

DEPARTMENT OF
PUBLIC WORKS
DEVELOPMENT SERVICES

CITY OF SACRAMENTO
CALIFORNIA

SPECIAL DISTRICTS
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SACRAMENTO, CA
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November 9, 2001

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: ANNEXATION #4 TO THE NORTH NATOMAS NEIGHBORHOOD
LANDSCAPING COMMUNITY FACILITIES DISTRICT (CFD) NO. 99-02 – MAIL BALLOT
ELECTION RESULTS AND ORDINANCE TO LEVY A SPECIAL TAX**

LOCATION AND COUNCIL DISTRICT:

Annexation #4 to the North Natomas Neighborhood Landscaping CFD No. 99-02 is located in the North Natomas Community Plan area in Council District 1 (see attached Exhibit A).

RECOMMENDATION:

This report recommends that the City Council adopt a resolution determining the results of the special mail-ballot election and the ordinance be passed for publication of title and continued to December 4, 2001.

CONTACT PERSON: Ron Wicky, Special Districts Analyst, 264-5628

FOR COUNCIL MEETING: November 27, 2001

SUMMARY:

This proposed Annexation has completed the resolution of intention, public hearing and election phases of the formation proceedings. This council report and resolution complete the formation process by reciting the results of the mail-ballot election. The proposed ordinance is recommended for approval of publication of title, pursuant to City Charter, Article III, Section 32.

City Council

Annexation #4 to the North Natomas Neighborhood Landscaping CFD No. 99-02

November 9, 2001

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

On June 29, 1999, City Council approved formation of the North Natomas Neighborhood Landscaping CFD and on November 6, 2001 approved this Annexation #4. Formation of the district provided a funding mechanism to maintain the landscaped areas adjacent to residential subdivisions for the tentative map areas of Northborough No. 1, Parkway Plaza, Northpoint Park, Gateway North, Westborough, Natomas Crossing, Riverview and Cambay West. The CFD established separate zones for each tentative map or combination of tentative maps where similar landscaping was present. It also required that as other tentative maps are approved in the North Natomas area, they will be required to annex to this CFD.

This annexation, which was approved by Council on November 6, 2001, will annex the tentative map area of Northpoint North and Northborough II (See Exhibit A). Prior to adopting the ordinance to levy a special tax, and prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

FINANCIAL CONSIDERATIONS:

The current maximum tax rate will be established at \$40 per parcel for this zone. Only "developed residential parcels" would be subject to the CFD tax. A "developed residential parcel" has been defined as a parcel that has a recorded final map for residential uses, and the City has formally accepted the landscaping improvements. All costs associated with this CFD shall be paid for by the property owners and there will be no cost to the City.

ENVIRONMENTAL CONSIDERATIONS:

Council action, in initiating this CFD, is exempt from CEQA because it will cause no physical effects on the environment. Improvement projects will be subject to an environmental review process as part of development applications.

City Council
Annexation #4 to the North Natomas Neighborhood Landscaping CFD No. 99-02
November 9, 2001

POLICY CONSIDERATIONS:

The procedures under which this CFD is being initiated are set forth in Title 5 of the Government Code, Sections 53311-53317.5 entitled "The Mello-Roos Community Facilities Act of 1982."

ESBD CONSIDERATIONS:

City council adoption of the attached resolution is not affected by city policy related to ESBD.

