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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

Special Districts
1231 I Street, Room 300
SACRAMENTO, CA
95814
PH 916-264-7113
FAX 916-264-7480

DEVELOPMENT SERVICES

May 23, 2002

A) Adopted Reso 2002-350
PASSED FOR
B) → PUBLICATION
CONTINUED
FROM 06-11-02
TO 06-18-02

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: ANNEXATION #6 TO THE NORTH NATOMAS NEIGHBORHOOD LANDSCAPING COMMUNITY FACILITIES DISTRICT (CFD) NO. 99-02 – MAIL BALLOT ELECTION RESULTS AND ORDINANCE TO LEVY A SPECIAL TAX

LOCATION AND COUNCIL DISTRICT:

Annexation #6 to the North Natomas Neighborhood Landscaping CFD No. 99-02 is located in the North Natomas Community Plan area in Council District 1 (see attached Exhibit A).

RECOMMENDATION:

This report recommends that the City Council adopt a resolution determining the results of the special mail-ballot election and the ordinance be passed for publication of title and continued to June 18, 2002 (see Exhibit B).

CONTACT PERSON:

Ron Wicky, Special Districts Analyst, 264-5628

FOR COUNCIL MEETING:

June 11, 2002

SUMMARY:

This proposed Annexation has completed the resolution of intention, public hearing and election phases of the formation proceedings. This council report and resolution completes the formation process by reciting the results of the mail-ballot election. The proposed ordinance is recommended for approval of publication of title, pursuant to City Charter, Article III, Section 32.

City Council

Annexation #6 to the North Natomas Neighborhood Landscaping CFD No. 99-02

May 23, 2002

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

On June 29, 1999, City Council approved formation of the North Natomas Neighborhood Landscaping CFD and on May 21, 2002 approved this Annexation #6. 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, Westborough, Natomas Crossing, Riverview, Cambay West, Northpoint North and Creekside. 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 will be required to annex to this CFD.

This annexation, which was approved by Council on May 21, 2002, will annex the tentative map area of Heritage (See Exhibit A). Prior to adopting the ordinance to levy a special tax, and prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

FINANCIAL CONSIDERATIONS:

The current maximum tax rate will be established at Zero Dollars (\$0) per parcel for this zone. Should the City have to take over the maintenance area currently maintained by the Homeowners Association, the maximum annual tax rate will be One Hundred Ten Dollars (\$110.00) for the zone. Only "developed residential parcels" would 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:

Council action in initiating this CFD is exempt from CEQA given that it will cause no physical effects on the environment. Improvement projects will be subject to an environmental review process as part of development applications.

City Council
Annexation #6 to the North Natomas Neighborhood Landscaping CFD No. 99-02
May 23, 2002

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."

ESBD CONSIDERATIONS:

City council adoption of the attached resolution is not affected by city policy related to ESBD.

Respectfully submitted,


FOR: Gary Alm, Manager
Development Services

RECOMMENDATION APPROVED:

Approved:



