

RESOLUTION NO. 2004-086

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON FEB 10 2004

RESOLUTION OF INTENTION TO ANNEX TERRITORY TO THE NEIGHBORHOOD WATER-QUALITY DISTRICT NO. 2003-03 (ANNEXATION NO. 1); TO ORDER THE PERFORMANCE OF MAINTENANCE SERVICES WITHIN THE ANNEXED TERRITORY; AND TO LEVY AN ASSESSMENT WITHIN THE ANNEXED TERRITORY TO PAY FOR THE SERVICES

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 (Chapter 3.124).

B. Hofmann Land Development Company, Inc., a California corporation ("Landowner"), is the owner of all land within the Steamship Bend Subdivision. One of the conditions of approval for this subdivision requires the 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, the land generally described in Exhibit A.

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

D. By Resolution No. 2004-~~084~~, and in response to the Landowner's petition, the City Council (1) initiated proceedings to annex to the district the land generally described in Exhibit A; (2) designated the Director of Public Works to be the Engineer for purposes of annexing the land 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 annexed territory, as required by section 3110 of the Streets and Highways Code.

E. The Engineer has prepared and filed with the City Clerk a map that shows the proposed boundaries of Annexation No. 1 to the Neighborhood Water-Quality District No. 2003-03, as directed, and the City Council approved the map by Resolution No. 2004-_____.

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F. The City Council finds and determines that providing the Services within the boundaries of the annexed territory, as shown on the map filed with the City Clerk, is necessary, convenient, and desirable.

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

Section 1. The City Council finds and determines that the recitals set forth above are true.

Section 2. The City Council declares (a) that it intends to annex the territory generally described in Exhibit A in accordance with Chapter 3.124; (b) that the exterior boundaries of the annexed territory are described in section 3 below; (c) that the Improvements to be maintained and the Services by which they will be maintained are generally described in Exhibit B; (d) that all real property within the annexed territory will be specially benefited by the Services unless the City Council finds and determines otherwise at the public hearing; and (e) that the City Council intends to pay for the Services by levying annual assessments on all specially benefited real property within the annexed territory.

Section 3. Annexation No. 1 to the Neighborhood Water-Quality District No. 2003-03 includes all territory within the exterior boundaries shown on the map that (a) was approved by Resolution No. 2004-085; (b) is entitled "Boundary Map, Annexation No. 1 to the Neighborhood Water-Quality District No. 2003-03"; and (c) is on file in the City Clerk's office. This map will govern for all details as to the extent of Annexation No. 1 to the Neighborhood Water-Quality District No. 2003-03.

Section 4. The City Council determines and gives notice that it proposes a maximum annual assessment of \$150 upon each parcel of land within the annexed territory to pay costs incurred by the city and not otherwise reimbursed for the Services and related work and for the administration and collection of the assessments. This maximum is subject to section 5 below.

Section 5. The annual assessment, including the maximum annual assessment specified in section 4 above, may be increased for inflation. The amount of the increase may not exceed 4% a year and will be computed using the prior-year annual average of the Consumer Price Index for the San Francisco-Oakland-San Jose area (All Urban Consumers) or a substitute index of a similar nature should that index be discontinued.


Section 6. The City Council determines and gives notice that penalties will be added to delinquent assessment installments in accordance with section 3.124.260 of the Sacramento City Code.

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Section 7. The Engineer is directed to prepare a written report in accordance with section 3.124.110 of the Sacramento City Code and to file the report with the City Clerk. The report must reflect an assessment for the period of July 1, 2004, to June 30, 2005, in the total amount of \$21,900.


MAYOR

ATTEST:


CITY CLERK

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EXHIBIT A

GENERAL DESCRIPTION OF TERRITORY TO BE ANNEXED

All that real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

The subdivision map entitled "Steamboat Bend Unit No. 2", recorded on December 23, 2003 in Book 323 of Maps, Map number 7, records of Sacramento County.

The subdivision map entitled "Steamboat Bend Unit No. 3", recorded on December 23, 2003 in Book 323 of Maps, Map number 8, records of Sacramento County.

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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, and water quality drainage swale) are installed and dedicated to the City. The work will be performed in the landscaped area on Cavalier Drive adjacent to the channel and adjacent to Rosehall Way, and is more particularly described in plans and specifications approved by the City of Sacramento and on file at the City of Sacramento's Department of Parks and Community Services, 1231 "I" Street, Room 400, 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, irrigation systems, planted materials, and amenities, and cleaning of the water quality drainage swale.

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