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APPROVED
BY THE CITY COUNCIL

JUL 23 1996

DEPARTMENT OF
PUBLIC WORKS

SPECIAL DISTRICTS
DIVISION

CITY OF SACRAMENTO
CALIFORNIA

OFFICE OF THE
CITY CLERK

CITY HALL
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SACRAMENTO, CA
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July 9, 1996

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: WILLOWCREEK II ASSESSMENT DISTRICT #96-01, INITIATE
PROCEEDINGS**

LOCATION AND COUNCIL DISTRICT:

The Willowcreek Assessment District is located in Council District #1 (please see attached Exhibit "A"). The district includes 250 parcels of land, located west of the Natomas Main Drainage Canal, north of the Sacramento River and southeast of Highway 80.

RECOMMENDATION:

This report recommends that the City Council adopt a Resolution Requesting Jurisdiction of the County Board of Supervisors.

CONTACT PERSON: Ron Wicky, Special Districts Analyst, 264-5628
Caroline Quinn, Senior Engineer, 264-5520

FOR COUNCIL MEETING OF: July 23, 1996

SUMMARY:

This report initiates proceedings of the assessment district to be known as the "Willowcreek II Assessment District #96-01" for the City of Sacramento. Adoption of the attached Resolution will request the County to give the City jurisdiction to assess parcels located in the County of Sacramento.

COMMITTEE/COMMISSION ACTION:

None.

City Council
Willowcreek II Assessment District #96-01
July 15, 1996

BACKGROUND INFORMATION:

On March 14, 1996, City Council approved Willowcreek Assessment District #94-03 (Phase I) which provided funding to construct the outfall drainage structure into the Sacramento River. This district (Phase II) will provide funding for the remaining infrastructure to allow development in the area.

The westerly most portion of the proposed district (4 parcels of land) lies outside of the City limits. "The Municipal Improvement Act of 1913" requires the City to obtain the County's consent for jurisdiction on formation of an assessment district if a portion of the proposed district lies outside the City limits. This item will be presented to the County Board of Supervisors on August 13, 1996 for their consent. After obtaining approval from the County, we will be formally asking Council to initiate formation of the District on August 20, 1996.

FINANCIAL CONSIDERATIONS:

The project will be funded by property owners within the district and a possible contribution by the Natomas School District. The costs will be detailed in the report sent to Council on August 20, 1996.

ENVIRONMENTAL CONSIDERATIONS:

The Environmental Services Section has reviewed the staff report and has noted that this project was evaluated in the Natomas West Assessment District EIR.

POLICY CONSIDERATIONS:


The procedures under which this district is being formed are set forth in the California Streets and Highways Code, specifically Division 12 entitled, "Municipal Improvement Act of 1913" and Division 10 entitled, "Improvement Bond Act of 1915."

City Council
Willowcreek II Assessment District #96-01
July 15, 1996

MBE/WBE:

None. No goods or services are being purchased.

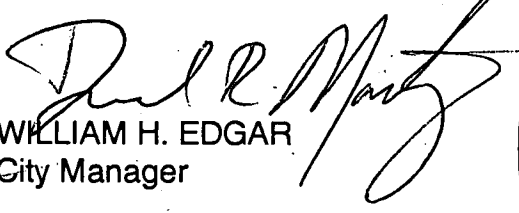
Respectfully submitted,

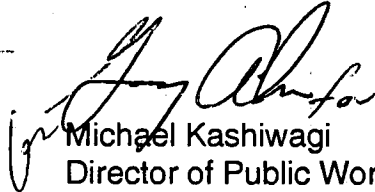


Gary Alm
Manager, Real Estate Services and Special Districts

RECOMMENDATION APPROVED:

Approved:

for

WILLIAM H. EDGAR
City Manager



Michael Kashiwagi
Director of Public Works, Technical Services

WILLOWCREEK II ASSESSMENT DISTRICT #96-01

July 23, 1996	COUNCIL REQUESTS JURISDICTION FROM COUNTY BOARD OF SUPERVISORS
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August 13, 1996 County Adopts Resolution Granting Jurisdiction to City of Sacramento

