



CITY OF SACRAMENTO

October 21st, 1980

REAL ESTATE AND STREET ASSESSMENTS DIVISION
915 I STREET
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5626

CITY MANAGER'S OFFICE
RECEIVED
OCT 15 1980
IRVIN E. MORAES
REAL ESTATE SUPERVISOR

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Warwick Avenue and Mascot Avenue Assessment District,
Improvement Proceeding No. 4922

SUMMARY

Adoption of the Resolution Establishing Amount of Cash Security and Resolution Directing the City Clerk to Advertise Bond Sale for Warwick Avenue and Mascot Avenue Assessment District.

BACKGROUND INFORMATION

The above named Assessment District is now under contract by the use of the Municipal Improvement Act of 1913. This Act calls for the sale of bonds prior to the work being completed to enable progress payments to be made to the contractor for work performed and improvements installed. The required 30 day collection period for the assessments in this District has passed and the exact amount of the bonds to be issued is now known and appears to be \$103,865.55, therefore, bonds can be sold and printed.

FINANCIAL DATA

The sale of the bonds will provide the additional funds necessary, together with the City's Contribution, for payment to the contractor for his work performed in this Assessment District.

RECOMMENDATION

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

1. Resolution Establishing Amount of Cash Security Fund for the Improvement Bonds to be Issued for Improvement Proceeding No. 4922.

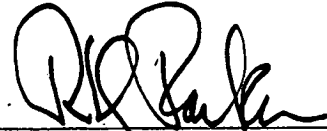
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2. Resolution Directing the City Clerk to Advertise Bond Sale and Setting October 28th, 1980 as the date for Bids to be Received.

Respectfully submitted,



R. H. Parker
City Engineer

For Transmittal to City Council



Walter J. Slupe
City Manager

RHP:IEM:bd
Attachments
File # 4922

October 21st, 1980
DISTRICT NO. 5

IMPROVEMENT PROCEEDING NO. 4922

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

RESOLUTION
ESTABLISHING AMOUNT
OF THE
CASH SECURITY FUND
FOR THE
IMPROVEMENT BONDS
TO BE ISSUED FOR

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

WHEREAS, on August 26th, 1980, this Council passed and adopted its Resolution entitled

"ESTABLISHING A SECURITY FUND
FOR IMPROVEMENT BONDS
ISSUED UNDER
IMPROVEMENT BOND ACT OF 1915
FOR DESIGNATED
IMPROVEMENT DISTRICTS AND
DECLARING CERTAIN COVENANTS
FOR THE BENEFIT OF
HOLDERS OF BONDS
ISSUED IN DESIGNATED
ASSESSMENT DISTRICTS"

and therein established a \$40,000.00 Security Fund for the improvement bonds to be issued for certain Assessment Districts that this Council named in said Resolution, and

WHEREAS, this Council declared in said Resolution that it would establish the amount of money to be the cash security fund for the bonds for each of the Assessment Districts named in said Resolution at the time when the amount of the unpaid assessments levied on the lands located in each such Assessment District should become known, and

WHEREAS, the City Engineer-Superintendent of Streets has informed this Council that \$103,865.55 is the amount of the

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assessments remaining unpaid that this Council did levy on the lands located in .

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

and

WHEREAS, this Council now deems it desirable to set the amount of the whole \$40,000.00 Cash Security Fund established in said Resolution adopted August 26th, 1980, that shall be allocated to the bonds for

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

NOW, THEREFORE,

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

1. That this Council hereby finds and determines that each of the recitals to this Resolution are true.

2. That this Council hereby allocates the sum of \$ 4,200.00 from the whole \$40,000.00 Security Fund and hereby designates said sum of \$ 4,200.00 to be the Cash Security Fund for the bonds to be issued for

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THIS 21ST DAY OF OCTOBER, 1980, by the following vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

IMPROVEMENT PROCEEDING NO. 4922

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

RESOLUTION
SETTING DATE OF
IMPROVEMENT BONDS
AND
DIRECTING CLERK TO ADVERTISE
BONDS FOR SALE

WHEREAS, the City Engineer-Superintendent of Streets
of the City of Sacramento has this day reported to this Council
the total amount of the unpaid assessments levied on lands for

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

and

WHEREAS, this Council deems that it is now desirable
for the bonds to be issued under the terms and provisions of the
IMPROVEMENT BOND ACT OF 1915 to set a date that said bonds shall
bear, from which date, by law, the bonds shall bear interest, and

WHEREAS, this Council deems it is now desirable to
advertise for the sale of such bonds so to be issued.

