



4.4

DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
California

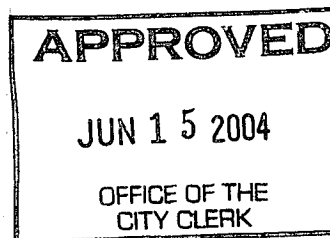
Special Districts
1231 I Street, Room 3200
Sacramento, CA 95814
Ph: 916-808-7113
FAX: 916-264-7480

DEVELOPMENT ENGINEERING
AND FINANCE

May 26, 2004

City Council
Sacramento, California

Honorable Members In Session:



SUBJECT: NEIGHBORHOOD LIGHTING DISTRICT NO. 96-07 - PUBLIC HEARING

LOCATION AND COUNCIL DISTRICT:

The district includes three separate neighborhoods (see attachment A).

- Swanston Estates - Council District 3
- Youngs Heights - Council District 2
- Colonial Heights - Council District 5 and a portion of District 6

RECOMMENDATION:

This report recommends that the City Council adopt the following resolutions:

- Overruling Protests (if any) for Neighborhood Lighting District No. 96-07.
- Adopting the FY 2004/05 Budget for Neighborhood Lighting Maintenance District No. 96-07.
- Confirming Diagram and Assessment and Levying Assessment for Neighborhood Lighting District No. 96-07 for FY 2004/05.

CONTACT PERSON: Rita Goolkasian, Program Specialist, 808-5236

FOR COUNCIL MEETING OF: June 15, 2004

SUMMARY:

The Neighborhood Lighting District No. 96-07 was established to recover the annual costs for maintenance of streetlights and administration costs of this district. The recommended Council action will levy the annual assessment for FY 2004/05. The proposed assessment is \$22.90 for a single family home with a frontage width of 100' or less. Parcels with greater widths are assessed proportionately.

City Council
Neighborhood Lighting District No. 96-07 – Public Hearing
May 26, 2004

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

In October of 1996, City Council approved formation of the Neighborhood Lighting District No. 96-07 (Resolution 96-577) for the Swanston Estates neighborhood. Since then, two other neighborhoods, Youngs Heights and Colonial Heights, have annexed to the district. The district services include the annual energy cost and maintenance of neighborhood lights installed on wood poles, and the district administration and billing costs. A provision was included to mitigate cost increases based on the CPI, San Francisco area, all items, provided that this increase does not exceed three percent (3%) in any year. The February 2004 CPI index was 0.4% over the last index used in 2003. The proposed assessment reflects a \$0.10 increase over the current assessment of \$22.80.

On May 25, 2004, City Council set June 15, 2004 at 2:00 p.m. as the date and time for the public hearing on the proposed annual levy and district services for FY 2004/05. Notice of the hearing was given in accordance with the law by the City Clerk's office.

FINANCIAL CONSIDERATIONS:

The total cost for the three neighborhoods is shown below. The budget is stated below and is detailed in the Engineer's Report on file in the City Clerk's office. The budget will require a levy of \$22.90 per single-family home (with frontage of 100 feet or less) and a proportionate amount for larger parcels.

NEIGHBORHOOD	FY04/05 BUDGET	Surplus Offset	FY04/05 Assessment
Swanston Estates	\$18,716	(\$1,865)	\$16,851
Youngs Heights	\$3,186	0	\$3,186
Colonial Heights	\$17,686	0	\$17,686
Total District Budget	\$39,588	(\$1,865)	\$37,723

ENVIRONMENTAL CONSIDERATIONS:

Under California Environmental Quality Act (CEQA) Guidelines, the annual proceedings for an assessment district do not constitute a project and are therefore exempt from review.

POLICY CONSIDERATIONS:

These proceedings are being conducted in accordance with the Landscaping and Lighting Act of 1972 as set forth in Section 22500 of the California Streets and Highways Code and are consistent with the City' Strategic Plan in preserving and enhancing the City's neighborhoods and quality of life.

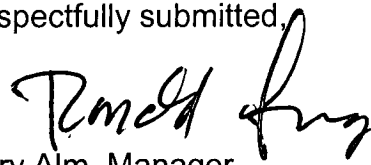
City Council
Neighborhood Lighting District No. 96-07 – Public Hearing
May 26, 2004

ESBD CONSIDERATIONS:

Sacramento Municipal Utility District (SMUD) provides the energy for the streetlights through their monthly fee charges. There are no contracts involved in this maintenance district.