August 20, 1996 **COUNCIL ADOPTS RESOLUTION OF INTENTION AND SETS HEARING DATES**

August 1996 Record Boundary Map with County Recorder

August 1996 Mail, Publish Notice of Hearing

September 25, 1996 Receive Bids

October 8, 1996 Council Holds Public Hearing No. 1

October 22, 1996 Council Holds Public Hearing No. 2

COUNCIL CONSIDERS RESOLUTIONS TO OVERRULE PROTESTS AND LEVY THE ASSESSMENTS

October 1996 Record Assessment Diagram and Notice of Assessment with County

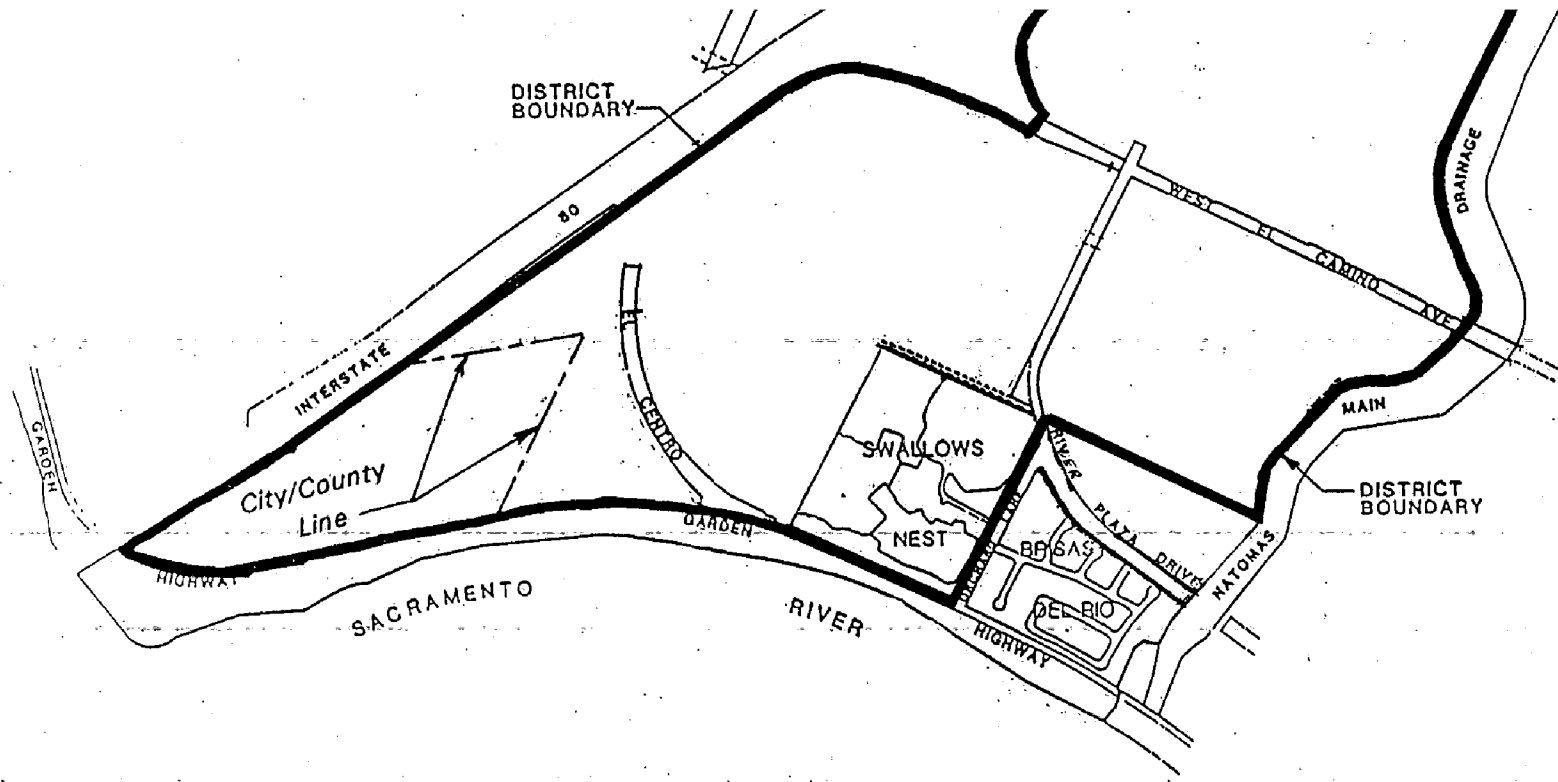
December 17, 1996 **COUNCIL CONSIDERS RESOLUTION AUTHORIZING SALE OF BONDS, APPROPRIATION OF FUNDS -- AWARD OF CONTRACT**

