



# 3.1

**DEVELOPMENT SERVICES  
DEPARTMENT**

Development Engineering &  
Finance Division

**CITY OF SACRAMENTO  
CALIFORNIA**

Special Districts  
1231 I Street, Room 300  
Sacramento, CA 95814

PH 916-808-7995  
FAX 916-264-7480

February 1, 2005

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: ANNEXATION NO. 1 TO THE ASSESSMENT DISTRICT NO. 2 (CITYWIDE  
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT) – PUBLIC  
HEARING**

**LOCATION AND COUNCIL DISTRICT:**

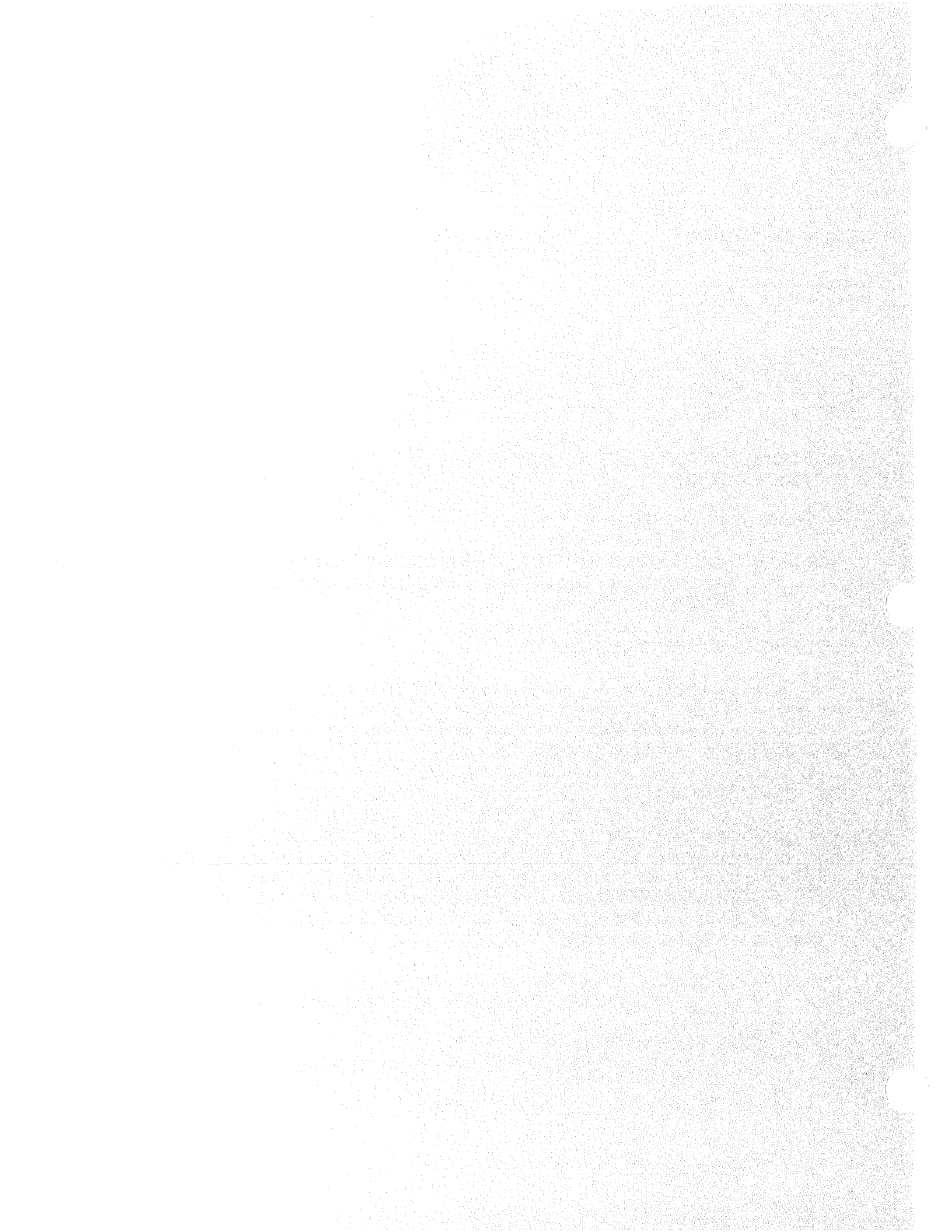
The Citywide Landscaping & Lighting Assessment District (Citywide L&L) is located throughout the City of Sacramento. Annexation No. 1 (Riverbend) is located west of the Natomas Main Drainage Canal, north of Sacramento River and southeast of Highway 80 in Council District 1 (see Attachment A).

