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DEPARTMENT OF
PUBLIC WORKS

OFFICE OF THE DIRECTOR

CITY OF SACRAMENTO
CALIFORNIA

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

April 11, 1989

916-449-5283

Transportation & Community Development/
Budget & Finance Committees
Sacramento, California

Honorable Members In Session:

SUBJECT: BELL AVENUE STORM DRAINAGE AND SANITARY SEWER FEE DISTRICTS

SUMMARY

It is requested that the Joint Council Committee forward the attached ordinance, amending the Sacramento City Code by adding Chapter 78, to the City Council for approval. This ordinance will establish the Bell Avenue Storm Drainage and Sanitary Sewer Fee District. These Districts will enable the City to reimburse a developer for the cost to build these systems.

BACKGROUND

On March 24, 1988 the City approved improvement plans for a private development project called I-80 Industrial Park. In accordance with the approved plans, the developer has constructed approximately 8500 feet of new sanitary sewer trunk line, 4200 feet of new trunk storm drain line, and a collector sewer system. These improvements will serve the I-80 project, as well as other properties in the area, as development occurs. The developer paid for the improvements and continues to carry these costs. Staff is proposing formation of a fee district, authorized by Section 66483 (b) of the California Government Code, as a method to equitably distribute the costs to all benefitting properties within the districts and to reimburse the developer for oversizing costs.

Within the Bell Avenue benefit area, owners of developing properties would be charged a fee for trunk sanitary sewer, collector sanitary sewer, and trunk storm drainage construction, as applicable. Fees would be collected only from property owners who want to develop their properties and/or connect to the Bell Avenue systems. All properties will be charged on an acreage basis, regardless of land use type. The Area of Benefit for the storm drainage district and the sanitary sewer district are shown on Exhibit A and Exhibit B, respectively, of the attached ordinance.

Public Works staff held two community workshops to discuss the proposed fee districts and receive comments from the property owners. In addition, staff has also met on an individual basis with a number of affected landowners. Staff has made revisions to the proposed fee districts in response to public comments.

The fees which are the subject of this report are in addition to other fees currently imposed, including Regional County Sanitation District fees and standard connection fees.

FINANCIAL DATA

The formation of these fee districts will result in the establishment of two interest-bearing funds. The annual revenue amounts will vary, depending on the level of development experienced. The administration of the fee districts will be handled by current staff and will not require additional staffing. The City's costs of administering the fee districts will be funded by fee revenues.

POLICY MATTERS

Staff is recommending formation of a district to reimburse the developer for improvements constructed at the City's request, which also benefit other adjacent properties. This is in accordance with current policies.

The benefit area is characterized as an older residential neighborhood which is being infused with new industrial development. Additional residential development is also planned for this community. The existing residences are presently served by septic tanks and leach lines. Many of these homeowners are content with their current septic tanks and are not interested in a future connection to the new sanitary sewer system. For this reason, Public Works staff is proposing the use of fee districts which provide an option to the current homeowners. They may continue using their septic systems with no fee charge or connect into the new systems and pay the accompanying fees. Past policy has been to include all property owners in Assessment Districts.

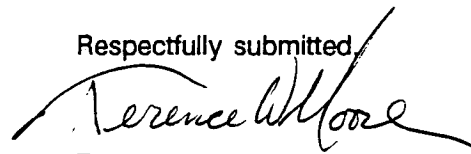
MBE/WBE EFFORTS

No Impact.

RECOMMENDATION:

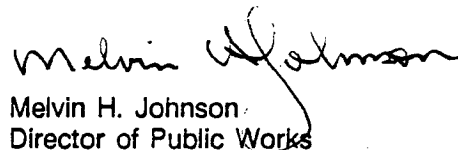
The Public Works staff supports the formation of these fee districts for sanitary sewer and storm drainage systems. Staff recommends that the Joint Council Committee forward the ordinance amending the Sacramento City Code by adding Chapter 78, to the Council for approval.