Respectfully submitted,


for
Gary Alm, Manager
Development Services

RECOMMENDATION APPROVED:

Approved:

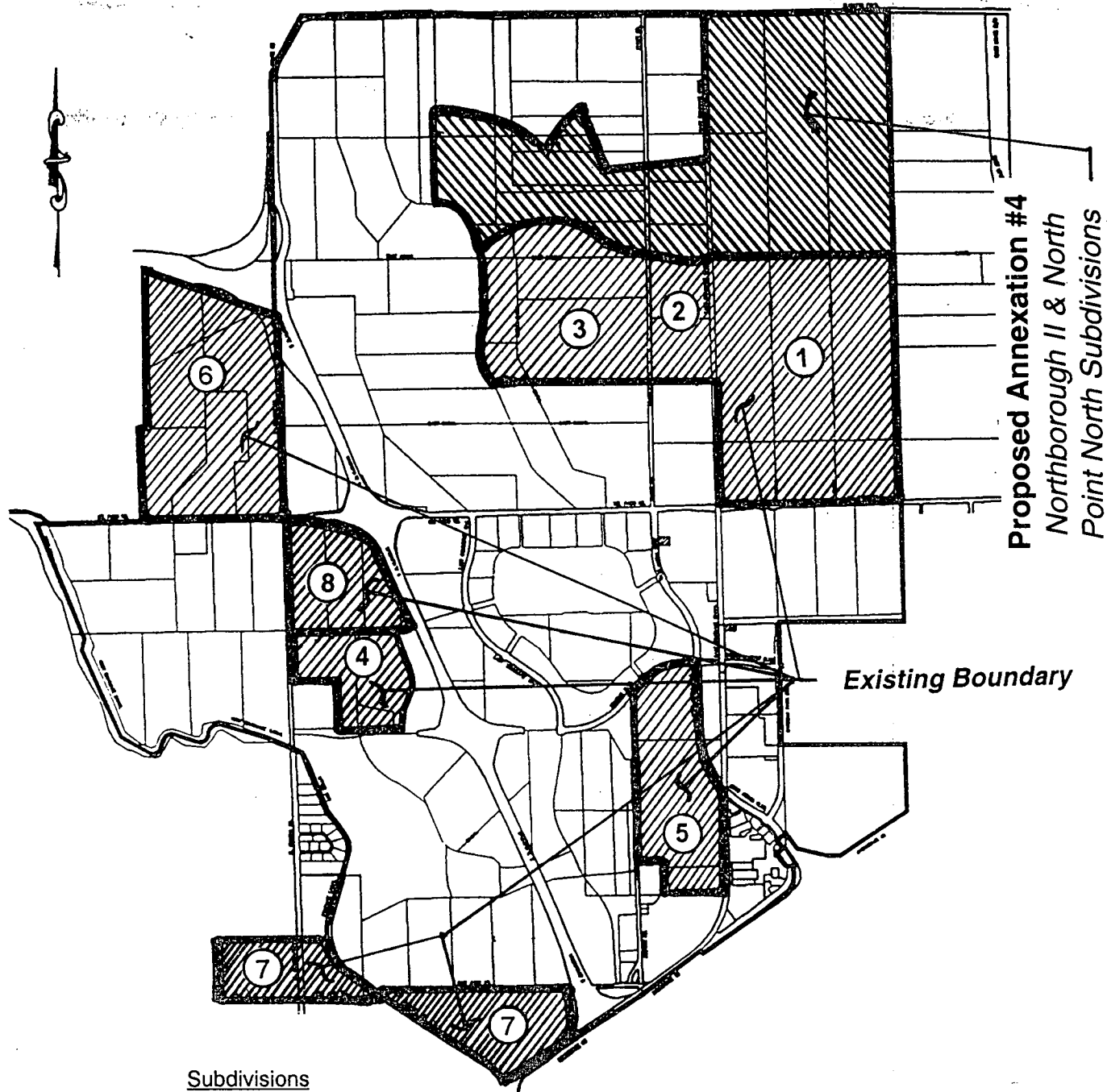

ROBERT P. THOMAS
City Manager


Michael Kashiwagi
Director of Public Works

EXHIBIT A

NORTH NATOMAS NEIGHBORHOOD LANDSCAPING
COMMUNITY FACILITIES DISTRICT #99-02

AREA OF SERVICES

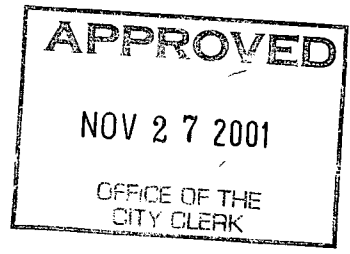


Subdivisions

- ① = Northpoint
- ② = Parkway Plaza
- ③ = Northborough I
- ④ = Gateway North
- ⑤ = Natomas Crossing
- ⑥ = Westbough
- ⑦ = Riverview
- ⑧ = Cambay West