**RECOMMENDATION:**

This report recommends that the City Council conduct the public hearing on Annexation No. 1 to Assessment District No. 2 (Landscaping and Lighting Assessment District). After the close of today's hearing, staff will count the ballots and the City Clerk will present the results during the Staff Report portion of today's meeting. After the ballot tally has been reported, staff recommends that Council adopt a resolution approving the Engineer's Report and levying the assessment.

**CONTACT PERSONS:** Rita Goolkasian, Program Specialist, 808-5236  
Edward Williams, Division Manager, 808-5440

**FOR COUNCIL MEETING OF:** March 1, 2005



**SUMMARY:**

The purpose of today's hearing is to receive public testimony and to take action on Annexation No. 1 to Assessment District No. 2. On January 6, 2005, Council initiated the annexation process and authorized staff to mail notices and voter ballots. Approval of this annexation will provide funding to maintain the public landscaping and lighting in and adjacent to the Riverbend subdivision.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

In June 1989, the City Council approved formation of the Assessment District No. 2, known as the Citywide Landscaping & Lighting Assessment District. This district imposes an assessment on all developed properties within the City of Sacramento. It provides funding for the maintenance and rehabilitation of City parks and other public landscaped areas, street tree maintenance and the energy and maintenance cost of streetlights throughout the City.

The annexation to the Citywide L&L will include 159 residential properties within Village A of the proposed Riverbend boundary area. A petition to initiate these proceedings has been received from Tim Lewis Communities, the sole property owner and Council accepted and approved the preliminary Engineers Report on January 6, 2005.

**FINANCIAL CONSIDERATIONS:**

The district is self-supporting and has no impact on the general fund. The estimated annual cost to each residential lot will not exceed \$65.94, which represents a maximum assessment for fiscal year 2005/2006. The total maximum assessment for the planned project with 159 units should generate \$10,484.56 to the Citywide L&L. These amounts reflect the maximum 3% Consumer Price Index (CPI) allowable adjustment applied to the current annual citywide L&L rates for single-family residential parcels with neighborhood lights.

**ENVIRONMENTAL CONSIDERATIONS:**

Under California Environmental Quality Act (CEQA) Guidelines, administration and annexation into the Citywide L & L do not constitute a project and are therefore exempt from review.

City Council  
Annexation No. 1 to Citywide L&L – Public Hearing  
February 1, 2005

**POLICY CONSIDERATIONS:**

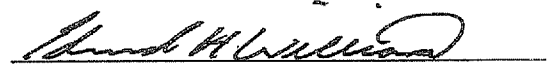
The proceedings under which this district is being processed are located in the Landscaping and Lighting Act of 1977, as set forth in Section 22600 of the California Streets and Highways Codes. Annexation into the Citywide Landscaping and Lighting

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

**ESBD CONSIDERATIONS:**

City Council approval of these proceedings is not affected by City policy related to the ESBD.

