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DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY
ENGINEERING DIVISION MANAGER

CITY OF SACRAMENTO
CALIFORNIA

APPROVED
BY THE CITY COUNCIL

MAR 8 1988

OFFICE OF THE
CITY CLERK

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

916-449-8220

CONSTRUCTION SECTION
640 BERKUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

916-449-5282

March 8, 1988

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Natomas West Assessment District (JN:9733, IP No. 5537) - Resolution of Intention

SUMMARY

It is recommended that the Resolution of Intention to order improvements in the Natomas West Assessment District be adopted.

BACKGROUND

The owners of 57% of the property within the proposed Natomas West Assessment District have signed a petition requesting that storm sewers, sanitary sewers, water distribution mains, street improvements and a major storm drainage pumping station be constructed to enable the area to develop. Without these improvements urbanization of this area cannot be accomplished.

On January 19, 1988, the City Council adopted a resolution requesting jurisdiction of the County Board of Supervisors for the formation of the Natomas West Assessment District. The Municipal Improvement Act of 1913 requires the City to obtain the County's consent for jurisdiction on the formation of an assessment district, if a portion of the proposed district lies outside the city limits. On February 16, 1988, the County Board of Supervisors adopted a resolution consenting to the formation of the Natomas West Assessment District.

Adoption of the proposed Resolution of Intention will initiate the assessment district and allow the engineer to prepare the plans and necessary information needed for the engineer's report. After all the above items are completed, a bid and hearing date will be set.

City Council
Natomas West A.D (PN:9733)
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It should be noted that this assessment district is in an area which is under study by the Federal Emergency Management Agency (FEMA) for inclusion in the designated 100 year flood plain. City staff is currently reviewing with bond counsel and the bond underwriters the potential impact the new FEMA study will have on the marketing of municipal bonds if this assessment district falls within the 100 year flood plain.

FINANCIAL

The adoption of the resolution attached hereto will not require any expenditure of City funds as the entire cost of the proposed improvements and incidental expenses are to be assessed to the property within the district.

RECOMMENDATION

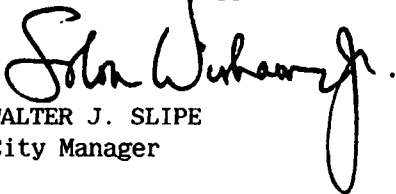
Adoption of the attached Resolution of Intention is recommended.

Respectfully submitted,



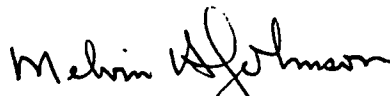
THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



For: WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

IEM:yg
IP5537.C.1
02.2988

March 8, 1988
District No. 1

Attachment

RESOLUTION NO. 88-175

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE **APPROVED**
BY THE CITY COUNCIL

MAR 8 1988

RESOLUTION OF INTENTION TO ORDER IMPROVEMENT OFFICE OF THE
NATOMAS WEST ASSESSMENT DISTRICT CITY CLERK
CITY OF SACRAMENTO
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

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:

- a) The construction of sanitary sewer mains, manholes with manholes frames and covers, wye branches and laterals, where required, in Orchard Lane from Garden Highway to Interstate Route 80, in West El Camino from a point 1,400 feet, more or less, westerly of Orchard Lane to a point 2,200 feet, more or less, easterly of Orchard Lane, in an easement to be acquired lying northerly of and adjacent to the northerly right of way line of the Garden Highway from Interstate Route 80 to a point 400 feet, more or less, easterly of Orchard Lane, in an easement to be acquired lying within or adjacent to county Assessor's Parcel Nos. 274-0220-049, 274-0021-011, 274-0022-009, 274-0022-010, and 274-0030-059, and in Miller Road from Garden Highway to a point 1,200 feet, more or less, northerly of Garden Highway.
- b) The construction of water mains, valves, tees and hydrants, where required, in Orchard Lane from Garden Highway to Interstate Route 80, in West El Camino from a point 1,400 feet, more or less, westerly of Orchard Lane to a point 2,800 feet, more or less, easterly of Orchard Lane, and in an easement to be acquired lying northerly of and adjacent to the northerly line of the Garden Highway from El Centro Road to a point 400 feet, more or less, adjacent to County Assessor's Parcel Nos. 274-0021-011, 274-0022-009, 274-0022-010, and 274-0030-059.
- c) The construction of a storm drainage station together with all appurtenances thereto on property to be acquired adjacent to Garden Highway near the intersection of El Centro Road.
- d) The construction of storm drain mains, manholes, with manhole frames and covers, catch basins and laterals, where required, in an easement to be acquired lying within

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or adjacent to County Assessor's Parcel No. 274-0022-004, from said storm drainage pump station described in (c) above northerly 1,300 feet, more or less, in an easement to be acquired from said storm drainage pump station southerly to the Sacramento River, the exact location of the easement to be acquired to be determined by the City Engineer, in Orchard Lane from a point 1,500 feet, more or less, northerly of Garden Highway to Interstate Route 80, in West El Camino from a point 1,400 feet, more or less, westerly of Orchard Lane to a point 2,200 feet, more or less, easterly of Orchard Lane, in an easement to be acquired lying within or adjacent to the southeasterly right-of-way line of Interstate Route 80, from County Assessor's Parcel No. 274-0022-047 to County Assessor's Parcel No. 274-0220-049 and within or adjacent to County Assessor's Parcel Nos. 274-0220-049, 274-0021-011, 274-0022-009, 274-0020-010, and 274-0030-059.