NOW THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SACRAMENTO, STATE OF CALIFORNIA, AS FOLLOWS:

1. That this Council finds that each of the recitals
to this Resolution are true.

2. That this Council declares and determines that the
improvement bonds to be issued under the terms and provisions of
the IMPROVEMENT BOND ACT OF 1915 upon the security of the unpaid
assessments levied on the lands located in

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

in the City of Sacramento shall bear the date, October 2nd, 1980,

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and interest shall commence to grow due on said bonds from that date.

That the Clerk is hereby directed to advertise for sale the bonds for

WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

4. That this Council hereby designates the Notice attached hereto and marked EXHIBIT A to be the official Notice of Sale for the bonds for WARWICK AVENUE AND MASCOT AVENUE ASSESSMENT DISTRICT, and the Clerk is hereby directed to publish said Notice once in THE SACRAMENTO UNION, a newspaper of general circulation published in the City of Sacramento.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THIS 21ST DAY OF OCTOBER, 1980, by the following vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

NOTICE OF BOND SALE
OF
CITY OF SACRAMENTO
IMPROVEMENT BONDS
TO BE ISSUED UNDER THE
IMPROVEMENT BOND ACT OF 1915
FOR
WARWICK AVENUE AND MASCOT AVENUE
ASSESSMENT DISTRICT

I, LORRAINE MAGANA, City Clerk of the City of Sacramento, acting pursuant to the direction of the City Council of the City of Sacramento heretofore duly made to me, hereby invite sealed bids to purchase from the City of Sacramento not to exceed \$103,865.55 par value of Improvement Bonds to be issued under and by virtue of the IMPROVEMENT BOND ACT OF 1915, upon the security of the unpaid assessments that the City of Sacramento has levied on lands according to benefits received for doing and constructing certain public improvement work on public streets and easements located in the City of Sacramento, California.

The subject lands bearing said unpaid assessments are located in Warwick Avenue and Mascot Avenue Assessment District, in the City of Sacramento, California, and the City Council of the City of Sacramento has levied said assessments on said lands in the course of its Improvement Proceeding No. 4922 that said City Council is conducting for said Assessment District under the Municipal Improvement Act of 1913.

All bidders are advised that the amount of bonds stated above, namely, \$103,865.55, will not increase in amount, and are advised that said amount may decrease by reason of payments on assessments that the City of Sacramento may accept from property owners in said Assessment District prior to the date when the City of Sacramento shall accept a bid for the purchase of said bonds.

All bidders are advised that all the terms and provisions of the IMPROVEMENT BOND ACT OF 1915 will govern for the terms of and the issuance of said bonds, and will govern the collection and enforcement of the assessments levied on the lands securing said bonds, except as said terms and provisions may be changed by the wording or effect of this notice.

Date of Bonds

All bonds will be dated October 2, 1980, and will bear interest from that date at the rate of interest that the bidder shall propose in his bid, and that the City of Sacramento shall accept by its acceptance of the bidder's proposal.

Maturities of the Bonds

All bonds will be issued in annual series, each of which shall be an amount equal to an even 1/15th of the principal amount of the unpaid assessments for the Assessment District above named. The first series of bonds will fall due on July 2, 1982, and on series will fall due on each July 2 thereafter until July 2, 1996, when the last series shall fall due.

All bonds shall be payable at the Office of the Treasurer of the City of Sacramento, located in the City of Sacramento, California.

The 15 series of the bonds to be issued upon the unpaid assessments levied in said WARWICK AVENUE AND MASCOT AVENUE ASSESSMENT DISTRICT shall be of the principal amount, and shall mature at the dates all as shown below unless property owners shall make further payments on their assessments:

<u>Series No.</u>	<u>July 2 Maturity Date</u>	<u>Series Principal Amount</u>
1	1982	\$ 6,924.37
2	1983	6,924.37
3	1984	6,924.37
4	1985	6,924.37
5	1986	6,924.37
6	1987	6,924.37
7	1988	6,924.37
8	1989	6,924.37
9	1990	6,924.37
10	1991	6,924.37
11	1992	6,924.37
12	1993	6,924.37
13	1994	6,924.37
14	1995	6,924.37
15	1996	6,924.37

Total \$103,865.55

Unless property owners make such further payments, each annual series of the bonds for WARWICK AVENUE AND MASCOT AVENUE ASSESSMENT DISTRICT will consist of one (1) bond of \$5,000.00 par, one (1) bond of \$1,000.00 par, and one (1) bond of \$924.37 par.

Interest Rate

Each bidder is required to state in his bid one annual interest rate that all bonds shall bear, and shall state that rate in a multiple of one-tenth (1/10th) of one percent (1%).

The annual interest rate shall not exceed ten percent (10%).

Interest on all bonds shall be computed on a 360-day year basis.

Interest on all bonds shall be evidenced by coupons payable semi-annually on January 2 and July 2.

The first interest on the bonds shall fall due on January 2, 1982.