Respectfully submitted,



Terry Moore
Supervising Civil Engineer

Approved:



Melvin H. Johnson
Director of Public Works

Recommendation Approved:



FOR Solon Wisham, Jr.
Deputy City Manager

Contact Person:
Fran Lee Halbakken, Associate Engineer
449-2194

April 11, 1989
District 2

TM:FH:mr
tcdbella.fh



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916-449-5283

April 11, 1989

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: BELL AVENUE STORM DRAINAGE AND SANITARY SEWER FEE DISTRICTS

SUMMARY

It is requested that the City Council approve the attached ordinance, amending the Sacramento City Code by adding Chapter 78, imposing storm drainage and sanitary sewer fees on certain properties near Bell Avenue. (See Exhibits A and B of ordinance for maps.)

BACKGROUND

See attached Joint Council Committee staff report, dated April 11, 1989.

FINANCIAL DATA

See attached report.

POLICY MATTERS

See attached report.

MBE/WBE EFFORTS

No impact.

City Council
April 11, 1989
Page 2

RECOMMENDATION

Public Works staff supports the formation of the Bell Avenue Storm Drainage and Sanitary Sewer Fee Districts. Staff recommends that the City Council approve the ordinance amending the Sacramento City Code by adding Chapter 78.

Respectfully Submitted,



Melvin H. Johnson
Director of Public Works

Recommendation Approved :

Walter J. Slipe
City Manager

Contact Person:

Fran Lee Halbakken, Associate Engineer
449-2194

April 11, 1989
District 2

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING THE SACRAMENTO CITY CODE
BY ADDING CHAPTER 78 RELATING TO THE IMPOSITION OF
FEES FOR STORM DRAINAGE AND SANITARY SEWER FACILITIES BENEFITTING
CERTAIN PROPERTIES NEAR BELL AVENUE IN THE NORTH SACRAMENTO AREA

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

Chapter 78 is added to the Sacramento City Code to read as follows:

CHAPTER 78

STORM DRAINAGE FEES AND SANITARY SEWER FEES FOR THE BELL AVENUE BENEFIT AREA

SECTION 1

78.1.1 Purpose This Ordinance provides:

- (a) A fee for trunk sanitary sewer construction and a fee for trunk storm drainage construction:
- (b) A fee for collector sanitary sewer construction.
- (c) The trunk sanitary sewer system improvements will include approximately 8,477 linear feet of new 12", 15", 18", 21", and 24" diameter sewer pipe, manholes, and appurtenances. The improvements will be constructed along Bell Avenue between Pinell Street and Rio Linda Boulevard and along Raley Boulevard between Diesel Drive and Bell Avenue. The estimated cost of the trunk sanitary system improvements is \$ 964,713.
- (d) The trunk drainage system improvements will include approximately 4,169 linear feet of new 27", 30", 36", 42", 48", 54", and 60" diameter storm drain pipe, manholes, and appurtenances. The new improvements will be constructed along Bell Avenue between Pinell Street and the west side of Marysville Boulevard and along Raley Boulevard between Diesel Drive and Bell Avenue. The system also includes 1,000 linear feet of existing 30" and 36" diameter storm drain pipe located along Bell Avenue between Beloit Drive and Raley Boulevard. The estimated cost of the trunk storm drainage system improvements is \$ 490,381.
- (e) The collector sanitary sewer system improvements will include 6", 8", 10", and 12" diameter sewer pipe, manholes, and appurtenances. The improvements will be constructed along local and minor roads within the sewer benefit area. The

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estimated cost of the collector sanitary sewer system improvements is \$842,853.

