



DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

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March 11, 2005

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: ANNEXATION #9 TO THE NORTH NATOMAS NEIGHBORHOOD
LANDSCAPING COMMUNITY FACILITIES DISTRICT (CFD) NO. 99-02
– ORDINANCE TO LEVY A SPECIAL TAX**

LOCATION AND COUNCIL DISTRICT:

Annexation #9 to the North Natomas Neighborhood Landscaping CFD No. 99-02 is located in the North Natomas Community Plan area in Council District 1 (see Attachment "A").

RECOMMENDATION:

This report recommends that City Council:

- Adopt the attached ordinance levying a special tax.

CONTACT PERSONS: Ron Wicky, Program Specialist, 808-5628
Edward Williams, Manager, 808-5440

FOR COUNCIL MEETING: April 5, 2005

SUMMARY:

This CFD was completed on March 29, 2005 (see Attachment "B"). The Special Tax Levy will pay for authorized landscaping and services for all years.

COMMITTEE/COMMISSION ACTION:

None.

City Council

Annexation #9 to the North Natomas Neighborhood Landscaping CFD No. 99-02

March 11, 2005

BACKGROUND INFORMATION:

On June 29, 1999, City Council approved formation of the North Natomas Neighborhood Landscaping CFD. Formation of the District provided a funding mechanism to maintain the landscaped areas adjacent to residential subdivisions for the tentative map areas of Northborough No's. 1 and 2, Parkway Plaza, Northpoint Park, Gateway North, Natomas Crossing, Riverview, Cambay West, Northpoint North, Creekside, Heritage, Parkview and Natomas Creek Units 1 to 3. The CFD established separate zones for each tentative map or combination of tentative maps where similar landscaping was present. It also required that as other tentative maps are approved in the North Natomas area, they would be required to annex to this CFD.

This proposed annexation will annex the tentative map area of the Hamptons Units 1 to 3 (See Exhibit C of the attached Resolution).

FINANCIAL CONSIDERATIONS:

The current maximum tax rate will be \$122.00 for this zone. Only "developed residential parcels" will be subject to the CFD tax. A "developed residential parcel" has been defined as a parcel that has a recorded final map for residential uses and the City has formally accepted the landscaping improvements. The property owners shall pay for all costs associated with this CFD. There will be no cost to the City.

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 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 the North Natomas Neighborhood Landscaping District is consistent with the City's Strategic Plan in preserving and enhancing the City's neighborhoods and quality of life.

ESBD CONSIDERATIONS:

None. No goods or services are being purchased.

City Council
Annexation #9 to the North Natomas Neighborhood Landscaping CFD No. 99-02
March 11, 2005

Respectfully submitted,


Edward Williams, Manager
Development Engineering and Finance

RECOMMENDATION APPROVED:

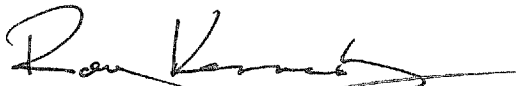

ROBERT P. THOMAS, City Manager

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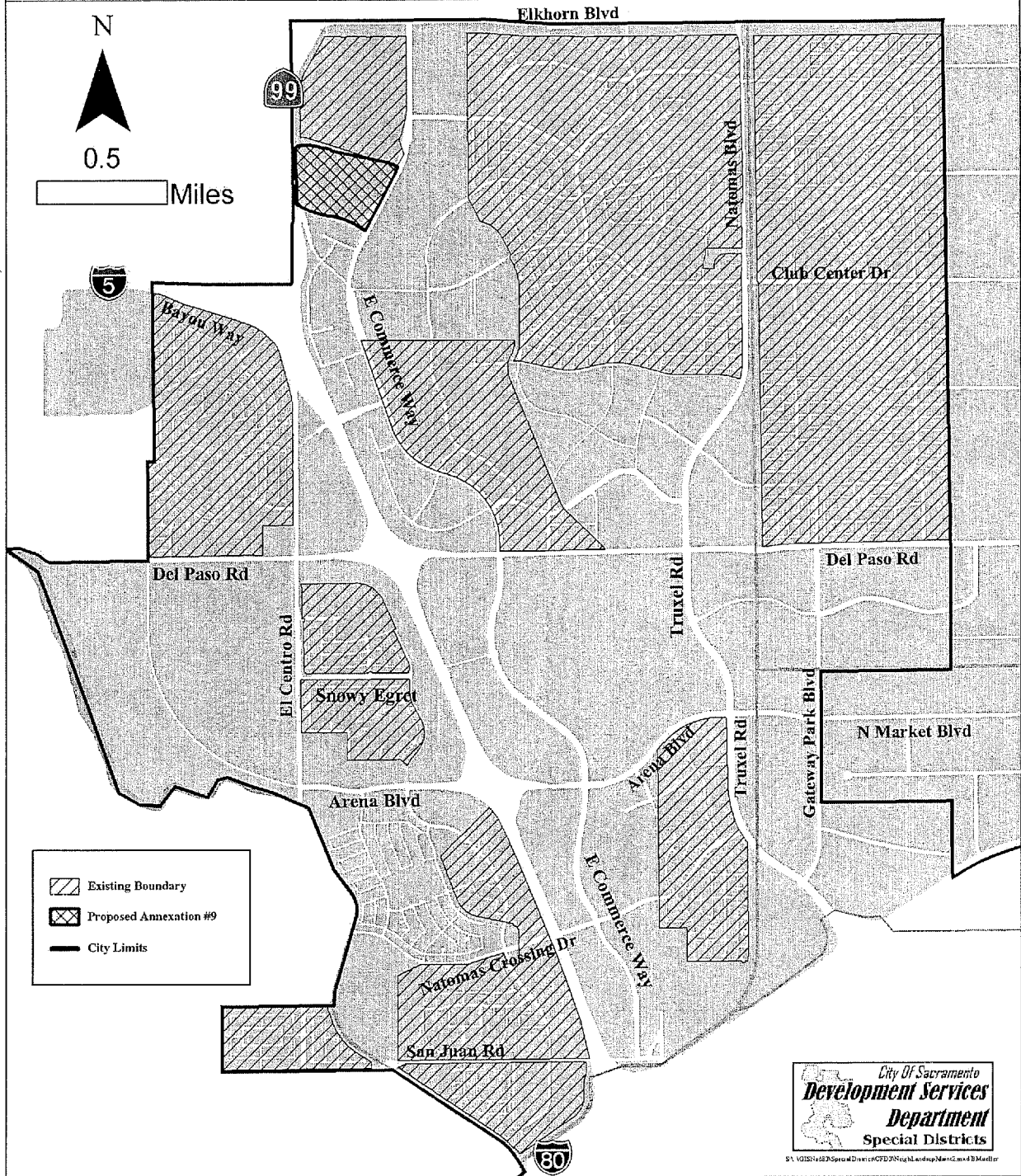
1. Attachment A, Annexation #9 Landscaping CFD Location Map, pg. 4
2. Attachment B, Schedule of Proceedings, pg. 5
3. Ordinance Levying a Special Tax, pg. 6

