



**DEVELOPMENT SERVICES  
DEPARTMENT**

**CITY OF SACRAMENTO  
CALIFORNIA**

Special Districts  
1231 I Street, Room 300  
Sacramento, CA  
PH 916-808-7995  
FAX 916-264-7480

DEVELOPMENT ENGINEERING  
AND FINANCE

April 22, 2005

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: ANNEXATION #2 TO THE NEIGHBORHOOD WATER QUALITY  
DISTRICT NO. 2003-03 – PUBLIC HEARING**

**LOCATION AND COUNCIL DISTRICT:**

North of Meadowview Road and East of Tamoshanter Way in Council District 8 (see Exhibit A to Budget Resolution).

**RECOMMENDATION:**

This report recommends that City Council conduct the public hearing on Annexation No. 2 to the Neighborhood Water Quality District. After the close of today's hearing, staff will count the ballots and the City Clerk will present the results during the Staff Report portion of today's meeting. After the ballot tally has been reported, it is recommended that Council adopt a resolution approving the Engineer's Report.

**CONTACT PERSONS:** Ron Wicky, Program Specialist, 808-5628  
Edward Williams, Division Manager, 808-5440

**FOR COUNCIL MEETING OF:** May 17, 2005

**SUMMARY:**

The purpose of today's hearing is to receive public testimony and to take action on Annexation No. 2 to the Neighborhood Water Quality District. On March 29, 2005,



City Council  
Annexation#2 to Neighborhood Water Quality – Public Hearing  
April 22, 2005

Council initiated the annexation process and authorized staff to mail notices and voter ballots. Approval of this annexation will provide funding to maintain the water quality basin and landscaping in and adjacent to the Buena Park Subdivision.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

On October 21, 2003, the City Council approved formation of the Neighborhood Water Quality District, formerly known as the Meadowview Estates Maintenance District No. 2003-03. By annexing to this district, it will mitigate the storm water quality issues for this subdivision. This district provides funding to maintain the water quality basin and the landscape corridors adjacent to this subdivision.

This annexation to the Neighborhood Water Quality district will include all residential properties located in the Buena Park Subdivision. Petitions have been received by 100 percent of the property owners to initiate these proceedings.

**FINANCIAL CONSIDERATIONS:**

This district is self-supporting and has no impact on the General Fund. The estimated annual cost to each residential lot will be \$340 and is detailed in the Engineer's Report on file with the City Clerk.

**ENVIRONMENTAL CONSIDERATIONS:**

Under California Environmental Quality Act (CEQA) guidelines, annexation of a special district does not constitute a project and is therefore exempt from review.

**POLICY CONSIDERATIONS:**


The proceedings for this district are being processed as set forth in Title 3.124 of the City Code. This process is consistent with the City's Strategic Plan in preserving and enhancing the City's neighborhoods and quality of life.

**ESBD CONSIDERATIONS:**

City Council approval of these proceedings is not affected by City policy related to the ESBD Program.

City Council  
Annexation#2 to Neighborhood Water Quality – Public Hearing  
April 22, 2005

Respectfully submitted,

  
\_\_\_\_\_  
Edward Williams, Manager  
Development Engineering and Finance

RECOMMENDATION APPROVED:


  
\_\_\_\_\_  
ROBERT P. THOMAS, City Manager

Table of Contents:

1. Resolution Approving Engineer's Report, pg. 4
2. Exhibit A - General Description of Territory to be Annexed, pg. 7
3. Exhibit B - Description of Improvements and Services, pg. 8
4. Resolution Establishing FY2005/06 Budget, pg. 9
5. Exhibit A - Location Map, pg. 10
6. Exhibit B - FY2005/06 Budget & Parcel Assessment, pg. 11

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RW/JV

**RESOLUTION NO. 2005-\_\_\_\_\_**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION APPROVING THE ENGINEER'S REPORT, ORDERING THAT TERRITORY BE ANNEXED TO NEIGHBORHOOD WATER-QUALITY DISTRICT NO. 2003-03 AS ANNEXATION NO. 2, CONFIRMING AND LEVYING AN ASSESSMENT, ORDERING THAT MAINTENANCE SERVICES BE PERFORMED, AND DIRECTING THAT A NOTICE OF ASSESSMENT BE RECORDED**

**RECITALS:**

A. The City Council has previously formed the Neighborhood Water-Quality District No. 2003-03 (formerly named the Meadowview Estates Maintenance District No. 2003-03) under chapter 3.124 of the Sacramento City Code.