78.1.2 Findings The Council of the City of Sacramento hereby finds and declares as follows:

- (a) Subdivision and development of that certain real property, as more particularly described in Exhibit "A" attached hereto and entitled "Bell Avenue Drainage Benefit Area", encompasses an area of approximately 188 acres that is planned to be developed for residential and limited commercial purposes. This development cannot be accommodated without proper and adequate drainage. The Bell Avenue Drainage Benefit area requires that this trunk drainage system project be constructed. The purpose of the fee is to pay for the construction of this system. The development of this property for residential and commercial usage requires proper drainage to protect health, safety, and property of the residents. A fee for these improvements is generally imposed on this type of development. The fee is assessed on each acre uniformly using the following procedure: The total costs were estimated by the developer's engineer and verified by City staff. Each acre within the benefit area was assessed a pro rata share of the total estimated cost. Each acre which can be developed as a result of the construction of the drainage improvements will receive a direct benefit from the drainage system.
- (b) Subdivision and development of that certain real property, as more particularly described in Exhibit "B" attached hereto and entitled "Bell Avenue Sewer Benefit Area", encompasses an area of approximately 444 acres that is planned to be developed for residential and limited commercial purposes. This development cannot be accommodated without a proper and adequate sanitary sewer system. The Bell Avenue Sewer Benefit Area requires that this trunk and collector sanitary sewer system project be constructed. The purpose of the fee is to pay for the construction of this system. The development of this property for residential and commercial usage requires adequate sewerage to protect the health and safety of the residents. A fee for these improvements is generally imposed on this type of development. The fee is assessed on each acre uniformly using the following procedure: The total costs were estimated by the developer's engineer and verified by City staff. Each acre within the benefit area was assessed a pro rata share of the total estimated cost. Each acre which can be developed as a result of the construction of the sanitary sewer improvements will receive a direct benefit from the sewer system.
- (c) The Plan entitled "Bell Avenue Storm Drainage and Sanitary Sewer Facilities Plan", a copy of which is on file at the City's Department of Public Works, is hereby adopted as such pursuant to Section 66483(b) of the California Government Code. A description and cost estimate of the storm drainage and sanitary sewer improvements (hereinafter "Plan Improvements") is set forth on Exhibit "C" attached hereto.
- (d) The purpose of this Ordinance is to establish a fee district by which the owners of property within the aforementioned Benefit Areas will pay their pro rata share of the cost of the Plan Improvements if they desire to connect to said improvements. Fees shall be paid prior to approval of a final subdivision map, or parcel map, issuance of a building permit, or connection to the Plan Improvements.
- (e) There is a direct relationship between the need for the Plan Improvements being financed by the fees and the subdivision and development of the property within the Benefit Areas. The development creates a need for storm drainage and

sanitary sewer improvements beyond the facilities currently available to these developing areas. Public health and safety also require that adequate drainage and sewage facilities be constructed to serve the residents of the area if they desire to connect to said facilities.

The Trunk Fees provided herein are fairly apportioned within the Benefit Areas on the basis of benefits conferred by the implementation of the Plan.

- (f) The Trunk Fees as to any property within the Benefit Areas will not exceed the pro rata share of the total estimated cost of all trunk facilities within such areas which would be assessable on such property if said costs were apportioned uniformly on a per-acre basis.
- (g) The Plan Improvements are in addition to existing facilities serving the Benefit Areas at the time of adoption of this Ordinance.
- (h) The Trunk Fee section of this Ordinance is exacted pursuant to the authority set forth in Article XI, Section 7 of the California Constitution and Sections 66483 and 66488 of the California Government Code.
- (i) The Collector Sewer Fee section of this Ordinance is exacted pursuant to the authority set forth in Article XI, Section 7 of the California Constitution, Section 50140 of the California Government Code and Section 4742.3 of the California Health and Safety Code.

SECTION 2 TRUNK FEES

78.2.1 Establishment and Administration of the Trunk Fee Fund

- (a) The City's Director of Finance is hereby directed to establish and administer two (2) special interest-bearing funds entitled "Bell Avenue Planned Local Storm Drainage Facilities Fund" and "Bell Avenue Planned Local Sanitary Sewer Facilities Fund".
- (b) All storm drainage and sanitary sewer trunk fees collected pursuant to this Section shall be deposited into the respective funds. These funds shall be kept segregated from the General Fund. The monies in said funds shall be expended solely for the construction or reimbursement of construction of the Plan Improvements and to reimburse the City for the cost of engineering and administrative services related to district formation, administration, design and construction of the Plan Improvements.

