



CITY OF SACRAMENTO

February 10th, 1981

CITY MANAGER'S OFFICE
RECEIVED
FEB 4 1981
IRVIN E. MORAES
REAL ESTATE SUPERVISOR

REAL ESTATE AND STREET ASSESSMENTS DIVISION
915 I STREET
CITY HALL ROOM 207
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5626

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Woodbine Avenue Assessment District No. 1,
Improvement Proceeding No. 5017

SUMMARY

Adoption of the necessary Resolutions to initiate the proposed Assessment District.

BACKGROUND INFORMATION

This Improvement Proceeding is a continuation of the Council policy to subsidize street improvements in low income neighborhoods. This policy was started in 1974.

Plans and specifications for Woodbine Avenue Assessment District No. 1 have been completed and the work is estimated to cost \$665,990.92. In keeping with the policy of assuring the homeowner that the cost for constructing the improvements would not exceed \$25.00 per front foot, the City's Contribution is estimated to be \$536,191.89.

FINANCIAL DATA

In the 1980-81 City Budget, the City Council budgeted \$560,000.00 of Community Development Block Grant Funds for the acquisition of right of way and construction of this project. There appears to be sufficient funds budgeted for this project based on our Engineer's estimate detailed below:

Estimated construction cost		\$540,608.05
Estimated engineering		82,444.25
Bond printing cost		975.00
Bond counsel fee		3,078.04
Acquisition of prior assessments		15,649.08
Bond discount @ 85%		23,236.50

HR9 3-3-81
APPROVED
BY THE CITY COUNCIL

Estimated Total Project Cost **FEB 10 1981** \$665,990.92

Property Owners Share **OFFICE OF THE CITY CLERK** 129,779.03

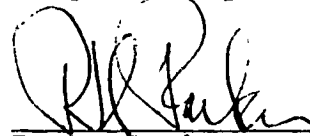
Total City Contribution \$536,191.89

RECOMMENDATION

It is recommended that the following Resolutions be adopted in the order listed below:

1. Resolution Approving Map and Diagram.
2. Resolution Approving Plans, Grades and Specifications.
3. Resolution Declaring That Public Convenience and Necessity Require said Improvements, which sets a Hearing for March 3rd, 1981.
4. Resolution of Intention, which sets a Hearing for March 3rd, 1981.

Respectfully submitted,



R. H. Parker
City Engineer

For Transmittal to City Council



Walter J. Slupe
City Manager

RHP:IEM:bd
Attachments
File # 5017

February 10th, 1981
DISTRICT NO. 7

RESOLUTION NO. 81-082

Adopted by The Sacramento City Council on date of

APPROVING DISTRICT MAP
FOR IMPROVEMENT PROCEEDING NO. 5017

WOODBINE AVENUE
ASSESSMENT DISTRICT NO. 1

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That the map submitted by the City Engineer showing the boundaries of Woodbine Avenue Assessment District No. 1 be, and the same is hereby, approved, and that the City Clerk shall file it in her office.

That all of the Resolutions to be adopted respecting said Woodbine Avenue Assessment District No. 1 shall refer to said map in lieu of describing the boundaries of said district in detail.

That the said area set forth and described on said map is hereby designated as "Woodbine Avenue Assessment District No. 1" by which name it shall be known in all proceedings of this City Council relative thereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 10TH DAY OF FEBRUARY , 1981, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

MAYOR

CITY CLERK

APPROVED
BY THE CITY COUNCIL

FEB 11 1981

OFFICE OF THE
CITY CLERK



RESOLUTION NO. 81-083

Adopted by The Sacramento City Council on date of

FEBRUARY 10, 1981

APPROVING PLANS, SPECIFICATIONS,
COST ESTIMATE AND GRADES
FOR IMPROVEMENT PROCEEDING NO. 5017

WOODBINE AVENUE
ASSESSMENT DISTRICT NO. 1

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That the Plans and Specifications submitted by the City Engineer showing the full and detailed description of the proposed improvements to be constructed in Woodbine Avenue Assessment District No. 1, be, and the same are hereby, adopted and that the City Clerk shall file them in her office.

That the Resolution of Intention to be adopted respecting Woodbine Avenue Assessment District No. 1 shall refer to said plans and specifications for the full and detailed description of said work and improvements.

