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DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

February 21, 1990
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CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696

916-449-5454

Budget and Finance Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: PROPOSED 12TH STREET MAINTENANCE BENEFIT AREA

SUMMARY

This report requests that the Budget and Finance Committee recommend the City Council adopt the attached resolution of intention to initiate the formation of the 12th Street Maintenance Benefit Area (12th Street MBA). The total area annual assessment is \$8,320. This maintenance benefit area was initiated by a property owner.

BACKGROUND

On February 27, 1989 the Sacramento Housing and Redevelopment Commission approved the Sacramento Housing and Redevelopment Agency staff recommendation that the Commission request that the City Council initiate the formation of the 12th Street MBA. The proposed 12th Street MBA will provide additional cleaning and landscaping maintenance to the public right of way on 12th Street between C Street and L Street. The Agency and City staff held two meetings with the business owners and property owners in the proposed 12th Street MBA. The majority of the business owners and property owners did not attend the meetings and did not express support or opposition to the proposed 12th Street MBA.

City Code Section 55.201 provides that the City Council may adopt a resolution of intention to form a maintenance benefit area on its own motion or upon the request of any owner of real property in such geographic area of the City who desires the City provide additional cleaning and landscaping maintenance service to that area. The Agency is a property owner (4% of front footage) in the area and has requested that the City Council initiate formation of the 12th Street MBA.

This report was originally scheduled for the City Council on October 27, 1989. However, due to an overlap of the proposed 12th Street MBA and the existing Downtown Maintenance Benefit Area, the report to Council was withdrawn at staff's request. The proposed 12th Street MBA has been adjusted to eliminate the overlapping area.

In order to form a maintenance benefit area, the City Council must:

1. Adopt a resolution of intention to establish the maintenance benefit area which specifies the area, defines the additional services to be provided and directs the City Clerk to notify each property owner of the date, time, place, and purpose of the hearing on the creation of the area.
2. Post notices of the hearing in three conspicuous places in the proposed area.
3. Publish notices of the hearing.
4. Conduct the hearing and receive protests.
5. Consider the protests and determine if a majority of the property owners have protested.
- 6a. Terminate the proceedings if a majority of the property owners protest or other grounds for termination become evident during the hearing; or
- 6b. proceed to establish the area.

The attached resolution of intention initiates the process to form the 12th Street MBA.

FINANCIAL DATA

The City Council has previously established two maintenance benefit areas as a result of property owners' requests for additional cleaning and landscaping maintenance services for the public right of way. The City Council annually establishes a budget for the additional services and instructs staff to bill the property owners for these services. The charges for services constitute liens upon the property until they are fully paid and discharged. The liens may become special assessments following the due process procedures required by City Code Chapter 55.

The total aggregate annual cost to the property owners for proposed additional services for the 12th Street MBA is approximately \$8,320. The total estimated cost for the period April 1, 1990 through June 30, 1990 is \$2,080. The proposed calculation for assessment is \$2.00 per linear foot for properties with 12th Street frontage in the area. No costs to the City will result from the formation of the 12th Street MBA.

POLICY CONSIDERATIONS

The initiation of proceedings to form a maintenance benefit area at the request of a property owner is authorized by City Code Section 55.201. The absence of known majority support is not unusual or a cause for concern. All property owners in the area will be notified regarding the proposed 12th Street MBA and will have an opportunity at the hearing to testify in support or protest.

MBE/WBE EFFORTS

Not applicable.

RECOMMENDATION

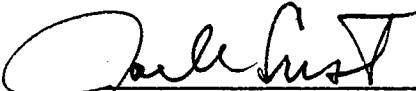
It is requested that the Budget and Finance Committee recommend the City Council adopt the attached resolution of intention to initiate the formation of the 12th Street Maintenance Benefit Area.