**ANNEXATION #4 TO THE NORTH NATOMAS NEIGHBORHOOD
LANDSCAPING CFD NO 99-02
SCHEDULE**

October 2, 2001	City Council Resolution of Intention
October 3, 2001	Mail Notice of Hearing
November 6, 2001	City of Council Hearing, Call for Special Election
November 7, 2001	Mail Ballots (Waiver of 90-day period)
November 14, 2001	Ballots Due
November 27, 2001	City Council Election Results
November 27, 2001	City Council Pass for Publication Ordinance to Levy Tax
November 28, 2001	Record Notice of Special Tax
December 4, 2001	City Council Adopt Ordinance to Levy Tax



RESOLUTION NO. 2001-766

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO DETERMINING THE RESULT OF THE SPECIAL MAILED-BALLOT ELECTION HELD IN THE CITY OF SACRAMENTO NORTH NATOMAS NEIGHBORHOOD LANDSCAPING COMMUNITY FACILITIES DISTRICT NO. 99-02, ANNEXATION NO. 4 ON NOVEMBER 14, 2001

WHEREAS, the City Clerk of the City of Sacramento has duly canvassed the votes cast in the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, Annexation No. 4, ("CFD No. 99-02, Annexation No. 4") at the special mailed-ballot election held in CFD 99-02, Annexation No. 4 on November 14, 2001, by the qualified electors of CFD No. 99-02, Annexation No. 4 upon the proposition hereinafter set forth, and has certified to this City Council the result of the votes cast at such special mailed-ballot election upon said proposition, which said certification is now on file in the office of the City Clerk of the City of Sacramento:

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

Section 1. All of the above recitals are true and correct, and the City Council so finds and determines.

Section 2. The canvass of the votes cast in CFD No. 99-02, Annexation No. 4 at the special mailed-ballot election held in the Community Facilities District on November 14, 2001, as shown by said certification, is hereby approved and confirmed.

Section 3. At such special mailed-ballot election in CFD No. 99-02, Annexation No. 4, the following proposition was submitted to the qualified voters of CFD No. 99-02, Annexation No. 4, and the number of votes cast in CFD No. 99-02, Annexation No. 4 for and against such proposition, as set forth in said canvass, is determined to be as follows:

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

6

Measure (A):

Shall the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, Annexation No. 4, be authorized to finance landscape maintenance, more fully described in Exhibit A, and shall an appropriations limit in the amount of \$100,000 per fiscal year in connection therewith be established for the maximum rate and method of apportionment as provided in Resolution No. 2001-737 adopted by the City Council on November 6, 2001, which is incorporated herein by reference, and a tax be levied to pay for the maintenance of landscaping.

Section 4. The total number of votes cast in CFD No. 99-02, Annexation No. 4 at such special mailed-ballot election for and against such proposition was and is set forth in said canvass.

Section 5. More than two-thirds (2/3) of all votes cast at such special mailed-ballot election were cast in favor of such proposition, and such proposition carried.

Section 6. The City Clerk of the City of Sacramento is hereby directed to enter this resolution on the minutes of this City Council, which shall constitute the official declaration of the result of such special mailed-ballot election, and is hereby further authorized and directed to record a notice of special tax lien in accordance with the provisions of Section 3114.5 of the Streets and Highways Code of the State of California.

