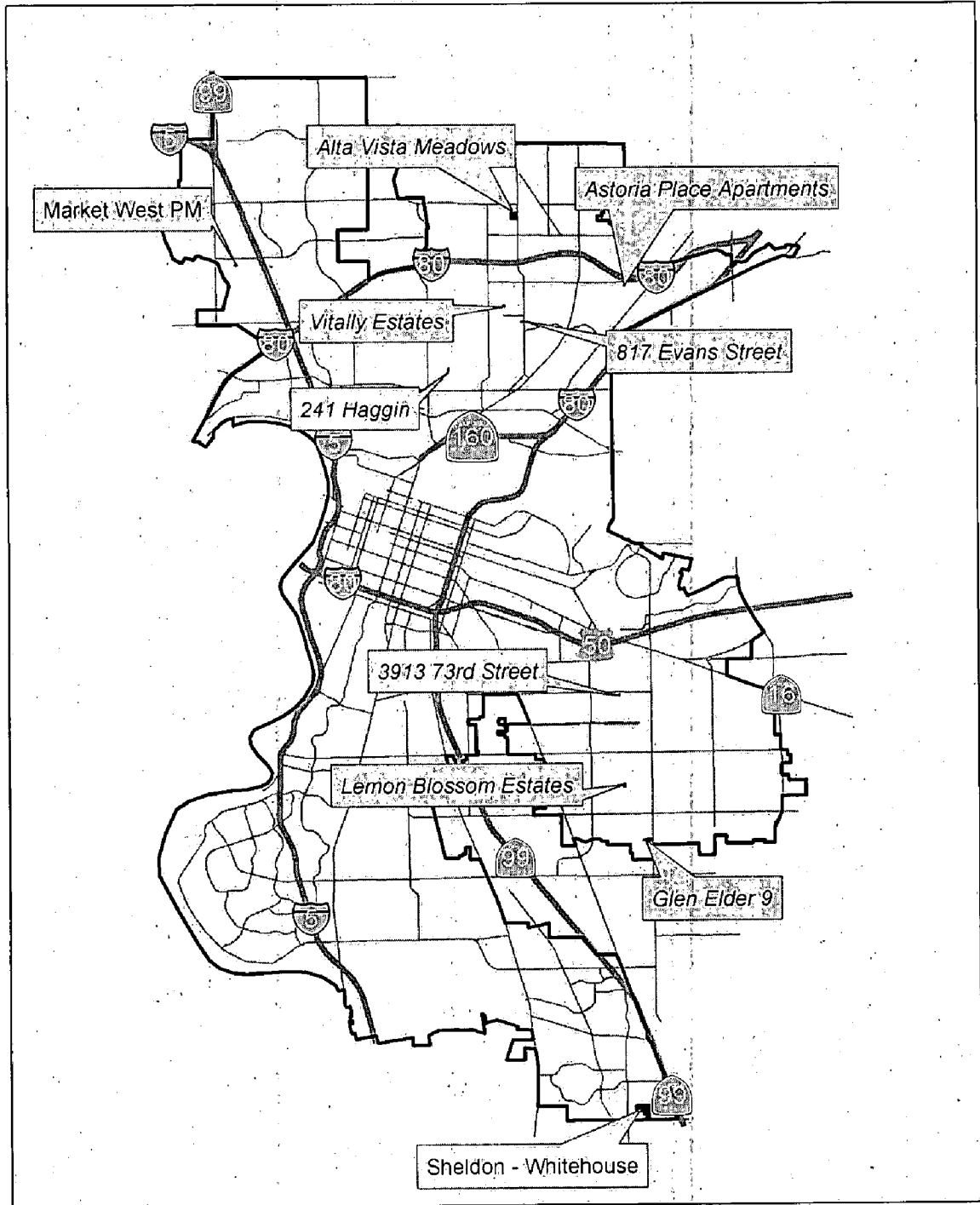
1. Attachment A, Neighborhood Park Maintenance CFD Annexation #8 Location Map, pg. 4
2. Attachment B, Schedule of Proceedings, pg. 5
3. Resolution of Annexation – Annexation # 8 to the Neighborhood Parks Maintenance CFD, pg. 6
4. Exhibit A, List of Authorized Services, pg. 12
5. Exhibit B, Rate and Method Apportionment, pg. 13
6. Attachment 1 to Exhibit B, Maximum Annual Special Tax Rates, pg. 21
7. Exhibit C, Existing Area Map, pg. 22
8. Exhibit C-1, Area Map Legend, pg. 23

RW/JV

# ATTACHMENT A

## Annexation #8 Neighborhood Park Maintenance CFD

Attachment A



City of Sacramento  
Development Services  
Department  
Special Districts

Special District Annexation 8 Annexation 8.mxd BMueller 7/19/04

## ATTACHMENT B

### ANNEXATION #8 TO THE NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY FACILITIES DISTRICT (CFD) NO. 2000-02 SCHEDULE

August 10, 2004 City Council - Resolution of Intention

August 11, 2004 Mail Notice of Hearing

<b>September 14, 2004</b>	<b>City Council - Hearing, Call for Special Election</b>
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September 15, 2004 Mail Ballots

September 29, 2004 Ballots Due

October 5, 2004 City Council - Election Results & Pass for Publication Ordinance  
to Levy Tax

October 6, 2004 Record Notice of "Special Tax"

October 12, 2004 City Council - Adopt Ordinance to Levy Tax

# RESOLUTION NO. 2004-735

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**APPROVED**

SEP 14 2004

OFFICE OF THE  
CITY CLERK

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
ANNEXING TERRITORY (ANNEXATION NO. 8) TO THE CITY OF SACRAMENTO  
NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY FACILITIES DISTRICT NO.  
2002-02 AND PROVIDING FOR THE LEVY OF A SPECIAL TAX TO FINANCE  
MAINTENANCE SERVICES TO BE PROVIDED IN AND FOR SUCH ANNEXATION  
AND CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS  
WITHIN SUCH ANNEXATION THE QUESTION OF LEVYING SUCH SPECIAL TAX  
AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR SUCH ANNEXATION TO  
THE COMMUNITY FACILITIES DISTRICT**

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") has heretofore established the City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02 ("Community Facilities District") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"), to finance the maintenance and related services (the "Services") in and for the Community Facilities District under and pursuant to the Act (which are services that the City is authorized by law to provide and that are necessary to meet increased demands placed upon the City as a result of development occurring and anticipated to occur in the Community Facilities District), and which Services are generally described as specified in Exhibit A, attached hereto and incorporated herein by this reference. The cost of the Services includes incidental expenses for the Services, including the costs of planning the Services, together with the costs of environmental evaluations thereof, and all costs associated with the creation of the Community Facilities District, the determination of the amount of any taxes or the collection or payment of any taxes and costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District, together with any other expenses incidental to provision of the Services; and

WHEREAS, the Council has duly adopted Resolution No. 2004-653 (the "Resolution") on August 10, 2004, wherein the Council declared its intention to and proposed to annex territory to the Community Facilities District under and pursuant to the terms and provisions of the Act, to be known and designated as "Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 8" ("Annexation No. 8"), to finance the Services in and for Annexation No. 8 to the Community Facilities

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

District under and pursuant to the Act; and

WHEREAS, the Resolution fixed a time and place for a public hearing to be held by the Council to consider the establishment of Annexation No. 8 to the Community Facilities District, the proposed rate, method of apportionment and manner of collection of a special tax to finance the Services in and for Annexation No. 8 to the Community Facilities District and all other matters set forth in the Resolution; and

WHEREAS, a report on such proposal was prepared by the Director of Parks and Recreation of the City of Sacramento in accordance with the Resolution, which such report was submitted to the Council for review and has been reviewed by the Council, and which such report is incorporated herein and made a part of the record of the hearing hereinafter referred to on the Resolution; and

WHEREAS, pursuant to the Resolution, a public hearing was convened by the Council on Tuesday, September 14, 2004, at the hour of 2:00 o'clock p.m., at the regular meeting place of the Council, City Council Chambers, Sacramento Interim City Hall, 730 I Street, Sacramento, California 95814, at which hearing the Council considered the establishment of Annexation No. 8 to the Community Facilities District, the proposed rate, method of apportionment and manner of collection of such special tax, and all other matters set forth in the Resolution, and at such public hearing all persons interested, including all taxpayers, property owners and registered voters within the boundaries of Annexation No. 8 to the Community Facilities District, were given an opportunity to appear and be heard, and the testimony of all interested persons and all taxpayers, property owners and registered voters for or against the annexation to the Community Facilities District and the levy of such special tax, or the extent of the annexation to the Community Facilities District, or any of the Services proposed therefore, or on any other matters set forth in the Resolution, was heard and considered, and such special tax has not been precluded by a majority protest pursuant to Section 53339.6 of the Government Code of the State of California, and the Council at the conclusion of said hearing was fully advised in the premises, and was authorized to proceed as hereinafter provided; and

WHEREAS, on the basis of all of the foregoing, the Council has determined at this time to call an election in Annexation No. 8 to the Community Facilities District to authorize the levy of a special tax therein (as the rate, method of apportionment and manner of collection of such tax is more particularly set forth in Exhibit B, attached hereto and incorporated herein and made a part hereof) to pay for the Services proposed to be provided in and for Annexation No. 8 to the Community Facilities District, and to establish an appropriations limit for Annexation No. 8 to the Community Facilities District;

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

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

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

Section 2. The Council hereby approves and adopts the Resolution, and confirms all of its findings and determinations contained therein, and the rate, method of apportionment and manner of collection of the special tax in and for Annexation No. 8 to the Community Facilities District shall be as set forth in Exhibit B, attached hereto and incorporated herein and made a part hereof, and upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of the State of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in Annexation No. 8 to the Community Facilities District, which lien shall continue in force and effect until the collection of the special tax by the Council ceases and/or the lien is canceled in accordance with law.

Section 3. The Council finds and determines that written protests to the establishment of Annexation No. 8 to the Community Facilities District and the levy of such special tax, or the extent of Annexation No. 8 to the Community Facilities District, or any of the Services proposed therefore, are insufficient in number and in amount under the Act, and the Council hereby further orders and determines that all protests to the establishment of Annexation No. 8 to the Community Facilities District therefore, or the levy of the special tax proposed to be levied therein, or the extent of Annexation No. 8 to the Community Facilities District, or any of the Services therefore, or the establishment of an appropriations limit for Annexation No. 8 to the Community Facilities District, are hereby overruled.

Section 4. The Council finds and determines that all prior proceedings had and taken by the Council with respect to the establishment of Annexation No. 8 to the Community Facilities District are valid and in conformity with the requirements of the Act; and accordingly, the Council finds, determines and orders that, consistent with the Resolution, Annexation No. 8 to the Community Facilities District is hereby established under and pursuant to the terms and provisions of the Act, the boundaries of which are as set forth in Exhibit C, attached hereto and incorporated herein and made a part hereof.

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Section 5. Except where funds are otherwise available, a special tax sufficient to pay for the Services, including the repayment of funds advanced by the City for Annexation No. 8 to the Community Facilities District and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or the reimbursement for the lesser of the value or cost of work in-kind provided by any person for Annexation No. 8 to the Community Facilities District, which tax shall be secured by recordation of a continuing lien against all nonexempt property in Annexation No. 8 to the Community Facilities District, will be levied annually within the boundaries of Annexation No. 8 to the Community Facilities District, and for particulars as to the rate, method of apportionment and manner of collection of such special tax reference is made to Exhibit B, attached hereto and incorporated herein and made a part hereof, which sets forth the rate, method of apportionment and manner of collection of such special tax in sufficient detail to allow each landowner or resident within Annexation No. 8 to the Community Facilities District to estimate the maximum amount that such person will have to pay for the Services.

Section 6. It is the intention of the Council, pursuant to Section 53317.3 of the Government Code of the State of California, to levy the special tax on property that is not otherwise exempt from the special tax and that is acquired by a public entity through a negotiated transaction, or by gift or devise.

Section 7. It is the intention of the Council, pursuant to Section 53317.5 of the Government Code of the State of California, to treat the special tax levied against property that is acquired by a public entity through eminent domain proceedings as if it were a special annual assessment.

Section 8. It is the intention of the Council, pursuant to Section 53340.1 of the Government Code of the State of California, to levy the special tax on the leasehold or possessory interests in property owned by a public agency, which property is otherwise exempt from the special tax.

Section 9. A special election shall be and is hereby called and ordered to be held in the territory to be annexed, Annexation No. 8 to the Community Facilities District on Wednesday, September 29, 2004, in accordance with and subject to the Act and applicable law and the terms hereof, at which special election there shall be submitted to the landowners within Annexation No. 8 to the Community Facilities District (which landowners are the electors and persons qualified to vote at said special election) the question of levying such special tax and the establishment of an appropriations limit in the amount of \$15,000 per fiscal year in connection therewith for Annexation No. 8 to the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California.

Section 10. The City Clerk of the City is hereby designated as the official to conduct said special election, in accordance with and subject to the Act and applicable law

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and the following provisions:

(a) Said special election shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined, as provided herein; and in all particulars not prescribed by this resolution said special election shall be held and conducted and the votes received and canvassed in the manner provided by law for the holding of general elections in the City and consistent with the Act.

(b) All landowners within Annexation No. 8 to the Community Facilities District upon the date of the special election herein provided for shall be qualified to vote upon the proposition to be submitted at said special election.

(c) Said special election shall be conducted as a mailed ballot election, in accordance with the provisions of Sections 4000 et seq. and Section 4108 of the Elections Code of the State of California and the prior proceedings of the City taken thereunder, and there shall be no polling places for said special election. All ballots shall be delivered by the City Clerk of the City to such landowners, and all voted ballots are required to be received at the office of the City Clerk of the City not later than 5:00 o'clock p.m. on the day of the election in order to be counted, except that if all qualified electors have voted on the proposition hereby submitted, the election shall be closed.

(d) Each voter to vote for the proposition to be submitted at said special election and for levying such special tax and establishing such appropriations limit shall mark a cross (+) in the blank space opposite the word "YES" on the ballot to the right of said proposition, and to vote against said proposition and against levying such special tax and establishing such appropriations limit shall mark a cross (+) in the blank space opposite the word "NO" on the ballot to the right of said proposition, which cross (+) may be marked with either pen or pencil.

(e) The City Clerk of the City shall commence the canvass of the returns of said special election at 5:00 p.m. on Wednesday, September 29, 2004, at the office of the City Clerk of the City, City Council Chambers, Sacramento Interim City Hall, 730 I Street, Sacramento, California 95814, and at the conclusion thereof shall determine the results of said special election; provided, that if all the qualified voters have voted prior to such date and time, the City Clerk of the City shall close said special election and thereupon shall proceed to canvass the returns of said special election and to determine the results thereof.

(f) The Council shall meet at its regular meeting on Tuesday, October 5, 2004, at 2:00 p.m. at its usual meeting place and declare the results of said special election, and shall cause to be spread upon its minutes a statement of the results of said special election as ascertained by said canvass.

Section 11. If two-thirds (2/3) of the votes cast upon the question of levying such

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special tax and establishing such appropriations limit are cast in favor of levying such special tax and establishing such appropriations limit, as determined by the Council after reviewing the canvass of the returns of such consolidated election, the Council may levy such special tax within the territory of Annexation No. 8 to the Community Facilities District under the Act in the amount and for the purposes specified in this resolution, and such appropriations limit shall be established for Annexation No. 8 to the Community Facilities District, as defined by Article XIII B, Section 8(h) of the Constitution of the State of California. Such special tax may be levied only at the rate and may be apportioned only in the manner specified in this resolution, subject to the Act, except that such special tax may be levied at a rate lower than that specified herein. Such special tax may be levied only so long as it is needed to pay for the Services referred to in Section 5 of this resolution (including the repayment of funds advanced for Annexation No. 8 to the Community Facilities District).

Section 12. The Program Specialist, Special Districts, Development Services Department of the City, at City of Sacramento, 1231 I Street, Sacramento, California 95814 (telephone 916/808-5628) will be responsible for preparing annually a current roll of special tax levy obligations by Sacramento County Assessor's parcel numbers, and will be responsible for estimating future special tax levies pursuant to Section 53340.1 of the Government Code of the State of California.

AYES:  
NOES:  
ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_  
MAYOR

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

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

## Exhibit A

City of Sacramento, California  
Neighborhood Park Maintenance  
Community Facilities District No. 2002-02

### LIST OF AUTHORIZED SERVICES

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The authorized services include those set forth below in addition to the costs associated with collecting and administering the special taxes, and annually administering the District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the Community Facilities District (CFD) is to fund the maintenance of neighborhood parks in the City of Sacramento. The CFD's authorized services include the following:

1. The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community, parks, regional parks and parkway systems.)
2. CFD formation and annual administration of the District
3. Other miscellaneous services related to items 1 or 2, including planning, engineering, legal, elections, and administration.

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

## EXHIBIT B

City of Sacramento, California  
Neighborhood Park Maintenance  
Community Facilities District No. 2002-02

### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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#### 1. Basis of Special Tax Levy

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

#### 2. Definitions

**"Act"** means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

**"Administrative Expenses"** means the actual or estimated costs incurred by the City to form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

**"Annual Costs"** means for each Fiscal Year, the total of 1) Authorized Services 2) Administrative Expenses; and 3) any amounts needed to cure actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year.

**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

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CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

**"City"** means City of Sacramento, California.

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

**"Council"** means the City Council of the City of Sacramento acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

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**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in **Attachment 1** for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are

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exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

**"Special Tax(es)"** mean(s) any tax levy under the Act in the CFD.

**"Tax Collection Schedule"** means the document prepared by the City for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in **Section 4**, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. Classification of Parcels. By June 30 of each Fiscal Year, using the Definitions above, the parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall classify

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each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

**B. Assignment of Maximum Annual Special Tax.**

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is

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calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.

- 2) **Annexation Parcels**: The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel**: If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency**: A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## 5. Calculating Annual Special Taxes

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall be the burden of the taxpayer to timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

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

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

The file containing the information listed above will be available for public inspection.