Respectfully submitted,

Approved:

for 
Gary Alm, Manager
Development Engineering and Finance


Michael Medema, Interim Director
Development Services Department

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

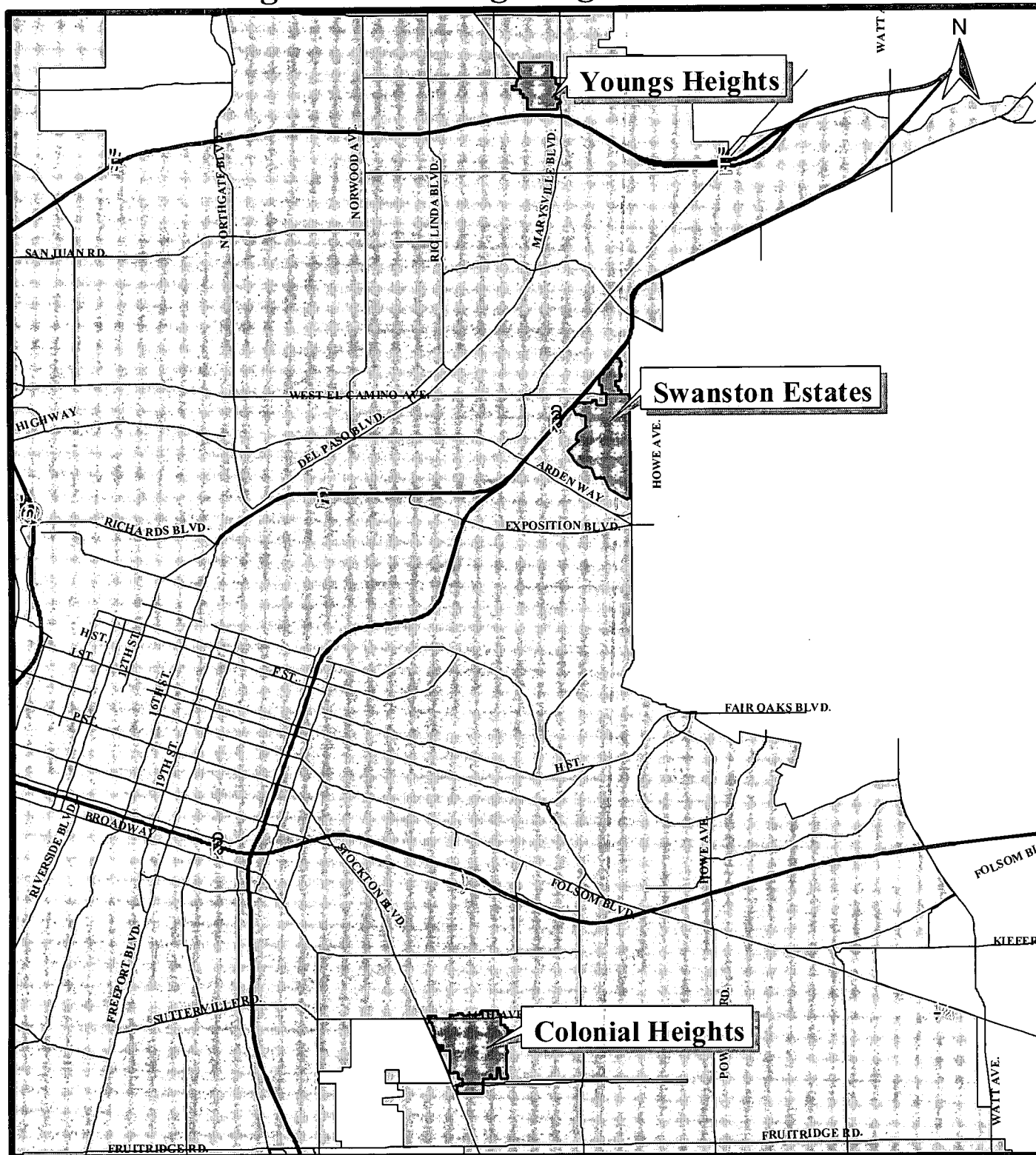
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S:\ATS Wrk Grp Docs\Spec Dists\DISTRICT PROJECTS\MD\Neighborhood Lighting\NLTD05\04-05NLDHearing.doc