Respectfully submitted,

  
Edward Williams, Division Manager  
Development Engineering and Finance

**RECOMMENDATION APPROVED:**

  
ROBERT P. THOMAS, City Manager

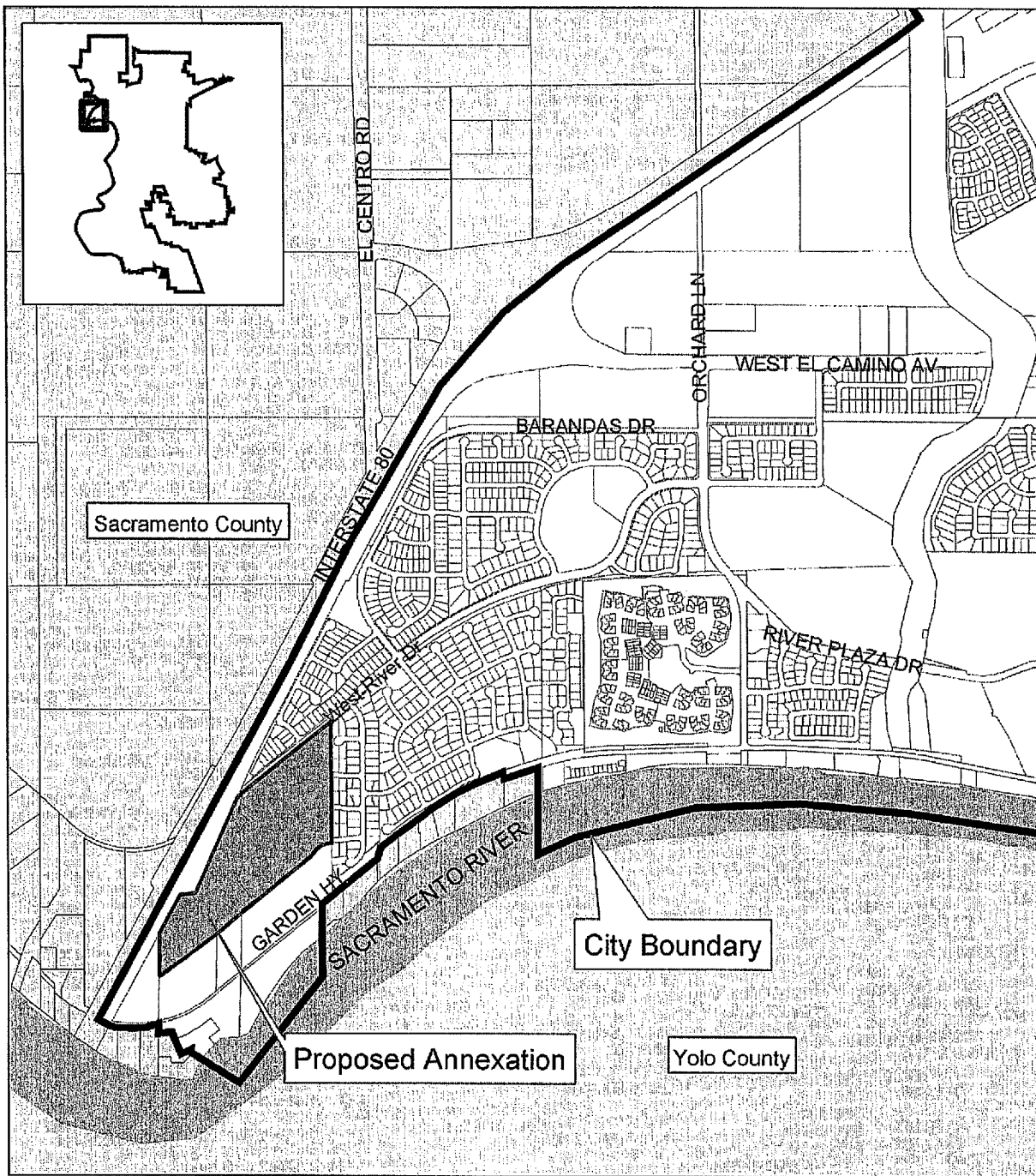
Table of Contents:

1. Attachment A, Annexation No. 1 to Assessment District No. 2 – Citywide L&L, Location Map, pg. 4
2. Attachment B, Schedule of Proceedings, pg. 5
3. Resolution Adopting the Engineer's Report, pg. 6
4. Exhibit A, Description of the Territory Annexed to the District, pg. 10
5. Exhibit B, Description of Services and Maintenance Improvements, pg. 12