That the cost estimate, totaling the sum of \$ 665,990.92 submitted by the City Engineer which shows his detailed estimate of the cost of the proposed work to be done and of the proposed improvements constructed in Woodbine Avenue Assessment District No. 1 and the cost of the incidental expenses thereof, be, and the same are hereby accepted, and that the City Clerk shall file said cost estimate in her office.

That the grades for said work and improvements shown on said Plans, be, and the same are hereby, adopted as the Official Grades of said work and improvements.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 10TH DAY OF FEBRUARY, 1981, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

FEB 10 1981

MAYOR
OFFICE OF THE
CITY CLERK



RESOLUTION NO. 81-084

Adopted by The Sacramento City Council on date of

FEBRUARY 10, 1981

RESOLUTION

- (1) Describing Proposed Improvements and Acquisitions for Proposed Improvement Proceeding No. 5017, Woodbine Avenue Assessment District No. 1,
- (2) Declaring That Public Convenience and Necessity Require said Improvements and Acquisitions; and
- (3) Setting Time and Place for a Hearing Respecting the Public Convenience and Necessity for said Improvements and Acquisitions.

WHEREAS, on February 10th, 1981, the City Engineer of the City of Sacramento presented to this Council a map for the "Proposed Woodbine Avenue Assessment District No. 1" and said map showed a boundary line enclosing an area in the City of Sacramento, and

WHEREAS, on February 10th, 1981, this Council adopted Resolution No. _____, approving said map and therein granted the name Woodbine Avenue Assessment District No. 1 to the area in the City of Sacramento shown enclosed by said boundary line on said map, and

WHEREAS, on February 10th, 1981, the City Engineer of the City of Sacramento presented to this Council plans and specifications for certain public improvement work that the City of Sacramento proposes to do on public streets and easements within and adjacent to the area of said Woodbine Avenue Assessment District No. 1, and

WHEREAS, on February 10th, 1981, this Council adopted Resolution No. _____, approving said plans and specifications and

WHEREAS, this Council desires to do and construct said public improvement work under a lawful declaration that the public convenience and necessity require the same, and

APPROVED
BY THE CITY COUNCIL

FEB 10 1981

OFFICE OF THE
CITY CLERK

WHEREAS, this Council deems that certain acquisitions (as said term is defined in The Improvement Act of 1911), namely, acquiring and eliminating certain existing public improvement assessment liens on lands located in the boundaries of the proposed Assessment District mentioned above are necessary and appropriate to accomplish for doing and constructing the public improvement work for said proposed Assessment District, and

WHEREAS, this Council desires to accomplish said acquisitions under a lawful declaration that the public convenience and necessity require the same and that the costs and expenses of said acquisitions are incidental expenses of the cost of the public improvement work for said proposed Assessment District, and

WHEREAS, this Council desires to assess all of the costs and expenses of said public improvement work and said acquisitions on the District of lands mentioned hereinabove, to-wit: said Woodbine Avenue Assessment District No. 1.

NOW, THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

1. That this Council hereby preliminarily determines that the public convenience and necessity require that the City of Sacramento do the work and construct the public improvement work in and adjacent to the area in the City of Sacramento designated Woodbine Avenue Assessment District No. 1 that is shown and described on the plans and specifications approved by the City Council on February 10th, 1981.

2. That this Council hereby preliminarily determines to pay for the cost of all of said public improvement work and all expenses appertaining thereto by levying special assessments on the lands situate within the boundaries of said Woodbine Avenue Assessment

District No. 1 saving and excepting therefrom the area of all public easements, streets and roads, and also preliminarily determines to assess said lands in accordance with the benefits that each parcel of land in said district receives therefrom.

3. That the places where said public improvement work shall be done and a general description of the types of work shown in said plans and specifications are as follows:

Improve Woodbine Avenue from the center line of the Alley between 51st and 52nd Avenues to the center line of Edinger Avenue and from the center line of 53rd Avenue to a point located 188 feet South of the center line of 53rd Avenue, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities, lower existing water main and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material;

52nd Avenue and Edinger Avenue from the center line of Woodbine Avenue to approximately 140 feet East of the center line of 27th Street, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material;

53rd Avenue from the center line of Woodbine Avenue to approximately 157 feet East of the center line of 27th Street, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities, lowering existing water main and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material;

27th Street from approximately 40 feet North of the center line of the Alley between 51st and 52nd Avenues to approximately 173 feet South of the center line of 53rd Avenue, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities, lowering existing water main and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material.