PASSED AND ADOPTED by the City Council of the City of Sacramento this ____ day of _____, 2001, by the following vote:

AYES:
NOES:
ABSENT:

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

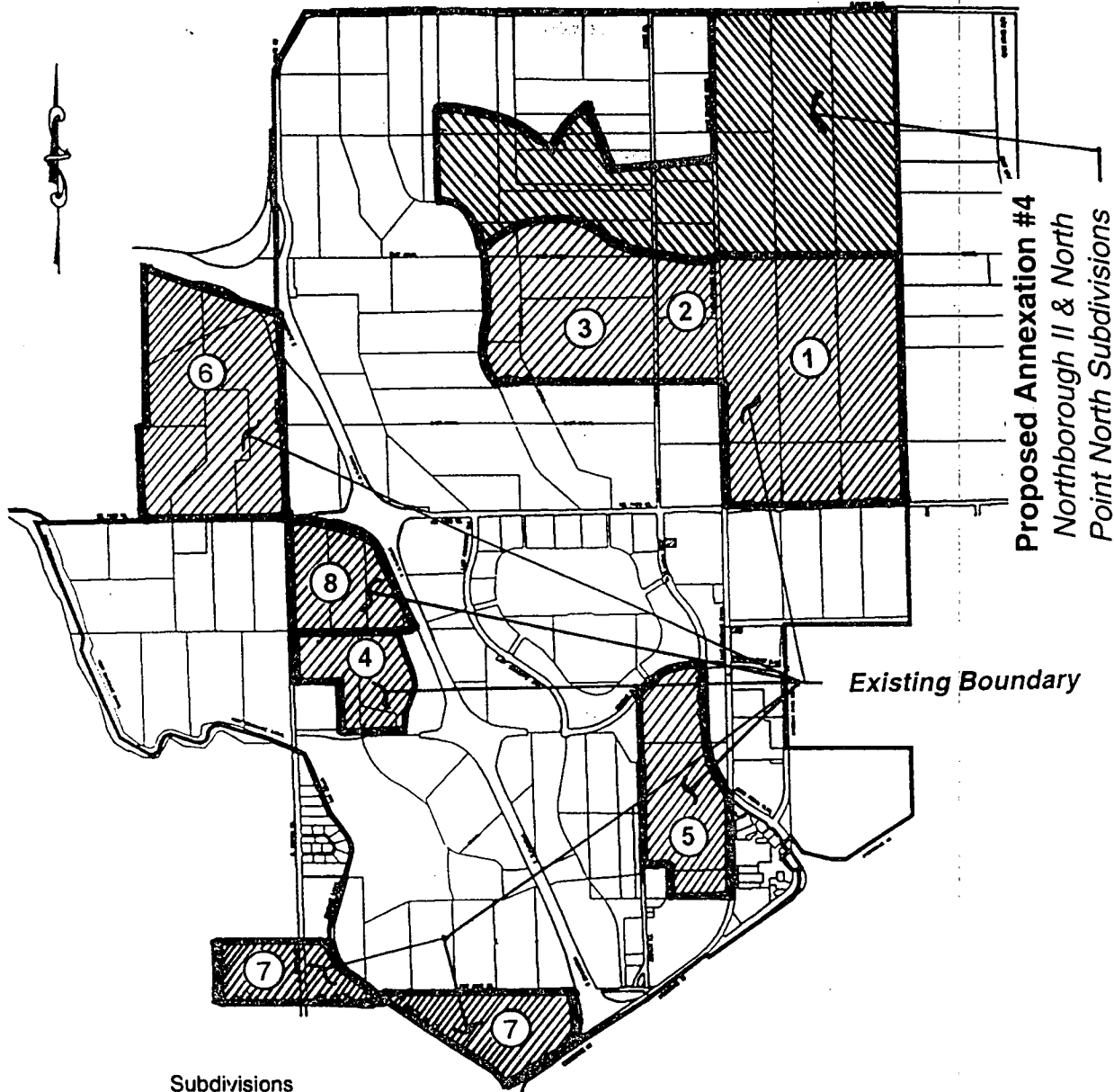
RESOLUTION NO. _____

DATE ADOPTED: _____

EXHIBIT A

NORTH NATOMAS NEIGHBORHOOD LANDSCAPING
COMMUNITY FACILITIES DISTRICT #99-02

AREA OF SERVICES



- Subdivisions
- ① = Northpoint
 - ② = Parkway Plaza
 - ③ = Northborough I
 - ④ = Gateway North
 - ⑤ = Natomas Crossing
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 - ⑦ = Riverview
 - ⑧ = Cambay West

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

PFP, A &
count'd to 12/4/01 aft.