RW/JV
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Neighborhood Landscaping CCR9 - Ordinance.doc

ATTACHMENT A

North Natomas Neighborhood Landscaping CFD# 99-02 Area Map

Revised: January 2005



ATTACHMENT B

ANNEXATION #9 TO THE NORTH NATOMAS NEIGHBORHOOD LANDSCAPING CFD NO. 99-02 SCHEDULE

February 1, 2005	City Council – Resolution of Intention
February 2, 2005	Mail Notice of Hearing
March 8, 2005	City Council - Hearing, Call for Special Election
March 9, 2005	Mail Ballots
March 23, 2005	Ballots Due
March 29, 2005	City Council - Election Results & Pass for Publication Ordinance to Levy Tax
March 30, 2005	Record Notice of Special Tax
April 5, 2005	City Council - Adopt Ordinance to Levy Tax

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE LEVYING A SPECIAL TAX FOR THE
PROPERTY TAX YEAR 2005-2006 AND FOLLOWING TAX YEARS
SOLELY WITHIN AND RELATING TO THE CITY OF SACRAMENTO
NORTH NATOMAS NEIGHBORHOOD LANDSCAPING COMMUNITY
FACILITIES DISTRICT NO. 99-02, ANNEXATION NO. 9, FOR LANDSCAPE
MAINTENANCE**

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

Pursuant to Government Code Sections 53328 and 53340, and 53339 *et seq.* and in accordance with the Rate and Method of Apportionment of Special Tax as shown on Exhibit B to the Resolution Establishing the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, Annexation No. 9 ("CFD No. 99-02, Annexation No. 9") (Resolution 2005-142 adopted by this Council on March 8, 2005), a special tax is hereby levied on all taxable parcels within the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, Annexation No. 9 for the 2005-2006 tax year and for all subsequent years in the amount of the maximum authorized tax, provided that this amount may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of this Council.

The Director of the Department of Public Works ("Director") or his/her designee, of the City of Sacramento ("City"), is authorized and directed, with the aid of the appropriate officers and agents of the City, to determine each year, without further action of this Council, the Special Tax Requirement (as that term is defined in Exhibits B and C of Resolution No. 2005-142 establishing Annexation No. 9 to CFD No. 99-02), to prepare the annual special tax roll in the amount of the Special Tax Requirement in accordance with said Exhibits B and C and, without further action of this Council, to provide all necessary and appropriate information to the Sacramento County Auditor in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the special tax on the secured property tax roll of the County; provided that, as provided in said Resolution No. 2005-142 and Sections 53339 *et seq.* and 53340 of the California Government Code, this Council has reserved the right to utilize any method of collecting the special tax which it shall, from time to time, determine to be in the best interests of the City, including but not limited to, direct billing by the City to the property owners and supplemental billing.

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

The appropriate officers and agents of the City are authorized to make adjustments to the special tax roll prior to the final posting of the special taxes to the County tax roll each year, as may be necessary to achieve a correct match of the special tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.

The City agrees that, in the event the special tax is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the special tax from the amounts collected, prior to remitting the special tax collections to the City.

Taxpayers who have requested changes or corrections of the special tax pursuant to Section 7 of the Rate and Method of Apportionment of the Special Tax and who are not satisfied with the decision of the Director (whether the Director simply disagrees with the taxpayer or feels the Department of Public Works is not authorized to consider the change requested) may appeal to the Council. The appeal must be in writing and fully explain the grounds of appeal. Appeals must be based solely on the correction of mistakes in the levy based upon the status of the property. No other appeals will be allowed. The Director shall schedule the appeal for consideration within a reasonable time at a Council meeting.

If for any cause any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels shall not be affected.

This ordinance shall take effect and be in force immediately as a tax measure.

The title of this ordinance shall be published at least once in a newspaper of general circulation, published in the City of Sacramento after being passed for publication of title by the Council, at least three days before the adoption of this ordinance by the Council, pursuant to Section 32(c) of the Sacramento City Charter. It is hereby found that the title of this ordinance was published in _____, a newspaper of general circulation published in the City of Sacramento on _____, 2005.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____