Respectfully submitted,



Karen Shipley
Enforcement & Collections
Supervisor

RECOMMENDATION APPROVED:



JACK R. CRIST
Deputy City Manager

Attachment

CONTACT PERSON: Karen Shipley, Enforcement & Collections
Supervisor, 449-5527

District 1
March 6, 1990

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF INTENTION TO FORM THE 12TH STREET MAINTENANCE BENEFIT AREA

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the Council hereby declares its intention to order a Maintenance Benefit Area formed under the provisions of City Code Chapter 55, the boundaries which are generally described in "Exhibit I" and as shown on the district map attached hereto and marked "Exhibit II."
2. That the Council intends to designate all of the lands lying within the boundaries of said proposed Maintenance Benefit Area by the name

12th Street Maintenance Benefit Area

and from and after the establishment of said 12th Street Maintenance Benefit Area intends to use said name for all purposes of said 12th Street Maintenance Benefit Area.

3. That the Council hereby declares that it intends to levy a service fee on land lying within the proposed 12th Street Maintenance Benefit Area each year to pay for the cost of all labor, tools, equipment, fuel, electricity, and all other items necessary and proper for cleaning of streets and pedestrian sidewalks and for maintenance of landscaping located within and adjacent to the boundaries of said 12th Street Maintenance Benefit Area.
4. That the Council hereby finds and determines that all lands lying within the boundaries of said proposed Maintenance Benefit Area are lands where streets and pedestrian sidewalks will be cleaned and landscaping will be maintained daily, a public service only provided to other maintenance benefit areas. The Council finds that said public service is additional maintenance service, and that the property within said proposed Maintenance Benefit Area will receive a special benefit to the extent of the cost of providing such additional maintenance service.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

5. The total estimated cost for the period April 1, 1990 through June 30, 1990 for the 12th Street Maintenance Benefit Area is \$2,080. The total estimated cost for fiscal year 1990/91 is \$8,320.
6. The cost of providing additional maintenance service for the 12th Street Maintenance Benefit Area shall be charged to the owners of property within the Area as a service fee based on the following formula.

\$2.00 per linear foot for properties with 12th Street frontage in the Area

7. That the Council sets April 3, 1990, 7:30 p.m., in the Council Chambers, City Hall, 915 I Street, 2nd Floor, as the date, time, and place for hearing any protests filed against the formation of the 12th Street Maintenance Benefit Area. Any person desiring to file a protest must file a written protest in compliance with Section 55.305 of the Sacramento City Code not later than the close of the aforementioned hearing.
8. That the Council hereby directs the City Clerk to cause a notice of the adoption of this Resolution to be published once a week for two successive weeks in the official newspaper of the City and to mail a copy of this Resolution at least 14 days prior to the date set for the hearing to each property owner within the proposed maintenance benefit area whose name and address appear on the last equalized assessment roll of the County of Sacramento. Said copy of the resolution is to serve as notice to the property owner of the date, time and place of the hearing on the creation of the proposed maintenance benefit area.
9. That the Council hereby directs the City Engineer to post notices of the adoption of the resolution in at least three public places within the proposed maintenance benefit area at least ten days prior to the date set for hearing. The published notices and posted notices shall be in the form prescribed by City Code Chapter 55.

FOR CITY CLERK USE ONLY

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DATE ADOPTED: _____

10. In each year following its formation, prior to the time for the adoption of the City budget, the Council shall estimate the cost during the ensuing full fiscal year of providing the additional maintenance services for which the 12th Street Maintenance Benefit Area was formed. The Council shall fix a service fee to be charged to the owners of each parcel of real property within the 12th Street Maintenance Benefit Area sufficient to raise an amount of money to cover the costs during the ensuing full fiscal year of the maintenance services for which the 12th Street Maintenance Benefit Area was formed. The Council shall fix a service fee to be charged, to the owners of each parcel, each year upon the real property in the 12th Street Maintenance Benefit Area. The service fee shall be fixed in accordance with the method specified for the Maintenance Benefit Area in the resolution of intention adopted for its formation.