78.2.2 Payment of Trunk Fees

The fees imposed by this Section shall be paid to the City of Sacramento by any owner of a property within the Benefit Areas, not exempted pursuant to paragraph 78.2.4 herein, prior to approval of a final subdivision map, final parcel map, issuance of a building permit or connection to the Plan Improvements, whichever occurs first. After the maximum fees per gross acre as set forth herein have been paid for a property, no additional fees pursuant to this Section shall be imposed for further subdivision, permits or other entitlements granted to such property.

78.2.3 Determination of Trunk Fees

- 2
- (a) The total estimated trunk sanitary sewer cost is \$ 964,713. These costs are reasonably related to a 444 acre benefit area. Equal distribution of these costs over the entire benefit area results in a fee of \$2,175/acre.
 - (b) The total estimated trunk storm drainage cost is \$ 490,381. These costs are reasonably related to a 188 acre benefit area. Equal distribution of these costs over the entire benefit area results in a fee of \$2,613/acre.
 - (c) The Trunk Fees per acre shall be based on the rate per gross acre as set forth in Exhibit "D" attached hereto. Said fees shall increase at the rate of 0.67 percent per month commencing on the effective date of this Ordinance until the total fee increase has reached 100% of the base fee. Said fee increase and total fee shall be calculated on the first of each month and remain in effect until the first of the following month.

78.2.4 Properties Exempted from Trunk Fees

Subsequent to adoption of this Ordinance, the City may initiate proceedings to form a special assessment district within a portion of the Bell Avenue Benefit Areas. The bond proceeds of this District will be used to finance the construction of the Trunk portion of the Plan Improvements. All properties which have joined in said Assessment District prior to formation and which pay their pro rata share of the Plan Improvements through annual installments to the Assessment District shall be exempt from all trunk fees imposed under this Section.

78.2.5 Termination of Trunk Fees

The Trunk fees set forth herein shall be collected until such time as all properties subject to this Section have paid their fees or until ten (10) years from the effective date of this Ordinance, which ever occurs first.

SECTION 3 COLLECTOR SEWER FEES

78.3.1 Establishment and Administration of Collector Sewer Fee Fund

- (a) The City Director of Finance is hereby directed to establish and administer a special interest-bearing fund entitled "Bell Avenue Collector Sewer Fee Fund".
- (b) All Collector Sewer Fees collected pursuant to this Section shall be deposited into this fund. The monies in said fund shall be expended solely for the construction or reimbursement of construction of the Collector Sanitary Sewer Improvements and to reimburse the City for the cost of engineering and administrative services related to district formation, administration, design and construction.

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78.3.2 Payment of Collector Sewer Fee

The fees imposed by this Section shall be paid to the City of Sacramento by any owner of a property within the Sewer Benefit Area, not exempted pursuant to paragraph 78.3.5 herein, prior to approval of a final subdivision map, final parcel map, issuance of a building permit or connection to the Plan Improvements, whichever occurs first. After the maximum fee per gross acre as set forth herein has been paid for a property, no additional fee pursuant to this Section shall be imposed for further subdivision, permits or other entitlements granted to such property.

78.3.3 Determination of Collector Sewer Fee

- (a) The total estimated collector sanitary sewer cost is \$842,853. These costs are reasonably related to a 342 acre benefit area. Equal distribution of these costs over the entire benefit area results in a fee of \$2464/acre.
- (b) The collector Sewer Fee shall be based on the rate per gross acre as set forth in Exhibit "D". The Collector Sewer Fee will be adjusted annually as provided in Section 78.3.4.

78.3.4 Adjustment of Collector Sewer Fee

The Collector Sewer shall be subject to an annual adjustment commencing on March 1, 1989 and each succeeding March 1 thereafter.