Interest on all bonds shall commence on the date of the bonds that is declared above.

5% Redemption Premium

All bonds to be issued will contain the 5% premium for

redemption prior to maturity provision that is provided for in the IMPROVEMENT BOND ACT OF 1915.

Cash Security and
Covenant of Prompt Foreclosure

All bidders are advised that the City of Sacramento has established a \$4,200.00 Cash Security Fund for the bonds to be issued upon the security of the unpaid assessments levied in said WARWICK AVENUE AND MASCOT AVENUE ASSESSMENT DISTRICT.

All bidders are advised that the City of Sacramento, acting for the benefit of the bondholders of said Warwick Avenue and Mascot Avenues Assessment District, has covenanted to use said Cash Security Fund for paying interest and principal delinquencies that may occur in the redemption fund for the bonds to be issued for said Warwick Avenue and Mascot Avenue Assessment District.

All bidders are further advised that the City of Sacramento, acting for the benefit of the bondholders of said Warwick Avenue and Mascot Avenue Assessment District, has covenanted to promptly commence a legal action against each owner of land in said Assessment District who fails and neglects to pay the installment payment on his assessment at the time such assessment installment falls due, and that said legal action shall be to foreclose the assessment lien on said owner's land, and has covenanted to vigorously prosecute said legal action, and thereby cause the land of such an owner to be sold as by law provided, and to cause all sale proceeds to be deposited in the Cash Security Fund for Warwick Avenue and Mascot Avenue Assessment District and also to cause all penalties the City of Sacramento may recover on such delinquent assessment installments to be deposited in said Cash Security Fund.

Date of Sale and Terms of Sale

Bidders shall file their sealed bids at the Office of the City Clerk of the City of Sacramento, in Room 308 of the Sacramento City Hall, located at 915 I Street, Sacramento, California, 95814, at or before 10:00 o'clock A. M. on Tuesday, October 28th, 1980, at which time the City Clerk will open and declare all bids received.

No bidder's bid for the principal amount of the bonds shall be accepted whose bid is less than 90% of said principal amount.

The City of Sacramento reserves the right to reject all bids received, and except that the City shall exercise its right to reject all bids received, the City of Sacramento will accept the bid of the bidder who files the highest and best bid.

The highest bid will be determined by deducting the principal premium from, or by adding the principal discount to, the total amount of all the interest computed to fall due on the bonds from the date of the bonds to the date when the last of the bonds shall mature at the interest rate that the bidder shall specify in his bid.

The bidder submitting the bid containing the lowest net interest cost, computed by the method above shown, shall be deemed the highest bidder.

Unless the City Council of the City of Sacramento shall reject the bids of all bidders, the City Council, on October 28, 1980, will accept the bid of the highest and best bidder.

All bidders must offer to pay in cash in lawful money of the United States the price sum the bidder offers to pay for the bonds, which price sum shall be payable in one sum at the

time of the delivery of the bonds, less the bid deposit herein-
after described.

All bidders must offer to pay interest that accrues
on the bonds from their date to the date of their delivery to
the bidder.

December 1, 1980, is the estimated date when the
City Treasurer will deliver the bonds to the highest and best
bidder, and the bonds will be printed at no expense to said
bidder.

All bidders must deliver to the City Clerk with their
bid a certified or cashier's check drawn on a responsible bank
and made payable to the City of Sacramento, for the sum of
\$2,000.00, which the City of Sacramento will receive as a guarantee
that the bidder, if successful, will accept and pay for the bonds.

The proceeds of the check accompanying the bid that
the City Council accepts will be applied to the purchase price.

If a bidder's proposal is accepted and such bidder
does not perform his contract to purchase the bonds, the City
of Sacramento shall be entitled to retain the check proceeds as
part payment on all damages that the City of Sacramento and the
landowners in said Assessment Districts may sustain by reason
of such bidder's failure to perform his contract to purchase said
bonds.

The checks of bidders whose bids are other than the
highest and best bid, and other than the bid of the second highest
bidder, will be returned to such bidders before the cost of the
business day, October 28, 1980.

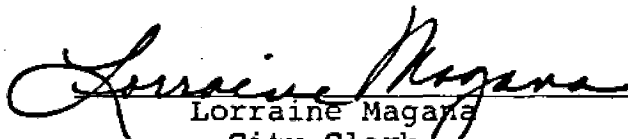
The check of the second highest bidder will be returned
the day after the evening meeting at which the City Council

accepts a bond bid.

Legal Opinion

The legal opinion of EDGAR A. BOYLES, JR. Attorney at Law, Sacramento, California, approving the validity of said bonds, will be furnished to the successful bidder at no expense to said bidder.

Dated: October 21st, 1980


Lorraine Magana
City Clerk
City of Sacramento