B. Tim Lewis Communities, Inc., a California corporation (Landowner), is the owner of all land within the Buena Park Subdivision. One of the conditions of approval for this subdivision requires Landowner to annex it to the Neighborhood Water-Quality District No. 2003-03. To fulfill this condition, Landowner has presented a petition to the city requesting that the city commence proceedings for annexing to the district, in accordance with chapter 3.124 of the Sacramento City Code, the territory generally described in Exhibit A.

C. The city has installed or acquired or will subsequently install or acquire, within the Buena Park Subdivision, the public improvements described in Exhibit B. To finance the cost of providing the maintenance services specified in Exhibit B for these improvements (the Services), and as requested by Landowner, the City Council proposes to annex to the district the territory generally described in Exhibit A.

D. By Resolution No. 2005-194, and in response to Landowner's petition, the City Council (1) initiated proceedings to annex to the district the territory generally described in Exhibit A; (2) designated the city's director of public works to be the Engineer for purposes of the annexing the territory to the district and levying any assessment to finance the Services; and (3) directed the Engineer to prepare and file with the city clerk a map of the territory to be annexed, as required by section 3110 of the Streets and Highways Code. The Engineer has prepared and filed the map as directed, and by Resolution No. 2005-194 the City Council has approved it.

E. By Resolution No. 2005-195, the City Council (1) declared its intention to annex to the district the territory generally described in Exhibit A and to order that the city provide the Services; and (2) directed the Engineer to prepare and file with the city clerk the report required by sections 3.124.110 and 3.124.200A of the Sacramento City Code. The Engineer has presented his report to the City Clerk, who has presented it to the City Council for

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RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

consideration, and the City Council has fully considered the report.

F. By Resolution No. 2005-197, the City Council (1) preliminarily approved the Engineer's report for proposed assessment; (2) fixed the time and place of a public hearing on the Engineer's report and proposed assessment; and (3) provided for notice of the hearing and delivery of assessment ballots in accordance with chapters 3.44 and 3.124 of the Sacramento City Code and article XIID of the California Constitution.

G. The City Clerk has filed with the City Council an affidavit setting forth the time and manner of her compliance with the requirements of law for mailing the notices and ballots. Relying on this affidavit, the City Council finds that a notice of public hearing and an assessment ballot were mailed to each record owner of an identified parcel within the territory to be annexed, as ordered by Resolution No. 2005-197 and as required by law.

H. The City Council convened the public hearing on the Engineer's report and proposed assessment at the time and place fixed by Resolution No. 2005-197. During the hearing, the City Council received from the city clerk all written protests filed with her office, afforded all interested persons the opportunity to hear and be heard, and considered all oral statements and written protests made or filed by any interested person. Immediately following the close of the hearing, the city clerk tabulated the returned assessment ballots, both in support of and in opposition to the assessment (with ballots weighted according to the amount of the assessment on each parcel), and announced that the total dollar amount of all ballots cast in favor of the assessment exceeded the total dollar amount of all ballots cast in opposition to it.

I. The owners of all real property within the territory to be annexed have waived the right to pay the assessment in cash.

**BASED ON THE FOREGOING RECITALS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:**

**Section 1.** The City Council finds that recitals A through I are true.

**Section 2.** No majority protest having been made through the assessment-ballot procedure, the City Council;

(a) overrules all protests to these proceedings;

(b) approves the Engineer's report on the proposal to levy an annual assessment on land within the territory to be annexed, which is on file with the city clerk and was preliminarily approved by Resolution No. 2005-197;

(c) establishes a budget, as set forth in the Engineer's report;

(d) orders the annexation to the district of the territory generally described in Exhibit A, with exterior boundaries as shown on the assessment diagram set forth in the Engineer's report and the boundary map approved by Resolution No. 2005-195;

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RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- (e) orders that the Services described in the Engineer's report be provided within the annexed territory;
- (f) finds and determines that each parcel within the annexed territory, as shown on the assessment diagram set forth in the Engineer's report, has been assessed in proportion to the benefits the parcel will receive from the Services, all as described in the Engineer's report;
- (g) confirms the assessment diagram and the assessment roll set forth in the Engineer's report; and
- (h) levies the assessment set forth in the Engineer's report.

