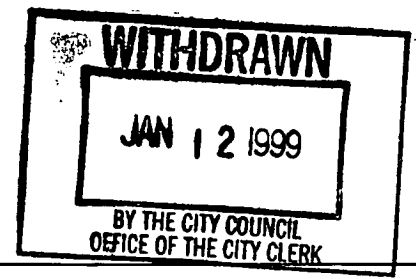


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DEPARTMENT OF PUBLIC WORKS

CITY OF SACRAMENTO CALIFORNIA

927 10TH STREET SACRAMENTO, CA 95814-2702

TECHNICAL SERVICES DIVISION

PH 916-264-8300 FAX 916-264-7903

November 30, 1998

City Council Sacramento, California

Honorable Members in Session:

SUBJECT: POCKET ROAD RECONSTRUCTION AND RESURFACING PROJECT (PN:TR07) – APPROVAL OF ORDINANCE REQUIRING REIMBURSEMENT FOR FRONTAGE IMPROVEMENTS

LOCATION AND COUNCIL DISTRICT:

Pocket Road between Greenhaven Drive and Interstate 5 / Council District 7.

RECOMMENDATION:

This report recommends that the City Council approve the attached ordinance regarding improvements on Pocket Road.

CONTACT PERSON: Cecilyn Foote, Project Manager, 264-6843

FOR COUNCIL MEETING OF: December 15, 1998

SUMMARY:

The City of Sacramento intends to construct roadway and frontage improvements on Pocket Road to connect existing curb, gutter, and sidewalk. This ordinance will require the owners of this property fronting Pocket Road to reimburse the City of Sacramento in the future, when this property is developed, for the cost of these improvements.

new report?

CONTINUED FROM 12-15-98 TO 01-12-99

City Council
Pocket Road Improvements Ordinance
November 30, 1998

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

In 1993, the Sacramento City Council formed the Pocket Road Assessment District No. 93-01 for the purpose of levying assessments and issuing bonds to pay a portion of the cost of roadway and associated improvements along Pocket Road. Concurrently, the Pocket Road Facilities Benefit Assessment District (FBA) was formed to reimburse the City of Sacramento for the remaining required funding used to construct these improvements. The FBA funds would be reimbursed when these properties developed. Four parcels were included in both Districts and paid for the cost of these improvements. By specific request of the owner, the property (APN 031-0480-031-0000) between Greenhaven Drive and Interstate 5 was excluded from both Districts. To date, no frontage improvements have been constructed and the City needs to complete the frontage improvements to provide better and safer pedestrian access across Interstate 5.

Enactment of this ordinance will allow the City of Sacramento to be reimbursed for the cost of constructing new curb, gutter, and sidewalk and roadway improvements similar to those constructed in 1993. The property owner will only be responsible for the improvements fronting the property, as were the properties in the Pocket Road A.D. For consistency, it is necessary to impose a similar financial responsibility for improvements on this property as others have on Pocket Road.

FINANCIAL CONSIDERATIONS:

The estimated cost of these improvements is \$85,378, which includes \$40,000 for purchasing right-of-way. If the property owner dedicates the necessary right-of-way, the cost is then estimated at \$45,378. Enactment of the proposed ordinance will enable the City of Sacramento to be reimbursed the cost of these improvements for which property owners are typically responsible.

ENVIRONMENTAL CONSIDERATIONS:

A Notice of Determination for the construction project was filed on August 27, 1991.

POLICY CONSIDERATIONS:

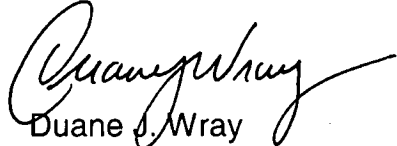
The action requested herein ensures that this property be placed in the same relative position as the properties included in the Pocket Road Assessment District No. 93-01 and the Pocket Road Facilities Benefit Assessment District.

City Council
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MBE/WBE EFFORTS:

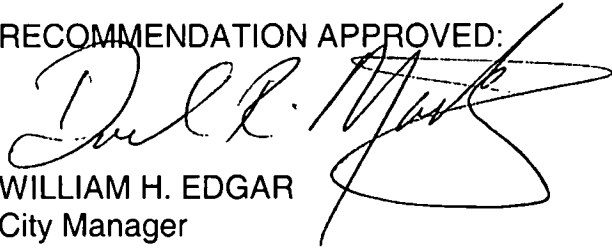
There is no impact to the MBE/WBE program as no goods or services are being procured.