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

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Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

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

**Attachment 1 to Exhibit B  
City of Sacramento CFD No. Neighborhood Park  
Maximum Annual Special Tax Rates – Base Fiscal Year [1]**

<b>Tax Category</b>	<b>Base Year 2002-2003 Maximum Annual Special Tax Rate [1]</b>
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park	\$28.00
<b><u>Other</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

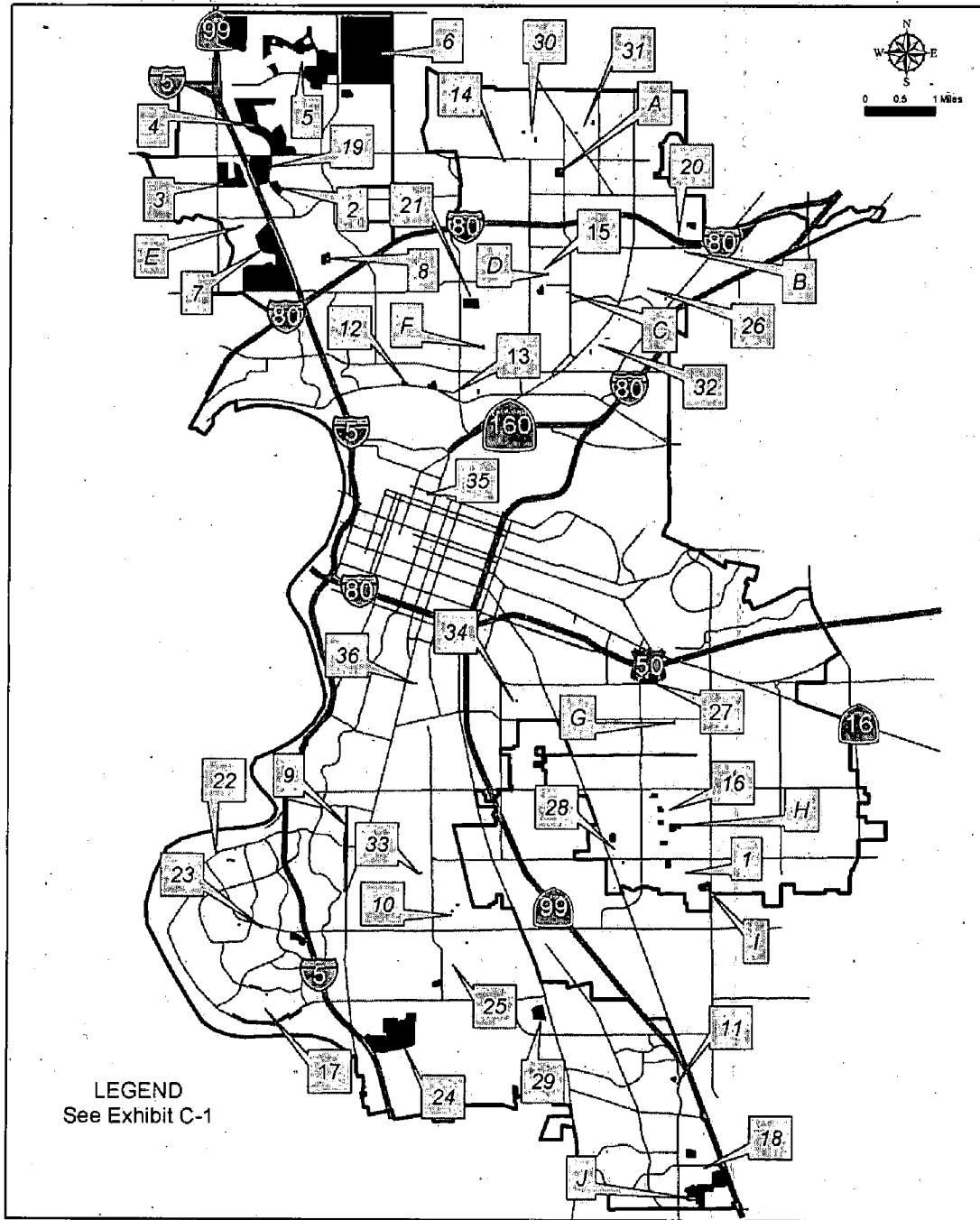
- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

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

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

# EXHIBIT C



LEGEND  
See Exhibit C-1

Area Map

City of Sacramento  
Development Services  
Department  
Special Districts  
Special District Maps/Exhibit C.mxd  
BMueller 7/18/04

FOR CITY CLERK USE ONLY

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

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

## EXHIBIT C-1

### Neighborhood Park Maintenance CFD No. 2002-02 Area Map Legend

#### Existing Boundaries

1. Elder Creek Park Unit #2, Rock Creek & Glen Elder Unit 8
2. Calif. Traditions Apartments
3. Cambay West
4. Creekside
5. N. Natomas Est., The Meadows, Heritage, Natomas Creek & Northborough II
6. Regency Park
7. Parkview
8. Natomas Crossing 20
9. East Land Park Village
10. Vasquez lot split & 2732 Wah Ave. PM
11. Regency Place Unit #5
12. Azuza St. Parcel Map
13. Morell Estates & 321 Jefferson Ave
14. 220 Main Ave. Parcel Map
15. Del Paso Nuevo Unit #3 & 548 Grand Ave
16. Bellview Estates, 71<sup>st</sup> St. Estates, 66<sup>th</sup> Str. & Country Lane Estates
17. Terry Parcel Map, 7648 Northland Dr, Islands at Riverlake, Reflections at Rush River & Still Breeze Drive (Yeh & Lai PM)
18. Laguna Vista, Laguna Vega & Shasta Estates
19. Natomas Crossing III
20. Dayton Street & Astoria Place
21. Garden Oaks
22. 783, 767 & 795 Shoreside Drive, & 6490 Grangers Dairy Dr. & Del Ponte PM (Riverside Blvd)
23. NR Homes (El Macero Wy) & Sycamore Terrace Apts.
24. Meadowview Estates, Beth Estates & Steamboat Bend Meadowview Estates North
25. 29<sup>th</sup> Street & 65<sup>th</sup> Avenue & Buena Park
26. Fitton PM (Craigmont St.) & Rosalind & Marysville
27. Jefferson Commons
28. Lemon Hill & 6129 48<sup>th</sup> Ave
29. Sunmeadow Retirement Community

#### Existing Boundaries

30. 309 Pinedale Ave. & 436 Exchange
31. 5100 Ada Ln. & 1113 Claire Ave
32. Glenrose Ave. & Ashley Oaks Haven
33. 2300 Thompson Way
34. 3423 - 40<sup>th</sup> Street
35. 14<sup>th</sup> & C
36. 2201 - 6<sup>th</sup> St.

#### Proposed Annex Boundaries

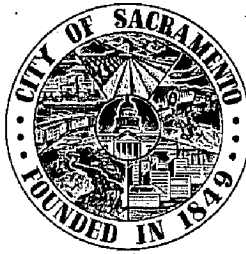
- A. Alta Vista Meadows
- B. Astoria Place Apartments
- C. 817 Evans Street
- D. Vitally Estates
- E. Market West PM
- F. 241 Haggin Ave
- G. 3913 - 73<sup>rd</sup> Street
- H. Lemon Blossom Estates
- I. Glen Elder 9
- J. Sheldon Whitehouse

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



DEVELOPMENT SERVICES  
DEPARTMENT

DEVELOPMENT ENGINEERING  
AND FINANCE

CITY OF SACRAMENTO  
CALIFORNIA

Special Districts  
1231 I STREET, 3<sup>rd</sup> Floor  
SACRAMENTO, CA  
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PH. (916) 808-7113  
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## HEARING REPORT

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-2  
Annexation #8

Prepared By:

Development Engineering and Finance Division - Special Districts Section

September 14, 2004

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### Exhibits

- Exhibit A:    Rate and Method of Apportionment of Special Tax
- Exhibit B:    List of Authorized Services
- Exhibit C:    Existing Area Map
- Exhibit D:    Proposed Boundary Map

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## I. INTRODUCTION

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### Background

Over the next 14 years, the City will add an estimated 344 park acres based on projected population growth and a City standard of 5 park acres per 1,000 population for neighborhood and community parks. Of this standard, 2.5 acres are allocated to neighborhood parks. Therefore, there are an estimated 172 neighborhood park acres that will be added by 2015. City Staff currently estimates that all of this park acreage will be developed by 2006.

Other than an existing Citywide Lighting & Landscaping District, which covers approximately 17 percent of total citywide park maintenance costs, there are no City funds available to fund maintenance for the additional park acres.

On June 25, 2002, the City of Sacramento approved formation of a Community Facilities District that will fund, in part, the maintenance of neighborhood park acres. Only new development within the City of Sacramento will participate in the Community Facilities District.

The District was initially formed with the Elder Creek development project in the south area on June 25, 2002. Previously annexed territories have added approximately 5727 single family residences and 5252 multi-family residences to the CFD. These residential units are spread over various development projects within the City. Annexation #8 will add approximately 268 single family and 7 multi family units spread among the following development projects:

- Parcel maps on 241 Haggin Ave, 817 Evans Str, 3913 - 73rd Str, Market West PM & Vitally Estates
- Subdivision Maps of Alta Vista Meadows, Glen Elder 9, Lemon Blossom Estates & Sheldon Whitehouse
- Special Permit for Astoria Place Apts

**Exhibit C** shows the existing areas of Neighborhood Park Maintenance CFD No. 2002-02 (the "CFD") and **Exhibit D** shows the proposed boundaries of Annexation #8.

As new residential development continues to occur within City, these projects will also be required to annex into the CFD. Only residential land uses will be included in the CFD.

## **PURPOSE OF THE ANALYSIS**

The purpose of this report is to present a discussion of the City of Sacramento CFD No. 2002-2 that will be used to fund the maintenance of neighborhood parks that will be needed to serve new development within the City.

This report serves as the Hearing Report required by the Mello-Roos Act. It discusses the public services and facilities to be funded, the structure of the CFD, and the Maximum Annual Special Taxes.

## **ORGANIZATION OF THE REPORT**

**Chapter II** describes the annual maintenance costs and determination of the maximum annual special tax. **Chapter III** describes the structure of the proposed CFD and the Rate and Method of Apportionment of Special Tax ("Special Tax Formula").

Four exhibits are attached to this report. **Exhibit A** is the Rate and Method of Apportionment (the "Tax Formula"). **Exhibit B** is the list of authorized services to be funded by the CFD. **Exhibit C** provides the existing areas in CFD 2002-02. **Exhibit D** provides the boundary map for Annexation #8.

## II. ANNUAL MAINTENANCE COSTS AND MAXIMUM ANNUAL SPECIAL TAX

The CFD is being formed to fund park maintenance for neighborhood parks. The special tax will be levied on new residential development as development projects annex into the District. Only new residential development will be included in the CFD.

Over the next 14 years, the City is projected to add an additional 68,800 people as shown in **Figure 1** below. Based on a City standard of 5 acres per 1,000 population for neighborhood and community parks, this would require development of 344 additional park acres. Of this standard, 2.5 acres are allocated to neighborhood parks. Therefore, there are an estimated 172 neighborhood park acres that will be added by 2015. However, City staff currently estimates that all of this park acreage will be developed by 2006, rather than 2015.

**Figure 1**  
**City of Sacramento**  
**Population Projections - 2000 to 2015**

Planning Area	2000 [1]	2001 [1]	2005	2010	2015	Increase 2000-2015	Percent of Total Increase
Central City	34,999	35,345	38,340	41,584	44,828	9,829	14.3%
Land Park	34,597	34,939	34,546	34,836	35,125	528	0.8%
Pocket	47,621	48,092	47,069	47,510	47,950	329	0.5%
South Sacramento	69,703	70,392	72,760	76,650	80,540	10,837	15.8%
East Broadway	45,993	46,448	45,771	45,937	46,103	110	0.2%
East Sacramento	33,782	34,116	33,900	33,992	34,083	300	0.4%
Arden Arcade	11,397	11,509	11,311	11,412	11,512	115	0.2%
North Sacramento	51,248	51,755	51,619	53,139	54,658	3,410	5.0%
South Natomas	36,632	36,994	36,840	36,936	37,032	400	0.6%
North Natomas	5,698	5,755	17,128	28,964	40,800	35,102	51.0%
Airport/Meadowview	35,330	35,679	37,854	40,523	43,192	7,862	11.4%
<b>Total</b>	<b>407,018</b>	<b>411,042</b>	<b>427,139</b>	<b>451,481</b>	<b>475,822</b>	<b>68,804</b>	<b>100.0%</b>

"population"

Source: City of Sacramento, Population and Housing Data, June 1999 adjusted by EPS, 2002.

[1] For the years 2000 and 2001, population for each individual planning area is projected as a pro rata amount. These projections are based on 1998 plan area population compared to 1998 total population. Total population for the year 2000 is based on actual 2000 Census data. All other population data is projected.

Other than an existing Lighting and Landscaping District, which covers only a small portion of park maintenance costs, there are no City funds earmarked to fund maintenance for the additional park acres.

Therefore, the CFD is being proposed to fund approximately 75 percent of the cost of maintaining neighborhood parks serving new development. The remaining cost is assumed to be covered by the existing citywide Lighting and Landscaping District or other funding sources to be determined.

Of the 5.0 park acre standard per 1,000 population, 2.5 acres are to be designated as neighborhood and the remaining 2.5 acres are to be designated as community. The CFD will fund a portion of the maintenance costs for neighborhood parks, but no similar funding source has been identified for community parks at this time.

### **PARK MAINTENANCE COSTS AND COST ALLOCATION**

Based on a survey of park maintenance costs funded through CFDs in jurisdictions within the Sacramento region, the cost to maintain a neighborhood park acre ranged from \$7,000 to \$9,500. In the City of Sacramento the cost to maintain a park was \$7,500 per acre in 1984 (excluding water and electric costs), which would be approximately \$12,000 in 2002 dollars. However, actual expenditures in 2000 averaged \$4,800 per acre for park maintenance in the City (excluding water and electric costs).

Expenditures have decreased in large part because the City of Sacramento is expending approximately the same amount of funding over a larger pool of parks (since 1984, park acreage increased by 311 acres but the number of full time employee equivalents has remained static over the same time period.) As a result, the City has had to reduce park maintenance operations so that only core maintenance tasks are performed. Core responsibilities include mowing, irrigation, "policing", and waste pick-up and removal. Policing includes observing the park for safety hazards, litter, vandalism, and taking appropriate action.

Some cost savings have been achieved over the years and this does account for some of the reduction in the average maintenance costs between 1984 and 2001. However, it is estimated that the average cost to maintain parks is closer to \$8,000 per acre at a reasonable land comparison, rather than the budgeted \$4,800 per acre actually, particularly when water and electricity costs are factored in as well as maintenance of bikeways and open space areas. Therefore, the cost estimate used for estimating costs relative to CFD 2002-02 was \$8,000 per acre.

Of the \$8,000 per acre, 75 percent, or \$6,000, will be funded by special tax revenues. The remaining 25 percent in maintenance costs will in part be funded through the citywide Lighting and Landscaping Assessment District (which contributes approximately 17 percent to the park's maintenance budget citywide) and other sources of funding, yet to be identified.

## COST ALLOCATION

The cost allocation is computed on a per persons served basis. As new development occurs in the City, it will be required to add 5 acres of park for every 1,000 persons added per on City Council policy. Of this amount, 2.5 acres will be dedicated for neighborhood parks. Therefore, for every new resident, 0.0025 neighborhood park acres should be added within the City.

As shown in **Figure 2**, based on an allocated maintenance cost of \$6,000 per acre and a requirement of 0.0025 acres of neighborhood park per person, the cost to maintain a neighborhood park is estimated at \$15.00 per person per year.

**Figure 2**  
**City of Sacramento**  
**Neighborhood Park Maintenance CFD No. 2002-02**  
**Estimated Maximum Special Tax per Single Family Unit**

<b>Neighborhood Parks</b>		
Estimated Maintenance Cost Per Acre:	\$8,000	
Maint. Cost Per Acre Funded by CFD:	\$6,000	
LOS Requirement:	2.50	Acres per 1,000 Population
LOS Requirement per Person:	0.0025	Acres per Person
Maint. Cost per Person:	\$15.00	
People Per Household:	2.98	Per Single Family Unit
<b>Maintenance Cost per Single Family Unit:</b>	<b>\$44.70</b>	

According to the Quimby Ordinance, there are approximately 2.98 people per unit for single family land uses. The maintenance cost per person is multiplied by the people per household factor to determine the maintenance cost on a per unit basis. The cost per single family unit is estimated at \$44.70 per year.

## **MAXIMUM ANNUAL SPECIAL TAX**

The CFD's annual maintenance and services costs will be funded through the collection of special taxes levied against the property within the CFD. Special taxes will be collected from each unit based on the residential land uses within the District. The maximum annual cost of CFD services funded by special taxes was calculated assuming direct service costs, on a per persons served basis, and a City administrative expense. **Figure 3** shows the calculation of the maximum annual special tax by residential unit type. The City administrative cost represents 7 percent of the estimated annual maintenance cost per residential unit.

The maximum annual special tax revenue generated in any given year will be a function of the number of residential units included in the District. The District currently has approximately 5727 single family units and 5252 multi-family units to the CFD. Annexation # 8 will add approximately 268 single family and 7 multi family units to the District. As other development projects within the City are approved, they will be required to annex into the CFD.

**Figure 3**  
**City of Sacramento**  
**Neighborhood Park Maintenance CFD No. 2002-02**  
**Estimated Maximum Special Tax per Residential Unit Type**

Land Use	Persons per Unit	Cost per Resident	Cost per Unit	Admin. Cost 7%	Estimated Max. Annual Special Tax per Unit (rounded)
Single-Family Residential Unit	2.98	\$15.00	\$44.70	\$3.13	\$48.00
Condominium/Townhouse Units	2.98	\$15.00	\$44.70	\$3.13	\$48.00
Duplex/Half-plex/Tri-plex Unit [1]	2.98	\$15.00	\$44.70	\$3.13	\$48.00
Multi-Family Residential Unit	1.76	\$15.00	\$26.40	\$1.85	\$28.00
Mobile Home Unit	1.76	\$15.00	\$26.40	\$1.85	\$28.00
Other	1.76	\$15.00	\$26.40	\$1.85	\$28.00

*"est\_tax\_per\_unit"*

[1] For purposes of CFD No. 2002-02 and as directed by City Council, Duplex, Half-plex, and Tri-plex housing units were assumed to have the same usage factor as Single-Family residential units.

The Maximum Annual Special Tax will be increased annually by the Tax Escalation Factor, which will be based upon the Consumer Price Index (CPI) not to exceed 4 percent annually.

### **III. STRUCTURE OF THE PROPOSED CFD**

---

#### **DESCRIPTION OF THE COMMUNITY FACILITIES DISTRICT**

Special taxes within the CFD will be levied according to the Rate and Method of Apportionment of Special Tax (the "Tax Formula"). The attached exhibits contain the formation documents for CFD No. 2002-02. **Exhibit A** contains the Tax Formula and **Exhibit B** is the list of authorized services to be funded by CFD No. 2002-02. The purpose of CFD No. 2002-02 is to provide funding for the annual neighborhood park maintenance costs as authorized by the CFD.

#### **CFD BOUNDARIES**

**Exhibit C** shows the proposed boundary maps for Annexation 8 of the CFD. As other new development projects move through the planning process, they will be required to annex into the CFD and the boundary map will be adjusted accordingly.

#### **ANNUAL COSTS TO BE FUNDED BY THE CFD**

Annual neighborhood maintenance costs are estimated to be approximately \$8,000 per acre; however, the costs included in the CFD are only \$6,000 per acre. Revenue generated from the CFD is only one source of funding targeted at neighborhood park maintenance; other sources of funding include the citywide Lighting and Landscaping District and the City's General Fund revenues to the extent available.

Because annual maintenance costs are projected to exceed revenues generated by the CFD, the special tax levied on CFD parcels will be the maximum annual special tax. The maximum annual special tax will be adjusted annually by CPI (not to exceed 4 percent in any given year) to account for increases in park maintenance costs.

#### **DETERMINATION OF PARCELS SUBJECT TO SPECIAL TAX**

The City shall prepare a list of parcels subject to the Special Tax using the records of the City of Sacramento and the County Assessor. The City will tax all residential parcels within the CFD except those that are declared tax-exempt. Taxable parcels that are acquired by a public agency after the CFD is formed will be re-classified as tax-exempt provided it is determined by the City, in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **TERMINATION OF THE SPECIAL TAX**

The special tax will be levied and collected in perpetuity.

## **MAXIMUM ANNUAL SPECIAL TAX**

**Figure 4** shows the maximum annual special tax rate per type of residential unit in the Base Year (FY 2002-03). The maximum annual special tax will be assigned to each taxable parcel consistent with the provisions in Section 4 of the Tax Formula. The maximum annual special tax will escalate annually by CPI, not to exceed 4 percent in any given year, to cover actual or anticipated increases in the annual costs.

## **SETTING THE ANNUAL SPECIAL TAX RATE**

The City shall assign the maximum annual special tax per taxable parcel based on **Attachment 1** and Section 4 of the Tax Formula as adjusted annually by the Tax Escalation Factor.

Once completed, the City will prepare the Tax Collection Schedule for each Parcel and send it to the County Auditor requesting that it be placed on the general, secured property tax roll for the following Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the Auditor for such inclusion.

## **PREPAYMENT OF SPECIAL TAX OBLIGATION**

Prepayment of special taxes is not permitted.

## **MANNER OF COLLECTION**

The special tax will be collected in the same manner and at the same time as *ad valorem* property taxes.

**Figure 4**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

**Exhibits:**

**Exhibit A: Rate and Method of Apportionment of Special Tax**

**Exhibit B: List of Authorized Services**

**Exhibit C: Existing Area Map**

**Exhibit D: Proposed Boundary Map**

**Exhibit A**  
**City of Sacramento, California**  
**Neighborhood Park Maintenance**  
**Community Facilities District No. 2002-02**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

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**1. Basis of Special Tax Levy**

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

**2. Definitions**

**"Act"** means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

**"Administrative Expenses"** means the actual or estimated costs incurred by the City to form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

**"Annual Costs"** means for each Fiscal Year, the total of 1) Authorized Services 2) Administrative Expenses; and 3) any amounts needed to cure actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year.

**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

**"City"** means City of Sacramento, California.

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

**"Council"** means the City Council of the City of Sacramento acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duple/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in **Attachment 1** for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

**"Special Tax(es)"** mean(s) any tax levy under the Act in the CFD.

**"Tax Collection Schedule"** means the document prepared by the City for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in **Section 4**, below), (ii) Undeveloped Parcels, or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 of each Fiscal Year, using the Definitions above, the parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.

- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall be the burden of the taxpayer to timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued; and
- The number of residential units assigned to that Parcel.

The file containing the information listed above will be available for public inspection.