**Section 3.** In accordance with section 3.124.030 of the Sacramento City Code and section 3114 of the Streets and Highways Code, the city clerk is directed to transmit the assessment diagram and the assessment roll to the Engineer and the city's superintendent of streets. Each of those persons is directed to record the assessment diagram and assessment roll in his or her office.

**Section 4.** In accordance with section 3.124.180 of the Sacramento City Code and section 3114 of the Streets and Highways Code, the city clerk is further directed to file a copy of the assessment diagram in the office of the Sacramento County Recorder and to execute and record a notice of assessment in the office of the Sacramento County Recorder. Upon the recording of the diagram and notice, the assessment will become a lien upon the parcels assessed.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK

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RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# EXHIBIT A

## GENERAL DESCRIPTION OF TERRITORY TO BE ANNEXED

ALL THAT PORTION OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B. & M., BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 1 AND 12, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B. & M., AND SECTIONS 6 AND 7, TOWNSHIP 7 NORTH, RANGE 5 EAST, M.D.B. & M., SAID CORNER ALSO BEING THE NORTHWEST CORNER OF MEADOWVIEW VILLAGE UNIT NO. 1 RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 49 OF MAPS, MAP NO. 4; THENCE FROM SAID POINT OF BEGINNING ALONG THE SECTION LINE COMMON TO SAID SECTIONS 1 AND 12 AND THE CENTER LINE OF MEADOWVIEW ROAD, A PUBLIC ROAD 80.00 FEET IN WIDTH, SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 1894.39 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN 62.566 ACRE TRACT OF LAND DESCRIBED IN A DEED RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 3836 OF OFFICIAL RECORDS, PAGE 46; THENCE ALONG THE EASTERLY LINE OF SAID 62.566 ACRE TRACT OF LAND THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTH 00 DEGREES 14 MINUTES 00 SECONDS WEST 1422.20 FEET; (2) NORTH 89 DEGREES 46 MINUTES 00 SECONDS EAST 1068.61 FEET AND (3) NORTH 00 DEGREES 14 MINUTES 00 SECONDS WEST 375.00 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN 16.754 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT OF SACRAMENTO COUNTY, RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 3095 OF OFFICIAL RECORDS, PAGE 383; THENCE ALONG THE SOUTH LINE OF SAID 16.754 ACRE TRACT OF LAND AND THE EASTERLY PRODUCTION THEREOF NORTH 89 DEGREES 46 MINUTES 00 SECONDS EAST 820.93 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 1; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST 1801.43 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING FOUR PARCELS:

(A) ALL THAT PORTION LYING WITHIN THE EXTERIOR BOUNDARIES OF SOUTHFIELD UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, ON FEBRUARY 28, 1961 IN BOOK 64 OF MAPS, MAP NO. 15.

(B) ALL THAT PORTION LYING WITHIN THE EXTERIOR BOUNDARIES OF SOUTHFIELD UNIT NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, ON DECEMBER 30, 1964 IN BOOK 76 OF MAPS, MAP NO. 3.

(C) ALL THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF MEADOWVIEW ROAD, PUBLIC ROAD 80 FEET IN WIDTH, FROM WHICH SOUTHEAST CORNER OF SOUTHFIELD UNIT NO. 1, AS SHOWN ON THE OFFICIAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 64 OF MAPS, MAP NO. 15, BEARS ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 328.02 FEET; THENCE FROM SAID POINT OF BEGINNING PARALLEL WITH THE EAST LINE OF SAID SECTION 1, NORTH 00 DEGREES 23 MINUTES 16 SECONDS WEST 435.60 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 44 SECONDS EAST 200.00 FEET TO A POINT ON A LINE PARALLEL TO SAID EAST LINE OF SECTION 1; THENCE ALONG SAID LINE SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST 437.00 FEET TO A POINT IN THE CENTER LINE OF MEADOWVIEW ROAD; THENCE ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 200.00 FEET TO THE POINT OF BEGINNING.