ROBERT P. THOMAS
City Manager



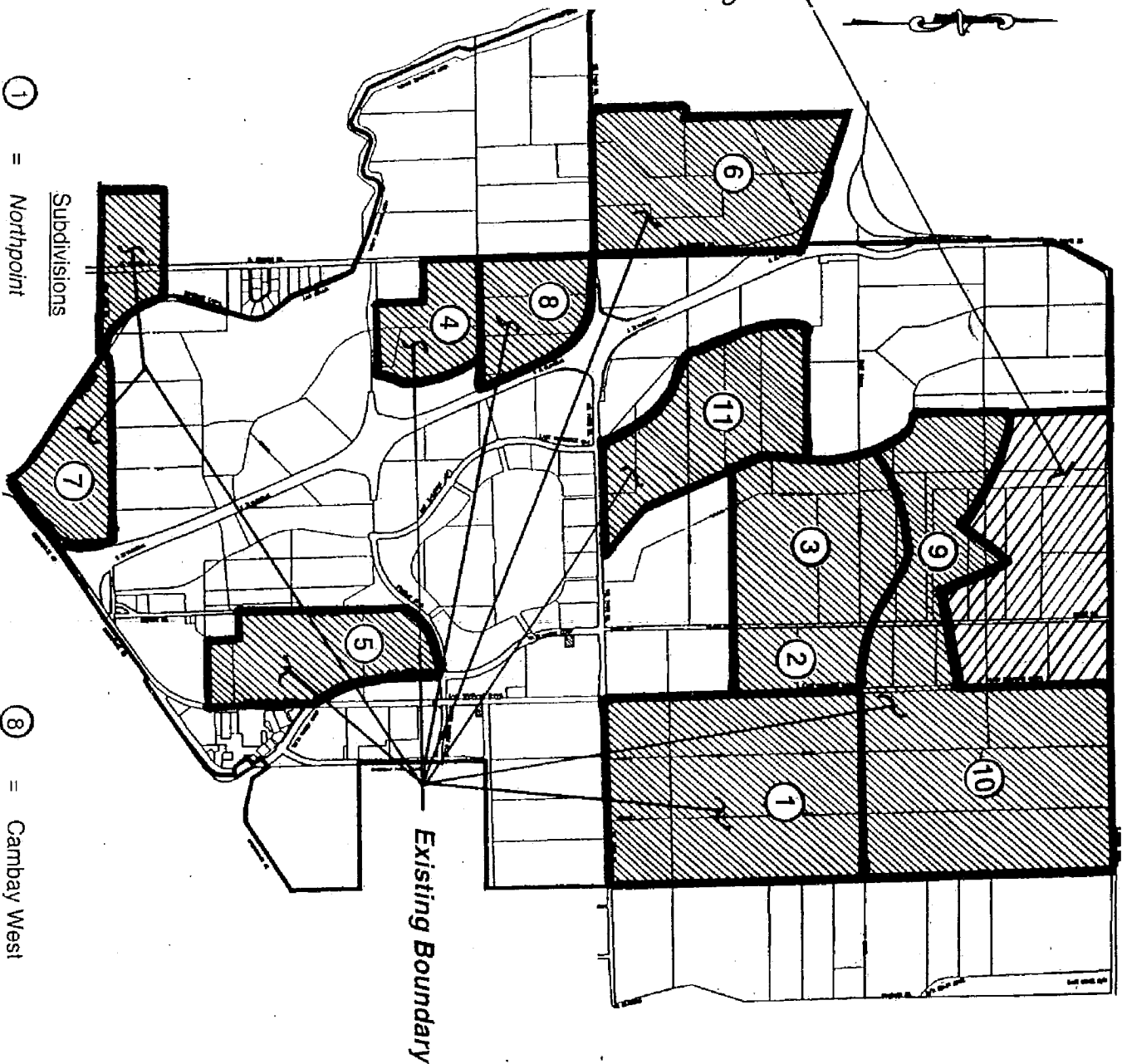
Michael Kashiwagi
Director of Public Works

EXHIBIT A

NORTHNATOMAS NEIGHBORHOOD LANDSCAPING
COMMUNITY FACILITIES DISTRICT #99-02

AREA OF SERVICES

Proposed Annexation #6
Heritage



- Subdivisions**
- ① = Northpoint
 - ② = Parkway Plaza
 - ③ = Northborough I
 - ④ = Gateway North
 - ⑤ = Natomas Crossing
 - ⑥ = Westborough
 - ⑦ = Riverview

- ⑧ = Cambay West
- ⑨ = Northborough II
- ⑩ = Northpoint North
- ⑪ = Creekside

**ANNEXATION #6 TO THE NORTH NATOMAS NEIGHBORHOOD
LANDSCAPING CFD NO 99-02
SCHEDULE**

April 16, 2002	City Council Resolution of Intention
April 17, 2002	Mail Notice of Hearing
May 21, 2002	City Council Hearing, Call for Special Election
May 22, 2002	Mail Ballots (Waiver of 90-day period)
June 5, 2002	Ballots Due

June 11, 2002	City Council Election Results & Pass for Publication Ordinance to Levy Tax
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June 12, 2002	Record Notice of Special Tax
June 18, 2002	City Council Adopt Ordinance to Levy Tax

APPROVED
JUN 11 2002
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2002-350

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SACRAMENTO DETERMINING THE RESULT OF THE SPECIAL
MAILED-BALLOT ELECTION HELD IN THE CITY OF SACRAMENTO NORTH
NATOMAS NEIGHBORHOOD LANDSCAPING COMMUNITY FACILITIES
DISTRICT NO. 99-02, ANNEXATION NO. 6, HELD ON JUNE 5, 2002**

WHEREAS, the City Clerk of the City of Sacramento has duly canvassed the votes cast in the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, , ("CFD No. 99-02, ") at the special mailed-ballot election held in CFD 99-02, on June 5, 2002, by the qualified electors of CFD No. 99-02, upon the proposition hereinafter set forth, and has certified to this City Council the result of the votes cast at such special mailed-ballot 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 City Council so finds and determines.