ATTACHMENT A

Neighborhood Lighting District 96-07



City Boundary
 District Boundary

0 2000 4000 6000 8000 Feet

City of Sacramento
Development Services
 Department
 Special Districts

SA:\GIS\Nat83\SpecialDistrict\Maps\LightingDist.apr RL.u May2003

RESOLUTION NO. 2004-463

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____

APPROVED

JUN 15 2004

OFFICE OF THE
CITY CLERK

**RESOLUTION OVERRULING PROTESTS
NEIGHBORHOODLIGHTING DISTRICT NO. 96-07 FOR FY 2004/05**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

On June 15, 2004, the City Council opened a public hearing on the Resolution of Intention and the Annual Engineer's Report for Neighborhood Lighting District No. 96-07, City of Sacramento, County of Sacramento, State of California.

At or before the time set for the hearing, certain interested persons made protests or objections to the proposed maintenance, 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 maintenance (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.

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

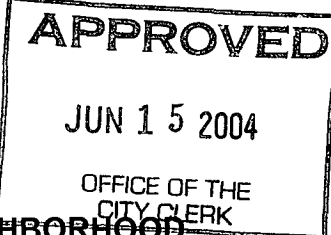
RESOLUTION NO.: _____

DATE ADOPTED: _____

RESOLUTION NO. 2004-464

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____



RESOLUTION ADOPTING THE FY 2004/05 BUDGET FOR THE NEIGHBORHOOD LIGHTING DISTRICT NO. 96-07

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The Fiscal Year 2004/05 Expenditure Budget for Neighborhood Lighting District No. 96-07 is adopted as follows:

Department

Transportation- Street Lighting	
SMUD Utilities & City Maintenance	\$ 30,350
Electrical Engineering	\$ 1,000
Special Districts Administration	\$ 4,110
Finance Administration:	\$ 3,954
Contingency	\$ 174
Total Expenditures	\$ 39,588

2. The Fiscal Year 2004/05 Revenue Budget (\$39,588 - \$1,865 surplus) for the Neighborhood Lighting District No. 96-07 is adopted as follows:

221-480-4815-3657 \$ 37,723

(See Budget preparation table -Exhibit A)

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

**EXHIBIT A
Budget Preparation Table**

Neighborhood Lighting District No. 96-07

FUND	ACT	AGY	ORGN	OBJ/REV	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)	BUDGET REFERENCE
221	C	480	4815	3408	0	0	0	A
221	C	480	4815	3657	36,170	37,723	1,553	
				RB				
				Totals:	36,170	37,723	1,553	
221	C	110	1131	4390	3,678	3,954	276	B
221	C	480	4815	4390	4,075	4,110	35	C
221	C	340	3431	4390	1,100	1,000	(100)	D
221	C	340	3496	4390	28,432	30,350	1,918	E
221	C	710	7012	4999	78,911	25,111	(53,800)	F
				EB				
				Totals:	116,196	64,525	(51,671)	

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

RESOLUTION NO. 2004-465

APPROVED

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 15 2004

ON DATE OF: _____

OFFICE OF THE
CITY CLERK

RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENT AND
LEVYING ASSESSMENT FOR NEIGHBORHOOD LIGHTING DISTRICT NO. 96-07
FOR FY 2004/05

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. Pursuant to the Landscaping and Lighting Act of 1972, the City Council directed the Manager of Development Engineering and Finance as the Engineer of Work for Neighborhood Lighting District No. 96-07 to prepare and file an Annual Report for the Fiscal Year 2004/05.
2. The Engineer of Work filed the Annual Report on May 25, 2004, and the City Council adopted its Resolution approving Engineers Report and intention to levy and collect assessments within the assessment district for Fiscal Year 2004/05 and set a public hearing to be held on June 15, 2004, in the meeting place of the City Council, 730 I Street, 1st Floor, Sacramento, California. Notice of the hearing was given in the time and manner required by law.
3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the Annual Report, either in writing or orally, and the City Council has considered each protest.
4. The City Council hereby confirms the diagram and assessment as set forth in the Annual Report of the Engineer of Work and hereby levies the assessment set forth therein for Fiscal Year 2004/05.