Attachment 1  
City of Sacramento CFD No. 2002-02  
(Neighborhood Park Maintenance)  
Maximum Annual Special Tax Rates - Base Fiscal Year [1]

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	Tax-Exempt
Undeveloped Parcels [5]	Tax-Exempt
Public Parcels	Tax-Exempt

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

**Exhibit B**  
**City of Sacramento, California**  
**Neighborhood Park Maintenance**  
**Community Facilities District No. 2002-02**

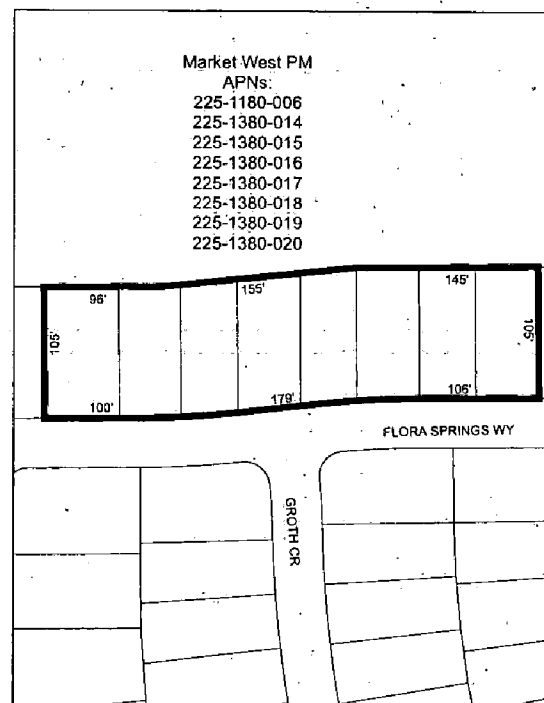
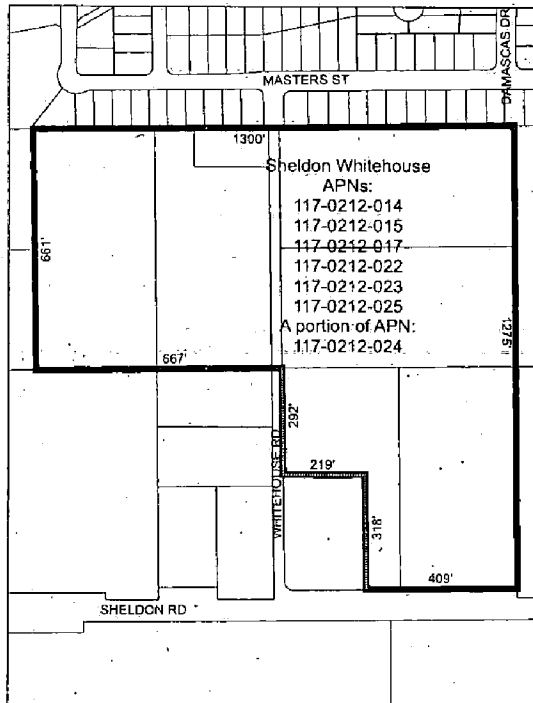
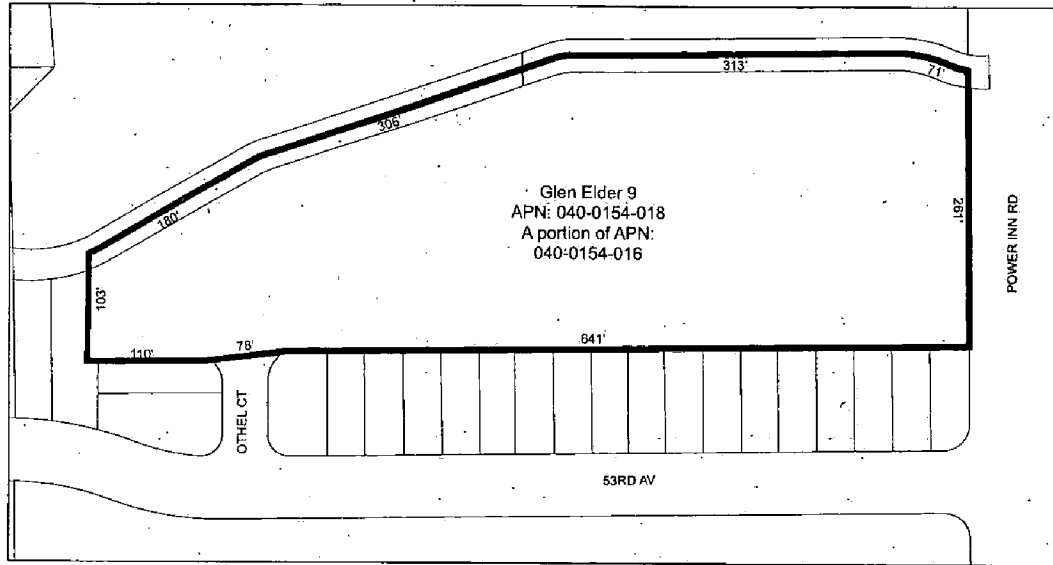
**LIST OF AUTHORIZED SERVICES**

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The authorized services include those set forth below in addition to the costs associated with collecting and administering the special taxes, and annually administering the District. The special taxes may be levied to pay for any authorized services or to accumulate funds for that purpose. The primary function of the CFD is to fund the maintenance of neighborhood parks in the City of Sacramento. The CFD's authorized services include the following:

1. The maintenance of landscaping, recreation facilities, irrigation facilities, lighting, necessary maintenance equipment, and other appurtenances and improvements within neighborhood parks (including those areas designated as neighborhood serving in conjunctive use park land within drainage detention basins, community, parks, regional parks and parkway systems.)
2. CFD formation and annual administration of the District.
3. Other miscellaneous services related to items 1 or 2, including planning, engineering, legal, elections, and administration.

**BOUNDARY MAP  
CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE  
COMMUNITY FACILITIES DISTRICT NO. 2002-02  
ANNEXATION NO.8  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA  
SHEET 1 OF 2**



**CLERK'S MAP FILING STATEMENT:**

FILED IN THE OFFICE OF THE CLERK OF CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

\_\_\_\_\_  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

**CLERK'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARY MAP, CITY OF SACRAMENTO COMMUNITY FACILITIES DISTRICT NO. 2002-02 ANNEXATION NO. 8; 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 \_\_\_\_\_, 2004, BY ITS RESOLUTION NO. \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK,  
CITY OF SACRAMENTO, CALIFORNIA

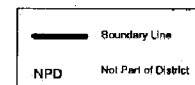
**COUNTY RECORDER'S FILING STATEMENT:**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004 AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_ M., IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT 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: \_\_\_\_\_  
DEPUTY

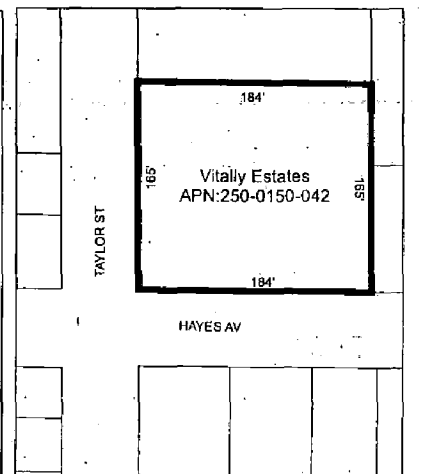
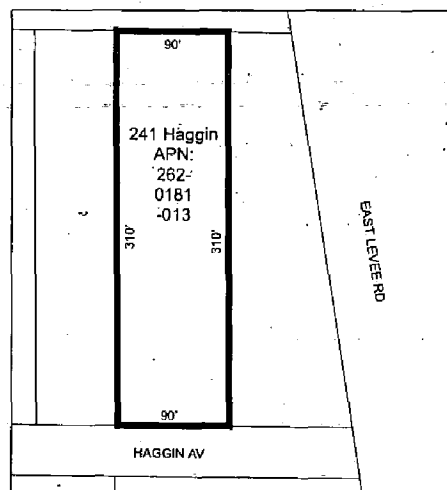
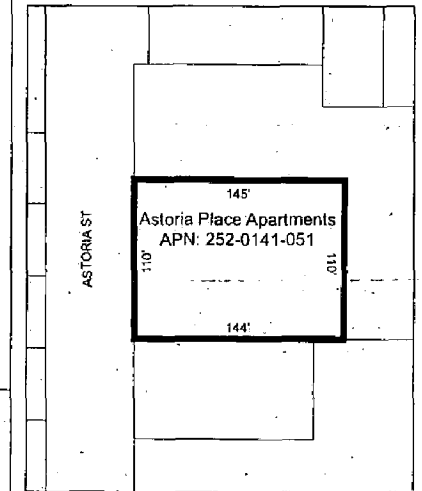
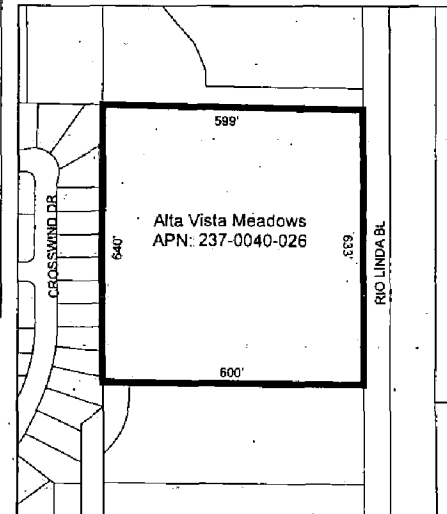
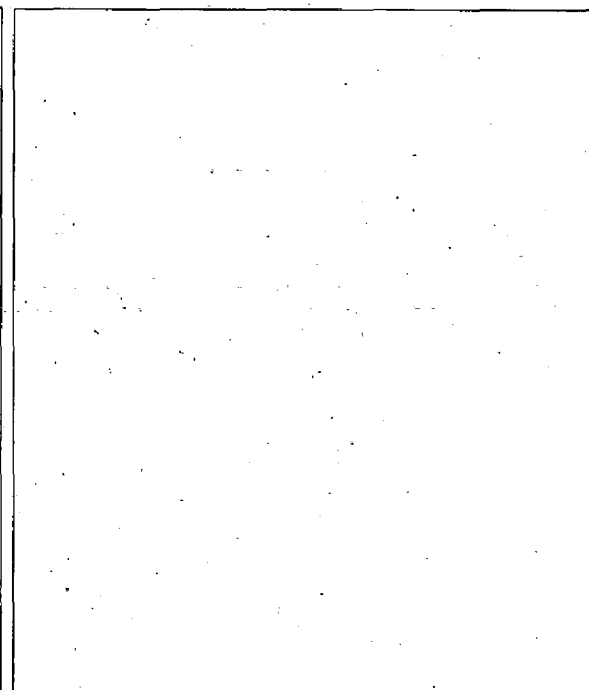
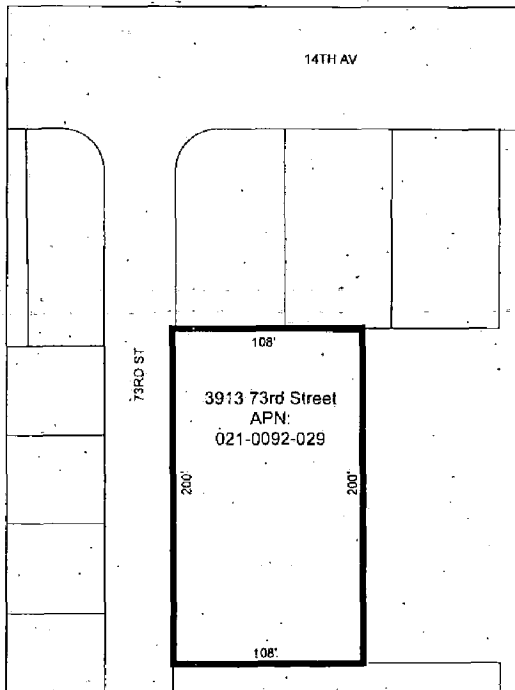
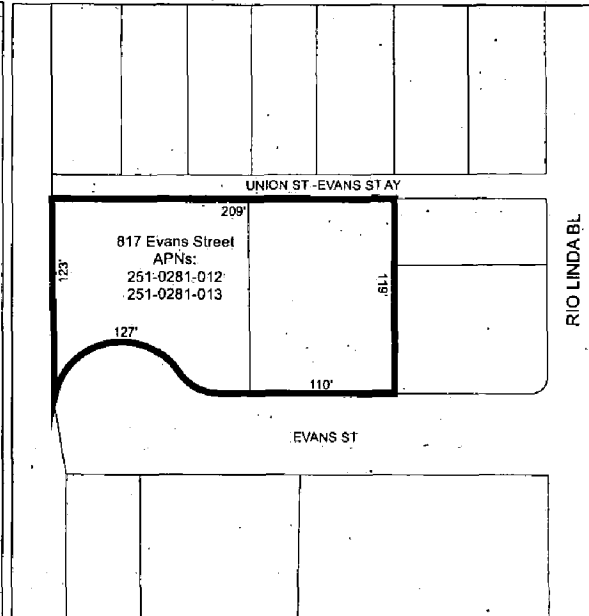
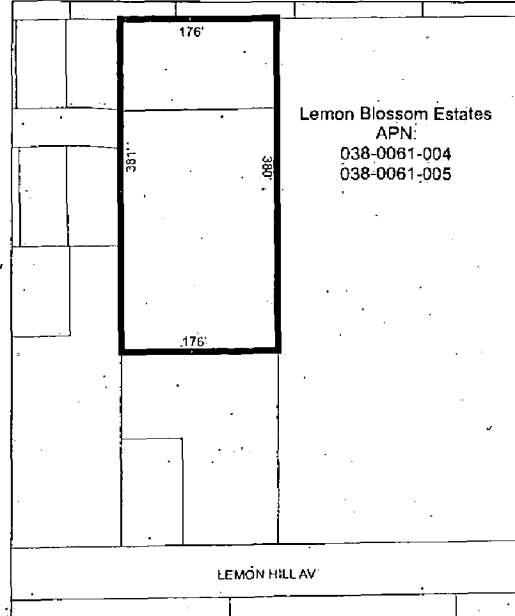
DOCUMENT NO: \_\_\_\_\_



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BOUNDARY MAP  
 CITY OF SACRAMENTO  
 NEIGHBORHOOD PARK MAINTENANCE  
 COMMUNITY FACILITIES DISTRICT NO. 2002-02  
 ANNEXATION NO.8  
 COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

SHEET 2 OF 2



CITY OF SACRAMENTO

AFFIDAVIT OF DELIVERY OF BALLOTS  
FOR THE SPECIAL MAILED-BALLOT ELECTION TO BE HELD  
IN ANNEXATION NO. 8 TO THE SACRAMENTO NEIGHBORHOOD PARK  
MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2002-02  
CITY OF SACRAMENTO, COUNTY OF  
SACRAMENTO, STATE OF CALIFORNIA  
ON September 29, 2004

STATE OF CALIFORNIA        )  
                                      ) ss.  
COUNTY OF SACRAMENTO    )

Shirley Concolino , 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. 2004-735 (the "Resolution") adopted by the City Council of the City of Sacramento on September 14, 2004, she complied with the requirements for delivering the ballots for the special mailed-ballot election to be held on September 29, 2004, in the territory to be annexed, Annexation No. 8 to the Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 City of Sacramento, County of Sacramento, State of California, as set forth in Section 10 of the Resolution, by mailing or in person to each of the landowners qualified to vote at said special mailed-ballot election on September 15, 2004. A copy of the form of the ballot is attached hereto as Exhibit A.

Shirley Concolino  
Clerk of the City of Sacramento

Subscribed and sworn to before me  
this 21<sup>st</sup> day of September, 2004.

Stephanie Mizuno  
NOTARY PUBLIC  
State of California

[Notarial Seal]



WE THE UNDERSIGNED OPPOSE

THE NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02

NAME	ADDRESS	PARCEL #	DATE
<i>David Keller</i>	3308 & 3312 Ramona Ave.	079-0281-016-0000	11-13-90
<i>Denny Keller</i>	3316 Ramona Ave.		11-13-90
KELBRO CORPORATION	3560 & 3562 Ramona Ave.	079-0281-018-0000 079-0281-013-0000 079-0300-007-0000	11-13-90
<i>Estacia Kelbro-Wheeler</i>		079-0300-006-0000	11-13-90
<i>Margaret Cross</i>	3300 # 079-0281-005-0000 3304 # 079-0281-015-0000		11-15-90
<i>Bill Coe</i>	3300 + 3304 Ramona #48 + 47		11-15-90
<i>Robert Sumas</i>	3550 Powerline Rd		11-15-90
<i>Robert Sumas</i>	#44 3500 Powerline Rd		11-15-90
<i>Dana M. Limer</i>	NEW Ramona #45		11-15-90
<i>CINDY BROWN</i>	NEW RAMONA #13+14		11-26-90
<i>Carol Marshall</i>	3316 Ramona	079-0281-014-0000	11-27-90

*These are duplicated signatures*

**CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE COMMUNITY FACILITIES  
DISTRICT NO. 2002-02 ANNEXATION NO. 4  
SPECIAL ELECTION BALLOT  
FOR THE MAILED-BALLOT ELECTION OF AUGUST 13, 2003**

This ballot is for the use of Maggie C. Phung, Vinh Phat Supermarket, SanVenh Vong, Tu Tu Luong, Suying Plaskett & Chan Cam Ly a landowner within the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 4.

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and the resolutions of the City Council of the City of Sacramento, such landowner is entitled to cast 2.80 votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 5:00 p.m. on Wednesday, August 13, 2003, to:

Valerie A. Burrowes, City Clerk  
City of Sacramento  
Sacramento City Hall  
730 I Street, Room 211  
Sacramento, CA 95814

Mailing by that date will not be sufficient, as the ballot must be physically received by the City Clerk of the City of Sacramento prior to the deadline in order to be counted.

**AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.**

**BALLOT MEASURE**

Shall the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 4 be authorized to finance Neighborhood Park maintenance, more fully described in Exhibit A, and shall an appropriations limit in the amount of \$28,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2003-535 adopted by the City Council on July 29, 2003, which is incorporated herein by reference, be levied to pay for the maintenance of Neighborhood Parks.

Number of Votes  
YES

Number of Votes  
NO

**Certification**

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_, 2003.

By: Maggie Phung

By: Suying Plaskett

Authorized Representatives

By: Suying Plaskett

By: Maggie Phung

By: Chan Cam Ly

RECORDING REQUESTED BY

Ron Wicky, City of Sacramento  
1231 "I" Street, Room 300  
Sacramento, CA 95814  
Telephone: (916) 264-5628

WHEN RECORDED MAIL TO:

Ron Wicky, City of Sacramento  
1231 "I" Street, Room 300  
Sacramento, CA 95814  
Telephone: (916) 264-5628



Sacramento County Recording  
Mark Norris, Clerk/Recorder

BOOK **20030821** PAGE **1286**

Thursday, AUG 21, 2003 11:22:49 AM

Ttl Pd \$43.00

Nbr-0002228268

KDL/24/1-12

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF SPECIAL TAX LIEN**

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code, the undersigned City Clerk of the City of Sacramento, County of Sacramento, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City of Sacramento, County of Sacramento, State of California. The special tax secured by this lien is authorized to be levied for the purpose of: (1) funding the maintenance of Neighborhood Parks in and for the City of Sacramento, County of Sacramento, State of California; and (2) providing such public services.

The special tax is authorized to be levied within the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No.4, City of Sacramento, County of Sacramento, State of California, which has now been officially formed, and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment and manner of collection of the authorized special tax is set forth in Exhibit A attached hereto and incorporated herein and made a part hereof.

Notice is further given that upon the recording of this notice in the office of the County Recorder of the County of Sacramento, State of California, the obligation to pay

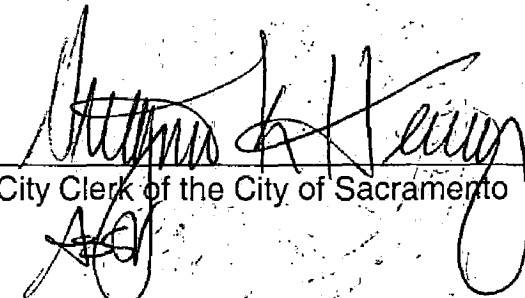
the special tax levy shall become a lien upon all nonexempt real property within the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No.4, City of Sacramento, County of Sacramento, State of California, in accordance with Section 3115.5 of the Streets and Highways Code.

The names of the owners and the assessor's tax parcel numbers of the real property included within the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No.4, City of Sacramento, County of Sacramento, State of California, and not exempt from the special tax, as of the date of recording this notice, are as set forth in Exhibit B attached hereto and incorporated herein and made a part hereof.

Reference is hereby made to the boundary map (or the amended boundary map) of the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No.4, City of Sacramento, County of Sacramento, State of California, recorded on June 24, 2003, in Book 96 of Maps of Assessment and Community Facilities Districts at Page 22, in the office of the County Recorder of the County of Sacramento, State of California, which map is now the final boundary map of the Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No.4, City of Sacramento, County of Sacramento, State of California.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact Ron Wicky in the office of the Director of Public Works of the City of Sacramento, at 1231 I Street, Room 300, Sacramento, California 95814 (telephone: (916) 264-5628).

Dated: August 20, 2003.

  
City Clerk of the City of Sacramento

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

On June 25, 2002, City Council approved formation of the Neighborhood Park Maintenance CFD. This CFD provides a funding mechanism to help the Parks Department maintain neighborhood parks. This annexation, as well as future annexations, will consist of new residential development throughout the City. The development projects for this annexation are listed as follows:

- Parcel maps on 241 Haggin Ave, 817 Evans Str, 3913 - 73rd Str, Market West PM & Vitally Estates
- Subdivision Maps of Alta Vista Meadows, Glen Elder 9, Lemon Blossom Estates & Sheldon Whitehouse
- Special Permit for Astoria Place Apts

The above projects comprise 275 units, bringing the total to 11,254 residential units.