Respectfully submitted,



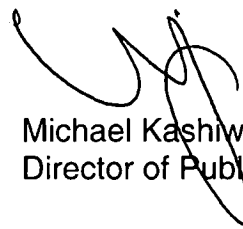
Duane J. Wray
Technical Services Manager

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

Approved:



Michael Kashiwagi
Director of Public Works



Attachment

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE REQUIRING PAYMENT OF FEES FOR THE PURPOSE OF DEFRAYING THE ACTUAL COST FOR CONSTRUCTION OF ROADWAY AND ASSOCIATED FACILITIES

WHEREAS, in 1993, the Sacramento City Council formed the Pocket Road Assessment District No. 93-01 ("District"), together with the Pocket Road Facilities Benefit Assessment District ("FBA"); and

WHEREAS, the District was formed for the purpose of levying assessments and issuing bonds to pay the cost of certain roadway and associated improvements to Pocket Road, in the City of Sacramento; and

WHEREAS, the FBA was formed at the same time, for the purpose of providing a source to reimburse the City of Sacramento for advancing the funding necessary to complete the said improvements; and

WHEREAS, the following parcels were included within the FBA and the District, and were subjected to assessments in both the District and the FBA to pay for the cost of the said improvements: APN's 031-0860-003-0000; 031-0860-032-0000; 031-0860-033-0000; and 031-0030-001-0000; and

WHEREAS, the following parcel was excluded from both the FBA and the District by specific request of the owner thereof: APN 031-0480-031-0000, described as set forth in Exhibit "A", attached hereto and incorporated herein by this reference ("Property"); and

WHEREAS, the current owners of the Property are as specified in Exhibit "B", attached hereto and incorporated herein by this reference ("Owners"); and

- 1 -

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

WHEREAS, the City intends to construct improvements fronting the Property, similar to those improvements which were financed by the District and the FBA in 1993; and

WHEREAS, those improvements, which are specified together with the cost thereof on Exhibit "C", attached hereto and incorporated herein by this reference ("Improvements"), will provide specific, direct benefit to the Property by virtue of providing curbs, gutters, sidewalks, drainage improvement, and other facilities; and

WHEREAS, the Owners have declined to consent to having assessments levied against the Property for the purpose of paying for the Improvements; and

WHEREAS, it is necessary to impose the cost of the Improvements upon the Property, as was done with respect to the benefitted properties in 1993 through the District and the FBA; and

WHEREAS, the proper mechanism for assessing the cost of the Improvements to the Property is through the imposition of a development fee ("Fee"), payable if and when the Property is developed to a different or more intensive use in the future; and

WHEREAS, said methodology places the Property in the same relative position as the properties which were included within the District and the FBA, by requiring that the Property bear the cost of frontage improvements which provide a direct and specific benefit thereto; and

WHEREAS, imposition of the Fee is not an assessment, tax or property related fee for purposes of Article XIIC or XIID of the California Constitution, and may therefore be imposed by the City Council by this ordinance pursuant to applicable provisions of the California Government Code, the Sacramento City Charter, the California Constitution, and any other applicable law, rule or regulation of the State of California.

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

SECTION 1.

The City Council finds and determines that the recitals set forth above are true and accurate.

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

SECTION 2.

There is imposed upon the Property a Fee in the sum of \$85,378, which is the engineer's estimate of the cost of the Improvements which provide a direct and special benefit to the Property. Upon final completion of the Improvements, the Director of Public Works shall determine the final actual cost of the Improvements. The final actual cost, whether more or less than the engineer's estimate, shall be the actual amount of the Fee. Upon determination of the actual Fee, the Director of Public Works shall prepare for council action an amendment to this ordinance.

SECTION 3.

The Fee shall be payable as a condition of granting any discretionary entitlement for use relating to the Property or any portion thereof, including but not limited to a rezoning, subdivision or parcel map, or lot line adjustment. The Owner of the Property shall be entitled to pay the Fee at any time prior to the date when it is otherwise due and payable hereunder.

SECTION 4.

The Fee shall be subject to an annual increase, not to exceed eight percent (8%) per annum, with the first adjustment to be made on the first July 1st immediately following completion of the Improvements. For purposes of this calculation, the following principles shall apply:

- a. The actual amount of the interest to be added shall be calculated by the City Treasurer (subject to the 8% maximum) based upon the city's interest cost on the amount of the Fee.
- b. After the first adjustment, the annual adjustment shall be made on each subsequent July 1st.

SECTION 5.

This ordinance shall, in accordance with Government Code Section 66017(a), take effect 60 days following its adoption.

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

This ordinance, and any amendment to this ordinance, shall be recorded in the official records of the County of Sacramento, by the City Clerk.