At the beginning of each year the Department of Public Works shall review the Engineering News Record Construction Costs Index (ENRCCI). The January ENRCCI for 20 cities and the index for San Francisco will be averaged. When the average index thus computed differs from 5102, an adjustment factor shall be applied to the Collector Sewer Fee. Said factor shall be equal to the ratio of the current 20 cities/San Francisco average index divided by 5102.

The Collector Sewer Fee as shown on Exhibit "D" on the effective date of this Ordinance shall be multiplied by said factor to determine the adjusted Collector Sewer Fee. The adjusted Collector Sewer Fee shall be rounded off to the nearest dollar (\$1) and shall become effective March 1 of each year. Copies of the adjusted rate shall be available at the Department of Public Works.

78.3.5 Properties Exempted from Collector Sewer Fee

All properties located within the "I-80 Industrial Park Area" as indicated on Exhibit "B" shall be exempt from the Collector Sewer Fee. The cost of Collector Sanitary Sewer serving this area shall be financed by a future assessment district or developer funding.

78.3.6 Reimbursement and Fee Credit Agreement

If a collector sewer is constructed such that it will benefit properties other than those funding the construction, the City may enter into a reimbursement agreement with the party funding the construction to reimburse, or partially reimburse, said party for the pro rata cost of the portion of the construction which benefits such other non-participating properties. For the purposes of this Ordinance, the cost of construction shall be the amount of the low bid plus a fifteen (15) percent allowance for engineering, administration, and inspection. The agreement may also provide for a credit in-lieu of payment of all or a portion of the Collector Sewer Fee. The credit will be based on the Collector Sewer Construction costs and will be determined by the Department of Public Works. The following shall be considerations in the agreement:

- (a) The time limit on said agreements shall be ten (10) years from the date of approval by the City.
- (b) The estimated cost to the City in administering the agreement shall be deducted from the amount to be reimbursed. This cost is established at \$250 for agreements in the amount of \$10,000 or less and \$500 for agreements in excess of \$10,000. This amount shall be deducted from the initial reimbursement.
- (c) A minimum of three (3) bids must have been received for the construction being considered for reimbursement.

SECTION 4 VARIANCES, DEVIATIONS AND APPEALS

78.4.1 Variances and deviations

The Director of Public Works may approve and allow such variations and deviations from the participation and fee requirements of this Chapter as he determines are made necessary by existing parcel size or conditions of developments.

78.4.2 Appeal

Any person required to participate or pay fees under the provisions of this Chapter may appeal any determination made by the Director of Public Works in regard to such matters to the city council. The appeal shall be in writing and shall be filed with the city clerk who shall present it to the council. The council shall set such appeal for hearing on a date not later than thirty days after the date on which the appeal is presented to the council by the clerk. The council shall direct the clerk to give written notice of the hearing date to the appellants at their address given in the written appeal.

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The city council may make such modifications in the requirements of this Section or may grant such waivers or modifications of the determinations which are appealed to them hereunder as it shall determine to be required in order to prevent an unreasonable hardship under the facts of each case; provided, however, that each such modification or waiver shall be in conformity with the general spirit and intent of the requirements of this chapter.

If any section, subsection, sentence, clause or phrase of this Ordinance be for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional.

The fees established pursuant to this Ordinance shall be in addition to any other fees established by ordinance or law including but not limited to sewer development fees and sewer service installation charges.