- e) The improvement of an unnamed street by clearing, grubbing, excavating and grading and the construction of an asphalt concrete paving with aggregate base, and necessary appurtenances, in an easement to be acquired lying within or adjacent to County Assessor's Parcel Nos. 274-0021-011, 274-0022-009, 274-0022-010, and 274-0030-059.
- f) The acquisition of water mains, valves, tees, and hydrants, in an easement lying adjacent to a line common to County Assessor's Parcel Nos. 274-0030-065 and 274-0030-066 and the easterly extension thereof from Orchard Lane to the easterly side of Reclamation District 1000 Main Drainage Canal.
- g) The acquisition of capacity rights and a right of service and use in existing sanitary sewage treatment, disposal, transmission and collection facilities of the Sacramento Regional County Sanitation District.
- h) The acquisition of all lands, easements and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

This Council finds that the land specially benefited by the improvement is shown within the boundaries of the map entitled, "Proposed Boundaries of Natomas West Assessment District, City of Sacramento, Sacramento County, 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 Natomas West Assessment District, City of Sacramento, Sacramento County, California.

This Council intends to levy a special assessment upon the

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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.

Serial 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 fourteen (14) 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 intends to comply with the requirements of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 by proceeding under Part 7.5 (commencing with Section 2960) of said Act and the Engineer of Work is hereby directed to include in his report all of the information required by Section 2961 thereof.

This Council appoints The Spink Corporation 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.

The amount of any surplus remaining in the improvement fund after completion of the improvement and payment of all claims

shall be transferred to the general fund if the surplus does not exceed the lesser of one thousand dollars (\$1000) or five percent (5%) of the total amount expended from the fund. Otherwise the entire surplus shall be applied as a cred on the assessment as provided in Section 10427.1 of the Streets and Highways Code.

This resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 8th day of March, 1988.

MAYOR

ATTEST:

CITY CLERK

COUNTY OF SACRAMENTO

RESOLUTION NO. 88-0153

RESOLUTION CONSENTING TO THE FORMATION
OF THE NATOMAS WEST ASSESSMENT DISTRICT
BY THE CITY OF SACRAMENTO

WHEREAS, on January 19, 1988, the City Council of the City of Sacramento, California (the "Council") adopted Resolution No. 88-066, Resolution Requesting Jurisdiction of the Board of Supervisors of the County of Sacramento in connection with the Natomas West Assessment District, City of Sacramento, County of Sacramento, State of California a copy of which is attached hereto as the Exhibit A; and

WHEREAS, the Council in Resolution No. 88-066 has requested consent of the Board of Supervisors (the "Board") of the County of Sacramento, (the "County") to the formation of the proposed Natomas West Assessment District (the "District") of the City of Sacramento, to the proposed Resolution of Intention attached to said resolution as Exhibit A, to the improvements described in said Resolution of Intention, and to the assumption of jurisdiction by the Council for all purposes in connection with the District; and

WHEREAS, a portion of the lands shown within the boundaries of the District lies outside the jurisdiction of the Council and within the jurisdiction of the Board; and

WHEREAS, Section 10103 of the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code of the State of California (the "Act") requires consent of the Board to the formation of the district, to the improvements described in the Resolution of Intention and to the assumption of jurisdiction by the Council for constructing the improvements in order for the Council to adopt its Resolution of Intention; and

WHEREAS, certified copies of said Resolution No. 88-066 and of said boundary map have been transmitted to the Clerk of the Board; and

WHEREAS, the Board has considered the requests contained in said Council Resolution No. 88-066 and has reviewed said boundary map.

^S NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Sacramento as follows:

Section 1. This Board hereby approves and consents to the formation, by the City Council of the City of Sacramento, of the assessment district designated "Natomas West Assessment District, City of Sacramento, Sacramento County, California."

Section 2. This Board hereby approves the improvements described in the Resolution of Intention for the District and the map of the area constituting the district and the Resolution of Intention and map as submitted to this Board by the Council.

Section 3. This Board hereby approves and consents to the levying of assessments in the unincorporated territory in Sacramento County pursuant to the Act within the District and hereby consents to the assumption of jurisdiction by the Council for all purposes of said proceeding for the construction of the improvements described in the Resolution of Intention and and hereby authorizes the Council to take each and every step required to establish the District and construct said improvements.

Section 4. The Clerk of this Board is hereby authorized and directed to file a certified copy of this resolution with the City Clerk of the City of Sacramento as evidence of the consent and approval of this Board to the formation of the District, as provided by the Act.

On a motion by Supervisor I. COLLIN, seconded by Supervisor J. STRENG, the foregoing resolution was passed and adopted by the BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, this 16th day of February, 1988, by the following vote, to wit:

AYES: SUPERVISORS Collin, G. Johnson, Smoley, Streng
NOES: SUPERVISORS None
ABSENT: SUPERVISORS T. Johnson

Jim Streng
Chairman of the Board of Supervisors

ATTEST:

BY: Brenda A. Williams
Clerk of the Board of Supervisors

In accordance with Section 25103 of the Government Code of the State of California a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on

FEB 16 1988

By Heli A. Donaldson
Deputy Clerk, Board of Supervisors

FILED

FEB 16 1988

BOARD OF SUPERVISORS
BY Brenda A. Williams
CLERK OF THE BOARD

The foregoing is a correct copy of a resolution adopted by the Board of Supervisors, Sacramento County, California

on FEB 16 1988

Dated FEB 17 1988

Clerk of said Board of Supervisors

By Heli A. Donaldson
Deputy