**FINANCIAL CONSIDERATIONS:**

The Neighborhood Park Maintenance CFD has been structured to reduce reliance on the general fund for neighborhood park maintenance and to preserve the level of maintenance in the parks system.

It is projected that revenues from this CFD will provide approximately 65-70% of the cost associated with maintaining new neighborhood parks for those areas that annex to the District. The balance of costs will be borne by the Citywide Landscape and Lighting District and other City funds.

The maximum annual special tax rates levied on new residential properties for FY 2004/05 are \$49.45 per single family parcel and \$28.85 per multi family unit. The FY 2005/06 special tax will be adjusted with an annual escalation factor based on the Consumer Price Index, not to exceed 4%.

**ENVIRONMENTAL CONSIDERATIONS:**

Under California Environmental Quality Act (CEQA) Guidelines, administration and annexation into a CFD does not constitute a project and therefore is exempt from review.

**POLICY CONSIDERATIONS:**

The procedures under which this CFD annexation is being initiated are set forth in Title 5 of the Government Code, Sections 53311-53317.5, entitled "The Mello-Roos Community Facilities Act of 1982." Annexation into Parks Maintenance District is consistent with the City's Strategic Plan in preserving and enhancing the City's neighborhoods and quality of life.

**B. Assignment of Maximum Annual Special Tax.**

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.
- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained

**CITY OF SACRAMENTO  
NEIGHBORHOOD PARK MAINTENANCE COMMUNITY FACILITIES  
DISTRICT NO. 2002-02 ANNEXATION NO. 8  
SPECIAL ELECTION BALLOT  
FOR THE MAILED-BALLOT ELECTION OF September 29, 2004**

This ballot is for the use of \_\_\_\_\_, a landowner within the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 8.

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and the resolutions of the City Council of the City of Sacramento, such landowner is entitled to cast \_\_\_\_\_ votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 5:00 p.m. on Wednesday, September 29, 2004, to:

Shirley Concolino, City Clerk  
City of Sacramento  
Sacramento City Hall  
730 I Street, Room 211  
Sacramento, CA 95814

Mailing by that date will not be sufficient, as the ballot must be physically received by the City Clerk of the City of Sacramento prior to the deadline in order to be counted.

**AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.**

**BALLOT MEASURE**

Shall the City of Sacramento Neighborhood Park Maintenance Community Facilities District No. 2002-02 Annexation No. 8 be authorized to finance Neighborhood Park maintenance, more fully described in Exhibit A, and shall an appropriations limit in the amount of \$10,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2004-735 adopted by the City Council on September 14, 2004, which is incorporated herein by reference, be levied to pay for the maintenance of Neighborhood Parks.

Number of Votes  
**YES**

\_\_\_\_\_

Number of Votes  
**NO**

\_\_\_\_\_

**Certification**

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_, 2004.

\_\_\_\_\_  
By: \_\_\_\_\_  
Authorized Representative

# Exhibit A

## City of Sacramento, California Neighborhood Park Maintenance Community Facilities District No. 2002-02

### RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

---

#### 1. Basis of Special Tax Levy

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (the "Act") applicable to the land in Neighborhood Park Maintenance Community Facilities District No. 2002-02 (the "CFD") of the City of Sacramento (the "City") shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

#### 2. Definitions

**"Act"** means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

**"Administrative Expenses"** means the actual or estimated costs incurred by the City to form the CFD and to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports; and any other costs required to administer the CFD as determined by the City.

**"Annexation Parcel"** means a Parcel which was not included within the boundaries of the CFD at the time of formation. Parcels are required to annex to the District based upon City policy.

**"Annual Costs"** means for each Fiscal Year, the total of 1) Authorized Services 2) Administrative Expenses; and 3) any amounts needed to cure actual or estimated delinquencies in Special Taxes for the current or previous Fiscal Year.

**"Assessor"** means the Assessor of the County of Sacramento.

**"Authorized Services"** mean those services authorized for funding under the CFD, as listed in the resolution forming the CFD.

**"Base Fiscal Year"** means the Fiscal Year beginning July 1, 2002 and ending June 30, 2003.

**"CFD"** means the Neighborhood Park Maintenance Community Facilities District No. 2002-02 of the City of Sacramento, California.

**"City"** means City of Sacramento, California.

**"Condominium/Townhouse Residential Parcel"** means a Parcel created by a subdivision map, building permit, or action of the County Assessor, that creates individual condominium or townhouse Parcels. The number of Residential Units assigned to each Condominium/Townhouse Parcel is determined by the number of condominium or townhouse units created by subdivision map or building permit for each Parcel.

**"Council"** means the City Council of the City of Sacramento acting for the CFD under the Act.

**"County"** means the County of Sacramento, California.

**"Developed Parcel"** means a Parcel that has a recorded final subdivision map or has been issued a building permit or special use permit for the land uses stated below:

Land Use	Developed Parcel Trigger
Single Family Residential Parcel(s)	-Final Subdivision Map
Condominium/Townhouse Residential Parcel(s)	-Final Subdivision Map
Duplex/Half-plex/Tri-plex Residential Parcel(s)	-Building Permit
Multi-Family Residential Parcel(s)	-Building Permit
Mobile Home Park Parcel(s)	-Special Use Permit
Mixed Use Parcel(s)	-Building Permit

**"Duplex/Tri-plex Residential Parcel"** means a Parcel with a building permit for a duplex or a tri-plex residential use. The number of Residential Units assigned to a Duplex/Tri-plex Residential Parcel is two for a duplex residential structure and three for a tri-plex residential structure.

**"Fiscal Year"** means the period starting July 1 and ending the following June 30.

**"Maximum Annual Special Tax"** means the greatest amount of Special Tax that can be levied against a Parcel calculated by multiplying the Maximum Annual Special Tax Rate times the Residential Units assigned to each Developed Parcel.

**"Maximum Annual Special Tax Rate"** means the amount shown in Attachment 1 for a Fiscal Year that is used in calculating the Maximum Annual Special Tax for a Parcel based on its land use classification.

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Mixed Use Parcel"** means a Parcel with a building permit for a mix of uses, which includes residential uses. The number of Residential Units assigned to a Mixed Use Parcel is determined at building permit issuance for the original structure, or by subsequent building permits issued for further tenant improvements.

**"Mobile Home Park Parcel"** means a Parcel with a special use permit for a mobile home park. The number of Residential Units assigned to the Mobile Home Park Parcel is determined by the number of spaces available for the placement of mobile homes.

**"Multi-Family Residential Parcel"** means a Parcel with a building permit for multi-family residential use. The number of Residential Units assigned to a Multi-Family Residential Parcel is determined at building permit issuance.

**"Non-Residential Use Parcels"** means Parcels designated for commercial, industrial, office, or other non-residential uses. Parcels with uses other than residential uses are Tax-Exempt.

**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Public Parcel"** means, except as otherwise provided herein, any Parcel, that is publicly owned, not used for residential purposes, and normally exempt from the levy of general *ad valorem* property taxes under California law, including, but not limited to, public streets, schools, parks, and public drainageways; public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel shall be a Tax-Exempt Parcel.

**"Residential Unit(s)"** means the number of taxable residential dwelling units assigned to a Parcel based on its Developed Parcel tax category assignment.

**"Single Family Residential Parcel"** means a single family residential lot created by the recordation of a final subdivision map, which has a building permit issued for a single

family residential dwelling. A Single Family Residential Parcel is assigned one Residential Unit.

**"Special Tax(es)"** mean(s) any tax levy under the Act in the CFD.

**"Tax Collection Schedule"** means the document prepared by the City for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

**"Taxable Parcel"** means any Parcel that is not a Tax-Exempt Parcel.

**"Tax Escalation Factor"** means an annual percentage increase in the Maximum Annual Special Tax Rate based upon the Consumer Price Index (CPI) (prior calendar year annual average, San Francisco, All Urban Consumers (CPI-U) Index, not to exceed 4% in any given year.

**"Tax-Exempt Parcel"** means a Parcel not subject to the Special Tax. Tax-Exempt Parcels are (i) Public Parcels including developed parcels acquired by a public agency (subject to the limitations set forth in Section 4, below), (ii) Undeveloped Parcels; or (iii) Non-Residential Use Parcels. Privately owned Parcels that are non-developable, such as common areas, wetlands, and open space, are exempt from the levy of Special Taxes as determined by the City.

**"Undeveloped Parcel"** means a Parcel that is not a Developed Parcel or a Non-Residential Use Parcel.

### **3. Duration of the Special Tax**

Parcels in the CFD will remain subject to the service tax in perpetuity.

### **4. Assignment of Maximum Annual Special Tax**

A. **Classification of Parcels.** By June 30 of each Fiscal Year, using the Definitions above, the parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the City shall classify each Parcel as a Tax-Exempt Parcel or Taxable Parcel. Only Taxable Parcels are subject to the Special Tax according to the formula detailed below.

It shall be the burden of the taxpayer to timely correct any errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

B. Assignment of Maximum Annual Special Tax.

By August 1 of each Fiscal Year, using the Definitions from **Section 2** and the Maximum Annual Special Tax Rates from **Attachment 1**, the Finance Director shall assign the Maximum Annual Special Taxes to Parcels as follows:

- 1) **Developed Parcels:** Parcels shall be assigned a Maximum Annual Special Tax using the following steps. The Maximum Annual Special Tax Rate is increased by the Tax Escalation Factor in each Fiscal Year after the Base Fiscal Year.
  - a. **Single Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Single Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - b. **Duplex/Half-Plex/Tri-plex Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Duplex/Half-Plex/Tri-plex Residential Parcels by the number of Residential Units assigned to the Parcel.
  - c. **Multi-Family Residential Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Multi-Family Residential Parcels by the number of Residential Units assigned to the Parcel.
  - d. **Condominium/Townhouse Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Condominium/Townhouse Parcels by the number of Residential Units assigned to the Parcel.
  - e. **Mixed Use Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mixed Use Parcels by the number of Residential Units assigned to the Parcel.
  - f. **Mobile Home Park Parcels.** The Maximum Annual Special Tax is calculated by multiplying the Maximum Annual Special Tax Rate in **Attachment 1** for Mobile Home Park Parcels by the number of Residential Units assigned to the Parcel.

- 2) **Annexation Parcels:** The City will require the periodic annexation of Parcels to the CFD. When Parcels are annexed to the CFD, the City will first determine if they are Taxable or Tax-Exempt, using the Definitions in **Section 2**. For Developed Parcels, the City will assign the number of Residential Units for each Parcel based on Assessor Parcel records, building permit or special use permit records, recorded final subdivision map, or other relevant information obtained by the City. The City then shall assign a Maximum Annual Special Tax Rate to Developed Parcels using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 3) **Conversion of a Tax-Exempt Parcel to a Taxable Parcel:** If a Public Parcel is not needed for public use and is converted to private residential use, it shall become subject to the Special Tax. A Maximum Annual Special Tax Rate will be assigned using the Definitions in **Section 2** and **Attachment 1** (applying the Tax Escalation Factor as permitted) and calculate the Maximum Annual Special Tax following the steps in **Section 4.B(1)**.
- 4) **Taxable Parcels Acquired by a Public Agency:** A Taxable Parcel that is acquired by a public agency after the CFD is formed will be re-classified as Tax-Exempt provided it is determined by the City in the exercise of its sole discretion, that it is no longer used for residential purposes.

## **5. Calculating Annual Special Taxes**

The City shall assign the Maximum Annual Special Tax per Taxable Parcel based on **Attachment 1** as adjusted annually by the Tax Escalation Factor.

The City shall prepare the Tax Collection Schedule listing the Special Tax levy for each Taxable Parcel and send it to the County Auditor-Controller requesting that it be placed on the general, secured property tax roll for that Fiscal Year. The Tax Collection Schedule shall not be sent later than the date required by the County Auditor-Controller for such inclusion.

The City shall make every effort to correctly calculate the Special Tax for each Parcel. It shall be the burden of the taxpayer to timely prove any alleged errors in the determination of the Parcels subject to the Special Tax and their Special Tax assignments.

## **6. Records Maintained for the CFD**

As development takes place within the CFD, the City will maintain a file containing the following information regarding each Parcel:

- The current Parcel Number;
- Whether a final subdivision map has been recorded or whether a building permit or special use permit for residential use has been issued ; and
- The number of residential units assigned to that Parcel.

The file containing the information listed above will be available for public inspection.

## **7. Appeals and Interpretation Procedure**

Any taxpayer may contest the levy of the Special Tax by filing a written notice of appeal, setting forth with specificity the grounds for appeal, with the City Manager. Any such notice must be filed within thirty (30) days following the formation of the CFD, or annexation of the property that is the subject of the appeal to the CFD; and failure to do so within the time period specified herein constitutes a bar to any such appeal. Grounds for appeal are limited to the following: (i) clerical errors in assigning an amount of tax to a parcel and (ii) an error in defining the use of a parcel or its classification. The City Manager, or designee, shall promptly review the appeal, and if necessary, meet with the appellant.

If the findings of the City Manager verify that the Special Tax should be modified or changed, a recommendation to that effect shall be made to the Council, and as appropriate, the Special Tax levy shall be corrected and, if applicable in such case, a credit for next year's Special Tax levy shall be granted. If the City Manager denies the appeal, the taxpayer may file an appeal of that determination with the Council within fourteen (14) days of the mailing of notification of the City Manager's decision; and failure to do so within the time period specified herein constitutes a bar to such an appeal. The Council may hear the appeal, or refer it to a hearing officer pursuant to Chapter 1.24 of the Sacramento City Code. The hearing on the appeal shall be conducted not more than thirty (30) days following the filing of the appeal of the City Manager's determination. The failure of the Council or the appointed hearing officer to timely hear the appeal, or to render a decision within thirty (30) days following the conclusion of the hearing thereon, shall constitute a denial of the appeal. The determination of the Council or hearing officer on the appeal shall be final for all purposes. The filing of a written notice contesting the levy of the Special Tax or an appeal shall not relieve the taxpayer of the obligation to pay the Special Tax when due.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to any of the terms or provisions of this Rate and Method of Apportionment.

City of Sacramento  
Neighborhood Park Maintenance CFD No. 2002-02  
Rate and Method of Apportionment  
May 17, 2002

**Attachment 1**  
**City of Sacramento CFD No. 2002-02**  
**(Neighborhood Park Maintenance)**  
**Maximum Annual Special Tax Rates - Base Fiscal Year [1]**

Tax Category	Base Year 2002-2003 Maximum Annual Special Tax Rate [1] [2]
<b><u>Developed Parcels [3]</u></b>	<i>per Residential Unit</i>
Single Family Residential Parcels	\$48.00
Condominium/Townhouse Parcels	\$48.00
Duplex/Half-plex/Tri-plex Residential Parcels	\$48.00
Multi-Family Residential Parcels	\$28.00
Mixed Use Parcels	\$28.00
Mobile Home Park Parcels	\$28.00
<b><u>Other Uses</u></b>	
Non-Residential Use Parcels [4]	<i>Tax-Exempt</i>
Undeveloped Parcels [5]	<i>Tax-Exempt</i>
Public Parcels	<i>Tax-Exempt</i>

*"attachment\_1"*

- [1] The Base Fiscal Year for the CFD is Fiscal Year 2002-2003. The Maximum Annual Special Tax Rate will be escalated by the Tax Escalation Factor, not to exceed 4 percent annually thereafter, as determined by the Consumer Price Index.
- [2] The Maximum Annual Special Tax Rate is applied to the Residential Units assigned to each Taxable Parcel. Condominium/Townhouse Residential Parcels and Single Family Residential Parcels are assumed to have one Unit. Multi-Family Residential Parcels, Mixed Use Parcels, and Mobile Home Park Parcels may have more than one Unit assigned to a Parcel. The number of Residential Units assigned to these Parcels will be determined by the final subdivision map, initial building permit, or subsequent building permits for tenant improvements.
- [3] Developed Parcels are residential or mixed use Parcels with a building permit for residential use.
- [4] Non-Residential Use Parcels are commercial, industrial, office, and other non-residential uses.
- [5] Undeveloped Parcels are Parcels that are not classified as a Developed Parcel or Non-Residential Use Parcel.

CITY OF SACRAMENTO

CITY CLERK'S CERTIFICATE OF ELECTION RESULTS  
FOR THE SPECIAL MAILED-BALLOT ELECTION HELD  
IN THE NEIGHBORHOOD PARKS MAINTENANCE COMMUNITY  
FACILITIES DISTRICT NO. 2002-02 ANNEXATION NO. 8, CITY OF SACRAMENTO,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA  
ON SEPTEMBER 29, 2004

I, Shirley Concolino, City Clerk of the City of Sacramento, certify that:

I personally counted the ballots cast at the special mailed-ballot, landowner election called by the City Council in its Resolution No. 2004-735, adopted on September 14, 2004, and I hereby certify the result of that count to be as follows:

TOTAL VOTES CAST "YES": 31

TOTAL VOTES CAST "NO": 0

TOTAL VOTES CAST: 32 \*

THE VOTES CAST "YES" EQUAL 100 % OF THE TOTAL VOTES  
CAST.

I make this Certification on OCT 4 2004, 2004.

Shirley Concolino

Shirley Concolino, City Clerk  
of the City of Sacramento

\* John & Rodica Nicorisi,  
cast a ballot but did  
not indicate yes or no  
on the ballot.



APPROVED  
BY THE CITY COUNCIL

DEC 5 1990

4.7  
4.2

**DEPARTMENT OF  
PUBLIC WORKS**

OFFICE OF THE DIRECTOR

**CITY OF SACRAMENTO  
CALIFORNIA**

November 27, 1990

OFFICE OF THE  
CITY CLERK

CITY HALL  
ROOM 207  
915 I STREET  
SACRAMENTO, CA  
95814-2673

916-449-5283

ADMINISTRATION  
916-449-8747

City Council  
Sacramento, California

CONTINUED  
FROM 11-27-90  
TO 12-4-90

Honorable Members in Session:

**SUBJECT: PROPOSED NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02  
(JN:2405), HEARING ON DISTRICT FORMATION AND REPORT ON BIDS**

**SUMMARY**

It is requested that the City Council hold the public hearing and adopt the attached resolutions, which approve the Amended Engineer's Report, levies the assessments, and initiates the 30-day cash collection period.

**BACKGROUND**

This is a public hearing to consider formation of the New Ramona Colony Street Assessment District No. 90-01. On September 18, 1990, the Council commenced the assessment proceedings for the district by adopting several resolutions and setting a hearing for this date. On October 5, 1990, a public notice was mailed to all property owners advising them of the hearing on the assessment district.

On November 8, 1990, a neighborhood meeting was held and the property owners were informed of the revised assessments. The assessments were adjusted to reflect the bid amount by Tichert Construction Company. The majority of the people attending the meeting gave favorable responses to the proposed assessment district.

The New Ramona Colony Street AD No. 90-02 has a boundary that generally encompasses an area bounded by Southern Pacific Railroad tracks on the north and west, Power Inn Road on the east, and Ramona Avenue on the south (see attached map).

For several years, property owners in the New Ramona Colony area have sought to form an assessment district to finance infrastructure improvements. The improvements are needed to resolve frequent flooding problems and generally upgrade the area. In 1988, an assessment district petition was signed by property owners, representing 64% of the land in the area, and filed with the City Clerk's Office.

Proposed improvements include reconstruction and widening of existing streets; construction of curbs, gutters, sidewalks, sanitary sewers, storm sewers, and water mains; installation of street lights throughout most of the area; and a traffic signal at the intersection of Power Inn Road and Cucamonga Avenue.

The State of California owns approximately 25% of the land within the 128-acre assessment district area. Although the City does not have the authority to assess publicly owned property, the State is contributing to the project through an agreement executed with the City on April 10, 1990 (City Agreement 90-022).

85

November 27, 1990  
City Council

Negative declarations for this project were filed with the County Clerk on September 19, 1988, and on April 19, 1989.

On October 23, 1990, the following bids were received:

Tichert Construction Company	\$2,163,879
Granite Construction Company	2,554,345
Lund Construction Company	2,599,820

The low bid of \$2,163,879 is 29% below the engineer's estimate. The assessment district will cost a total of \$2,830,460.55. We have been informed by the City Clerk that as of November 20, 1990, no protests have been received. Accordingly, staff recommends closure of the hearing, approval of the assessment district, and adoption of the attached resolutions.