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This Ordinance shall take effect and be in force on the thirtieth (30) day from and after its passage.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

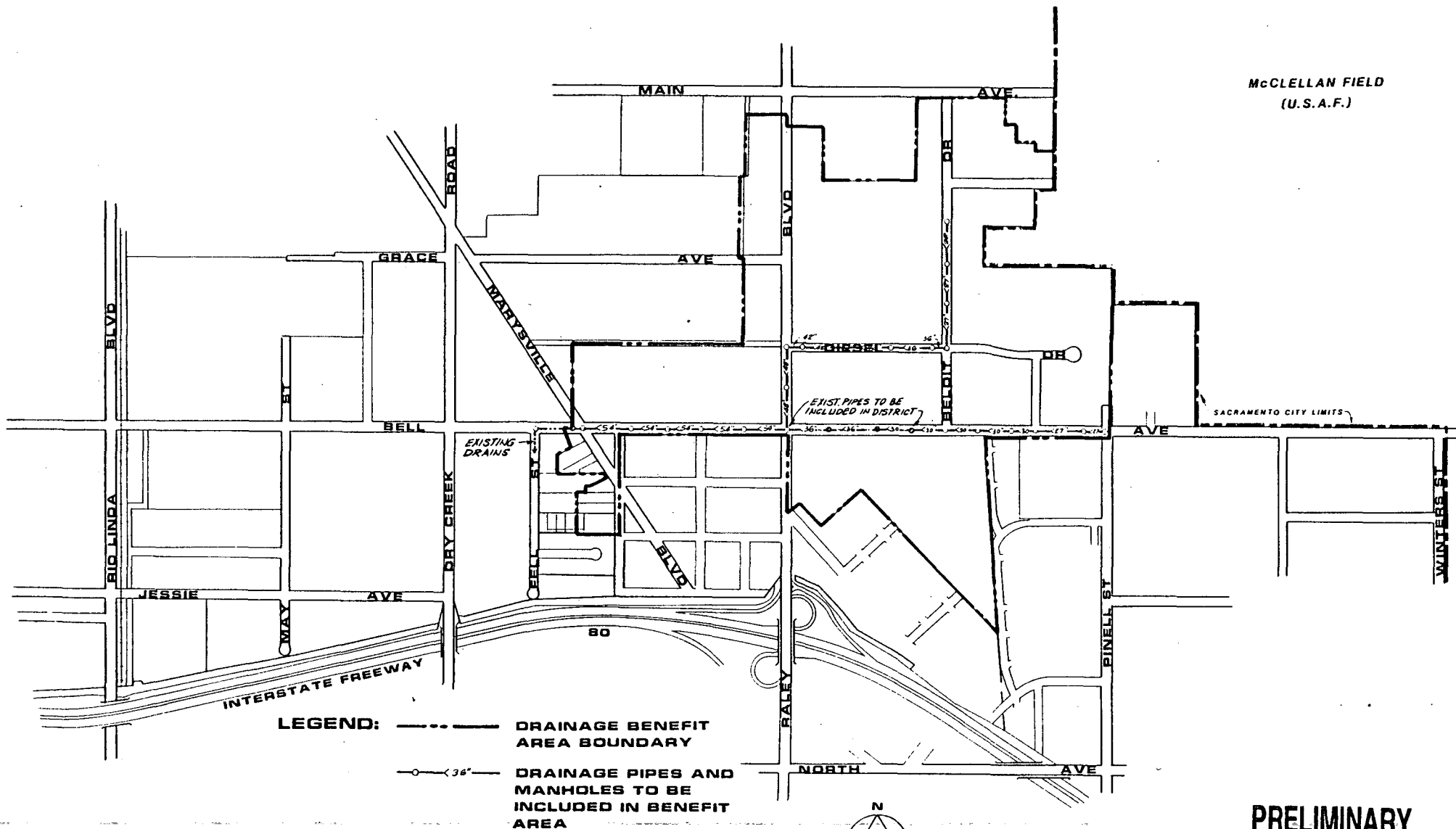
MAYOR

ATTEST:

CITY CLERK

strmfees.ga

BELL AVENUE DRAINAGE BENEFIT AREA

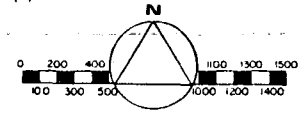


McCLELLAN FIELD
(U.S.A.F.)