The City of Sacramento will contribute for a portion of the cost of constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, excavation and fill grading, lowering of existing water main, storm drainage system, drainage facilities and street lighting system complete for the above described Streets. The amount of said contribution is estimated to be \$536,191.89. The actual amount of said contribution shall be determined by the City Engineer upon the making of the assessment for the work herein described and shall be based upon the amount bid by the contractor to whom the contract is awarded. The City Engineer shall, at the time of making the assessment for the cost and expense of the work herein described, deduct from said cost and expense an amount determined as set forth above.

That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the 52nd Avenue, Edinger Avenue, Woodbine Avenue and Carnation Avenue Alley Sanitary Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the City of Sacramento's 52nd Avenue, Edinger Avenue, Woodbine Avenue and Carnation Avenue Alley Sanitary Sewer Assessment District and

the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>	<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
7	\$ 12.07	16	\$ 10.57
8	12.07	17	12.07
11	12.07	20	12.07
14	12.07	21	21.14
15	10.57	22	173.10

That this Council hereby finds and determines that acquiring the above described prior assessments of said 52nd Avenue, Edinger Avenue, Woodbine Avenue and Carnation Avenue Alley Sanitary Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require and that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public

improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

5. That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the 51st Avenue and 52nd Avenue, Woodbine Avenue to 27th Street Sanitary Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien, at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the City of Sacramento's said 51st Avenue and 52nd Avenue, Woodbine Avenue to 27th Street Sanitary Sewer Assessment District and the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
11	\$ 15.74
14	15.74
16	15.74
17	15.74
18	15.74
19	15.74
20	15.74

That this Council hereby finds and determines that acquiring the above described prior assessments of said 51st Avenue and 52nd Avenue, Woodbine Avenue to 27th Street Sanitary Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require and that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

6. That this Council informs all persons that certain

parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the Board of Supervisors of the County of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the Del Rio Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien, at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the County of Sacramento's said Del Rio Sewer Assessment District and the amount of money now unpaid upon the principal sum that the Board of Supervisors of the County of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
537	\$ 83.85

That this Council hereby finds and determines that acquiring the above described prior assessments of said Del Rio Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount

of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

7. That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the 53rd Avenue Sanitary Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the

City of Sacramento's 53rd Avenue Sanitary Sewer Assessment District and the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
1	\$845.68
2	425.52
3	450.24
4	450.24
5	772.08
6	548.40
7	471.20
10	354.24
11	568.48

That this Council hereby finds and determines that acquiring the above described prior assessments of said 53rd Avenue Sanitary Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require and that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

8. That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the 53rd Avenue Sanitary Sewer Assessment District No. 2 and that all of said assessments that are not paid in full and removed from the lands on which they are a lien at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the City of Sacramento's 53rd Avenue Sanitary Sewer Assessment District No. 2 and the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
1	\$ 324.54
2	519.39
5	637.83
11	649.26
12	532.44
14	655.56
Amended Assessment No. 1	2,033.55

That this Council hereby finds and determines that acquiring the above described prior assessments of said 53rd Avenue Sanitary Sewer Assessment District No. 2 is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require and that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

9. That this Council hereby preliminarily determines to do and to construct the public improvement work described in this

Resolution and any changes thereto and hereby preliminarily determines to accomplish the acquisitions described in this Resolution and any changes thereto all under proceedings that the City Council shall conduct for the same under the Improvement Act of 1911 and the City Council hereby preliminarily determines to undertake said proceedings under said Improvement Act of 1911 without complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

10. That the City Council hereby sets March 3rd, 1981 at the hour of 7:30 o'clock P.M. in the Council Chambers of the City Council, in the City Hall, on I Street, between 9th and 10th Streets in the City of Sacramento, California, as the time and the place for a public hearing whereat any person interested may appear and show cause why the City Council should not find and determine that the public convenience and necessity require the City of Sacramento to do and construct the public improvement work hereinabove set forth and to accomplish the acquisitions hereinabove set forth all without complying with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

11. That this Council hereby directs the City Clerk of the City of Sacramento to notify all interested persons of said hearing by doing all of the following:

(a) Publish a notice in the newspaper of general circulation known as The Daily Recorder and publish said notice in two entire issues of said newspaper, one of which shall be published on one day and the other shall be published on a day subsequent to the day the first notice is published and publish said notice for the first time at least 10 days before the date hereinabove set for said hearing.