S:\Moves\DEV\Spec Dists\DISTRICT PROJECTS\MD\Citywide L&L\Annexations\Annex #1\CCR-Annex No.1 to CitywideL&L-Hearing.doc

# ATTACHMENT A

## Annexation No. 1 to Assessment District No. 2 (Citywide Landscaping and Lighting Assessment District)



City of Sacramento  
**Development Services**  
Department  
Special Districts

BMueller, 10/13/04

0 1,000 2,000 4,000 Feet



ATTACHMENT B  
SCHEDULE OF PROCEEDINGS

November 2, 2004      Landowner Files Petition to Initiate Proceedings

January 6, 2005      City Council – Initiate Annexation Proceedings

- Accept Landowner Petition and Initiating Proceedings to Annex Territory
  
- Approve Boundary Map of Area to be Annexed and Preliminarily Approve the Engineer's Report
  
- Intent To Annex Territory; Order the Improvements and Maintenance; Levy an Assessment Upon the Annexed Property and Set A Time and Place for a Hearing of Protests

**March 1, 2005**

**City Council – Public Hearing and Announcement of Ballot Results**

- Resolution Adopting the Engineer's Report, Ordering Annexation, confirming and Levying Assessment, Ordering Maintenance Services be Performed, and Provide for Notice of Recording Assessment

March 7, 2005

Record Assessment Diagram and Notice of Assessment with County Recorder of Sacramento

**RESOLUTION NO. 2005-\_\_\_\_\_**

Adopted by the Sacramento City Council  
on \_\_\_\_\_

**Annexation No. 1 to City of Sacramento Assessment District No. 2**

**RESOLUTION ADOPTING THE ENGINEER'S REPORT; ORDERING THE ANNEXATION OF TERRITORY; ORDERING THE PROVISION OF IMPROVEMENTS, MAINTENANCE, AND SERVICE WITHIN THE ANNEXED TERRITORY; CONFIRMING AND LEVYING AN ASSESSMENT TO PAY FOR THE IMPROVEMENTS, MAINTENANCE, AND SERVICE; AND DIRECTING THAT A NOTICE OF ASSESSMENT BE RECORDED**

**RECITALS:**

**A.** The City Council has previously formed the City of Sacramento Assessment District No. 2 under the Landscaping and Lighting Act of 1972 (part 2 of division 15 in the Streets and Highways Code, beginning with section 22500) (the 1972 Act).

**B.** Tim Lewis Communities, Inc., a California corporation (Landowner), is the sole owner of the territory described in Exhibit A. Landowner has applied for a subdivision map covering this territory, and one of the conditions of approval for the subdivision map requires Landowner to annex the territory to the district. To fulfill this condition, Landowner presented to the City a petition requesting that the City commence proceedings for annexing the territory to the district in accordance with the 1972 Act.

**C.** The City has installed, constructed, or acquired within the territory described in Exhibit A, or will subsequently install, construct, or acquire, the public improvements generally described in Exhibit B. The City will also maintain and service these improvements in the manner generally described in Exhibit B. To finance the cost of providing the improvements, maintenance, and service, and as requested by Landowner, the City Council proposes to annex to the district the territory described in Exhibit A.

**D.** By Resolution No. 2005-004, and in response to the Landowner's petition, the City Council (1) initiated proceedings to annex to the district the territory described in Exhibit A; (2) designated the Interim Manager of Development Engineering and Finance to be the Engineer for purposes of the annexing the territory to the district and levying an assessment to finance the improvements, maintenance, and service

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

generally described in Exhibit B; (3) directed the Engineer to prepare and file with the City Clerk a map of the territory to be annexed, as required by Streets and Highways Code section 3110; and (4) directed the Engineer to prepare and file with the City Clerk the engineer's report required by section 4 in article XIID of the California Constitution and article 4 (commencing with section 22565) in chapter 1 of the Streets and Highways Code.