SACRAMENTO CITY LIMITS

LEGEND:

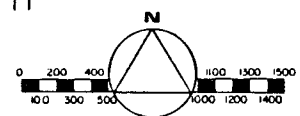
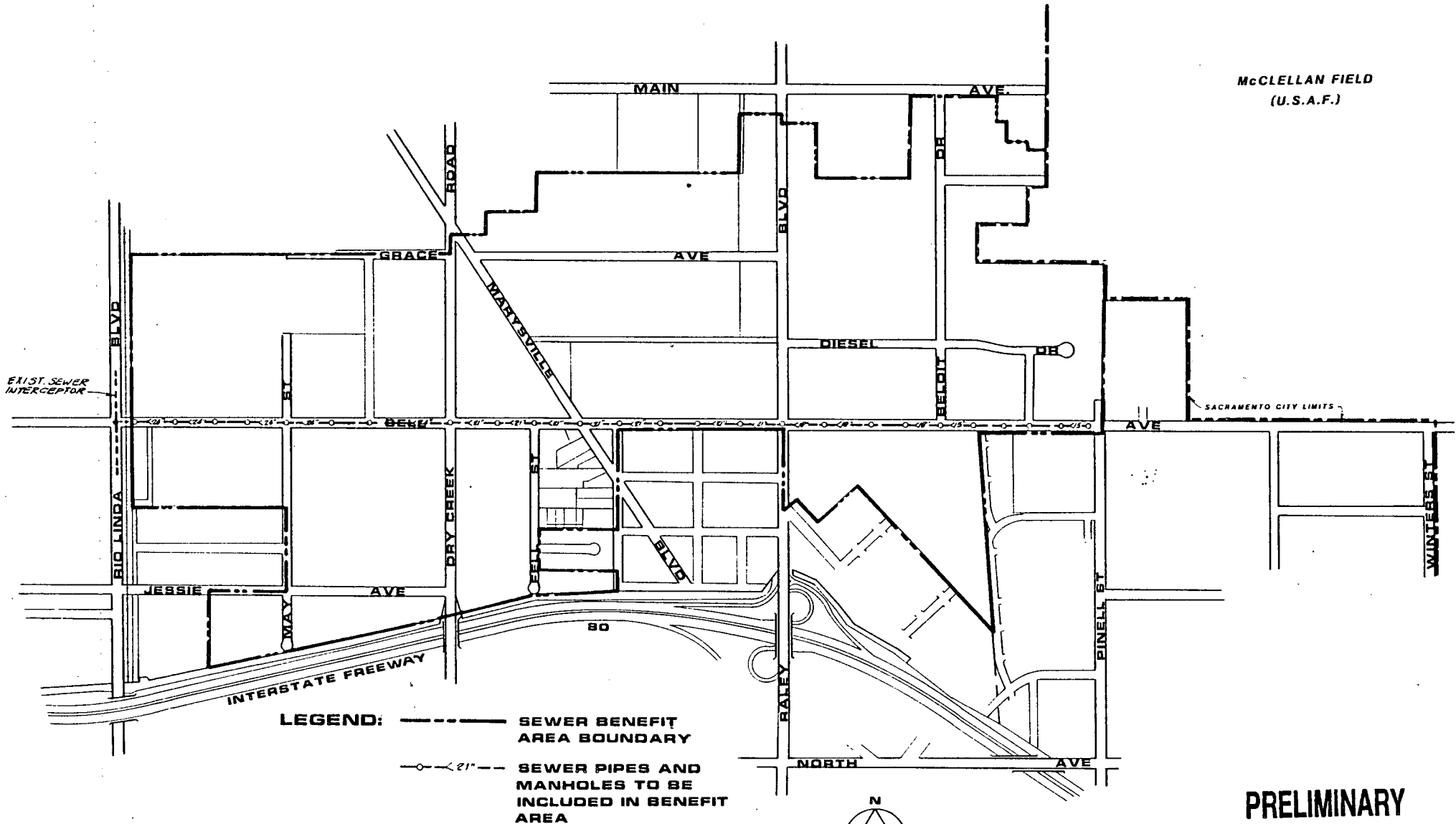
- DRAINAGE BENEFIT AREA BOUNDARY
- 36" DRAINAGE PIPES AND MANHOLES TO BE INCLUDED IN BENEFIT AREA



**PRELIMINARY
EXHIBIT A**

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BELL AVENUE SEWER BENEFIT AREA



McCLELLAN FIELD
(U.S.A.F.)