(D) ALL THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT IN THE CENTER LINE OF MEADOWVIEW ROAD, A PUBLIC ROAD 80 FEET IN WIDTH, FROM WHICH THE SOUTHEAST CORNER OF SOUTHFIELD UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 64 OF MAPS, MAP NO. 15, BEARS ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 528.02 FEET; THENCE FROM SAID POINT OF BEGINNING, PARALLEL WITH THE EAST LINE OF SAID SECTION 1, NORTH 00 DEGREES 23 MINUTES 16 SECONDS WEST 694.46 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 44 SECONDS EAST 313.26 FEET TO A POINT IN SAID EAST LINE OF SECTION 1; THENCE ALONG SAID EAST LINE, SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST 696.00 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1, BEING ALSO A POINT IN THE CENTER LINE OF MEADOWVIEW ROAD; THENCE ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 313.26 FEET TO THE POINT OF BEGINNING.

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DATE ADOPTED: \_\_\_\_\_



## **EXHIBIT B**

### **DESCRIPTION OF IMPROVEMENTS AND SERVICES**

The work described below is to be carried out when the improvements (e.g., landscaping, irrigation systems, post & cable/hand rail, and water quality landscaped basin area) are installed and dedicated to the City. The work will be performed in the Buena Park Subdivision in lots A & B adjacent to Meadowview Road; in lot E adjacent to Addison Way; and in Lot C between Addison Way and Meadowview Road, and is more particularly described in plans and specifications approved by the City of Sacramento and on file at the City of Sacramento's Development Engineering and Finance Division of the Development Services Department, 1231 "I" Street, Room 200, Sacramento, California 95814.

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to maintain the landscaping and irrigation systems. Maintenance work may 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, replacement of the post & cable/hand rail, irrigation systems, planted materials, and amenities.

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RESOLUTION NO: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**RESOLUTION NO. 2005-\_\_\_\_\_**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION ESTABLISHING THE BUDGETS FOR ANNEXATION #2 TO THE  
NEIGHBORHOOD WATER QUALITY DISTRICT NO. 2003-03, FUND 267,**

**Whereas** on May 17, 2005 by a vote of the property owners within Annexation #2 to the Neighborhood Water Quality (see Exhibit A) District approved the annexation of the district;

**Whereas** Annexation #2 to the Neighborhood Water Quality District was annexed by the City Council on May 17, 2005; and

**Whereas** property owners within the boundaries of Annexation #2 to the Neighborhood Water Quality District are assessed a fee (see Exhibit B) to cover the cost of delivering services of maintenance needs for Water Quality mitigation and landscaped areas;

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

1. The FY2005 revenue (\$20,060) and expenditure (\$20,060) budgets to be established for Annexation #2 to the Neighborhood Water Quality District (NWQD) No. 2003-03. See Exhibit B for detailed information on the budget.
2. The Finance Director is authorized to establish the expenditure authority for Utilities, Transportation, Development Services and the Department of Finance (see exhibit B) necessary to provide services for the NWQD in the amount of \$20,060, which will be reimbursed by the NWQD.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Exhibit A - Location Map (1 page)

Exhibit B - FY2005/06 Budget & Parcel Assessment (1 page)

