



DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

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June 3, 2005

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: LAGUNA CREEK MAINTENANCE DISTRICT - PUBLIC HEARING FY (2005/06)

LOCATION AND COUNCIL DISTRICT:

The Laguna Creek Maintenance District is located north of Sheldon Road between Franklin Boulevard and Bruceville Road in Council District No. 8 (see Exhibit A to the Budget Resolution).

RECOMMENDATION:

This report recommends that City Council adopt the attached resolutions:

- Overruling Protests (if any) for the Laguna Creek Maintenance District for FY 2005/06
- Confirming Diagram and Assessment and Levying Assessment for the Laguna Creek Maintenance District for FY 2005/06
- Amending the FY 2005/06 Budget for the Laguna Creek Maintenance District

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

FOR COUNCIL MEETING OF: June 28, 2005

SUMMARY:

The recommended Council action will levy a continuation of an annual assessment for the Laguna Creek Maintenance District. The district was established in 1991 to recover the annual costs of maintenance related to the Laguna Creek Wetlands Mitigation Program. As of this date, no protests have been received.

COMMITTEE AND COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

The Laguna Creek wetlands area was constructed in 1988. On April 16, 1991, the City Council approved formation of the Laguna Creek Maintenance District. The district provides funding for environmental monitoring and maintenance activities associated with the Laguna Creek Wetlands Mitigation Program. The monitoring and maintenance work is required to comply with a Section 404 Permit (No. 9570) issued by the U.S. Army Corps of Engineers to the City of Sacramento. The adopted monitoring program identified a five to eight year monitoring period, which has been completed along with the required remediation work.

Monitoring and Maintenance Program

The Laguna Creek wetlands maintenance area is located between Sheldon Road, Bruceville Road, and Franklin Boulevard. This area includes the primary creek channel and adjacent wetlands, wetlands preserved to the south of the floodway, and adjacent turf areas. The maintenance area also includes channel improvements and wetlands located west of Franklin Boulevard, which were constructed as part of the Laguna Creek Floodway project. The work that is intended to be funded by the annual maintenance district includes:

- Monitoring, maintenance, repair of vernal pools, and other designated wetland areas, and preparation of annual report to Army Corps of Engineers.
- Maintenance and repair of irrigation systems.
- Maintenance and operation of planting basins, including fertilization, pruning, staking, turf and grassland mowing, disking fire breaks, litter control, and patrolling.
- Maintenance of bikeways and landscaping adjacent to the wetlands area.
- Unscheduled maintenance such as repair of damage due to vandalism, flood or fire, and temporary irrigation of vernal pools not wetted by natural events.
- Public outreach, including design and development of interpretive signage, education workshops, nature walks, information for the kiosk (i.e. community information center), and for wetlands articles in the North Laguna Creek Neighborhood Association newspaper.

On June 7, 2005, the City Council adopted the Resolution of Intention, which set a hearing on this date for the Annual Report (see Attachment A).

FINANCIAL CONSIDERATIONS:

The total cost for fiscal year 2005/06 is projected at \$118,100 as detailed on Exhibit B of the attached Budget Resolution. This year's proposed assessment is an increase from the previous year, but still well below the maximum allowable \$231,651.

The maintenance district is self-supporting and has no impact on the general fund. Maintenance costs will be assessed to both developed and undeveloped properties within the district as detailed on Exhibit B of the attached Budget Resolution. At present there are 2,402 individual ownership parcels within the district. This figure is expected to grow in the coming years as additional properties are subdivided and developed.

ENVIRONMENTAL CONSIDERATIONS:

Under California Environmental Quality Act (CEQA) Guidelines, annual proceedings of a Special District do not constitute a project and are therefore exempt from review.

POLICY CONSIDERATIONS:

The annual proceedings for this district are being processed as set forth in Chapter 3.124 of the Sacramento 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 Emerging and Small Business Development (ESBD) Program.