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

THE DAILY RECORDER

~ SINCE 1911 ~

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SAC. CITY CLERK
730 I ST #211
SACRAMENTO, CA 95814

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Sacramento) ss

Notice Type: GPHSA SAC CITY PUBLIC HEARING-1 PUB

Ad Description: AD NO 9747

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

08/22/03

Executed on: 08/22/03
At Los Angeles, California

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

C. Bramble
Signature

This space for filing stamp only

SC# 576222

575836# The following person(s) is (are) doing business as:
EVERGREEN XVIII, 1755 Creekside Oaks Drive, Suite 290, Sacramento, CA 95833.
Daniel M. Cole, 1617 8th Avenue, Sacramento, CA 95818.
Raymond W. Gundlach, Jr., 3001 Morse Avenue, Sacramento, CA 95821.
Dante V. Petrocchi, 1141 44th Street, Sacramento, CA 95819.
Donald C. Timmons, 1901 13th Avenue, Sacramento, CA 95818.
This business is conducted by a general partnership.
I Declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
/s/ DONALD C. TIMMONS, Partner
This statement was filed with the County Clerk of Sacramento County on August 12, 2003.
The registrant(s) commenced to transact business under the fictitious business name or names listed above on 09/01/1998.
NOTICE-This Fictitious Name Statement expires five years from the date it was filed in the office of the County Clerk. A New Fictitious Business Name Statement must be filed before that time.
The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).
Renewal Filing
Current Registration No. 9806281.
08/15/03, 08/22/03, 08/29/03, 09/05/03
SC- 573475#

FICTITIOUS BUSINESS NAME STATEMENT
File No. 0308275
The following person(s) is (are) doing business as:
EVERGREEN XXI, 1755 Creekside Oaks Drive, Suite 290, Sacramento, CA 95833.
Daniel M. Cole, 1617 8th Avenue, Sacramento, CA 95818.
Raymond W. Gundlach, Jr., 3001 Morse Avenue, Sacramento, CA 95821.
Dante V. Petrocchi, 1141 44th Street, Sacramento, CA 95819.
Donald C. Timmons, 1901 13th Avenue, Sacramento, CA 95818.
This business is conducted by a general partnership.
I Declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
/s/ DONALD C. TIMMONS, Partner

FICTITIOUS BUSINESS NAME STATEMENT
File No. 0308289
The following persons are doing business as:
(a) MICKI'S FLIGHTS OF FANCY, (b) BLUE RAVINE DESIGNS, 488 Williams St., Folsom, CA 95630.
Robert Groth, 488 Williams St., Folsom, CA 95630.
Michele Groth, 488 Williams St., Folsom, CA 95630.
This business is conducted by husband & wife.
I Declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
/s/ ROBERT GROTH
This statement was filed with the County Clerk of Sacramento County on August 12, 2003.
The registrants commenced to transact business under the fictitious business name or names listed above on N/A.
NOTICE-This Fictitious Name Statement expires five years from the date it was filed in the office of the County Clerk. A New Fictitious Business Name Statement must be filed before that time.
The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).
08/15/03, 08/22/03, 08/29/03, 09/05/03
SC- 573450#

CORDER

4.4

RESOLUTION NO. 2004-379

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: May 25, 2004

RESOLUTION APPROVING THE ENGINEER'S REPORT AND INTENTION TO ORDER MAINTENANCE OF IMPROVEMENTS FOR NEIGHBORHOOD LIGHTING DISTRICT NO. 96-07 FOR FY 2004/05

(Pursuant to the Landscaping and Lighting Act of 1972)

CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES:

1. City Council hereby approves the annual Engineer's Report on file with the City Clerk's Office.
2. City Council intends to levy and collect assessments within the Neighborhood Lighting District No. 96-07 during fiscal year 2004/05. The area of land to be assessed is located in the City of Sacramento, Sacramento County.
3. The maintenance of improvements to be made in this assessment district are generally described as follows:
 - A. The improvements consist of operation and maintenance of neighborhood street lights on wood poles fed by overhead electrical lines, and the engineering, administrative and miscellaneous costs related to the district.
4. In accordance with this Council's resolution directing the filing of an annual report, the Engineer of Work has filed with the City Clerk the report required by the Landscaping and Lighting Act of 1972. All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district.
5. At the hour of 2:00 p.m., on Tuesday, June 15, 2004 City Council will conduct a public hearing on the questions of the levy of the proposed annual assessment. The hearing will be held at the meeting place of City Council located in the Interim City Hall, 730 I Street, 1st floor, Sacramento, California.
6. The City Clerk is authorized and directed to give the notice of hearing required by Proposition 218, Government Code Section 54954.6.

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