DATE PASSED FOR PUBLICATION:
DATE ENACTED:
DATE EFFECTIVE:

ATTEST:

MAYOR

CITY CLERK

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FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

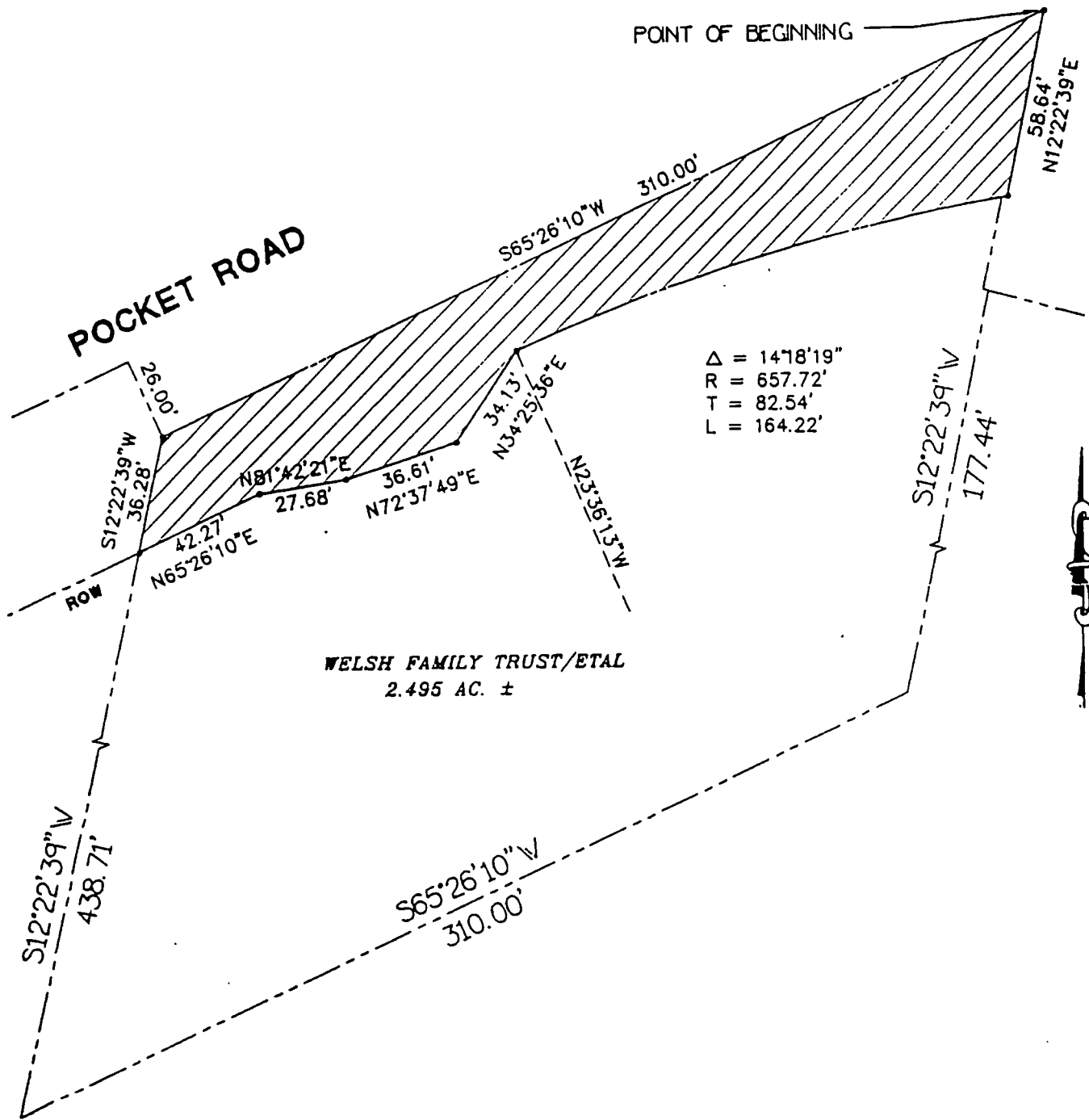
DATE ADOPTED: _____

EXHIBIT A

LEGAL DESCRIPTION
PROPERTY OF CITY OF SACRAMENTO
PORTION OF A.P.N. 031-0480-031

All that portion of Section 11, Township 7 North, Range 4 East, M.D.M. and being a portion of that certain parcel of land described in the Grant Deed recorded in the Office of the Recorder of Sacramento County in Book 721229, Page 1593, Sacramento County Official Records, described as follows:

Beginning at the Northeast corner of said parcel of land described in the aforementioned Grant Deed; thence from said point of beginning along the Northwesterly line of said parcel of land S 65°26'10" W 310.00 feet to the most Northerly corner of "Parkway Oaks Unit No. 1", the Official Plat of which was recorded in the Office of said Recorder in Book 128 of Maps, Map No. 13; thence along the boundary of said Parkway Oaks Unit No. 1 S 12°22'39" W 36.28 feet; thence N 65°26'10" E 42.27 feet; thence N 81°42'21" E 27.68 feet; thence N 72°37'49" E 36.61 feet; thence N 34°25'36" E 34.13 feet to the beginning of a non-tangent curve concave southerly having a radius of 657.72 feet, to which beginning of curve a radial bears N 23°36'13" W; thence easterly along said curve through a central angle of 14°18'19" an arc distance of 164.22 feet to the southeasterly line of said parcel of land described in the aforementioned grant deed; thence along said southeasterly line N 12°22'39" E 58.64 feet to the point of beginning, encompassing 10,145.5 square feet more or less.



$\Delta = 1478.19''$
 $R = 657.72'$
 $T = 82.54'$
 $L = 164.22'$

WELSH FAMILY TRUST/ETAL
 2.495 AC. ±

AREA: 10,145.5 SQ.FT.

SCALE: 1"=50'

K:\PROJECTS\...POCKET\PLAT.DWG

PLAT MAP
POCKET ROAD RECONSTRUCTION
PN: TR07

A.P.N. : 031-0480-031

CITY OF SACRAMENTO PUBLIC WORKS DEPT.

EXHIBIT B

Parcel No.: 031-0480-031-0000

Owner: Elizabeth Welsh Abad

Mail Address: 1601 13th Avenue, Sacramento, CA 95818

EXHIBIT C

Pocket Road Reconstruction (Greenhaven to I-5) - PN:TR07
August 1998

POCKET ROAD RECONSTRUCTION - PN:TR07					
***Estimated Cost to Property Owner					
Item		Estimated		Unit	
No.	Item	Quantity	Unit	Price	Total
1	Clearing and Grubbing	1	LS	\$ 5,000	\$ 5,000
2	Roadway Excavation & Grading (Reconstruction Area)	54	CY	\$ 40	\$ 2,160
3	Aggregate Base Class 2 To Place (Reconstruction Area)	105	TN	\$ 17	\$ 1,785
4	Asphalt Concrete To Place (Reconstruction Area)	27	TN	\$ 45	\$ 1,215
5	Curb and Gutter No. 4 To Construct	281	LF	\$ 20	\$ 5,620
6	3-1/2" PCC Sidewalk To Construct	1667	SF	\$ 4	\$ 6,668
7	Drain Inlet, Type B, To Construct	1	EA	\$ 1,500	\$ 1,500
8	12" Drain Lead To Place	42	LF	\$ 70	\$ 2,940
9	Pavement Keycutting		LF	\$ 3	\$ -
10	Planned Pavement Conforms		SY	\$ 4	\$ -
11	Pavement Reinforcing Fabric To Place		SY	\$ 2	\$ -
12	Asphalt Concrete Overlay To Place		TN	\$ 40	\$ -
13	Lowering Maintenance Holes		EA	\$ 500	\$ -
14	Raising Maintenance Holes		EA	\$ 500	\$ -
15	Maintenance Hole Head Castings To Supply		EA	\$ 300	\$ -
16	Lowering Water Valve Boxes		EA	\$ 300	\$ -
17	Raising Water Valve Boxes		EA	\$ 300	\$ -
18	4" Thermoplastic Traffic Stripe To Place (white)		LF	\$ 1	\$ -
19	4" Thermoplastic Traffic Stripe To Place (yellow)		LF	\$ 1	\$ -
20	8" Thermoplastic Traffic Stripe To Place (white)		LF	\$ 2	\$ -
21	12" Thermoplastic Traffic Stripe To Place (white)		LF	\$ 6	\$ -
22	Thermoplastic Traffic Markings To Place		SF	\$ 6	\$ -
23	Pavement Markers To Place		EA	\$ 7	\$ -
24	Traffic Sign to Relocate	1	EA	\$ 200	\$ 200
25	Chain Link Fence To Relocate	120	LF	\$ 25	\$ 3,000
26	Install Street Lights		LS	\$18,000	\$ -
	Construction Estimate:				\$ 30,088
Additional Costs:					
	Staff - Costs To Date				\$ 7,637
	Staff - Estimated Future Costs				\$ 1,635
	Right of Way				\$ 40,000
	Contingency - Construction	10%			\$ 3,009
	Construction Staking & Inspection	10%			\$ 3,009
	Subtotal:				\$ 55,290
	Total Estimated Cost to Property Owner:				\$ 85,378