#### **FINANCIAL DATA**

This project will be financed by the property owners within the district and various other governmental agencies. In addition to the State contribution, the County Sanitary District No. 1 is funding extension of a trunk sewer to serve the area through an agreement with the City executed February 20, 1990 (City Agreement 90-150). The City is funding all of the costs associated with the installation of a traffic signal on Power Inn Road at Cucamonga Avenue. The Major Street Fund is the approved funding source for the City's contribution (CIP TH36). The estimated total cost of the project is \$3,374,797.29. The estimated total amount to be assessed to property owners is \$2,830,460.55, and is itemized as follows:

Construction Cost	\$2,163,879.00
Contingency	194,749.11
Construction Staking and Inspection	162,290.93
Engineering and Project Management	283,896.00
Right-of-Way Acquisition	408,090.00
Incidental Expenditures	<u>161,892.25</u>
Project Cost	\$3,374,797.29
City Contribution (CIP TH36)	-147,998.69
County Contribution (Agreement #90-150)	-241,841.00
State Contribution (Agreement #90-022)	<u>-480,000.00</u>
Project Less Contributions	\$2,504,957.60
Reserve Account	<u>254,741.45</u>
Total Expenditures	\$2,759,699.05
Bond Discount	<u>70,761.50</u>
Amount Assessed to Property Owners	\$2,830,460.55

The above expenditures are detailed in the Amended Engineer's Report on file with the City Clerk.

November 27, 1990  
City Council

### POLICY CONSIDERATIONS

The procedures under which this district is being formed are set forth in Division 12 of the California Streets and Highways Code entitled, "*Municipal Improvement Act of 1913*" and Division 10 of the California Streets and Highways Code entitled, "*Improvement Bond Act of 1915*." Bond counsel has advised that the aforementioned petition, filed in 1988, is no longer valid. Accordingly, staff recommends that "public convenience and necessity" provisions, pursuant to the City Charter powers, be utilized for this district. This action will require a 4/5 City Council vote.

Project approval is consistent with Chapter 58, Article III, Section 58.301, of the City Code.

### MBE/WBE EFFORTS

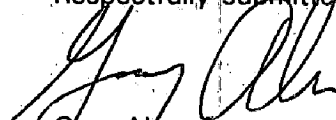
Not applicable as related to this item.

### RECOMMENDATION

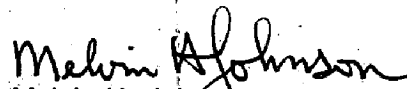
It is recommended that the City Council consider the following items:

1. Adopt the resolution overruling protests.
2. Adopt the resolution finding and determining that the public convenience and necessity requires construction of the improvements.
3. Amended Engineer's Report (may be obtained for review in the City Clerk's Office).
4. Adopt the resolution approving amended report and assessment and ordering improvement.

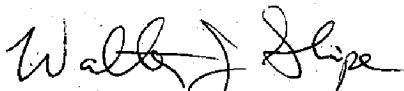
Respectfully submitted,

  
Gary Alm  
Supervising Engineer

Approved:

  
Melvin H. Johnson  
Director of Public Works

Recommendation Approved:

  
Walter J. Slipe  
City Manager

### Contact Persons:

Ronald Wicky, Assessment District Analyst  
449-5628

Caroline Quinn, Senior Engineer  
449-5520

November 27, 1990  
District 6

ADDITIONAL INSTRUCTIONS TO CITY CLERK:

- A. The Amended Engineer's Report is to be marked filed, approved and confirmed as of December 4, 1990. NO OTHER CERTIFICATES ARE TO BE FILLED IN AT THIS TIME.
- B. Please provide the undersigned with two certified copies of each resolution adopted.

STURGIS, NESS, BRUNSELL & SPERRY  
a professional corporation

By: Philip D. Assaf

**NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02 -- STATUS REPORT**

September 18, 1990 \* COUNCIL ADOPTS RESOLUTION OF INTENTION AND SETS HEARING DATE

September 19, 1990 \* Record Boundary Map With County Recorder

October 5, 1990 \* Mail, Post, and Publish Notice of Hearing

October 23, 1990 Receive Bids

November 8, 1990 \* Follow-up Neighborhood Meeting

November 27, 1990 Hold Public Hearing

\* COUNCIL CONSIDERS RESOLUTIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY, OVERRULE PROTESTS AND LEVY THE ASSESSMENTS (4/5 VOTE REQUIRED)

November 1990 \* Record Assessment Diagram and Notice of Assessment with County Recorder

\* Liens Placed on Affected Properties

January 8, 1991 \* BUDGET AND FINANCE COMMITTEE RECOMMENDS APPROVAL AND APPROPRIATION OF FUNDS

January 15, 1991 \* COUNCIL ADOPTS RESOLUTION AUTHORIZING SALE OF BONDS

January 1991 \* Bond Closing

\* City to Receive Proceeds from Bonds

December 4, 1990  
CITY COUNCIL OF THE CITY OF SACRAMENTO

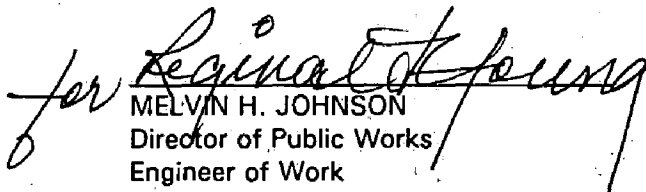
In the Matter of New Ramona Colony Street	}	
	}	ENGINEER'S FINDINGS
Assessment District No. 90-02	}	

A Public Hearing is scheduled for this date pertaining to the proposed public improvement work in New Ramona Colony Street Assessment District No. 90-02.

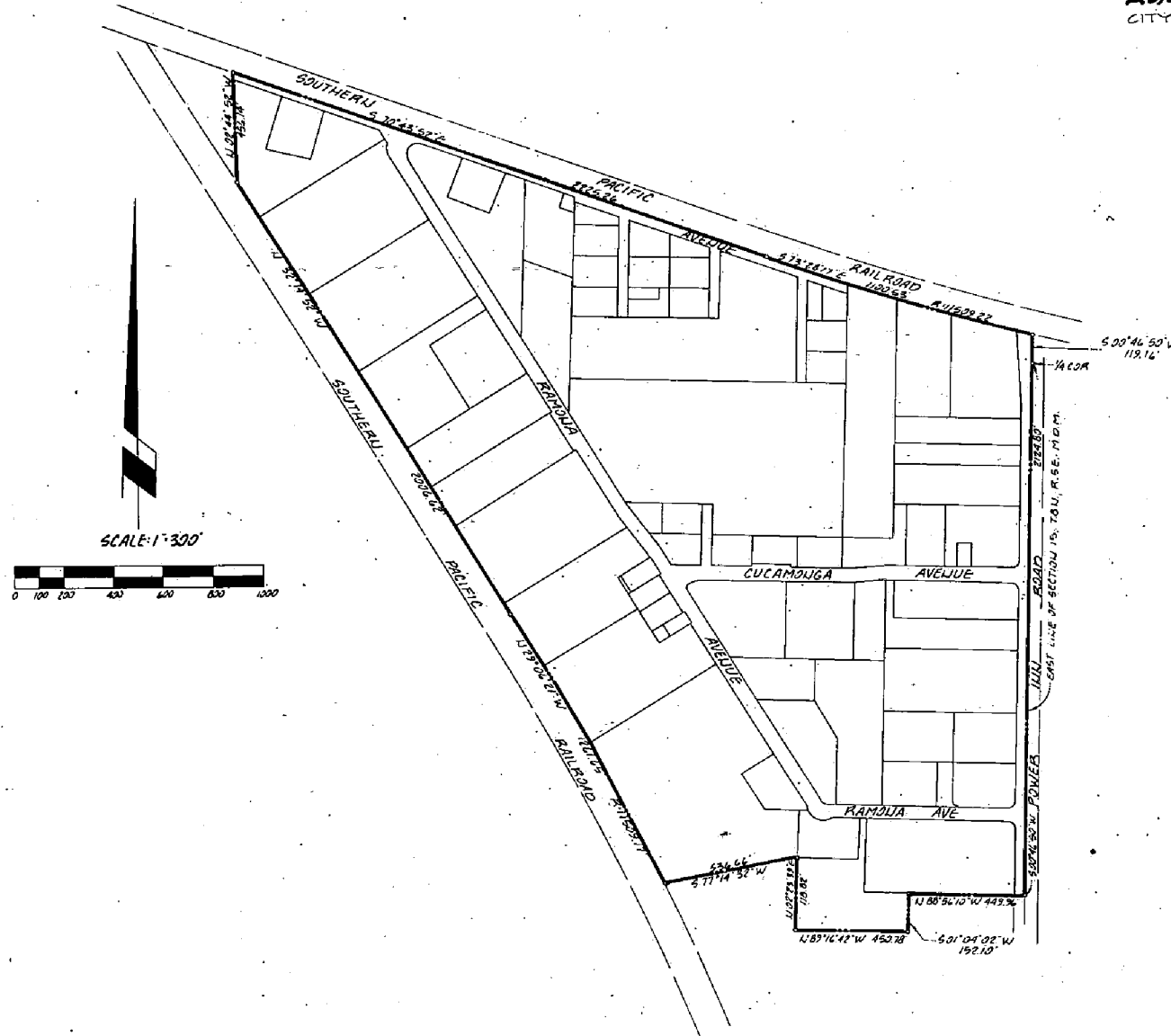
This public improvement proceeding has been undertaken due to the following facts:

1. That on September 18, 1990, the Director of Public Works, Engineer of Work for the proposed district, presented to the Council the Resolution of Intention, Resolution Declaring Public Convenience and Necessity, a Report and Resolution Approving the Report, which set a hearing on the project for November 27, 1990.
2. The project would consist of reconstruction and widening of existing streets; construction of curbs, gutters, sidewalks, sanitary sewers, storm sewers, and water mains; installation of street lights throughout most of the area; and a traffic signal at the intersection of Power Inn Road and Cucamonga Avenue. The New Ramona Colony Street Assessment District No. 90-02 has a boundary that generally encompasses an area bounded by Southern Pacific Railroad tracks on the north and west, Power Inn Road on the east, and Ramona Avenue on the south.
3. That on October 5, 1990, the notices were mailed to all the property owners within the proposed assessment district informing them of the proposed assessment on their property and the date of the hearing on the report and confirming of the assessment.
4. That on October 5 and October 12, 1990, the Notice of Improvement for the proposed project was published in the Daily Recorder.
5. That on October 11, 1990, copies of the Notice of Improvement were posted on all streets and alleys within the proposed assessment district pursuant to existing law.
6. That on November 27, 1990, the hearing was continued to December 4, 1990.
7. That as of December 4, 1990, three valid protests were filed with the City Clerk objecting to the proposed improvements. These protests represent 22.7% of the district.
8. It is my opinion that said improvements will improve the aesthetics, health, and safety of the neighborhood.

Executed this 4th day of December 1990.

  
MELVIN H. JOHNSON  
Director of Public Works  
Engineer of Work

PROPOSED BOUNDARIES OF  
NEW RAMONA COLONY STREET  
ASSESSMENT DISTRICT NO 90-02  
CITY OF SACRAMENTO, COUNTY OF SACRAMENTO,  
STATE OF CALIFORNIA



LEGEND

ASSESSMENT DISTRICT BOUNDARY ————  
PROPERTY LINE ————

CLERK'S FILING STATEMENT

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF  
SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 1990.

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

CLERK'S MAP CERTIFICATE

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES  
OF NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO 90-02, 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 \_\_\_\_\_ 1990, BY ITS RESOLUTION NO. \_\_\_\_\_.

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

COUNTY RECORDER'S FILING STATEMENT

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 1990, AT THE HOUR OF \_\_\_\_ O'CLOCK  
\_\_\_\_ M. IN BOOK \_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES  
DISTRICT AT PAGES \_\_\_\_ THROUGH \_\_\_\_ IN THE OFFICE OF THE COUNTY  
RECORDER OF THE COUNTY SACRAMENTO, STATE OF CALIFORNIA.

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

# RESOLUTION NO. 90-976

APPROVED  
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

DEC 5 1990

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

OFFICE OF THE  
CITY CLERK

RESOLUTION FINDING AND DETERMINING THAT  
THE PUBLIC CONVENIENCE AND NECESSITY  
REQUIRE THE CONSTRUCTION OF THE IMPROVEMENTS

NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02

The City Council of the City of Sacramento resolves:

A public hearing for which notice has been given by publication, posting and mailing, has been held as to the public convenience and necessity of the improvements in New Ramona Colony Street Assessment District No. 90-02, City of Sacramento, County of Sacramento, State of California.

This Council has heard and considered all the evidence, both oral and written, relative to the public convenience and necessity of the construction of improvements, and finds that the public convenience and necessity require the following improvements proposed to be constructed in New Ramona Colony Street Assessment District No. 90-02, City of Sacramento, County of Sacramento, State of California:

The construction of street improvements, to include clearing, grubbing, excavation, grading, construction of pavement, curbs, gutters and sidewalks, including driveways, and installation of a street lighting system; on Cucamonga Avenue, currently an unimproved road, from the intersection of Cucamonga and Ramona Avenues to the intersection of Cucamonga Avenue and Power Inn Road; and on Ramona Avenue, currently an unimproved road, from the intersection of Ramona and Brighton Avenues to a point on Ramona Avenue 730 feet, more or less, west of intersection of Ramona Avenue and Power Inn Road; and the reconstruction of existing roadway on Brighton Avenue, currently an unimproved road, from the intersection of Brighton and Ramona Avenues to a point on Brighton Avenue 1,950 feet, more or less, from said intersection to its terminus; and sidewalk construction on portions of the west side of Power Inn Road from the intersection of Power Inn Road and Ramona Avenue to a point 300 feet, more or less, north of the intersection of Power Inn Road

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FOR CITY CLERK USE ONLY

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

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

and Cucamonga Avenue; and the replacement of existing pavement on Hunt Street from the intersection of Hunt Street and Brighton Avenue to its terminus 220 feet, more or less, south of said intersection; and on Heinz Street from the intersection of Heinz Street and Brighton Avenue to its terminus 420 feet, more or less, south of said intersection; and the construction of water mains and related appurtenances, hydrants, and services, where required, along Brighton Avenue as described above and along Ramona Avenue from the intersection of Brighton and Ramona Avenues to a point 950 feet, more or less, southeasterly of said intersection; the construction of sanitary sewer mains with manholes and services, where required, in Brighton and Cucamonga Avenues, as herein previously described; in Ramona Avenue from the intersection of Ramona and Brighton Avenues to a point 140 feet, more or less, southeasterly of the intersection of Ramona and Cucamonga Avenues; in Power Inn Road from a point 300 feet, more or less, north of the intersection of Power Inn Road and 14th Avenue to a point 650 feet, more or less, north of the intersection of Power Inn Road and Cucamonga Avenue; and in Hunt Street from the intersection of Hunt Street and Brighton Avenue to its terminus 220 feet, more or less, south of said intersection; and on Heinz Street from the intersection of Heinz Street and Brighton Avenue to its terminus 420 feet, more or less, south of said intersection; and the construction of a storm drainage collection system, including drop inlets, manholes, and services, where required, in Brighton Avenue from the intersection of Hunt Street and Brighton Avenue to the intersection of Ramona and Brighton Avenues; and in Ramona Avenue from the intersection of Brighton and Ramona Avenues to a point 650 feet, more or less, west of the intersection of Ramona Avenue and Power Inn Road; and in Cucamonga Avenue from the intersection of Cucamonga and Ramona Avenues to a point 450 feet, more or less, east of Ramona Avenue; and in Cucamonga Avenue from the intersection of Cucamonga Avenue and Power Inn Road to a point 750 feet, more or less, west of Power Inn Road; and in Hunt Street from the intersection of Brighton Avenue and Hunt Street to a point 40 feet more or less, south of said intersection; and in Heinz Street from the intersection of Heinz Street and Brighton Avenue to a point 375 feet, more or less, south of said intersection; and the construction of a signal at the intersection of Power Inn Road and Cucamonga Avenue;

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FOR CITY CLERK USE ONLY

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

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

and further determines that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply to these assessment proceedings and that this project shall proceed in accordance with the terms and provisions of the Municipal Improvement Act of 1913.

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\*

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 4th day of December, 1990.

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Mayor

ATTEST:

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City Clerk

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FOR CITY CLERK USE ONLY

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

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

# RESOLUTION NO. 90-977

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

APPROVED  
BY THE CITY COUNCIL

DEC 5 1990

OFFICE OF THE  
CITY CLERK

## RESOLUTION OVERRULING PROTESTS

NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02

The City Council of the City of Sacramento resolves:

On November 27, 1990, the City Council opened a public hearing on the resolution of intention and the engineer's report on the proposed improvement in New Ramona Colony Street Assessment District No. 90-02, City of Sacramento, County of Sacramento, State of California. At the time set for the public hearing, the City Council continued the hearing to December 4, 1990.

At or before the time set for the continuance of the hearing on December 4, 1990, certain interested persons made protests or objections to the proposed improvement, the extent of the assessment district or the proposed assessment.

The City Council hereby overrules each of these protests, written or oral.

The City Council finds that the protest against the proposed improvement (including all written protests not withdrawn in writing before the conclusion of the protest hearing) is made by the owners of less than one-half of the area of the land to be assessed for the improvement.

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FOR CITY CLERK USE ONLY

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

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

MEMORANDUM OF PROCEEDINGS FOR COUNCIL CONSIDERATION AT  
ITS MEETING ON TUESDAY, DECEMBER 4, 1990, IN CONNECTION WITH  
NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02

On September 18, 1990, this Council approved the boundary map and the agreement for legal services, adopted a resolution setting the hearing to determine public convenience and necessity for November 27, 1990, and a resolution accepting the Engineer's Report and setting the hearing of protests for the same date. A resolution calling for construction bids was also adopted. Construction bids were received on October 23, 1990.

At the time set for the public hearing, the City Council continued the hearing to this date.

The following affidavits and certificates are on file with the City Clerk:

- (a) Certificate of filing boundary map with County Recorder;
  - (b) Certificate of posting Notice of Improvement;
  - (c) Certificate of mailing Notice of Improvement;
  - (d) Certificate of posting Notice of Improvement at Chamber Door;
  - (e) Affidavit of publication of Notice of Improvement;
  - (f) Affidavit of publication of Notice Inviting Sealed Bids; and
  - (g) Notice of continuance of hearing.
1. CONTINUE PUBLIC HEARING. This is the time set for the continuance of the public hearing to determine public convenience and necessity and on the Resolution of Intention and the Engineer's Report.
  2. CLOSE PUBLIC HEARING. If at the close of the hearing the Council wishes to proceed, it is in order to consider the following:
  3. Resolution overruling protests. If the Council wishes to overrule protests, this resolution is to be passed.
  4. Resolution finding and determining that the public convenience and necessity require the construction of the improvements. This resolution is to be passed.
  5. Amended Engineer's Report. This is to be filed. Please note additional instructions.
  6. Resolution approving amended report and assessment and ordering improvement. This resolution is to be passed.
-

# RESOLUTION NO. 90-978

APPROVED  
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

DEC 5 1990

OFFICE OF THE  
CITY CLERK

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

## RESOLUTION APPROVING REPORT AND ASSESSMENT AND ORDERING IMPROVEMENT

NEW RAMONA COLONY STREET ASSESSMENT DISTRICT NO. 90-02

The City Council of the City of Sacramento resolves:

This Council has taken a series of actions preliminary to ordering the improvement in New Ramona Colony Street Assessment District No. 90-02, City of Sacramento, County of Sacramento, State of California, and now makes the following findings and orders:

1. The Council adopted a map showing the boundaries of the land benefited by the proposed improvement. A copy of the boundary map was filed in the office of the County Recorder of the County of Sacramento in the Book of Maps of Assessment and Community Facilities Districts.

2. The Council adopted its Resolution of Intention to order the improvement described therein under the Municipal Improvement Act of 1913, and directed the Director of Public Works, as the Engineer of Work for the assessment district, to prepare the report required by Section 10204 of the Streets and Highways Code.