MAYOR

ATTEST:

CITY CLERK

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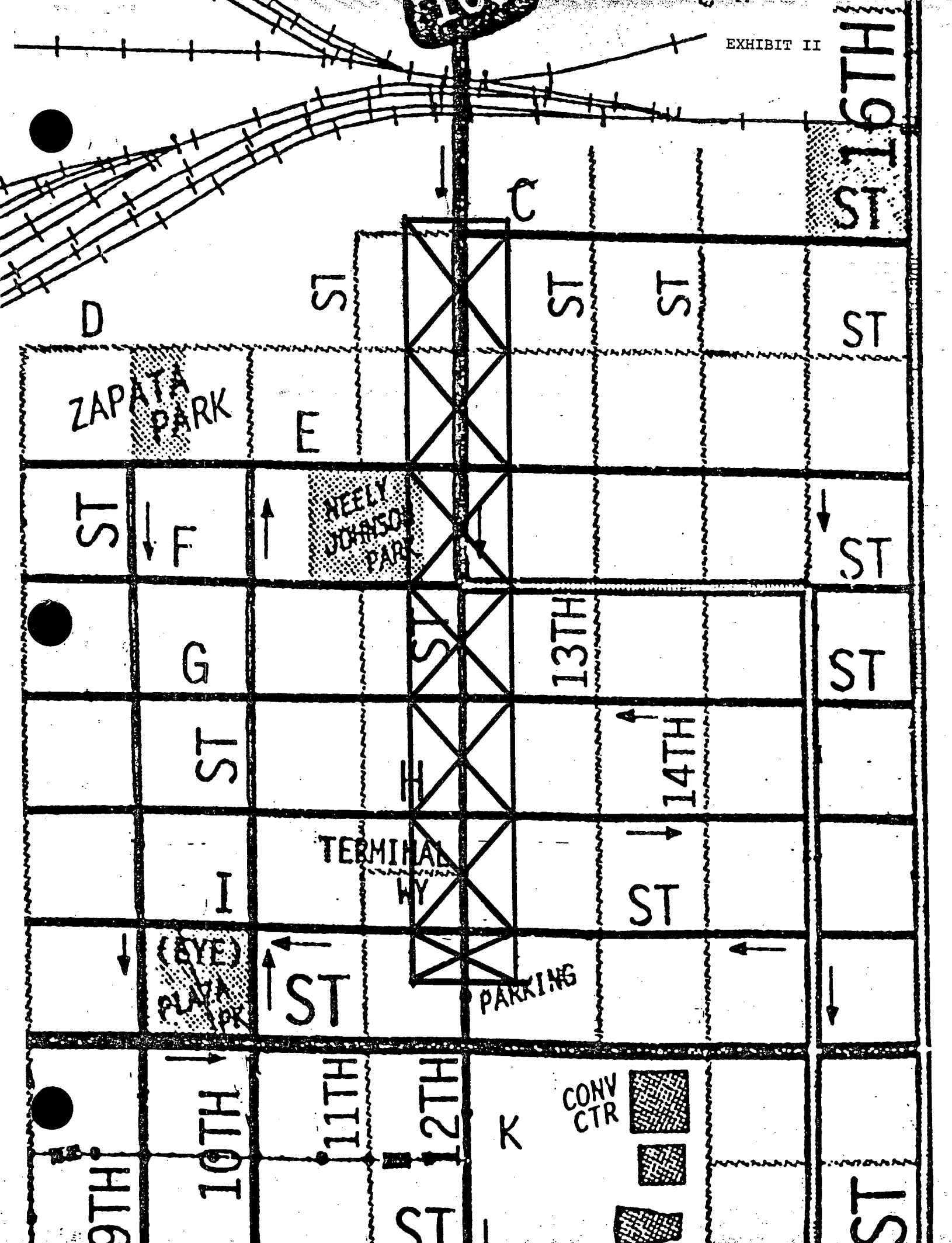
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12TH STREET MAINTENANCE BENEFIT AREA
LEGAL DESCRIPTION

All that portion of the City of Sacramento as shown on the official map or plat thereof described as follows:

Beginning at the center of the intersection of C Street and 12th Street then east along the center of C Street to a point north of the northeast corner of the parcel located at the southeast corner of C Street and 12th Street then south along the east property line of all parcels with frontage on 12th Street to the alley between I and J Streets, then west along the center of the alley between I and J Streets, to a point south of the southwest corner of the parcel located at the northwest corner of the alley between I and J Streets and 12th Street then north along the west property line of all parcels with frontage on 12th Street to the center of C Street, then east to the beginning.



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NEELY JOHNSON PARK

COYNE PLAZA PARK

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