SACRAMENTO CITY LIMITS

**PRELIMINARY
EXHIBIT B**

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**DESCRIPTION OF IMPROVEMENTS FOR THE
BELL AVENUE STORM DRAINAGE AND
SANITARY SEWER FACILITIES PLAN**

- A. A Trunk Storm Drainage System consisting of drainage pipelines, manholes, inlets, street excavation, pavement replacement, and appurtenances thereto located in the following streets:
 - 1. Bell Avenue from a point approximately 100 feet west of Marysville Boulevard to a point approximately 150 feet west of Pinell Street.
 - 2. Raley Boulevard from Bell Avenue to Diesel Drive.

- B. A Trunk Sanitary Sewer System consisting of sewer pipelines, stubs and stoppers, street excavation, pavement replacement, and appurtenances thereto located in the following streets:
 - 1. Bell Avenue from the intersection of Rio Linda Boulevard to a point approximately 100 feet west of Pinell Street.
 - 2. Raley Boulevard from Bell Avenue to Diesel Drive.

- C. A Collector Sanitary Sewer System consisting of sewer pipelines, stubs and stoppers, street excavation, pavement replacement, and appurtenances thereto located in Bell Avenue, May Street, Grace Road, Gene Avenue, Jesse Avenue, Dry Creek Road, Marysville Boulevard, Fell Street, Raley Boulevard and Reynolds Boulevard as indicated on the Bell Avenue Storm Drainage and Sanitary Sewer Facilities Plan.

EXHIBIT "C"

**COST ESTIMATE OF IMPROVEMENTS
FOR THE BELL AVENUE STORM DRAINAGE
AND SANITARY SEWER FACILITIES PLAN**

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I.	TRUNK STORM DRAINAGE	Project Total \$ 490,381
II.	TRUNK SANITARY SEWER	Project Total \$ 964,713
III.	COLLECTOR SANITARY SEWER	
	A. Bell Avenue	174,874
	B. May Street	176,189
	C. Grace Road	175,770
	D. Gene Avenue	27,162
	E. Jesse Avenue	10,752
	F. Dry Creek Road	114,509
	G. Marysville Boulevard	58,432
	H. Fell Street	18,739
	I. Raley Boulevard	80,666
	J. Reynolds Way	<u>5,760</u>
	Project Total	\$ 842,853

NOTE: Project totals are based on 1988 construction costs and include an allowance for engineering, administration and contingencies.

EXHIBIT "C" (Cont.)

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CITY OF SACRAMENTO
FEE SCHEDULE FOR THE BELL AVENUE
STORM DRAINAGE AND SANITARY SEWER
BENEFIT AREA

Effective _____
Ordinance No. _____

STORM DRAINAGE TRUNK FEE

Per Gross Acre \$ 2,613

SANITARY SEWER TRUNK FEE

Per Gross Acre \$ 2,175

COLLECTOR SEWER FEE

Per Gross Acre \$ 2,464

NOTES:

1. Trunk Fees are subject to an increase at the rate of 0.67 percent per month commencing with the effective date of Ordinance. The rate of increase shall be calculated to the nearest whole month.
2. Collector Sewer Fees are subject to an annual increase as described in Section 78.3.4 of Ordinance.
3. All Fees shall be paid to the City of Sacramento prior to approval of a final subdivision map, final parcel map, issuance of a building permit or connection to a sanitary sewer or storm drainage line, whichever occurs first.

EXHIBIT "D"

EXHTSC-D.GA