December 30, 1996 Bond Closing

January 1997 City Receives Proceeds from Bonds

January 1997 Contractor Notice to Proceed

June 1998 Estimated Completion Date for Improvements



PROPOSED BOUNDARY
WILLOWCREEK II ASSESSMENT DISTRICT NO.96-01

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APPROVED
BY THE CITY COUNCIL
JUL 23 1996
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 96-387

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION REQUESTING CONSENT TO
CONDUCT ASSESSMENT PROCEEDINGS IN

WILLOWCREEK II ASSESSMENT DISTRICT NO. 96-01

The City Council of the City of Sacramento resolves:

The City Council proposes to adopt a Resolution of Intention, a copy of which is annexed hereto, marked Exhibit A, and by reference incorporated herein as though fully set forth.

A portion of the property proposed to be assessed lies within the unincorporated territory of the County of Sacramento.

The area of the County of Sacramento which lies within the proposed assessment district will, in the opinion of the City Council of the City of Sacramento, be benefited by the improvements referred to in the proposed Resolution of Intention, and the purposes sought to be accomplished by the work can best be accomplished by a single, comprehensive scheme of work.

The consent of the County of Sacramento, through its Board of Supervisors, is hereby requested to the formation of the district described in said Resolution of Intention, to the improvement described, and to the assumption of jurisdiction by this City for all purposes in connection with the formation of this assessment district, the improvements to be made and the assessment of property within the boundaries of the proposed district.

The City Clerk is hereby directed to transmit a certified copy of this resolution with the proposed Resolution of Intention attached, and a copy of the map

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____ 6

DATE ADOPTED: _____

showing the boundaries of the district, to the Clerk of the Board of Supervisors of the County of Sacramento.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this ____ day of _____, 1996.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____ **7**

DATE ADOPTED: _____

EXHIBIT A

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION OF INTENTION TO ORDER IMPROVEMENT IN
WILLOWCREEK II ASSESSMENT DISTRICT NO. 96-01**

The City Council of the City of Sacramento resolves:

This Council intends to order the following improvement under the authority of the Municipal Improvement Act of 1913 as shown on Exhibit A attached hereto.

This Council finds that the land specially benefited by the improvement is shown within the boundaries of the map entitled, "Proposed Boundaries of Willowcreek II Assessment District No. 96-01, City of Sacramento, State of California." This map has been approved by the City Council and is now on file with the City Clerk. The land within the exterior boundaries shown on the map shall be designated Willowcreek II Assessment District No. 96-01, City of Sacramento, County of Sacramento, State of California.

This Council intends to levy a special assessment upon the land within the described district in accordance with the special benefit to be received by each parcel of land, respectively, from the improvement. There shall be omitted from special assessment all public streets, alleys and places and all land belonging to the United States, the State of California, the County of Sacramento and this City now in use in the performance of a public function.

Where any disparity occurs in level or size between the improvement and private property, this Council determines that it is in the public interest and more economical to eliminate the disparity by doing work on the private property instead of adjusting the work on public property. Accordingly, work may be done on private property for this purpose with the written consent of the landowner.

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways

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EXHIBIT A

RESOLUTION NO.: _____ **8**

DATE ADOPTED: _____

Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor.

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 twenty-four (24) years from the second day of September next succeeding twelve (12) months from their date.

The procedure for the collection of assessments and advance retirement of bonds under the Improvement Bond Act of 1915 shall be as provided in Part 11.1, Division 10, of the Streets and Highways Code of the State of California.

The City will not obligate itself to advance available funds from the City treasury to cure any deficiency which may occur in the bond redemption fund. A determination not to obligate itself shall not prevent the City from, in its sole discretion, so advancing funds.