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE LEVYING A SPECIAL TAX FOR THE
PROPERTY TAX YEAR 2002-2003 AND FOLLOWING TAX YEARS
SOLELY WITHIN AND RELATING TO THE CITY OF SACRAMENTO
NORTH NATOMAS NEIGHBORHOOD LANDSCAPING COMMUNITY
FACILITIES DISTRICT NO. 99-02, ANNEXATION NO. 4, FOR LANDSCAPE
MAINTENANCE**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, AS
FOLLOWS:**

Pursuant to Government Code Sections 53328 and 53340, and 53339 *et seq.* and in accordance with the Rate and Method of Apportionment of Special Tax as shown on Exhibit B to the Resolution Establishing the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, Annexation No. 4 ("CFD No. 99-02, Annexation No. 4") (Resolution 2001-737 adopted by this Council on November 6, 2001), a special tax is hereby levied on all taxable parcels within the City of Sacramento North Natomas Neighborhood Landscaping Community Facilities District No. 99-02, Annexation No. 4 for the 2002-2003 tax year and for all subsequent years in the amount of the maximum authorized tax, provided that this amount may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of this Council.

The Director of the Department of Public Works ("Director") or his/her designee, of the City of Sacramento ("City"), is authorized and directed, with the aid of the appropriate officers and agents of the City, to determine each year, without further action of this Council, the Special Tax Requirement (as that term is defined in Exhibits B and C of Resolution No. 2001-737 establishing Annexation No. 4 to CFD No. 99-02), to prepare the annual special tax roll in the amount of the Special Tax Requirement in accordance with said Exhibits B and C and, without further action of this Council, to provide all necessary and appropriate information to the Sacramento County Auditor in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the special tax on the secured property tax roll of the County; provided that, as provided in said Resolution No. 2001-737 and Sections 53339 *et seq.* and 53340 of the California Government Code, this Council has reserved the right to utilize any method of collecting the special tax which it shall, from time to time, determine to be in the best interests of the City, including but not limited to, direct billing by the City to the property owners and supplemental billing.

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

The appropriate officers and agents of the City are authorized to make adjustments to the special tax roll prior to the final posting of the special taxes to the County tax roll each year, as may be necessary to achieve a correct match of the special tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.

The City agrees that, in the event the special tax is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the special tax from the amounts collected, prior to remitting the special tax collections to the City.

Taxpayers who have requested changes or corrections of the special tax pursuant to Section 7 of the Rate and Method of Apportionment of the Special Tax and who are not satisfied with the decision of the Director (whether the Director simply disagrees with the taxpayer or feels the Department of Public Works is not authorized to consider the change requested) may appeal to the Council. The appeal must be in writing and fully explain the grounds of appeal. Appeals must be based solely on the correction of mistakes in the levy based upon the status of the property. No other appeals will be allowed. The Director shall schedule the appeal for consideration within a reasonable time at a Council meeting.

If for any cause any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels shall not be affected.

This ordinance shall take effect and be in force immediately as a tax measure.

The title of this ordinance shall be published at least once in a newspaper of general circulation, published in the City of Sacramento after being passed for publication of title by the Council, at least three days before the adoption of this ordinance by the Council, pursuant to Section 32(c) of the Sacramento City Charter. It is hereby found that the title of this ordinance was published in _____, a newspaper of general circulation published in the City of Sacramento on _____, 2001.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

MAYOR

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____