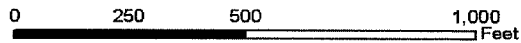
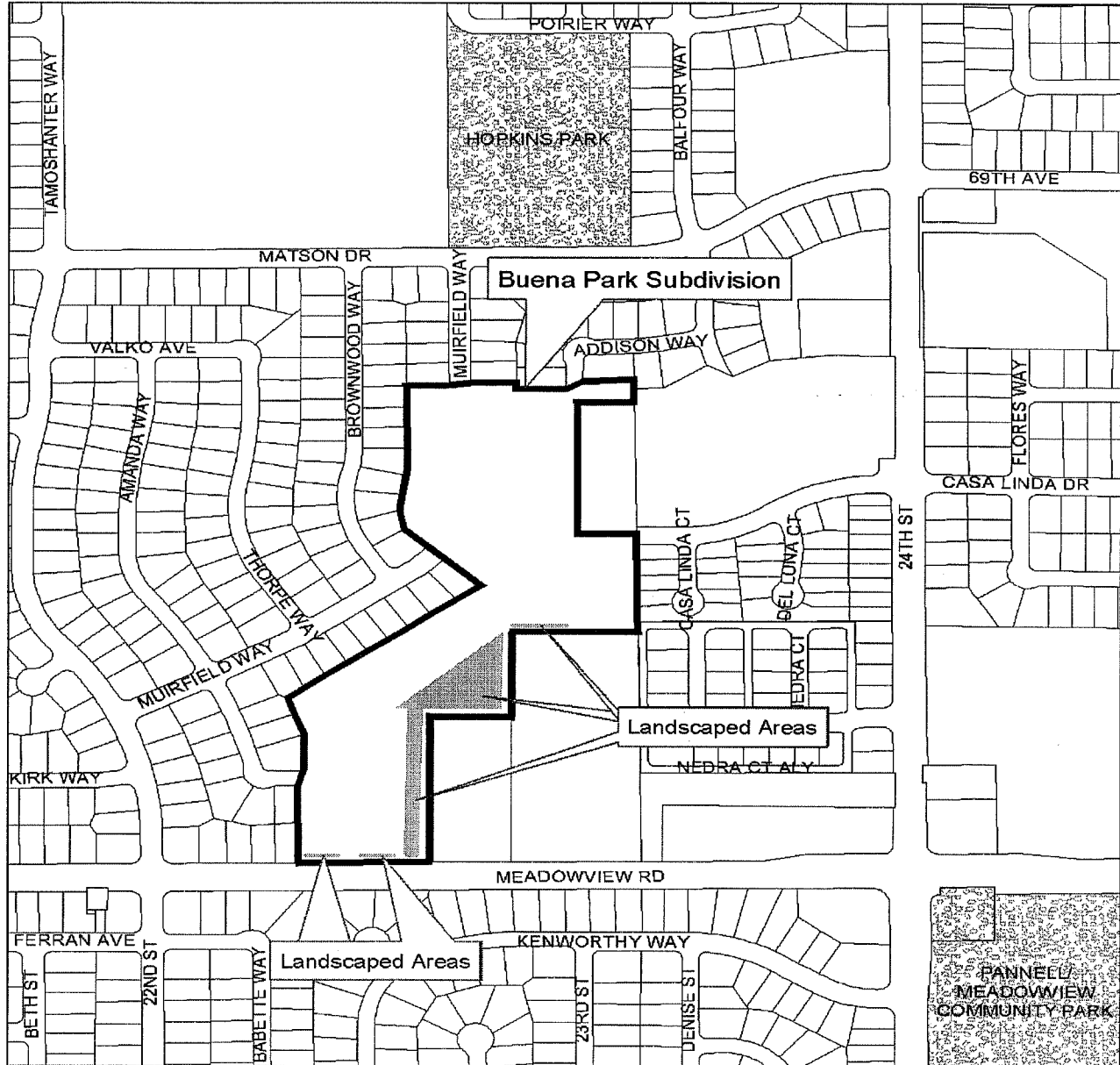
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DATE ADOPTED: \_\_\_\_\_

# EXHIBIT A

## Annexation #2 to the Neighborhood Water Quality District



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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## EXHIBIT B

### ANNEXATION #2 TO THE NEIGHBORHOOD WATER QUALITY DISTRICT FY 2005/06 BUDGET

Transportation Street Maintenance Cost	\$2,560
Utilities Maintenance Cost	13,000
Special Districts Administration	1,000
Consultant (NBS) Reporting	410
Finance Administration	500
County Billing Cost	90
Contingency	<u>2,500</u>
<b>Total Assessed to Property Owners</b>	<b>\$20,060</b>

### PARCEL ASSESSMENT

The annual maintenance cost for each of the 59 property owners is \$340.

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DATE ADOPTED: \_\_\_\_\_