E. As directed, the Engineer prepared and filed with the City Clerk (1) a map entitled "Boundaries of Annexation No. 1 to the City of Sacramento Assessment District No. 2 (Citywide Landscaping & Lighting Assessment District)," which shows the proposed boundaries of the territory to be annexed (the Boundary Map); and (2) an engineer's report prepared in accordance with section 4 in article XIID of the California Constitution and article 4 (commencing with section 22565) in chapter 1 of the Streets and Highways Code (the Engineer's Report). The City Clerk presented the Boundary Map and the Engineer's Report to the City Council for consideration, and, after considering them, the City Council approved the Boundary Map and preliminarily approved the Engineer's Report by Resolution No. 2005-005.

F. By Resolution No. 2005-006, the City Council declared (1) that it intends to annex the territory described in Exhibit A in accordance with the 1972 Act; (2) that the exterior boundaries of the annexed territory are as shown on the Boundary Map entitled "Boundaries of Annexation No. 1 to the City of Sacramento Assessment District No. 2 (Citywide Landscaping & Lighting Assessment District)," which was approved by Resolution No. 2005-005 and is on file in the City Clerk's office; (3) that the improvements, maintenance, and service to be provided within the annexed territory are as generally described in Exhibit B; (4) that the City Council intends to pay for the improvements, maintenance, and service by levying annual assessments, in accordance with chapter 3.44 of the Sacramento City Code, the 1972 Act, and article XIID of the California Constitution, on all assessable lots and parcels within the annexed territory that are specially benefited by the improvements, maintenance, and service.

G. By Resolution No. 2005-006, the City Council also (1) set March 1, 2005, as the date for a public hearing on the proposed assessment; (2) directed the City Clerk to give notice of the hearing as required the 1972 Act and chapter 3.44 of the Sacramento City Code, with the notices to include assessment ballots as required by article XIID of the California Constitution; and (3) found that all real property within the annexed territory will be specially benefited by the improvements, maintenance, and service unless the City Council finds and determines otherwise at the public hearing.

H. The City Clerk has filed with the City Council an affidavit confirming her compliance with the legal requirements for mailing the notices and ballots. Relying on this affidavit, the City Council finds that a notice of public hearing and an

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

assessment ballot were mailed to each record owner of an identified parcel within the territory to be annexed, as ordered by Resolution No. 2005-006 and as required by law.

I. On March 1, 2005, at the time and place set forth in the notice of hearing mailed to all owners of real property located within the territory to be annexed, the City Council held a public hearing on the proposed assessment. During the hearing, the City Council (1) heard all protests against the proposed assessment from record owners of real property within the territory to be annexed; and (2) accepted testimony from all interested persons, whether or not they own real property within the territory to be annexed. Immediately after the hearing concluded, the City Clerk tabulated the assessment ballots submitted and not withdrawn (weighting the ballots according to the amount of the assessment on each parcel) and determined that the total dollar amount of all ballots cast in favor of the assessment exceeded the total dollar amount of all ballots cast in opposition to it.

**BASED ON THE FOREGOING RECITALS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:**

**Section 1.** The City Council finds that recitals A through I are true.

**Section 2.** No majority protest having been made through the assessment-ballot procedure, the City Council—

- (a) overrules all protests to the proposed assessment and these proceedings;
- (b) approves the Engineer's Report on the proposal to levy an annual assessment on land within the territory to be annexed, which is on file with the City Clerk and was preliminarily approved by Resolution No. 2005-005;
- (c) establishes a budget, as set forth in the Engineer's Report;
- (d) orders the annexation to the district of the territory generally described in Exhibit A, with exterior boundaries as shown on the assessment diagram set forth in the Engineer's Report and the boundary map approved by Resolution No. 2005-005;
- (e) orders that the improvements, maintenance, and service described in the Engineer's Report be provided within the annexed territory;
- (f) finds and determines that each parcel within the annexed territory, as shown on the assessment diagram set forth in the Engineer's Report, has been assessed in proportion to the benefits the parcel will receive from the improvements, maintenance, and service, all as described in the Engineer's Report;

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(g) confirms the assessment diagram and the assessment roll set forth in the Engineer's Report; and

(h) levies the assessment set forth in the Engineer's Report.