(b) Mail prepaid at least 15 days before the date hereinabove set forth for said hearing a notice to each owner of land within the

proposed Woodbine Avenue Assessment District No. 1 whose name and address is shown on the equalized assessment roll of the County of Sacramento last prior to the date of this resolution, and mail such a notice to the owner of any said land whose name and address the Clerk knows, and mail such a notice to the owner of any said land whose land is assessed under the provisions of Section 19, Article XVI of the Constitution of California at the address for said owner shown on the Board roll last transmitted to the County Auditor prior to the date of this Resolution.

12. That this Council hereby directs the City Engineer to post notices along the lines of the contemplated work and on all open streets within the boundaries of the proposed Woodbine Avenue Assessment District No. 1 at not more than 300 feet in distance apart, but not less than 3 said notices on each said street and shall complete posting all said notices at least 10 days prior to the date set herein for said public hearing and said notices so posted shall be headed Notice of Improvement set in type not less than one inch in height.

13. That the notice herein ordered to be published, the notice herein ordered to be mailed and the notice herein ordered to be posted along the public streets shall state the following:

That the City Council has passed this Resolution and has preliminarily determined that the public convenience and necessity requires that the City of Sacramento do and construct certain public improvement work and accomplish certain acquisitions for said public improvement work under proceedings to be taken under the Improvement Act of 1911 without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 all for an assessment district to be known as Woodbine Avenue Assessment District No. 1. That

plans and specifications showing the nature and extent of said public improvement work are on file in the office of the City Clerk of the City of Sacramento. That this Resolution declares the location of said public improvement work. That this Resolution declares the nature and extent of the proposed acquisitions for said public improvement work. That a public hearing will be held at the time and place stated herein whereat any interested person may file a written objection and show cause therein why the City Council should not find and determine that the public convenience and necessity require said public improvement work and acquisitions without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

That all protests shall be in writing and shall state the name and address of the protestor.

That the City Clerk and the City Engineer are hereby authorized to accomplish any notice herein directed in combination with any notice published, mailed or posted that is required under the Improvement Act of 1911.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,
THIS 10TH DAY OF FEBRUARY, 1981.

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 81-085

Adopted by The Sacramento City Council on date of

FEBRUARY 10, 1981

RESOLUTION OF INTENTION
FOR IMPROVEMENT PROCEEDING NO. 5017
WOODBINE AVENUE
ASSESSMENT DISTRICT NO. 1

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That it is the opinion of the City Council that the public interest and convenience require and that it is the intention of the City Council to order the following described work to be done and improvements to be constructed in certain places, rights of way and public roads in the City of Sacramento, to-wit:

Improve Woodbine Avenue from the center line of the Alley between 51st and 52nd Avenues to the center line of Edinger Avenue and from the center line of 53rd Avenue to a point located 188 feet South of the center line of 53rd Avenue, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities, lower existing water main and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material;

52nd Avenue and Edinger Avenue from the center line of Woodbine Avenue to approximately 140 feet East of the center line of 27th Street, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material;

53rd Avenue from the center line of Woodbine Avenue to approximately 157 feet East of the center line of 27th Street, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities, lowering existing water main and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material;

27th Street from approximately 40 feet North of the center line of the Alley between 51st and 52nd Avenues to approximately 173 feet South of the center line of 53rd Avenue, by constructing concrete curb, gutter and sidewalk, asphaltic concrete pavement, storm sewers, drainage facilities, lowering existing water main and a street lighting system complete, together with all necessary appurtenances for the above described improvements and by removing and disposing therefrom of all refuse and surplus material.