The improvement is generally described as follows:

The construction of street improvements, to include clearing, grubbing, excavation, grading, construction of pavement, curbs, gutters and sidewalks, including driveways, and installation of a street lighting system; on Cucamonga Avenue, currently an unimproved road, from the intersection of Cucamonga and Ramona Avenues to the intersection of Cucamonga Avenue and Power Inn Road; and on Ramona Avenue, currently an unimproved road, from the intersection of Ramona and Brighton Avenues to a point on Ramona Avenue 730 feet, more or less, west of intersection of Ramona Avenue and Power Inn Road; and the reconstruction of existing roadway on Brighton Avenue, currently an unimproved road, from the intersection of Brighton and Ramona Avenues to a point on Brighton Avenue 1,950 feet, more or less, from said intersection to its

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FOR CITY CLERK USE ONLY

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

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

terminus; and sidewalk construction on portions of the west side of Power Inn Road from the intersection of Power Inn Road and Ramona Avenue to a point 300 feet, more or less, north of the intersection of Power Inn Road and Cucamonga Avenue; and the replacement of existing pavement on Hunt Street from the intersection of Hunt Street and Brighton Avenue to its terminus 220 feet, more or less, south of said intersection; and on Heinz Street from the intersection of Heinz Street and Brighton Avenue to its terminus 420 feet, more or less, south of said intersection; and the construction of water mains and related appurtenances, hydrants, and services, where required, along Brighton Avenue as described above and along Ramona Avenue from the intersection of Brighton and Ramona Avenues to a point 950 feet, more or less, southeasterly of said intersection; the construction of sanitary sewer mains with manholes and services, where required, in Brighton and Cucamonga Avenues, as herein previously described; in Ramona Avenue from the intersection of Ramona and Brighton Avenues to a point 140 feet, more or less, southeasterly of the intersection of Ramona and Cucamonga Avenues; in Power Inn Road from a point 300 feet, more or less, north of the intersection of Power Inn Road and 14th Avenue to a point 650 feet, more or less, north of the intersection of Power Inn Road and Cucamonga Avenue; and in Hunt Street from the intersection of Hunt Street and Brighton Avenue to its terminus 220 feet, more or less, south of said intersection; and on Heinz Street from the intersection of Heinz Street and Brighton Avenue to its terminus 420 feet, more or less, south of said intersection; and the construction of a storm drainage collection system, including drop inlets, manholes, and services, where required, in Brighton Avenue from the intersection of Hunt Street and Brighton Avenue to the intersection of Ramona and Brighton Avenues; and in Ramona Avenue from the intersection of Brighton and Ramona Avenues to a point 650 feet, more or less, west of the intersection of Ramona Avenue and Power Inn Road; and in Cucamonga Avenue from the intersection of Cucamonga and Ramona Avenues to a point 450 feet, more or less, east of Ramona Avenue; and in Cucamonga Avenue from the intersection of Cucamonga Avenue and Power Inn Road to a point 750 feet, more or less, west of Power Inn Road; and in Hunt Street from the intersection of Brighton Avenue and Hunt Street to a point 40 feet more or less, south of said intersection; and in Heinz Street from the intersection of Heinz Street and Brighton Avenue to a point 375 feet, more or less, south of said intersection; and the

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FOR CITY CLERK USE ONLY

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

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

8. The Council approves the Amended Engineer's Report and each component part of it, including each exhibit incorporated by reference in the report.

9. The Council finds that the Engineer of Work, in the Amended Engineer's Report has fairly and properly apportioned the cost of the improvement to each parcel of land in the assessment district in proportion to the estimated benefits to be received by each parcel, respectively, from the improvement. The City Council hereby confirms and levies each individual assessment as stated in the Amended Engineer's Report.

10. This City Council orders the improvement described in paragraph 2 and as detailed in the Amended Engineer's Report.

11. Bonds representing unpaid assessments, and bearing interest at a rate not to exceed twelve percent (12%) per annum, will 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 nineteen (19) years from the second day of September next succeeding twelve (12) months from their date.

12. According to Section 10603 of the Streets and Highways Code, the City Council designates the Director of Finance to collect and receive payment of the assessments. The property owners who elect to pay their assessments in cash before the issuance of improvement bonds will not be required to pay their pro rata share of the allowance for special reserve fund and allowance for bond discount.

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This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 4th day of December, 1990.

\_\_\_\_\_  
Mayor

ATTEST:

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

FOR CITY CLERK USE ONLY

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

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

# KELBRO CORPORATION

RECEIVED

8952 Sutters Gold Dr. Sacramento, Ca. 95826

NOV 20 1990

[916] 452-5841

ENGINEERING DIV.

November 19, 1990

City Clerks Office  
Caroline Quinn  
915 I Street  
Sacramento, Ca. 95814

Dear Ms. Quinn:

We are writing in protest of the proposed New Ramona Colony Street proposed Improvements.

We now own approximately 20 acres on Ramona Avenue. The parcel numbers are 079-0281-018-0000, 079-0281-013-0000, 079-0300-007-0000, and 079-0300-006-0000.

We have a pit located on Ramona Avenue. There is a wood grinding facility in this pit that grinds scrap wood. This wood comes from many sources, including the City of Sacramento County of Sacramento, SMUD, and many Tree Cutting companies to name just a few of the wood suppliers to this plant. The amount of rent money collected for the 11 acre parcel in the pit will not even pay enough to cover the bond costs. If this new Ramona Colony improvement passes, we will be forced to shut this plant down when it lease renewal comes up in the middle of 1991. The impact on the City, County, and Land Fills in the Sacramento area will be unbelievable. This mill grinds 100 ton of wood per hour and runs 5 days per week, 8 to 10 hours per day. This mill will not be re-located in the County of Sacramento. The next processing plant for this type of scrap wood is approximately 80 miles from Sacramento. This scrap wood will then have to go into the dumps and land fills.

The adjoining 8 acres that we own to the north have been kept vacant because of this mill. We have not looked into developing this because of the mill.

We and our tenants will be forced to sell our land and quit business. If you have any questions, please let me know.

Sincerely



Patricia Keller-Wheeler

RECEIVED  
NOV 20 1990

ENGINEERING DIV.

November 7, 1990

City Clerk  
915 I Street  
Sacramento, Ca. 95814

Dear Sir:

With reference to the New Ramona Colony Street Assessment District No. 90-02 for which there is a protest meeting to be held on November 27, 1990, at 7:30 p.m.

I am writing in protest of the improvements that have been discussed at earlier meetings.

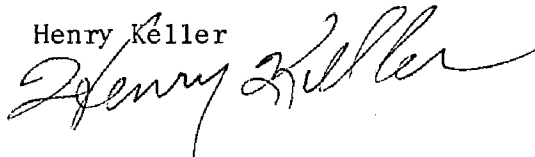
I am the owner of property located at 3316 Ramona Avenue. Widening the street will have a terrible impact upon me. The house I own is a rental. Widening the street will shorten my driveway so that no vehicle can use it. The street will practically be upon the house and my tenant has stated that he will move if this happens. I have had the same tenant for approximately 6 years. There is nowhere for any tenant to park.

I could understand these improvements if the entire area were going to re-develop the properties, but this is not the case. We will not be able to afford the additional tax burden that this improvement will cost us. Many people in this assessment area will have to sell and move, if they can before they lose their properties due to this improvement.

I do not want these improvements and do not intend to lose my property because a few people want this. Talking with the majority of neighbors has convinced me that no one wants these improvements for the money they will cost.

Sincerely,

Henry Keller



RECEIVED  
NOV 20 1990  
ENGINEERING DIV.

November 7, 1990

City Clerk  
915 I Street  
Sacramento, Ca. 95814

Dear Sir:

I am writing concerning the New Ramona Colony Street Assessment District No. 90-02.

I want to protest improving the streets in this neighborhood for the following reasons.

1. The majority of property owners in this area cannot afford this type of improvement. (The original quote was for less than one million dollars and has now risen to almost six million dollars.)
2. The majority of property owners are not in the process of re-developing their properties so that this tax burden would devastate them.
3. Many of us would have to sell our properties soon if this assessment goes thru because we cannot afford to pay for this assessment. If we are not able to sell we may lose our property. We do not generate the amount of money it takes to support this type of street.

I would suggest that each property owner that wants these improvements should put them in himself. I suggest that you will find almost no one who will agree for these costs for New Ramona Colony.

Sincerely,



Patricia Keller-Wheeler  
Owner of  
3308 & 3312 Ramona Avenue  
Sacramento, California  
95826

November 20, 1990

Ms. Valerie A. Burrowes, City Clerk  
City of Sacramento, Sacramento County  
State of California  
915 I Street, Room 304  
Sacramento, CA

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO  
NOV 25 9 12 AM '90

Dear Ms. Burrowes:

Re: Assessor's Parcel No. 079-0242-001  
Assessor's Parcel No. 079-0242-005

This is to record our protest to the proposed improvements, assessments, and formation of the New Ramona Colony Street Assessment District No. 90-02. We do not support the proposals for the following reasons:

HIGH ASSESSMENT IS A FINANCIAL HARDSHIP. With 4.75 acres, our assessment totals \$187,129.19 -- approximately 95 cents per square foot. (We are informed this total will probably be higher when the figures are firmed up.) The monthly assessment would be approximately \$1,800 or \$21,600 a year for 15 years. OUR PROPERTY IS NOT A BUSINESS, NOT REVENUE-PRODUCING ACREAGE BUT A RESIDENCE.

HIGH ASSESSMENT FORCES A CHANGE IN FAMILY GOALS. The property was purchased in the early fifties to raise a family and for farming. The farming was a family effort with Mother putting in the longest hours from dawn to dusk. Father and the oldest son (both deceased) did gardening during the day and farmed in the evenings and on the weekends. Mother continued working on the farm parttime until she developed back problems several years ago. She is now in a nursing home. Our family goal has been to retain the property while Mother is still living. It is still home to her and the farming was a labor of love for her. Now, these assessment figures forces us to put the property up for sale.

HIGH ASSESSMENT FORCES A CHANGE IN RESIDENCE. The youngest son lives on the property. The financial hardship faced by the passage of the improvements will force the youngest son to consider an undesired change in residence.

HIGH ASSESSMENT IS A DISADVANTAGE FOR PROPERTY SALE.

**WE AGAIN STATE OUR PROTEST TO THE IMPROVEMENTS, ASSESSMENTS, AND FORMATION OF THE NEW RAMONA COLONY STREET ASSESSMENT DISTRICT AND URGE THE MEMBERS OF THE CITY COUNCIL TO VOTE 'NO.'**

Sincerely,

*Tom Tateishi*

Tom Tateishi

*Ron Tateishi*

Ron Tateishi

*Seiko Tateishi*

Seiko Tateishi

*Mary Ann  
Tateishi-Nakashima*  
Mary Ann  
Tateishi-Nakashima

7500 Brighton Avenue  
Sacramento CA 95826

PASSED AND ADOPTED by the City Council of the City of Sacramento this 10th day of June, 1997, by the following vote:

AYES: Fargo, Serna, Kerth, Cohn, Steinberg, Yee, Waters

NOES:

ABSENT: Pannell, Hammond

APPROVED:

JOE SERNA, JR.

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

ATTEST:

VALERIE BURROWES

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

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

97-316

DATE ADOPTED:

JUN 10 1997

# RESOLUTION NO. 97-316

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUN 10 1997

CERTIFIED AS TRUE COPY  
of Resolution No. 97-316

JUN 20 1997

DATE CERTIFIED

CITY CLERK CITY OF SACRAMENTO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO DETERMINING THE RESULT OF THE SPECIAL ELECTION HELD IN THE CITY OF SACRAMENTO NORTH NATOMAS DRAINAGE COMMUNITY FACILITIES DISTRICT NO. 97-01 ON JUNE 3, 1997

WHEREAS, the City Clerk of the City of Sacramento has duly canvassed the votes cast in the City of Sacramento North Natomas Drainage Community Facilities District No. 97-01 (the "Community Facilities District") at the special election held in the Community Facilities District on June 3, 1997, by the qualified electors of the Community Facilities District upon the proposition hereinafter set forth, and has certified to this City Council the result of the votes cast at such special election upon said proposition, which said certification is now on file in the office of the City Clerk of the City of Sacramento;

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

Section 1. All of the above recitals are true and correct, and the Council so finds and determines.

Section 2. The canvass of the votes cast in the Community Facilities District at the special election held in the Community Facilities District on June 3, 1997, as shown by said certification, is hereby approved and confirmed.

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

SF2-69746.1

FOR CITY CLERK USE ONLY

97-316

RESOLUTION NO.:

DATE ADOPTED:

JUN 10 1997

expenses, costs, claims and liabilities (including without limitation those of its attorneys and agents) not arising from its own negligence or willful misconduct which it may incur in the exercise and performance of its rights and obligations hereunder, which obligation shall survive the resignation or removal of any Trustee or the defeasance of the Bonds.

SECTION 8.02. Liability of the Trustee. The recitals of facts, agreements and covenants contained herein and in the Bonds shall be taken as statements, agreements and covenants of the City, and the Trustee does not assume any responsibility for the correctness of the same and does not make any representation as to the sufficiency or validity hereof or of the Bonds or of the Special Tax, or as to the financial or technical feasibility of the acquisition of any of the Facilities, and shall not incur any responsibility in respect thereof other than in connection with the rights and obligations expressly assigned to or imposed upon it herein or in the Bonds, and shall not be liable in connection with the performance of its duties hereunder except for its own negligence or willful misconduct. The Trustee shall not be liable for any error of judgment made in good faith, unless it shall be proved that the Trustee was negligent in ascertaining the pertinent facts, and no provision hereof shall require the Trustee to expend or risk its own funds or otherwise incur any liability for the performance of its duties hereunder, or in the exercise of any of its rights or powers hereunder, if repayment of such funds, or adequate indemnity satisfactory to it against such risks or liability, is not assured to it.

The Trustee shall not be liable for any error of judgment made in good faith by a responsible officer unless it shall be proved that the Trustee was negligent in ascertaining the pertinent facts. The Trustee may execute any of the trusts or powers hereof and perform the duties required of it hereunder by or through attorneys, agents, or receivers, and shall be entitled to advice of counsel concerning all matters of trust and its duty hereunder, but the Trustee shall be answerable for the negligence or misconduct of any such attorney, agent, or receiver selected by it; provided that the Trustee shall not be answerable for the negligence or misconduct of any attorney or certified public accountant selected by it with due care.

The Trustee shall perform only those duties expressly set forth in the Indenture and no implied duties or obligations shall be read into the Indenture against the Trustee.

SECTION 8.03. Notice to the Trustee. The Trustee shall be protected in acting upon any Bond, certificate, consent, notice, opinion, report, request, resolution or other document or paper believed by it to be genuine and to have been signed or presented by the proper party or parties. The Trustee may consult with counsel, including, without limitation, counsel to

of the fact that any one or more of the articles, sections, paragraphs, subdivisions, sentences, clauses or phrases hereof or the application thereof to any person or circumstance may be held to be unconstitutional, unenforceable or invalid.

SECTION 12.13. Repeal of Inconsistent Resolutions.  
Any resolution of the City and any part of any resolution inconsistent herewith is hereby repealed to the extent of such inconsistency.

SECTION 12.14. Effective Date of the Indenture. The Indenture shall take effect from and after its execution and delivery.

RECORDING REQUESTED BY  
RECORD FOR THE BENEFIT OF THE CITY  
OF SACRAMENTO - FEE EXEMPT PURSUANT  
TO GOVERNMENT CODE SECTION 6103.  
WHEN RECORDED MAIL TO

NAME CITY OF SACRAMENTO  
MAILING CITY CLERK'S OFFICE  
ADDRESS 915 I Street, Room 304  
CITY, STATE Sacramento, CA 95814  
ZIP CODE

Recorded in the County of Sacramento  
John Dark, Clerk/Recorder  
No Fee  
199706240824 12:56pm 06/24/97  
605 30006948 03 22  
R01 26 7.00 75.00 15.00 0.00 0.00 0.00 0.00  
2.00

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

NOTICE OF SPECIAL TAX LIEN

FOR COMMUNITY FACILITIES DISTRICT 97-01

**"Maximum Annual Special Tax Revenue"** means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Annual Special Tax Rates.

**"Net Acre"** is the area of a Parcel associated with residential and non-residential uses after dedication of all public uses and rights-of-way.

**"Non-Residential Development"** means a Taxable Parcel designated for commercial, office, light industrial or the sports complex as defined in the North Natomas Community Plan.

**"Parcel"** means any Assessor's parcel in the CFD based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Parcel Number"** means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of March 1 of each Fiscal Year.

**"Prepayment"** means the permanent satisfaction of all of the Special Tax obligation for one or more Parcels by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6. Prepayment may occur before or after the initial bond sale, with differing criteria.

**"Prepayment Parcel"** means a Parcel which has permanently satisfied all of the Special Tax obligation by a cash settlement with the City as permitted under Government Code Section 53344 and described in Section 6.

**"Public Parcel"** means any Parcel, in its entirety, that is or is intended to be publicly owned in the North Natomas Community Plan as adopted by the City—or as subsequently designated by the City—that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets; schools; parks; and public drainageways, public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes as described below. Any such Parcel shall be a Tax-Exempt Parcel, except for Taxable parcels that are acquired by a public agency, in which case the Special Tax obligation for such parcels shall be required to be permanently satisfied pursuant to Sections 53317.3 and 53317.5 of the Government Code by the procedure described in Section 6.

**"Remediation Parcel"** means a Parcel within Assessor Parcel Numbers (APN) 225-015-14, 225-015-15, 225-015-18, 225-015-28, 225-015-30 and 225-015-032 that contain toxics and therefore require cleanup and abatement. A Remediation Parcel shall remain non-taxable until the City declares it to have been remediated. Once declared remediated, that Parcel shall become a Taxable Parcel.

**"Special Tax(es)"** mean(s) any tax levy under the Act in the CFD.

**"Tax Collection Schedule"** means the document prepared by the City for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 4th day of December, 1990.

\_\_\_\_\_  
Mayor

ATTEST:

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

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

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

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

construction of a signal at the intersection of Power Inn Road and Cucamonga Avenue.

3. The Engineer of Work filed the report as directed, and the City Council called a hearing on the report as required by Section 10301 of the Streets and Highways Code. Notice of the hearing was given by publication, by street posting and by mailing to affected property owners, all according to the Municipal Improvement Act of 1913. Affidavits of publication, posting and mailing were filed with the City Clerk.

4. At the time and place for which notice was given, the City Council opened the public hearing and continued it to December 4, 1990.

5. At the time and place set for the continuance of the public hearing, the City Council gave every interested person an opportunity to object to the proposed improvement, the extent of the assessment district, or the proposed assessment. Following the hearing, at the direction of the City Council the Engineer of Work filed an amended report.

6. The Council finds that written protests against the proposed improvement have not been made by owners representing more than one-half of the area of the land to be assessed for the improvement.

7. The documents and events described in paragraphs 1 to 5, inclusive, are stated here in tabular form, with their dates and, where appropriate, their numbers. All documents are now on file with the City Clerk.

<u>Document or Event</u>	<u>Date</u>	<u>Number</u>
a. Resolution approving boundary map	9/18/90	90-778
b. Boundary map filed with County Recorder	9/19/90	
c. Resolution of Intention	9/18/90	90-780
d. Filing of Engineer's Report	9/18/90	
e. Resolution accepting Report	9/18/90	90-782
f. Certificate of Mailing Notice of Improvement	10/5/90	
g. Affidavit of publication of Notice of Improvement	10/12/90	
h. Certificate of posting Notice of Improvement	10/11/90	
i. Opened public hearing	11/27/90	
j. Continued public hearing	12/4/90	
k. Filing of Amended Engineer's Report	12/4/90	

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FOR CITY CLERK USE ONLY

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

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

IN WITNESS WHEREOF, the City of Sacramento has caused the Indenture to be signed in its name by its Mayor and its seal to be hereunto affixed and to be attested by its City Clerk, and First Trust of California, National Association, as Trustee, in token of its acceptance of the trusts created hereunder, has caused the Indenture to be signed in its corporate name by its officer thereunto duly authorized, all as of the date and year first above written.

CITY OF SACRAMENTO

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

[SEAL]

ATTEST:

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

FIRST TRUST OF CALIFORNIA,  
NATIONAL ASSOCIATION,  
as Trustee

By \_\_\_\_\_  
Authorized Officer



# THUNDER MACHINE WORKS, INC.

2940 RAMONA AVENUE SACRAMENTO, CA 95826 PHONE (916) 452-4277

4.2

November 30, 1990

Ms. Valerie Burrowes  
City Clerk  
Room 304  
915 I Street  
Sacramento, CA 95814

Ref: New Ramona Assessment District


Dear Ms. Burrowes:

As an owner of Parcel 079-0241-006, located in the proposed district, this letter will inform you of a change in my position concerning the adoption of this proposal.

Last week I signed a petition that opposed the formation of the district. After attending the council meeting on November 27, 1990 and lengthy discussions with Mr. Tom Finley, City Engineering Manager, and councilwoman Kim Mueller, I have reversed my position and now favor the improvements funded by the District.

Please inform the city council of this change.

Very Truly yours,

  
George C. Snyder

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO  
Dec 3 8 01 AM '90

# KELBRO CORPORATION

P.O. Box 26121, Sacramento, California 95826 November 30, 1990

(916) 452-5841

City of Sacramento  
City Council Members  
915 I Street  
Sacramento, California

Dear Council Members:

With reference to the proposed New Ramona Colony Assessment District for which there is a protest hearing scheduled for Tuesday, December 4, 1990.

We have approximately 12 acres in a pit located on Ramona Avenue. The proposed improvements are potentially disastrous to our recycling facility in the pit. Due to the toxic pollution in the landfill adjoining our pit on the south, we cannot sell, develop, or improve this pit in any way. The State of California is investigating the landfill, and all surrounding land for pollution. They have told us that until they have completed all investigation in this area, we cannot change the land in any way. The state has said that this investigation could take up to 5 years to complete. The landfill to our south was licensed and approved of by the City of Sacramento. This landfill to our south has been graded so that all water drains into our pit instead of the street.

These improvements will not help us at all. Our 12 acre pit is 25 to 30 feet below grade. We cannot use any sewer hookup unless we wish to pump the waste uphill to grade. This problem also pertains to property drainage. We do not employ enough people to warrant pumping waste.