**Section 3.** In accordance with section 3114 of the Streets and Highways Code, the City Clerk is directed to transmit the assessment diagram and the assessment roll to the Engineer and the City's superintendent of streets. Each of those persons is directed to record the assessment diagram and assessment roll in his or her office.

**Section 4.** In accordance with section 3114 of the Streets and Highways Code, the City Clerk is further directed to file a copy of the assessment diagram in the office of the Sacramento County Recorder and to execute and record a notice of assessment in the office of the Sacramento County Recorder. Upon the recording of the diagram and notice, the assessment will become a lien upon the parcels assessed.

**Section 5.** Exhibits A and B are part of this resolution.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

ANNEXATION No. 1 TO CITY OF SACRAMENTO ASSESSMENT DISTRICT No. 2:  
RESOLUTION ADOPTING THE ENGINEER'S REPORT, ETC.

EXHIBIT A

A-1: LEGAL DESCRIPTION OF TERRITORY TO BE ANNEXED

All of Parcel 1 as shown on a Parcel Map, recorded in Book 177 of Parcel Maps, at Page 6, and all of Parcel 1 as shown on the Certificate of Compliance for Lot Line Adjustment, recorded in Book 20040610 of Official Records, at Page 2466, Sacramento County Records, in the City of Sacramento, County of Sacramento, State of California.

EXCEPTING THEREFROM the following described area:

BEGINNING at a point which is the southwest corner of Parcel 1 as shown on said Certificate of Compliance for Lot Line Adjustment; thence along the westerly boundary line of said Parcel 1, North 00° 17' 21" West, a distance of 336.79 feet; thence leaving said westerly boundary line and into said Parcel 1, North 50° 57' 48" East, a distance of 142.35 feet; thence along a non-tangent curve concave to the northwest having a radius of 48.50 feet, and to which a radial line bears South 06° 44' 50" East, northeasterly 48.50 feet, along said curve through a central angle of 57° 17' 50"; thence along a reverse curve concave to the southeast having a radius of 31.50 feet, northeasterly 13.75 feet, along said curve through a central angle of 25° 00' 28"; thence North 50° 57' 48" East, a distance of 309.63 feet; thence along a tangent curve concave to the northwest having a radius of 227.50 feet, northeasterly 48.68 feet, along said curve through a central angle of 12° 15' 40"; thence along a reverse curve concave to the southeast having a radius of 186.50 feet, northeasterly 39.91 feet, along said curve through a central angle of 12° 15' 40" to an interior corner on the easterly boundary line of said Parcel 1; thence along said easterly boundary line, South 00° 01' 30" West, a distance of 435.61 feet to the most southerly southeast corner of said Parcel 1, also being a point of intersection with the centerline of Garden Highway; thence along the southeasterly boundary line of said Parcel 1, also being on the centerline of Garden Highway, South 51° 15' 56" West, a distance of 185.16 feet; thence continuing, along a non-tangent curve concave to the northwest having a radius of 955.37 feet, and to which a radial line bears South 39° 16' 30" East, southwesterly 358.87 feet, along said curve through a central angle of 21° 31' 20" to the POINT OF BEGINNING.

The basis of bearings for this description is the easterly boundary line of Parcel 1 as shown on a Parcel Map recorded in Book 177 of Parcel Maps, at Page 6, in said County. Said line is taken to bear North 00° 17' 25" West.