APPROVED
BY THE CITY COUNCIL

FEB 10 1981

OFFICE OF THE
CITY CLERK

The City of Sacramento will contribute a portion of the cost of constructing the concrete curbs, gutters and sidewalks, asphaltic concrete pavement, excavation and fill grading, storm drainage system, drainage facilities, street lighting system and lowering of existing water main, as described above. The amount of said contribution is estimated to be \$536,191.89. The actual amount of said contribution shall be determined by the City Engineer upon the making of the assessment for the work herein described and shall be based upon the amount bid by the contractor to whom the contract is awarded. The City Engineer shall at the time of making the assessment for the cost and expense of the work herein described, deduct from said cost and expense an amount determined as set forth above.

That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the 52nd Avenue, Edinger Avenue, Woodbine Avenue and Carnation Avenue Alley Sanitary Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the City of Sacramento's 52nd Avenue, Edinger Avenue, Woodbine

Avenue and Carnation Avenue Alley Sanitary Sewer Assessment District and the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>	<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
7	\$ 12.07	16	\$ 10.57
8	12.07	17	12.07
11	12.07	20	12.07
14	12.07	21	12.07
15	10.57	22	173.10

That this Council hereby finds and determines that acquiring the above described prior assessments of said 52nd Avenue, Edinger Avenue, Woodbine Avenue and Carnation Avenue Alley Sanitary Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require and that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the 51st Avenue and 52nd Avenue, Woodbine Avenue to 27th Street Sanitary Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien, at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the City of Sacramento's said 51st Avenue and 52nd Avenue, Woodbine Avenue to 27th Street Sanitary Sewer Assessment District and the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
11	\$ 15.74
14	15.74
16	15.74
17	15.74
18	15.74
19	15.74
20	15.74

That this Council hereby finds and determines that acquiring the above described prior assessments of said 51st Avenue and 52nd Avenue, Woodbine Avenue to 27th Street Sanitary Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered

assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the Board of Supervisors of the County of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the public improvement work for the Del Rio Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien, at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the County of Sacramento's said Del Rio Sewer Assessment District and the amount of money now unpaid upon the principal sum that the Board of Supervisors of the County of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
537	\$ 83.85

That this Council hereby finds and determines that acquiring the above described prior assessments of said Del Rio Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed

assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require that it is the intention of this Council to pay in full the amount remaining unpaid on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

That this Council informs all persons that certain parcels of land that are located within the boundaries of the proposed Assessment District described in this Resolution are parcels of land that the City Council of the City of Sacramento has heretofore levied assessments upon for the benefits inuring to them from the

public improvement work for the 53rd Avenue Sanitary Sewer Assessment District and that all of said assessments that are not paid in full and removed from the lands on which they are a lien at the time when the assessment for the proposed public improvement work described in this Resolution is levied, will be assessments that will have a priority in time over the assessments for the proposed public improvement work described herein.

That this Council informs all persons that the Assessment parcel number of each such parcel of land in the Assessment for the City of Sacramento's 53rd Avenue Sanitary Sewer Assessment District and the amount of money now unpaid upon the principal sum that the City Council of the City of Sacramento levied on each such parcel of land is shown below, viz:

<u>Assessment No.</u>	<u>Principal Amount Unpaid</u>
1	\$845.68
2	425.52
3	450.24
4	450.24
5	772.08
6	548.40
7	471.20
10	354.24
11	568.48

That this Council hereby finds and determines that acquiring the above described prior assessments of said 53rd Avenue Sanitary Sewer Assessment District is necessary and appropriate for assuring that the assessments to be levied on the lands located in the proposed assessment district described in this Resolution for the proposed public improvement work described herein will not be subordinate to any public improvement assessments.

That this Council informs all persons that it deems that the public interest and convenience require and that it is the intention of this Council to pay in full the amount remaining unpaid

on each of the numbered assessments listed above, together with an amount of money that is sufficient to pay all interest and penalties then due on each such assessment and all other amounts of money lawfully required to pay and discharge any bond heretofore issued to represent any such assessment and to eliminate the lien of each such assessment.

That this Council informs all persons that the amount of money so paid by the City of Sacramento for the purpose of paying, discharging and eliminating each numbered assessment listed above will be assessed as a part of the incidental expenses of the public improvement work described in this Resolution.

That this Council further informs all persons that the amount of money so paid for the purpose of paying, discharging and eliminating all unpaid amounts on a specifically numbered assessment parcel listed above will be assessed solely on the several parts or portions of land that may be created from said specifically numbered assessment parcel in the assessment that will be prepared respecting the proposed public improvement work described in this Resolution.