Section 2. The canvass of the votes cast in CFD. No. 99-02, at the special mailed-ballot election held in the Community Facilities District on June 5, 2002, as shown by said certification, is hereby approved and confirmed.

Section 3. At such special mailed-ballot election in CFD No. 99-02, , the following proposition was submitted to the qualified voters of CFD No. 99-02, , and the number of votes cast in CFD No. 99-02, for and against such proposition, as set forth in said canvass, is determined to be as follows:

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

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Measure (A):

Shall the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, , be authorized to finance landscape maintenance, more fully described in Exhibit A, and shall an appropriations limit in the amount of \$110,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2002-301 adopted by the City Council on May 21, 2002, which is incorporated herein by reference, and a tax be levied to pay for the maintenance of landscaping.

Section 4. The total number of votes cast in CFD No. 99-02, at such special mailed-ballot election for and against such proposition was and is set forth in said canvass.

Section 5. More than two-thirds (2/3) of all votes cast at such special mailed-ballot election were cast in favor of such proposition, and such proposition carried.

Section 6. The City Clerk of the City of Sacramento is hereby directed to enter this resolution on the minutes of this City Council, which shall constitute the official declaration of the result of such special mailed-ballot election, and is hereby further authorized and directed to record a notice of special tax lien in accordance with the provisions of Section 3114.5 of the Streets and Highways Code of the State of California.

PASSED AND ADOPTED by the City Council of the City of Sacramento this ____ day of _____, 2002, by the following vote:

AYES:
NOES:
ABSENT:

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE LEVYING A SPECIAL TAX FOR THE
PROPERTY TAX YEAR 2002-2003 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. 6, 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. 6 ("CFD No. 99-02, Annexation No. 6") (Resolution 2002-301 adopted by this Council on May 21, 2002), 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. 6 for the 2002-2003 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 Exhibit B of Resolution No. 2002-301 establishing Annexation No. 6 to CFD No. 99-02), to prepare the annual special tax roll in the amount of the Special Tax Requirement in accordance with said Exhibit B 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. 2002-301 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.

The appropriate officers and agents of the City are authorized to make adjustments

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

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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 _____, 2002.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

THE DAILY RECORDER

~ SINCE 1911 ~

1115 H Street, P.O. Box 1048, Sacramento, California 95812
Telephone (916) 444-2355 • Fax (916) 444-0636

SAC. CITY CLERK
915 I ST. #304
SACRAMENTO, CA - 95814

This space for filing stamp only

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO
JUN 18 2 46 PM '02

SC#: 407217

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Sacramento) ss

Notice Type: GSORD SAC CITY ORDINANCE -1 PUB

Ad Description: AD NO 9498

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:

06/14/02

Executed on: 06/14/2002
At Los Angeles, California

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

C. Brambila

Signature

CITY OF SACRAMENTO
ORDINANCES
On June 11, 2002, the following ordinances were considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of June 18, 2002 at 2:00 p.m. In accordance with Sacramento City Charter Section 32, the titles are herein published:
AN ORDINANCE LEVYING A SPECIAL TAX FOR THE PROPERTY TAX YEAR 2002-2003 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. 6, FOR LANDSCAPE MAINTENANCE
AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 99-015, AS AMENDED, BY REMOVING PROPERTY LOCATED AT 2001, 2089 ACOMA STREET, IN THE DEL PASO BOULEVARD SPECIAL PLANNING DISTRICT, FROM THE LIGHT INDUSTRIAL SPECIAL PLANNING DISTRICT (M-1-SPD) AND PLACING THE SAME IN THE GENERAL COMMERCIAL SPECIAL PLANNING DISTRICT (C-2-SPD) ZONE
Anyone interested in the full text of the above ordinance(s) may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 304, phone (916) 264-5427.
SACRAMENTO CITY COUNCIL
By: VALERIE A. BURROWES, City Clerk
AD NO. 9498
06/14/02

SC- 407217#