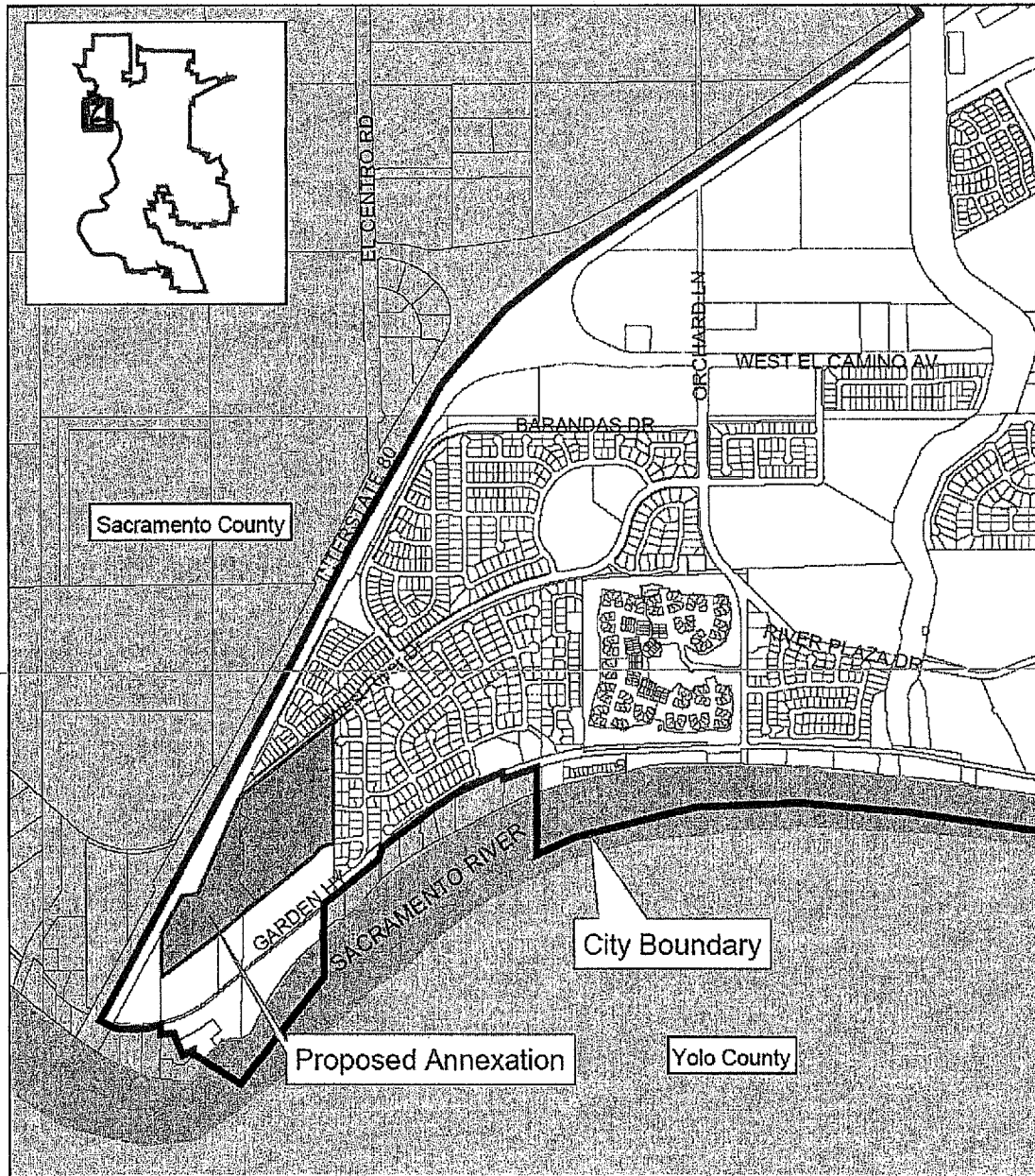
---

FOR CITY CLERK USE ONLY

RESOLUTION NO: \_\_\_\_\_

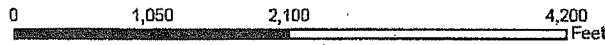
DATE ADOPTED: \_\_\_\_\_

**A-2: GENERAL DESCRIPTION OF TERRITORY TO BE ANNEXED**



City Of Sacramento  
*Development Services*  
Department  
Special Districts

BMueller, 12/08/04



**FOR CITY CLERK USE ONLY**

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## EXHIBIT B

### DESCRIPTION OF IMPROVEMENTS, MAINTENANCE, AND SERVICE

The "improvements" to be installed, constructed, or acquired, and the "maintenance" and "service" to be provided for those improvements, are generally described as follows:

1. *Street-Related Operations and Maintenance*

- (a) City street-light facilities on major streets and at intersections.
- (b) City-maintained landscaping, irrigation facilities, and other appurtenances within or along freeway corridors and public rights-of-way.
- (c) Bikeways, including bikeway bridges and structures.
- (d) Designated streetscaping construction projects.
- (e) Proportional costs of engineering and administrative costs for the district.
- (f) Miscellaneous costs related to streets and allowed under the Landscaping and Lighting Act of 1972.

2. *Neighborhood Street Lighting*

- (a) City street-light facilities designated as neighborhood lighting (typically 100-watt or less lights).
- (b) Replacement of failed street-light electrical conduit and circuits.
- (c) Miscellaneous costs related to any item described in 2(a) or 2(b).

3. *Maintenance of Street Trees.* General care and maintenance of street trees within public rights-of-way.

- (a) Trimming, maintaining, caring for, and replacing street trees within public rights-of-way.
- (b) Planting new street trees within public rights-of-way.
- (c) All costs associated with operating and administering the street-tree maintenance program.
- (d) Miscellaneous work related to caring for and maintaining street trees.

---

FOR CITY CLERK USE ONLY

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

4. *Bonded Indebtedness for Park Improvements.*

(a) Capital Improvement Project (CIP) Improvements.

- (1) Construction and development of City-maintained landscaping, irrigation facilities, and other appurtenances for neighborhood and community parks.
- (2) Construction of greenbelts, linear parkways, and buffer zones on City-owned land.
- (3) Construction of bikeways, including bikeway bridges and structures.
- (4) Miscellaneous costs related to any item described in 4(a)(1), 4(a)(2), or 4(a)(3).

(b) Common Facilities.

- (1) Proportional costs of all engineering and administrative costs for the district.
- (2) Miscellaneous costs related to any item described in 4(b)(1).

5. *On-going Park Maintenance, Park Improvements, and Graffiti Abatement.*

(a) Park Maintenance and Improvements.

- (1) Construction, care, and development of City-maintained landscaping, irrigation facilities, and other appurtenances for neighborhood and community parks.
- (2) Construction and maintenance of all greenbelts, linear parkways, and buffer zones on City-owned lands.
- (3) Trimming, maintaining, caring for, and replacing trees within City parks.
- (4) Proportional costs of the contingency fund for the district.
- (5) Miscellaneous costs related to any item described in 5(a)(1), 5(a)(2), 5(a)(3), or 5(a)(4).

(b) Common Facilities. Common facilities are improvements that provide special benefits to all assessed properties.

- (1) Construction, care, development, and maintenance of City-maintained landscaping, irrigation facilities, and other appurtenances within City regional parks, as well as habitat preservation in designated open spaces.
- (2) Cleaning, sandblasting, and painting walls and other improvements to remove or cover graffiti.
- (3) Proportional costs of all engineering and administrative costs for the district.

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- (4) Miscellaneous costs related to any item allowed under the Landscaping and Lighting Act of 1972 but not specifically listed in 5(b)(1), 5(b)(2), or 5(b)(3).

• • • • •

The improvements, maintenance, and service to be financed with assessments on assessable lots and parcels within the territory of Annexation No. 1 to the City of Sacramento Assessment District No. 2 are described more specifically in the annual Engineer's Report for the district, on file with the City Clerk at City of Sacramento Interim City Hall, 730 "I" Street, 2nd floor, Sacramento, California.

---

**FOR CITY CLERK USE ONLY**

RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