That all of said work shall be done and said improvements shall be constructed pursuant to Division 7 of the Streets and Highways Code of the State of California, the Improvement Act of 1911, as amended, and shall be of the sizes, dimensions, materials and in the positions and locations and to the grades as shown and described upon and all in accordance with the plans and specifications for Woodbine Avenue Assessment District No. 1, approved by this Council on February 10th, 1981 and now on file in the office of the City Clerk.

That in the opinion of this Council the public interest

will not be served by allowing the property owners to take the contract to perform the work of improvement herein described and such property owners shall not be permitted to enter into a written contract to do said work.

That this Council informs all persons that the City of Sacramento is to use the City contribution to pay for a portion of the construction costs and to pay all of the incidental expenses for the proposed public improvement work and acquisitions described above in this Resolution.

That this Council, acting pursuant to Streets and Highways Code Section 5375.1, hereby determines to waive, and does hereby waive, the duty of the successful contractor to pay to the City of Sacramento the incidental expenses of the proposed public improvement work described above in this Resolution, but only, however, to the extent that the City of Sacramento applies contribution moneys described above to paying said incidental expenses.

That this Council, acting pursuant to Section 5374.1 of the Streets and Highways Code, hereby determines to pay contribution moneys described above, to the successful contractor in installments at the times and in the amounts, all as described and shown in the specifications for the proposed public improvement work described above in this Resolution.

That it is the opinion of this Council that the public improvement work and the acquisitions described in this Resolution are of more than local and ordinary public benefit and that this Council hereby orders that the costs and expenses of said public improvement work and acquisitions shall be charged upon a District of lands and that this Council hereby declares that said District is the District to be benefited by said public improvement work and acquisitions and that said District shall be assessed to pay

the costs and expenses thereof.

That the exterior boundaries of said District and the extent of the territory included therein are shown upon the map of said Woodbine Avenue Assessment District No. 1, adopted and approved by this Council on February 10th, 1981.

That said map is now on file in the office of the City Clerk and this Council hereby refers to said map and to the Resolution approving said map for a particular description of the boundaries of said District and extent of the territory included in said District, and that this Council hereby declares that the area of all public easements, streets and roads included in said District is excepted from said District.

THAT THIS COUNCIL HEREBY GIVES NOTICE that serial bonds to represent unpaid assessments, and bear interest at the rate of ten (10%) per cent per annum will be issued hereunder in the manner provided by Division 10 of the Streets and Highways Code, the Improvement Bond Act of 1915, the last installment of such bonds shall mature a maximum of fourteen (14) years from the second day of July next succeeding ten (10) months from their date.

THAT THIS COUNCIL HEREBY GIVES NOTICE that it sets March 3rd, 1981, at the hour of 7:30 o'clock P. M. in the Council Chambers of the City Council of the City of Sacramento in the City Hall, on I Street, between 9th and 10th Streets, in the City of Sacramento, California, as the time when and the place where any and all persons having any objections to the proposed public improvement work and the acquisitions herein described may appear before this Council and show cause why the proposed public improvement work and acquisitions should not be carried out in accordance with this Resolution of Intention, and THAT THIS COUNCIL HEREBY GIVES NOTICE that any owner of property liable to be assessed

for said public improvement work and acquisitions may, at any time not later than the hour set above for hearing objections to the same, make and file with the City Clerk a written protest against the proposed public improvement work and acquisitions, or against the extent of the District to be assessed, or both.

That the City Clerk shall cause this Resolution of Intention to be published twice in The Daily Recorder, a newspaper published and circulated in the City of Sacramento which newspaper is hereby designated as the newspaper in which all further notices required to be made herein shall be published.

That the City Clerk is hereby directed to mail notices of the passage of this Resolution of Intention to all persons owning real property which is to be assessed to pay any part of the cost of the public improvement work and acquisitions hereinabove described.

Any interested person with inquiries concerning the protest proceedings or the appeal procedure may call the office of the City Engineer of the City of Sacramento, at 449-5626, for answers to said inquiries.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO,
THIS 10TH DAY OF FEBRUARY, 1981, by the following vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

Run Twice: February 12th & 13th, 1981