

RESOLUTION NO. 2003-351

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUN 10 2003

A RESOLUTION OF INTENTION TO FORM THE CITY OF SACRAMENTO POWER INN ROAD MAINTENANCE DISTRICT NO. 2003-01, AND TO LEVY AN ASSESSMENT UPON THE PROPERTY WITHIN THE DISTRICT TO FINANCE THE COST OF MAINTENANCE SERVICES TO BE PROVIDED TO THE DISTRICT PROPERTY PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS:

A. The City Council of the City of Sacramento ("City") intends to form the City of Sacramento Power Inn Road Maintenance District No. 2003-01 ("District") pursuant to the provisions of the Landscaping and Lighting Act of 1972, Streets and Highways Code Sections 12500 et seq. ("Act").

B. The purpose of the District is to provide an assured source of financing the cost of specified maintenance services ("Services") relating to certain improvements installed by City, so as to maintain those improvements in a manner designed to deter deterioration and to improve the quality of life of City residents.

C. City has installed, or will install the improvements specified in **Exhibit "A"**, attached hereto and incorporated herein by this reference ("Improvements") in and about Power Inn Road in the City of Sacramento.

D. The Services specified in Exhibit A are those that will be financed through these proceedings to form the District, all of which are authorized as "Maintenance" under Section 22531 of the Act and "Services" under Section 22538 of the Act.

E. The City Council has heretofore adopted Resolution No. 2003-349, whereunder these proceedings were initiated, the Director of Public Works was appointed as engineer of record ("Engineer"), and the Engineer was directed to prepare the report required by Article 4 (commencing with Section 22565) of Chapter 1 of the Act.

F. The City Council has also heretofore adopted Resolution No. 2003-352, whereunder the Engineer's report, which was duly filed with the City Clerk, was preliminarily approved.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. The recitals set forth above are true and correct, and the City Council so finds and determines.

Section 2. The City Council hereby declares its intention to form the District, and to levy an assessment upon the land located within the District to finance the cost of provision of the Services within the District, all subject to the procedures required by Article XIID of the California Constitution, and the provisions of the Act.

Section 3. The property within the boundaries hereinafter specified and described is the area to be benefited by the Services and to be assessed to pay the cost and expenses thereof; that the cost and expenses of the Services shall be made chargeable upon said assessment district; and that the exterior boundaries of said district are hereby specified and described to be as shown on that certain map now on file in the office of the City Clerk of the City approved by that certain resolution adopted by the Council entitled "Boundary Map, Power Inn Road Maintenance District No. 2003-01, City of Sacramento, County of Sacramento, State of California", which map indicates by a boundary line the exterior boundaries of the territory included in the District and shall govern for all details as to the extent of said District.

Section 4. The improvements as to which the Services are proposed to be provided are specified in Exhibit A. The Services to be provided within the annexed area of the District are as specified in Exhibit A.

Section 5. The Council hereby determines and notice is hereby given that, subject to Section 5 hereof, a maximum annual assessment of One and 92/100 dollars (\$1.92) per linear foot of street frontage upon each of the several subdivisions of land within the area of the District is proposed to pay costs incurred by the City and not otherwise reimbursed for the administration and collection of the assessments and related work with a total annual assessment of Nine Thousand Five Hundred and 00/100 dollars (\$9,500.00) for all lots within the District.

Section 6. The annual assessment, including the maximum annual assessment, may be increased for inflation. The actual amount of the increase [not to exceed four percent (4%) per annum] shall be computed based on the Consumer Price Index (prior year annual average, San Francisco, All Urban Consumers Index, or a substitute index of a similar nature should the specified index be discontinued).

Section 7. The Council hereby determines and notice is hereby given that it is the intention of the Council that penalties shall be added to delinquent assessment installments in accordance with the provisions of Title 3, Chapter 3.124 of the Sacramento City Code.

Heather Ferguson
MAYOR

ATTEST:

Therese A. Burrows
CITY CLERK

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EXHIBIT A

DESCRIPTION OF SERVICES AND OF IMPROVEMENTS TO BE INSTALLED AND MAINTAINED

The Services to be provided within the District are described as follows:

Furnish all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to maintain and service the landscape improvements adjacent Power Inn Road on the East side from 14th Avenue to approximately 900 feet north of Cucamonga Avenue and on the west side from 14th Avenue to approximately 590 feet north of Cucamonga Avenue, and more particularly described on plans and specifications approved by the City of Sacramento on file at the City of Sacramento, Department of Public Works, 1231 "I" Street, Room 200, Sacramento, California 95814.

The improvements generally consist of landscaping and irrigation systems for the landscape area adjacent to Power Inn Road between the back of curb and the front of the sidewalk. Maintenance of said improvements will include, but not be limited to, periodic mowing of grass, trimming of trees and shrubs, and fertilizing, together with the regular furnishing of water for irrigation of all plant material, and the repair, maintenance and replacement of the irrigation system, planted materials and amenities.

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