Respectfully submitted,


Edward Williams, Manager
Development Engineering and Finance

RECOMMENDATION APPROVED:


ROBERT P. THOMAS, City Manager

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ATTACHMENT A

LAGUNA CREEK MAINTENANCE DISTRICT
FY 2005/06 SCHEDULE

June 7, 2005 Council Adopted Resolution of Intention and Set Date For Hearing

June 2005 Post and Publish Notice of Hearing

**June 28, 2005 *Hold Hearing
*Council Considers All Protests, Levies Annual Assessment**

July 2005 Record Assessment Diagram and Notice of Assessment with County Recorder

July 2005 Liens Placed on Affected Properties

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____

**RESOLUTION OVERRULING PROTESTS FOR LAGUNA CREEK
MAINTENANCE DISTRICT FOR FY 2005/06**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

On June 28, 2005, the City Council opened a public hearing on the Resolution of Intention and the Engineer's Annual Report for Laguna Creek Maintenance District, City of Sacramento, County of Sacramento, State of California.

At or before the time set for the hearing, certain interested persons made protests or objections to the proposed maintenance, the extent of the assessment district, or the proposed assessment.

The City Council hereby overrules each of these protests, written or oral.

The City Council finds that the protests against the proposed maintenance (including all written protests not withdrawn in writing before the conclusion of the protest hearing) is made by the owners of less than one-half of the area of the land to be assessed for the improvement.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____

**RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENT AND LEVYING
ASSESSMENT FOR LAGUNA CREEK MAINTENANCE DISTRICT FOR FY 2005/06**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. Pursuant to Chapter 3.124 of the Sacramento City Code, the City Council directed the Development Engineering & Finance Manager of the Development Services Department as the Engineer of Work for the Laguna Creek Maintenance District to prepare and file an Annual Report for the FY 2005/06.
2. The Engineer of Work filed the Annual Report on June 7, 2005, and the City Council adopted its Resolution approving Engineer's Report and Intention to levy and collect assessment within the assessment district for FY 2005/06 and set a public hearing to be held at 2:00 p.m., on June 28, 2005, in the meeting place of the City Council, 730 I Street 1st Floor, Interim City Hall, Sacramento, California. Notice of the hearing was given in the time and manner required by law.
3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the Annual Report, either in writing or orally, and the City Council has considered each protest.
4. The City Council hereby confirms the diagram and assessment as set forth in the Annual Report to the Engineer of Work and hereby levies the assessment set forth therein for FY 2005/06.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____

**RESOLUTION AMENDING THE FISCAL YEAR 2005/06
BUDGET FOR THE LAGUNA CREEK MAINTENANCE DISTRICT, FUND 226**

Whereas the Laguna Creek Maintenance District (See Exhibit A) was established by the City Council and approved by property owners vote on April 16, 1991; and

Whereas property owners within the boundaries of the Laguna Creek Maintenance District are assessed a fee (See Exhibit B) to cover the cost of delivering Landscaping maintenance services;

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

1. The FY2006 revenue \$118,100 (\$286,078 - \$167,978 surplus) and expenditure \$286,078 budgets to be amended for the Laguna Creek Maintenance District (LCMD). See Exhibit B for detailed information on the budget.
2. The Finance Director is authorized to amend the expenditure authority for Utilities, Transportation, Development Services and Finance Departments (See Exhibit B) necessary to provide services for the LCMD in the amount of \$286.078 which will be reimbursed by the LCMD.

MAYOR

ATTEST:

CITY CLERK

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

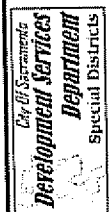
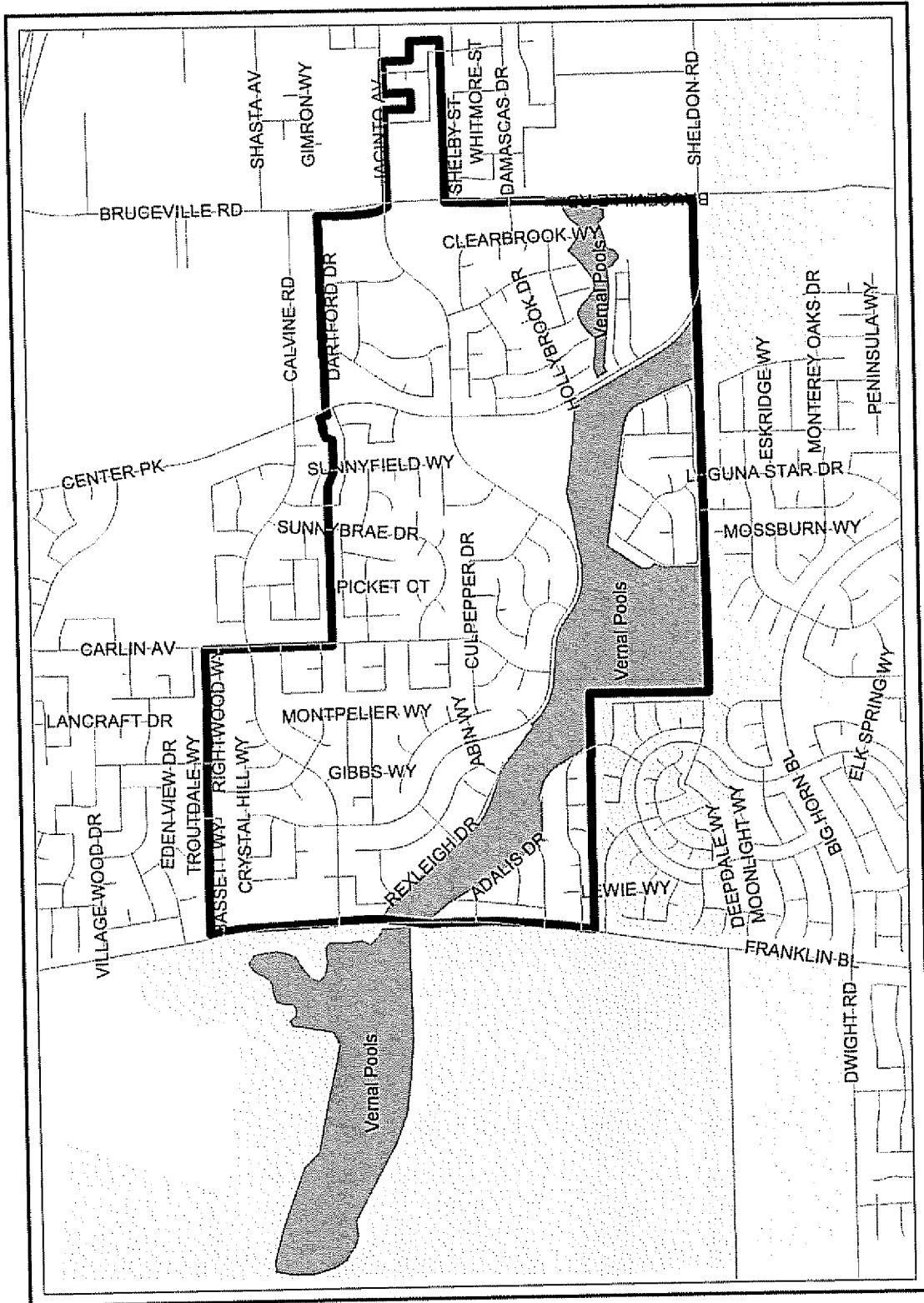
FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

Laguna Creek Maintenance District

Exhibit A



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FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

EXHIBIT B

LAGUNA CREEK MAINTENANCE DISTRICT FY 2005/06 BUDGET & PARCEL ASSESSMENT

BUDGET

Transportation Streets Costs	\$25,281
Parks	
Maintenance Costs	78,300
Outreach	20,000
Special Districts Administration	7,100
Finance	
Administration	1,651
County Billing	1,097
Consultant Reporting	2,649
Contingency	<u>150,000</u>
Subtotal	\$286,078
Plus Fund Balance	<u>167,978</u>
Total Assessed to Property Owners	\$118,100

PARCEL ASSESSMENT

The following table summarizes how the maintenance costs are apportioned to the various land use categories.

Annual Maintenance Assessment Maximum			
	Authorized	FY 2004/05	FY 2005/06
Single-Family Residential (per unit)	\$81.73	\$35.92	\$38.82
Developed Multi-Family and Condos (per unit)	58.78	25.20	27.12
Undeveloped Multi-Family (per acre)	741.72	344.48	375.31
<u>Non-Residential (Land Area)</u>			
0-25,000 Square Feet (per parcel)	113.04	50.56	54.78
25,000-100,000 Square Feet (per parcel)	525.45	243.36	265.04
Over 100,000 Square Feet (per parcel)	1,082.23	503.67	548.91
Churches (per parcel)	39.52	16.19	17.30

FOR CITY CLERK USE ONLY

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RESOLUTION NO: _____

DATE ADOPTED: _____