The business activities in the pit include taking scrap from the City of Sacramento, County of Sacramento, State of California, S M U D, and many other facilities. There is no charge to dump scrap wood at our facility. This facility will surely be closed if these taxes are levied upon the pit property.

If these improvements DO go into effect, we would like to request that the pit be exempt from these taxes due to the fact that they are of no use to us, our land is under investigation due to the landfill licensed by the City of Sacramento, and we cannot even sell the land or develop it because of the investigation.

City of Sacramento (continued)

We are attaching some newspaper articles which refer to our mill and how it operates. Your consideration for an exemption would be greatly appreciated.

We will be attending the meeting on December 4, 1990 and would be willing to answer any questions at that time or prior to it by telephone.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Wheeler".

Patricia Wheeler  
Secretary-Treasurer



November 30, 1990

Kelbro Corporation  
8952 Sutters Gold Drive  
Sacramento, Ca 95826

Gentlemen:

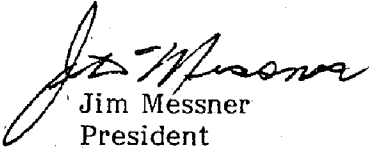
As you are aware, our lease on the pit located on Ramona Avenue is due to expire in July of 1991. In light of this, our accounting department has reviewed the information you have supplied to us regarding the proposed assessment district.

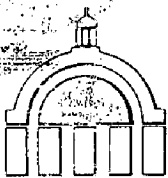
We have concluded that the current profitability of the bio-mass fuel we are producing will not support this type of assessment and that it would place an undue hardship on our recycling business. Our preliminary studies indicate that should we not renew our lease and have to relocate the business, it would be to our financial advantage to look outside of Sacramento County.

Please keep us advised on this matter as it may materially affect our decision at renewal time.

Sincerely,

K & M Industries, Inc.

  
Jim Messner  
President



September 25, 1973

Mr. David Keller

3650 Ramona Avenue  
Sacramento, CA 95826

Dear Mr. Keller:

Your company has been chosen by the Sacramento Metropolitan Chamber of Commerce Natural Resources Committee as a winner in the Corporation-Companies division of our Environmental Quality Awards for outstanding achievement in safeguarding the environment. We thought your product development was especially deserving of public attention.

We will be contacting you soon to get further details on your production-marketing operation. We hope to have a special awards presentation meeting on Thursday, October 5, at 10:00 a.m. in the Conference Room here at the chamber. Our new address is 918 J Street. We feel corporations and governmental bodies making special efforts to preserve and improve the environment should be given public recognition.

Very truly yours,

R. S. Stinchfield, Chairman  
Natural Resources Committee

RSS:vrg

Post-It brand fax transmittal memo 7671		# of pages 2
To: JOHN TAYLOR	From: MAURICE SHAW	
Co.	CO. ROBERT POWELL	
Dept.	Phone: 485-9184	
Fax: 485-0383	Fax: 485-8179	

December 4, 1990

Thomas M. Finley  
Engineering Division Manager  
Department of Public Works  
927 - 10th Street  
Sacramento, CA 95814

RE: New Ramona Colony Assessment District

Dear Tom:

At the City Council meeting held on November 27, 1991 during discussion of the above subject much concern was expressed about the financial impact of assessments on single family, owner occupied residences.

There appear to be only four of these, namely Gross, Soper, Tateishi and Wisner. They represent a non-conforming use in the district but to alleviate the immediate financial burden to them I would be willing to pay their annual assessments for up to five years under the following conditions:

1. My payments would create a first lien on the property and be represented by a promissory note and recorded deed of trust.
2. The note would bear interest at 10% per annum from the date of my payment until paid off.
3. Repayment would be due upon occurrence of any of the following events.
  - a. Sale of the property.
  - b. Development of the property.
  - c. Using the property as security for a new loan.

I would appreciate your department acting as facilitator in these transactions to make sure they are fairly and properly handled.

Sincerely,

Robert C. Powell

Robert and Carlene Soper  
AC & L Mini Storage  
7717 Cucamonga Ave.  
Sacramento, Ca. 95826

November 27, 1990

Sacramento City Council  
915 I Street  
Sacramento, Ca. 95814

Ref. New Ramona Colony Assessment District #90-02  
AD No. 31  
APN 079-0260-005

Dear Council Members,

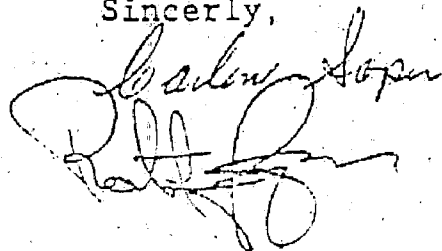
Due to illness, my husband, Robert, and I were unable to attend the City Council meeting on Tuesday 11-26-90. Previously I had signed the opposition petition presented by Tony Geremia because this cost not only affected our business, but our home situation also, as our home is located on the same parcel of property. Frankley it will be difficult for us to pay the assessment.

However, at this point, I realize I was wrong in opposing the improvements. After alot of rethinking, it became clear that this area cannot reach its full potential with the existing narrow crumbling streets, septic tanks for sewer systems, and no where for excess water to run off.

There are developers, in this district, that will gain immediately from the improvements. The gain for the smaller property/business owner like ourselves, will take longer to realize as we do not have the capital to develop our properties. What the developers do to their land, will increase the value of all the property in this district, and there cannot be anything done by anyone until the street improvements are done.

Even though the expense will be a problem to most of us, we feel this can only get more expensive as time goes by.

Sincerly,

A handwritten signature in dark ink, appearing to read 'Carlene Soper', with a large, stylized flourish underneath.



# THUNDER MACHINE WORKS, INC.

2940 RAMONA AVENUE • SACRAMENTO, CA 95826 PHONE (916) 452-4277

November 30, 1990

Ms. Valerie Burrowes  
City Clerk  
Room 304  
915 I Street  
Sacramento, CA 95814

Ref: New Ramona Assessment District


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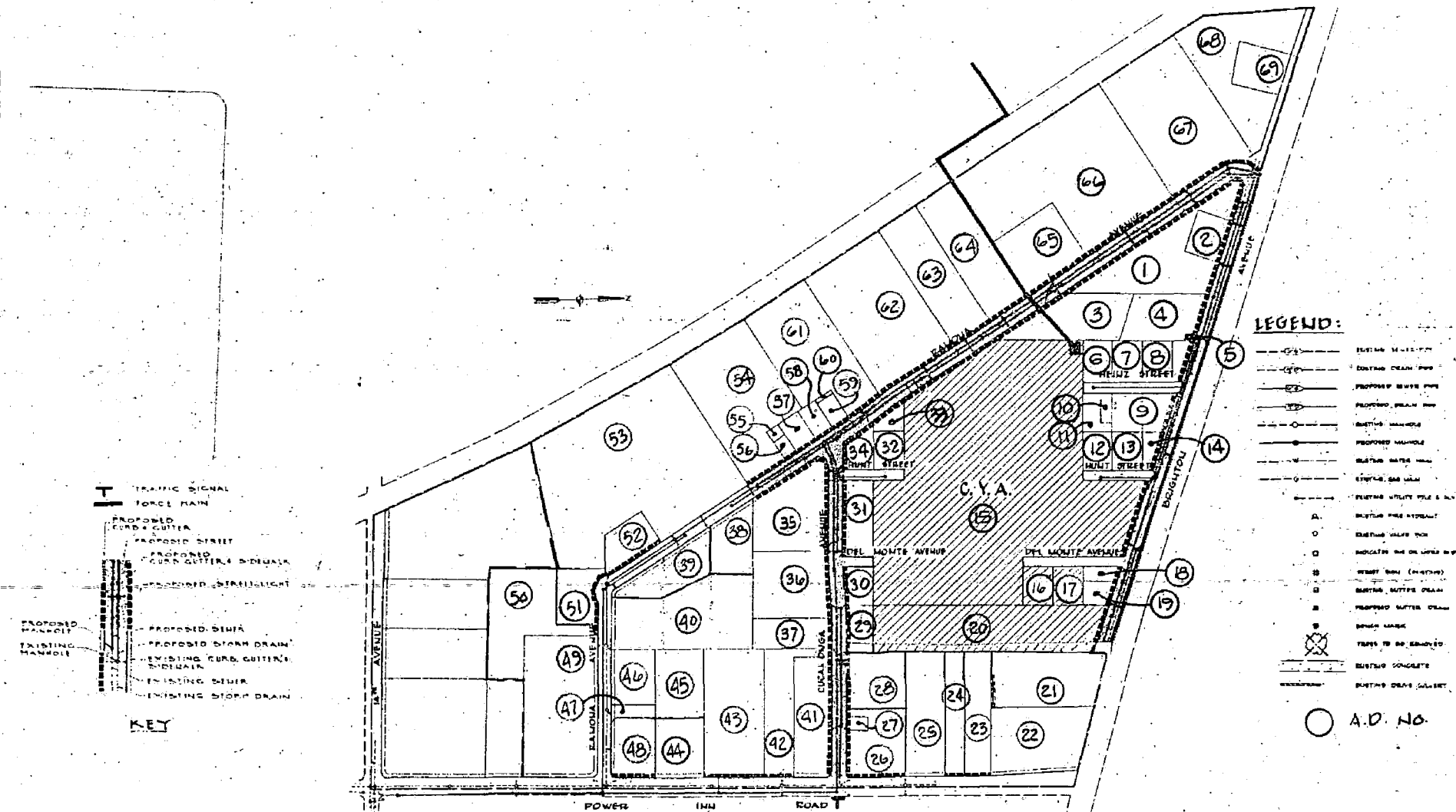
Please inform the city council of this change.

Very Truly yours,

  
George C. Snyder

RECEIVED  
CITY CLERK  
CITY OF SACRAMENTO  
DEC 3 10 01 AM '90

IMPROVEMENT PLANS FOR  
**NEW RAMONA COLONY STREET ASSESSMENT DISTRICT**  
 CITY OF SACRAMENTO



**LEGEND:**

- EXISTING SEWER MAIN
- EXISTING DRAIN PIPE
- PROPOSED SEWER PIPE
- PROPOSED DRAIN PIPE
- EXISTING MANHOLE
- PROPOSED MANHOLE
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING GAS MAIN
- PROPOSED UTILITY PIPE & MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING VALVE BOX
- EXISTING ONE OR MORE TRIPLES WALL MOUNTED
- STREET SIGN (EXISTING)
- EXISTING BUTTER DRAIN
- PROPOSED BUTTER DRAIN
- EXISTING LARGE
- TRAPS TO BE REMOVED
- EXISTING CONCRETE
- EXISTING DRIVE CURBSET
- A.D. No.

REVISIONS			BENCH MARK	ELEV.	FIELD BOOK	SCALE	DATE	BY
NO.	DESCRIPTION							

**CITY OF SACRAMENTO**  
 ENGINEERING DEPARTMENT

DRAWN BY: RL DESIGNED BY: ASA CHECKED BY: JPP  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 H.C.E.

IMPROVEMENT PLANS  
**COVER SHEET**  
 NEW RAMONA COLONY STREET ASSESSMENT DISTRICT

1/2

## NEW RAMONA COLONY ASSESSMENT DISTRICT

### Responses to Issues Raised at 11/27/90 Hearing

1. COMMENT: Tony Geremia

The Brighton Avenue cul-de-sac is a fire and safety hazard. According to Mr. Geremia, the fire department expressed several years ago that Brighton Avenue had to be extended to alleviate this hazard.

RESPONSE:

Background: The existing Brighton Avenue is a 4100 foot long cul-de-sac which violates City code subdivision regulation which limits cul-de-sacs to a maximum length of 300 feet (Section 40.308). At one time, Brighton Avenue extended to Power Inn Road. The intersection however represented a traffic hazard due to its close proximity to Southern Pacific Railroad tracks and lack of sight distance posed by the crest of Power Inn Road at the railroad tracks.

Due to this safety hazard, coupled with high traffic accident incidence, the intersection was eliminated and this portion of Brighton Avenue abandoned several years ago.

Funds were not available at that time to reroute Brighton Avenue. Although this resulted in a violation of City code, the abandonment was considered preferable to the continued hazardous situation that had existed at the intersection.

The New Ramona Assessment District project, at one time, included the extension of Brighton Avenue to Cucamonga Avenue. Due to the close proximity of the California Youth Authority dormitories to the proposed extension right-of-way, and California Youth Authority security concerns, all of the right-of-way required would have been taken from private properties fronting Power Inn Road. Several of these property owners expressed strong concern regarding potential negative impacts on their property. The total cost of the proposed extension was an estimated \$635,000, \$520,000 of which was right-of-way.

Due to high costs placing a disproportionate financial burden on property owners, the proposed extension was abandoned.

**SAFETY ISSUE:** Deputy Fire Chief Dennis Smith has indicated that although the extension of Brighton Avenue would provide an improvement for fire access, the improvement would be marginal for fire fighting access because the crews are still restricted to only 2 avenues of ingress and egress to the area, Ramona and Cucamonga Avenues.

The wider, safer streets will also greatly improve not only traffic circulation but also fire and other emergency access to this area. Installation of additional fire hydrants and upgrading existing substandard wharf hydrants to current standards will further improve fire safety. The Fire Department supports the proposed improvements in their present configuration. The street improvements are an integral part of this project in improving emergency access.

2. **COMMENT:** Tony Geremia

There are 4 different types of property within this area.

- 1) Vacant land
- 2) Residential
- 3) Small business
- 4) Renters

The residential, small business, and rental properties are all exposed to hardship due to assessments.

**RESPONSE:**

This is an area in transition with a range of land uses. Change or any action that facilitates it, is usually emotionally difficult for such areas, especially for individuals that have resided in the area and for low overhead businesses that were established without adequate infrastructure.

Typically property values increase at least by the value of the assessment in such a district. One way to measure the ability of a piece of property to absorb an assessment is by computing a value-to-lien ratio which is essentially the value of the land divided by the proposed assessment. These ratios in the New Ramona Assessment District range from 2.7 to 5.4 for parcels occupied by residences, and range up to 228 for the other properties. A ratio of 2.7 means that the land is valued at almost 3 times the assessment amount. These are based on conservative estimates of land values after the improvements are constructed.

Although there are difficult and sometimes emotional adjustments, all property owners in such an area ultimately benefit financially from this type of project.

For every business opposed to this district, there is one for the district. The latter recognize the greater general community and individual long-term benefits that will be realized.

It is difficult for an area to transition from previous uses that do not now comply with the current community plan. The City's General Plan designates this area M-2S, heavy industrial with 25 foot landscaped setback. Furthermore, this area was included in the Florin-Perkins enterprise zone to provide business and economic development incentive. Many of the current land uses do not conform to this community plan; it will be impossible to attain those community goals without proper infrastructure.

3. COMMENT: Tony Geremia

Mr. Geremia suggests that construction of utilities only will solve the most pressing problems while minimizing hardship. Individual owners may then construct street improvements when and if they wish to do so.

RESPONSE:

In order to provide for proper drainage of adjacent property and the roadway itself, improved/reconstructed roads must be graded, and often lowered, appropriately. In this case, final road grades are typically situated 6" to 1'6" below existing road grades. Piecemeal/segmented construction of streets is not technically feasible. A property owner could not construct improvements on his/her half of street only with such a grade differential. Furthermore, substantial transitions would be required on each side of the property.

In addition, construction of drainage improvements without street improvements requires in this area substantial ditch grading and installation of (temporary) ditch drainage inlets to render the system functional. This would require additional expense for interim improvements that would later be removed for street improvements.

Construction of the necessary utilities along the existing narrow, deteriorated streets would require substantial pavement restoration/construction (essentially the entire existing pavement width would require restoration). Historically when excavations have been made in such deteriorated streets, not only the utility trench, but the entire street requires repaving (due to construction loads on already deteriorated pavement).

Finally, the area with underground utilities only would function marginally better since the narrow streets, constricted by utility poles and pot holes, are a safety hazard encountered on a daily basis. In addition, the area

would retain the same run-down, dusty appearance it has today. Property values would increase only marginally and land use would not be the highest and best use that this area is zoned for, which would contribute economically and visually to the community. Quality development would be stymied while existing uses, some of which are contributing to the deterioration of the area, continue.

Estimated cost for proposed utility only project: \$2.4 to 2.7 million, a reduction of between 5 and 15 percent.

4. **COMMENT:** Patricia Keller Wheeler

If assessment district is formed, the Kellers will be unable to pay the assessment on their property and will be forced to sell their wood grinding facility; but due to a toxic problem on this property, they will be unable to sell. If the plant is closed the waste wood they process would have to be disposed of in the public landfill.

**RESPONSE:**

**BACKGROUND:** Ms. Keller-Wheeler represents property owned by Kelbro Corporation and the Keller family (AD Nos. 52, 53, 54, 55, 56, 57, and 61). Parcels 55/56 and 57 are occupied by 2 rental houses, parcels 54 and 61 (7.7 acres) are vacant; parcel 52 is occupied by an equipment rental business and the wood grinding facility is located on parcel 53.

**TOXIC ISSUE:** The presence of toxic substances has been identified on parcel 53, on which the wood grinding facility is located. A landfill site used to occupy the land on 14th Avenue adjacent to the south side of the Kelbro plant. Over the years, wasted construction materials were also dumped on the landfill site. The Kelbro site is located in a pit, approximately 20' below the adjacent land grades. Wastes/toxics from the former landfill site are leached out of the soil by natural drainage patterns and have been deposited on the Kelbro site. A pond of this runoff forms at a low spot on the site. The Regional Water Quality Control Board (RWQCB) has advised the Kellers that:

- 1) A full analysis of toxic problems on the site is necessary,
- 2) The site must be cleaned up,
- 3) That appropriate site drainage facilities should be provided and connected to a sanitary sewer system. This runoff cannot be discharged to public storm drainage facilities due to the contaminants present).

The Kelbro facility processes waste wood into wood chips that are then sold/used for power generation. The RWQCB has indicated that, without appropriate site drainage facilities, existing wood operations are adding to the existing site contamination. The RWQCB has advised the Kellers of these problems and necessary actions.

LANDFILL & HARDSHIP ISSUES: This response reflects the expertise of David Pelsner of the City Solid Waste Division. The K & M Plant, located on the Kelbro property, is the largest wood waste operation in the Sacramento area. The others are L & D Landfill and Port of Sacramento to a much lessor extent. Chipping wood for fuel in lieu of landfill does save valuable landfill capacity and is consistent with State and City goals for recycling and landfill avoidance.

However, it should be noted that:

- a) There is a great demand in the area for economical means of disposing of wood waste. K & M is already the major provider of that service.
- b) There is a demand for wood chips as fuel. The price for wood chips has been increasing, so the revenue from the Kelbro operations should be increasing.
- c) The alternative for wood waste disposal in the area (that is, landfilling) is experiencing rapid and large rate increases. This trend is expected to continue for the next several years. Therefore, without losing the source of wood to the operation, tipping fees could be established to offset increased costs of doing business - namely, the new assessments on the land.

Finally, even if this operation were to cease, the impact on local solid waste management would be only temporary. Virtually all of the major waste handling companies have experience in wood chipping at many other locations. Another company would certainly fill the gap in a short period of time. And, the City's own proposed full scale yard waste composting program will involve wood waste processing to a significant degree. Whether operated by a private contractor or City forces, the anticipated full scale City yard waste composting program will have the ability (with only minor modifications) to accept material diverted from the Kelbro operation.

The vacant land owned by the Kelbro Corporation totals 7.7 acres and has an assessment of approximately 77 cents per square foot. The value:lien ratio for these 2 parcels is about 4:1. These parcels don't appear to be affected by the toxic problem that affects the plant site. Based on unit costs provided by right-of-way appraisals that were prepared for this project by an independent appraiser, the 2 vacant

parcels alone are valued at \$2.00/SF or a total of over \$670,000 before construction of assessment district improvements. Based on \$2.00/SF, the total value of all of the Keller/Kelbro property is over \$1.6 million.

The parcels occupied by rental houses have an average value: lien ratio of 5.7.

5. COMMENT: Patricia Keller-Wheeler and Henry Keller

Henry Keller stated in his letter of protest, dated November 7, 1990, that the widening of the roadway would shorten the driveway of his rental house so that "No vehicle can use it. The street will practically be upon my house and my tenant has stated he will move." This issue was reiterated at the November 27, 1990 hearing by Patricia Keller-Wheeler.

RESPONSE

The existing driveway at the subject property is approximately 20 feet in length from the edge of the garage to the right-of-way line resulting from the acquisition needed for the proposed improvements, the distance between the edge of the garage and right-of-way will be shortened to 15.9 feet. (17.7' from edge of garage to back of sidewalk).

Although a compact car could be accommodated by this length, the length is less than the City standard residential driveway length of 20'. The shortened driveway is being considered as a severance damage for purposes of determining the appraised right-of-way cost and will be compensated for as such.