This Council finds that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (commencing with Section 2800, Streets and Highways Code) does not apply to these proceedings.

This Council appoints the Director of Public Works as Engineer of Work for this project, and directs the preparation of the report required by Section 10204 of the Streets and Highways Code.

In the opinion of this Council, the public interest will not be served by allowing owners of assessable lands to enter into a contract for the work of improvement as otherwise permitted in Section 20485 of the Public Contract Code.

If any excess shall be realized from the assessment it shall be used, in such amounts as the City Council may determine, in accordance with the provisions of law for one or more of the following purposes:

- (a) Transfer to the general fund of the City, provided that the amount of any such transfer shall not exceed the lesser of \$1,000 or 5% of the total amount expended from the improvement fund;
- (b) As a credit upon the assessment and any supplemental assessment, provided that such surplus may, if the City Council so determines, also be applied as a credit to the City or any local, state or national agency or authority which shall have made a contribution towards the cost and expenses of the acquisitions and improvements in the proportion which such contribution

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____ 9

DATE ADOPTED: _____

bears to the total amount of the assessment or supplemental assessment prior to the deduction of all such contributions; or

- (c) For the maintenance of the improvements.
- (d) To call bonds, thereby reducing outstanding assessments and subsequent assessment installments.

* * *

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____ **10**

DATE ADOPTED: _____

EXHIBIT A

WILLOWCREEK II ASSESSMENT DISTRICT NO. 96-01
CITY OF SACRAMENTO

- a) The improvement of River Plaza Drive from its intersection with West El Camino Avenue southerly 1700 feet, more or less, by clearing, grubbing and grading and the construction therein of base, pavement, ditches, storm drainage facilities including mains, catch basins, manholes and appurtenances, sanitary sewer facilities including mains, manholes and appurtenances, domestic water distribution facilities, including mains, fire hydrants, valves and appurtenances and underground public utility facilities.
- b) The opening of a new street from its intersection with River Plaza Drive at a point 1000 feet, more or less, south of the intersection of West El Camino Avenue and River Plaza Drive running thence southwesterly to Interstate Highway 80 (I-80) at a point 4750 feet, more or less, south of its intersection with River Plaza Drive and the improvement thereof by clearing, grubbing and grading and the construction therein of base, pavement, ditches, storm drainage facilities including mains, catch basins, manholes and appurtenances, sanitary sewer facilities including mains, manholes and a sanitary sewer lift station, domestic water distribution facilities including mains, fire hydrants, valves and appurtenances and underground public utility facilities.
- c) The opening of a new street from a point on the new street to be opened as described in (b) above 2000 feet, more or less, westerly of its intersection with River Plaza Drive running thence south 1000 feet more or less, and the improvement thereof by clearing, grubbing and grading and the construction therein of base, pavement, ditches, storm drainage facilities including mains, catch basins, manholes and appurtenances, sanitary sewer facilities including mains, manholes and a sanitary sewer lift station, domestic water distribution facilities, including mains, fire hydrants, valves and appurtenances and underground public utility facilities.
- d) The improvement of Unity Way from its intersection with River Plaza Drive easterly 1000 feet, more or less, by the construction of storm drainage facilities including mains, catch basins, manholes and appurtenances.
- e) The construction of a storm drainage pumping plant located at the terminus of the new street to be opened as described in (c) above including storm drainage pumps, motors, electrical equipment, outfall mains, base, pavement, fencing, storm drainage, sanitary sewer and water facilities, and landscaping, together with appurtenances to any of the above.

EXHIBIT A

WILLOWCREEK II ASSESSMENT DISTRICT NO. 96-01
CITY OF SACRAMENTO

- f) The improvement of Orchard Lane from the intersection with West El Camino Avenue northerly to the southerly line of I-80 by the construction of a sanitary sewer main, manholes and appurtenances and extending the construction of said sanitary sewer facilities 500 feet, more or less, under I-80 to a tie into an existing 18-inch sanitary sewer main.
- g) The construction of a domestic water system facility along the southerly portion of Assessor's Parcel Numbers 274-0021-012, 274-0022-004 and 274-0022-007.
- h) The acquisition of all lands and easements and the performing of all work auxiliary to any of the above and necessary to complete the same.