6. COMMENT: Mary Ann Tateishi Nakashima

The property was purchased in the early fifties to raise a family and operate a farm. We do not own a business. We own a residence and cannot pass the assessment on to anyone. This high assessment is a financial hardship and forces a change in family goals - to retain the property while our mother is still living. The youngest son who lives on the property would be forced to change residence.

RESPONSE:

It is difficult for an area to transition from previous uses that do not now comply with the current community plan. The City's General Plan designates this area M-2S, heavy industrial with 25 foot landscaped setback. Furthermore, this area was included in the Florin-Perkins enterprise zone to provide business and economic development incentive. Many of the current land uses do not conform to this community plan; it will be impossible to attain those community goals without proper infrastructure.

The Tateishis own 2 parcels (AD Nos. 1 and 4). The residence occupies the northwest corner of parcel 1 which has a total of 3 acres. The assessment in parcel 1 is \$145,185. Parcel No. 4 (1.84 acres) is vacant and is valued at \$160,300 based on current right-of-way appraisal value of \$2.00/SF. The assessment on this parcel is \$42,097.

CQ:dkd  
CQ13-02.J



DEPARTMENT OF  
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2705

916-449-8220  
FAX 916-449-8678

CONSTRUCTION SECTION  
640 BERCUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

916-449-5282

**MEMORANDUM**

December 4, 1990

TO: Kim Mueller, Councilperson, District 6

FROM: Melvin Johnson, Director of Public Works

SUBJECT: **NEW RAMONA COLONY ASSESSMENT DISTRICT (PN:1217) TOXICS ISSUES**

In response to your request for information regarding the presence of toxic problems in the New Ramona Colony Assessment District area, I have asked staff to review this issue.

The presence of toxic substances has been identified on Parcel 53, on which the wood grinding facility is located. Two sources of contamination have been identified. One is a former landfill site that used to occupy the land on 14th Avenue adjacent to the south side of the Kelbro plant. Over the years, wasted construction materials were also dumped on the landfill site. The Kelbro site is located in a pit, approximately 20' below the adjacent land grades. Wastes/toxics from the former landfill site are leached out of the soil by natural drainage patterns and have been deposited on the Kelbro site. A pond of this runoff forms at a low spot on the site.

At the request of the Regional Water Quality Control Board (RWQCB), KM Industries, the wood plant operator, had groundwater monitoring wells installed. "Seemingly high concentrations" of chromium, zinc, copper and lead were identified according to KM's consulting engineer, Terrestrial Technology, Incorporated. The samples also contained relatively high petroleum hydrocarbon levels, "believed to have been caused by periodic historical dumping."

Kim Mueller  
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January 1, 1980  
Page 2

Although it was noted that while relatively high, the pollutant metals and petroleum contamination levels were below state total threshold limit concentrations, the RWQCB noted that these limits are not the baseline limits used by the Board for assessing contamination in soil or groundwater.

KM Industries is cooperating with the RWQCB to determine the source and extent of contamination at this site to work towards development of a remedial action plan.

The second source is the wood processing facility itself. The Kelbro facility processes waste wood into wood chips that are then sold/used for power generation. In 1988, Meridian Consulting Engineers investigated the problem for KM Industries, the plant operator. According to correspondence from Meridian Consulting to the City, "A natural byproduct of scrap wood is tannin. Storm water and dust control runoff coming in contact with the wood becomes contaminated with tannic acid. This water currently (in 1988) flows to the southern half of the site where it evaporates or percolates into the ground." The RWQCB has required KM Industries to conduct a groundwater investigation and to contain the wood pile runoff to prevent additional groundwater contamination.

KM Industries has since installed a storm/wash water control system which collects the runoff, passes it through a septic tank and into a 10,000 gallon storage tank, according to an inspection report by RWQCB dated January 25, 1989. A January 27, 1989 letter to KM Industries from the RWQCB recommended that KM Industries contact the City Department of Public Works to explore the possibility of discharging this waste runoff to the sanitary sewer system.

According to correspondence from Meridian Engineers (7/6/88), this runoff containment system was designed for recirculation of dust control wash water during dry weather months with a second pump intended to "discharge directly to the City... system" during peak wet weather flows.

The State RWQCB and State Department of Health, Toxics Control Division indicate that owners of property with known contamination problems are not prohibited from selling or developing their property. However, before such property can be developed, the owners are required to have a Risk Assessment Analysis prepared which defines the problem and an action plan to remediate the problem and dispose of the hazardous waste.

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It is recognized that potential buyers are likely to be reluctant to acquire such property when the extent of contamination and required remedial action are as yet unknown. It does appear that this site would benefit from the ability to discharge plant dust control and storm water runoff to the City sanitary sewer system.

CQ:dkd  
CQ13-03.J

4.2

# KELBRO CORPORATION

8952 Sutters Gold Drive, Sacramento, California 95826

[916] 452-5841

City of Sacramento  
City Council Members  
915 I Street  
Sacramento, California

Dear Council Members:

With reference to the proposed New Ramona Colony Assessment District for which there is a protest hearing scheduled for Tuesday, December 4, 1990.

We have approximately 12 acres in a pit located on Ramona Avenue. The proposed improvements are potentially disastrous to our recycling facility in the pit. Due to the toxic pollution in the landfill adjoining our pit on the south, we cannot sell, develop, or improve this pit in any way. The State of California is investigating the landfill, and all surrounding land for pollution. They have told us that until they have completed all investigation in this area, we cannot change the land in any way. The state has said that this investigation could take up to 5 years to complete. The landfill to our south was licensed and approved of by the City of Sacramento. This landfill to our south has been graded so that all water drains into our pit instead of the street.

These improvements will not help us at all. Our 12 acre pit is 25 to 30 feet below grade. We cannot use any sewer hookup unless we wish to pump the waste uphill to grade. This problem also pertains to property drainage. We do not employ enough people to warrant pumping waste.

The business activities in the pit include taking scrap from the City of Sacramento, County of Sacramento, State of California, S M U D, and many other facilities. There is no charge to dump scrap wood at our facility. This facility will surely be closed if these taxes are levied upon the pit property.

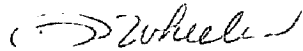
If these improvements DO go into effect, we would like to request that the pit be exempt from these taxes due to the fact that they are of no use to us, our land is under investigation due to the landfill licensed by the City of Sacramento, and we cannot even sell the land or develop it because of the investigation.

City of Sacramento (continued)

We are attaching some newspaper articles which refer to our mill and how it operates. Your consideration for an exemption would be greatly appreciated.

We will be attending the meeting on December 4, 1990 and would be willing to answer any questions at that time or prior to it by telephone.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia Wheeler".

Patricia Wheeler  
Secretary-Treasurer



SACRAMENTO  
METROPOLITAN  
CHAMBER OF  
COMMERCE



September 25, 1973

Mr. David Keller  
Kelbro Corporation  
3650 Ramona Avenue  
Sacramento, CA 95826

Dear Mr. Keller:

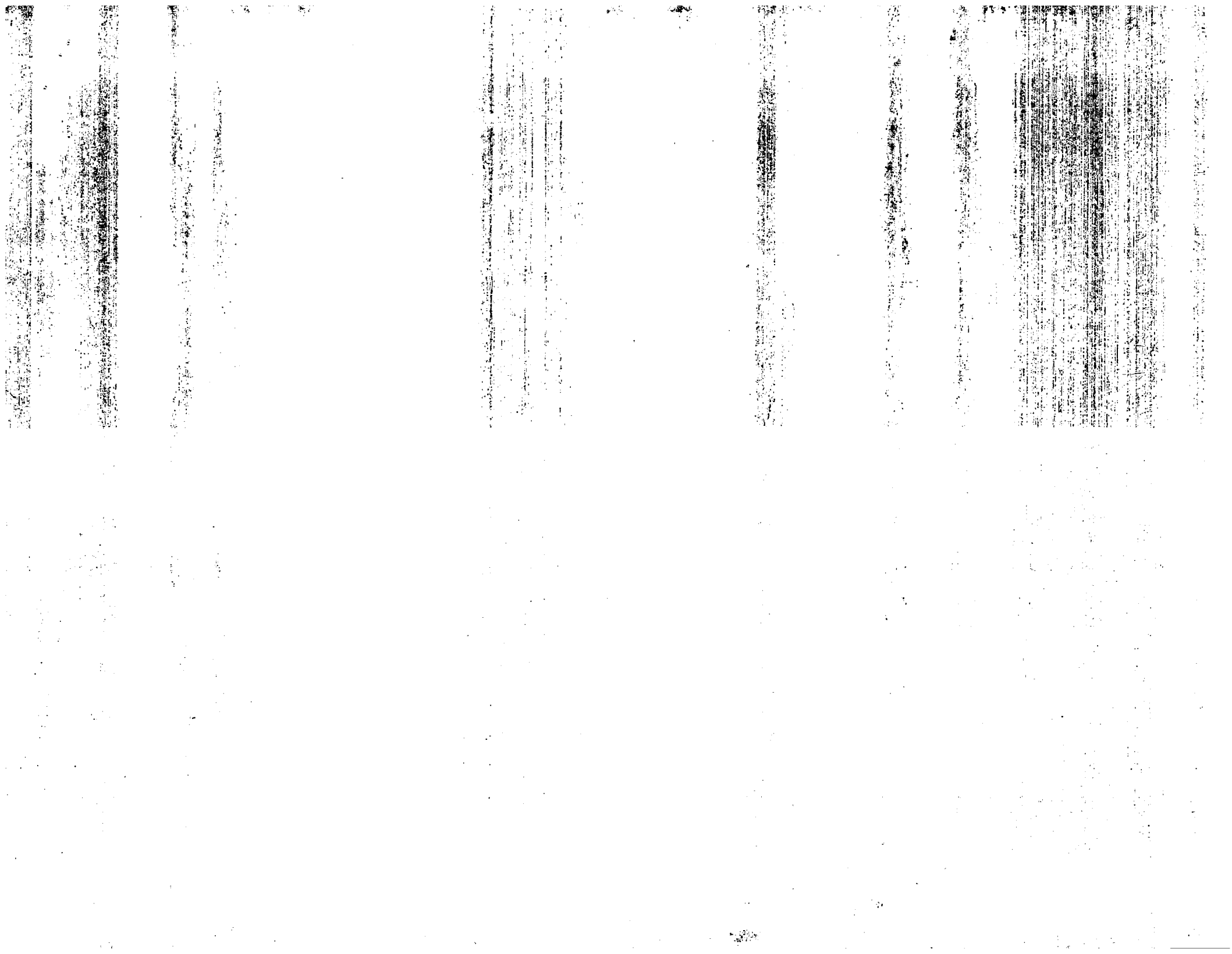
Your company has been chosen by the Sacramento Metropolitan Chamber of Commerce Natural Resources Committee as a winner in the Corporation-Companies division of our Environmental Quality Awards for outstanding achievement in safeguarding the environment. We thought your product development was especially deserving of public attention.

We will be contacting you soon to get further details on your production-marketing operation. We hope to have a special awards presentation meeting on Thursday, October 5, at 10:00 a.m. in the Conference Room here at the chamber. Our new address is 918 J Street. We feel corporations and governmental bodies making special efforts to preserve and improve the environment should be given public recognition.

Very truly yours,

R. S. Stinchfield, Chairman  
Natural Resources Committee

RSS:vrg





# COUNTY OF SACRAMENTO

## HEALTH AGENCY

JAMES T. HARRISON, M.D., ADMINISTRATOR

DEPARTMENT OF COMMUNITY HEALTH  
COLIN T. GREENLAW, M.D., M.P.H., DIRECTOR  
3701 BRANCH CENTER ROAD  
SACRAMENTO, CALIFORNIA 95827

Administration	(916)	454-2267, 2268
Community Health Programs		454-2022
Disease Control		454-2911
Environmental Health Programs		454-2061
Public Health Laboratory		454-2111
Vital Statistics		454-2161

February 14, 1975

TO WHOM IT MAY CONCERN

Kelbro Corporation has operated their waste wood salvaging facilities at 3560 Ramona Avenue, Sacramento, since 1971, and have stayed well within the Sacramento County Air Pollution Control District Rules and Regulations and applicable sections of the California Health and Safety Code pertaining to air pollution. They perform a very desirable recycle operation for our community and have contributed much to the success of our "No Burn" program started June 30, 1971.

In the firm's plant in the SE section of the City of Sacramento, waste wood is processed after being wetted and thus causes no dust problem in the following milling process. The pneumatic conveyance of fine chips to a cyclone dropout or the loading of product into trucks is also essentially dust free. We did find a problem with wood chips falling off of the trucks after they left the plant, but this problem was minimized by better operating procedures in loading and unloading.

In a two-year period ending August, 1973, our office did receive several complaints concerning dust from sawdust (not wood chip) storage piles, and from trucks dropping material as they left the plant premises. After that date, this agency has received no complaints against the corporation.

Very truly yours,

*Philip S. Tow*  
PHILIP S. TOW, Chief  
Air Pollution Control

Monday, January 14, 1974

## It's Your Business

# Discards Are Put To Profitable Use



By John Burns

DAVID AND HENRY KELLER OF SACRAMENTO have built a thriving business on the collection, processing and sale of wood wastes which formerly went up in smoke.

Their Kelbro Corp. produces wood chips for a market which gives every indication of continued growth. "We could sell a lot more than we're able to make," said David Keller, the president.

Kelbro, short for Keller Brothers, sold about 48,000 tons of wood chips last year to Fibreboard Corp.'s San Joaquin Mill at Antioch, its principal customer.

Fibreboard converts the chips into pulp and then into paperboard which is used to make corrugated boxes and a variety of food cartons.

Although wood chips are its main product, Kelbro also sells sawdust and shavings to poultry growers, stables and nurseries. And it markets Manzaquets, its brand name for manzanita chips which are used in barbecuing.

THE KELLER BROTHERS OPERATED a trucking company here for several years. In the winter months, when the trucking business was slack, they collected and sold scrap lumber and shavings.

"One day we were talking with a Fibreboard representative and he told us about the market for wood chips," said Keller. "Fibreboard was the pioneer in converting chips to paper."

Soon the sideline became the main line. Kelbro started eight years ago with a small plant on 17th Avenue grinding trim ends from lumber into wood chips.

In 1970, having outgrown that plant, the owners invested \$250,000 in a much more sophisticated facility on 14th Avenue in what was formerly a gravel pit.

New machinery and special processes gave Kelbro the capability of processing almost any kind of scrap wood—even building forms coated with concrete, or lumber containing nails or other metal.

The company today collects trim ends from lumber mills within a 70-mile radius of Sacramento but it also gathers broken pallets and crates from local industrial plants and department stores.

"A million tons of scrap wood are generated each day in the United States," Keller said. "Every city has a large supply. We're thinking of expanding our collections. Maybe into Oakland."

The beauty of it is that in the conduct of its business Kelbro is reducing pollution caused by burning or dumping wood wastes.

Its plant is producing about 250 tons of chips, shavings and sawdust a day. The machinery is powered by electricity, hence causes no air pollution.

Depending on whether they are dry wood or green wood, chips bring anywhere from \$16 to \$30 a ton.

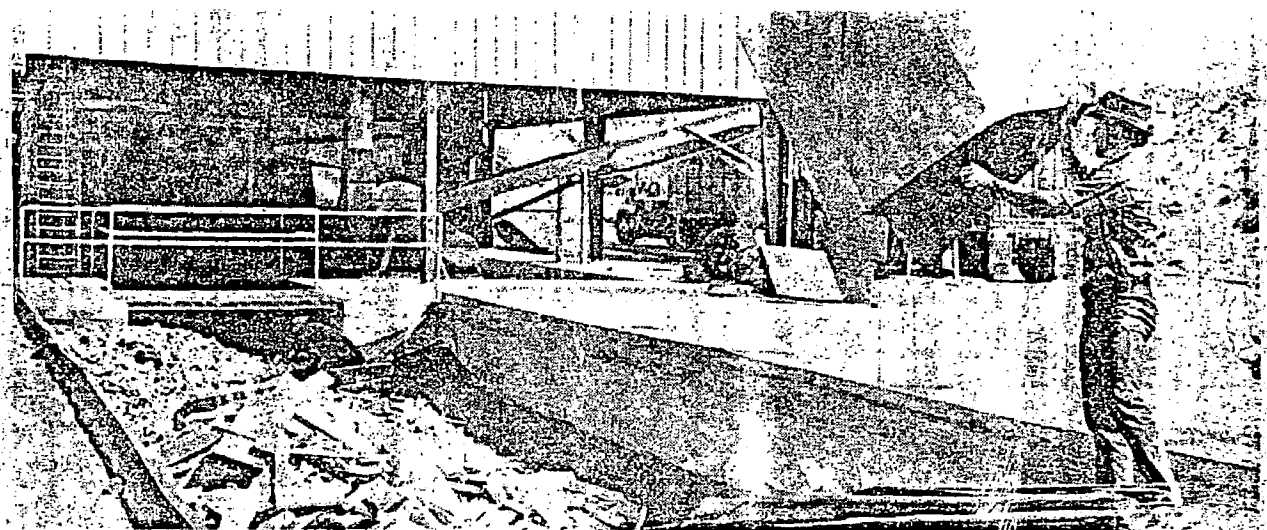
ANYONE WHO HAS PASSED Fibreboard's San Joaquin Mill at Antioch has seen a mountain of wood chips awaiting conversion to pulp. Kelbro supplies almost 10 per cent of the 500,000 tons of dry wood chips used annually by Fibreboard.

Two tons of wood are required to make a ton of pulp for paperboard. In the papermaking process the chips are first impregnated with chemicals to break down lignin, the chemical which binds the wood fibers together.

The chips then are cooked at high temperatures under pressure and the lignin is removed from the pulp. The pulp is washed, defibrated and screened before the actual papermaking process starts on machines as long as a football field.

The use of wood wastes in papermaking is increasing because it means a fuller use of timber resources.

Large quantities of chips are shipped to Japan via the Port of Sacramento. Kelbro, however, sells its products only in the domestic market.



Chunks of wood are dumped for a conveyor belt trip to the pulverizing machine.

# How Anti-pollution Laws Help a Recycling Business

By BOB FORSYTH  
Sacramento Union Business Writer

Thanks to the state's stringent anti-burning regulations, and to an understanding of the principles of recycling, a Sacramento organization is on its way to make a buck from pollution.

It works this way: lumber mills throughout Northern California have for years burned away the waste wood chips. Much can be done with timber, but there are tons of chips each year that are considered by the mills to be useless.

But while burning may have solved the mills' waste problems, the process created enough vital and actual pollution that the state and county boards have responded by regulating against such burning.

Wood chips, incidentally, aren't entirely without use. Relatively new industries have developed to press the chips and sealing compounds together for building material such as fiberboard.

THUS KELBRO, a seven-year-old organization, a few months ago invested \$250,000 on machinery that makes it the middle man between the lumber mills and the pressed-wood factories.

The three principals of Kelbro — David Keller, president; Harry Keller, vice president; and Bruce Scott, secretary-treasurer — work out of the company's small office at 7601 14th Avenue and its large plant a few miles away.

The key to Kelbro's expansion is a machine developed by the Kellers that takes large chunks of waste wood, pul-

verizes the pieces into workable chips for fiberboard and pulp and incidentally separates nails and other metal bits.

"We've made a business out of recycling and out of eliminating pollution from the air," says Scott.

Kelbro's 13 trucks and 76 trailers carry thousands of pounds of the "hog wood" from the mills and dump the loads into a narrow trench. A conveyor belt moves the wood pieces through a shower of water (to help force loose metal to the bottom of the flowing pile and also reduce dust in the plant) and then to the chopper. The chopper reduces the pieces to inch-size chunks which are moved along another conveyor belt where at the end a magnet attracts the then loose metals.

"WE EXPECT to have a couple of tons of metal a month," Scott said of the by-product of the process. The metal will be sold for scrap, which in turn is recycled.

Another by-product is sawdust—up to 30,000 cubic yards of the stuff during a summer season, Scott said. And unlike 20 years ago, when homeowners in the cold Pacific Northwest burned sawdust for home fuel, sawdust today finds a market in agriculture in which ranchers buy it for chicken houses and horse and cattle barn floors.

Scott said Kelbro's management was hesitant about the expansionist move. "We were beginning to make money and it seemed like a lot to invest," he said.

"But we knew of the burning bans and we decided to go ahead and put in the machine. I think it's the only machine of its type."

Added Scott: "I think it was a good decision and we're just beginning to grow."



Kelbro's project includes this overseer operating the conveyor belt system.

Section 2. An Amended Boundary Map showing the territory to be included in Annexation No. 3 ("Amended Boundary Map") is on file in the office of the City Clerk, is in the form required by Section 3110 of the Streets and Highways Code, and is hereby approved. The City Clerk is directed to file a copy of the Amended Boundary Map with the County Recorder of the County of Sacramento within fifteen (15) days hereafter, for placement in the Book of Maps of Assessment and Community Facilities Districts, in accordance with the provisions of Section 3111 of the Streets and Highways Code of the State of California.

ATTEST:

\_\_\_\_\_  
MAYOR

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

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

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

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