

11



CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

ENGINEERING DIVISION

November 14, 1985

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Greenhaven Unit No. 18 Assessment District, Improvement
Proceeding No. 5379 (Gloria Drive and Rush River Drive) -
Revised

CITY MANAGER'S OFFICE
RECEIVED
NOV 14 1985

THOMAS M. FINLEY
Engineering Division Manager

APPROVED
BY THE CITY COUNCIL

NOV 19 1985

OFFICE OF THE
CITY CLERK

SUMMARY

The Assessment District hearing is set for November 19, 1985 and it is requested that the City Council approve the assessment by adopting the resolution approving the assessments and also adopt resolutions authorizing the expenditure of City funds and employing the attorney.

BACKGROUND

This Assessment District was formed under the Improvement Act of 1911, whereby all of the improvement work is completed prior to placing any assessment on the property within the District. All of the improvements have been installed and accepted by the City Engineer and the cost for the work assessed against the property benefited by the improvements.

The assessment was filed with the City Clerk on October 28, 1985, and notices sent to the property owners informing them of the November 19, 1985 assessment hearing date.

The City Clerk has informed us that she has not received any written protests to the assessment.

ADDITIONAL BACKGROUND INFORMATION

The assessment filed with the City Clerk on October 28, 1985 for Greenhaven Unit No. 18 Assessment District contained an Assessment No. 83 comprising 6.8 + acres with an assessed amount of \$182,992.24. Since the filing of the assessment, the owners of Assessment No. 83 have had the final map (Parkview Estates Unit No. 4) approved by the Council and recorded with the County Recorder which subdivided Assessment No. 83 into 26 residential lots. Because the final map of Parkview Estates Unit No. 4 has been recorded, the Director of Public Works has amended the assessment filed on October 28, 1985 and apportioned the \$182,992.24 to the newly created lots according to the benefit they derived from improvements. The owners of Assessment No. 83 have been informed of how the \$182,992.24 has been apportioned to the newly created 26 lots.

FINANCIAL

This project is being jointly financed by the property owners within the District and the City of Sacramento. A summary of the costs is as follows:

Contract Cost	\$1,150,614.85
Incidental Expenses	<u>152,413.15</u>
Total Cost	\$1,303,028.00
Less City Contribution	<u>52,897.45</u>
Amount Assessed to Property Owners	\$1,250,130.55

Funds for the City contribution will come from Major City Street Construction Funds and Quimby Funds, and are currently available in the Department of Public Works' and Parks and Community Services' budgets.

RECOMMENDATION

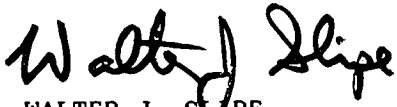
It is recommended that the hearing be closed, the attached resolutions be adopted approving the Assessment District and the expenditure of City funds and employing the attorney be authorized.

Respectfully submitted,




THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLUPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

IEM:vr
IM228Cd3

November 19, 1985
District No. 8

RESOLUTION NO. 85-880

Adopted by The Sacramento City Council on date of

**AUTHORIZING CITY CONTRIBUTION TO
THE CONSTRUCTION OF GLORIA DRIVE
IN GREENHAVEN UNIT NO. 18**

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

That the Director of Finance is hereby authorized and directed to transfer the sum of \$52,897.45 for use as a City contribution for the extra width pavement in Gloria Drive and improvements fronting a City park site that were constructed under Greenhaven Unit No. 18 Assessment District. Said sum is to be transferred as follows:

From 2-09 Major City Street Funds, Miscellaneous Improvements Cost Center 2452 to 2-09-5100-9655-4820	\$49,661.19
From 7-10-4581-2151-4820 Quimby Fund to 7-10-5100-9655-4820	\$ 3,236.26

That the Director of Finance is further authorized and directed to expend the sum of \$52,897.45 as the City contribution to Greenhaven Unit No. 18 Assessment District.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

NOV 19 1985

OFFICE OF THE
CITY CLERK

IMPROVEMENT PROCEEDING NO. 5379
GREENHAVEN UNIT NO. 18
ASSESSMENT DISTRICT

RESOLUTION NO. 85-881

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION APPROVING ASSESSMENT
FOR
IMPROVEMENT PROCEEDING NO. 5379

GREENHAVEN UNIT NO. 18
ASSESSMENT DISTRICT

WHEREAS, on October 28, 1985, the Superintendent of Streets of the City of Sacramento did make and issue and file with the City Clerk an Assessment, together with a Diagram and Engineer's Certificate, to represent the costs and expenses of the public improvement work actually constructed for GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT, and that was originally described in the following Resolutions adopted by the City Council of the City of Sacramento for Improvement Proceeding No. 5379:

Resolution No. 84-428, entitled
Resolution of Intention for Improvement
Proceeding No. 5379, adopted May 22, 1984

and

APPROVED
BY THE CITY COUNCIL

NOV 19 1985

OFFICE OF THE
CITY CLERK

Resolution No. 84-496, entitled
Resolution Ordering Work for Improvement
Proceeding No. 5379, adopted June 12, 1984,

and

WHEREAS, the Superintendent of Streets included in said Assessment a certain Assessment Parcel No. 83, and the Superintendent of Streets showed in said Assessment a legal description of the land that comprised said Parcel No. 83, and showed that said Parcel No. 83 comprised 5.718 acres, more or less, and

WHEREAS, the Superintendent of Streets allocated to said Assessment Parcel No. 83, comprising said 5.718 acres, more or less, the sum of \$182,992.24 for his estimate of the benefits said Parcel No. 83 received from the public improvement work done for the lands in GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT, and

WHEREAS, on November 14, 1985, the owners of said Assessment Parcel No. 83 caused said 5.718 acre parcel of land to be subdivided, and on that date caused a subdivision map to be recorded showing the subdivision of said 5.718 acre parcel into 26 separate lots, and

WHEREAS, the name of the subdivision that said owners of said Assessment Parcel No. 83 caused to be created from the lands comprising said Assessment Parcel No. 83 is "Parkview Estates Unit No. 4", and the map or plat thereof was recorded in the office of the Recorder of the County of Sacramento in Book 166 of Maps, Map No. 14, and

WHEREAS, the Superintendent of Streets has reported to this Council on this date that the owners of said Parkview Estates Unit No. 4 Subdivision, did request him to allocate the sum of \$182,992.24 that he originally allocated to said Assessment Parcel No. 83 to said 26 lots that comprise the subdivision known as Parkview Estates Unit No. 4, in accordance with his estimate of the benefits that each of said 26 lots received from said public improvement work done for the lands in said GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT, and

WHEREAS, the Superintendent of Streets has reported to this Council on this date that to satisfy the said request of said owners that he has prepared a change in the Assessment Diagram that he originally included in the Assessment for GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT, and that he has shown on said Diagram in place of a single 5.718 acre parcel of land, which he originally designated on said Diagram to be Assessment Parcel No. 83, a total of 26 separate parcels that said owners composed from said Parcel No. 83, and he reports that said 26 separate parcels are the 26 lots of the subdivision known as Parkview Estates Unit No. 4, and he has reported on this date that he has assigned assessment parcel numbers to said 26 separate parcels, and that he has assigned new Assessment Parcel No. 83 to Lot 1 of said Parkview Estates Unit No. 4, and that he has assigned new Assessment Parcel Nos. 88 to 112, inclusive, to Lots 2 to 26, respectively of said Subdivision, and

WHEREAS, the Superintendent of Streets has reported to this Council on this date that to satisfy the request of said owners that he has allocated the sum of \$182,992.24 which he had originally allocated solely to said original Assessment Parcel No. 83 to said new Parcel No. 83, and to said new Parcel Nos. 88 to 112, inclusive, in accordance with his estimate of the benefits from the public improvement work done for said GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT that each of said new parcels has received from said public improvement work, and

WHEREAS, this Council finds and determines that the amounts shown hereinafter in this Resolution, and that this Council orders in this Resolution to be assessed on said new Assessment Parcel No. 83, and on said new Assessment Parcel Nos. 88 to 112, inclusive, are the amounts of said \$182,992.24 assessment amount originally assessed to original Assessment Parcel No. 83 that the Superintendent of Streets has allocated to Lots 1 to 26, inclusive, of said subdivision known as Parkview Estates Unit No. 4, and this Council finds and determines that said amounts are a correct allocation of the benefit to each of said lots that each of said lots receives from the public improvement work done for GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT, and

WHEREAS, this is the time fixed by the City Clerk for the hearing by this Council upon said Assessment, and it is also the time fixed for the hearing of any appeal to this Council

by any person interest in said work or in said Assessment,
and

WHEREAS, this Council finds and determines that no owner of the 26 lots of the subdivision known as Parkview Estates Unit No. 4, which 26 lots were composed from original Assessment Parcel No. 83, shown in said Assessment, and which original Assessment Parcel of the Superintendent of Streets assessed the total sum of \$182,992.24, have filed any protest to any amount of the original sum of \$182,992.24 that the Superintendent of Streets has allocated to each of said 26 lots in said subdivision, and finds and determines that the Superintendent of Streets duly informed said owners respecting the amounts allocated to each of said 26 lots, and

WHEREAS, this Council finds and determines that the City Clerk has given notice of the time and place of this hearing all in accordance with the terms and provisions of the Improvement Act of 1911, and

WHEREAS, this Council, being satisfied with the correctness of said Assessment as modified to show the creating of 26 new separate Assessment Parcels from original Assessment Parcel No. 83, and being satisfied with the correctness of the Diagram to show also the creation of 26 new separate Assessment Parcels from original Assessment Parcel No. 83, and being satisfied with the correctness of the Engineer's Certificate, and upon the recommendation of the Superintendent of Streets, hereby finds and determines

that said Assessment as so modified, Diagram as so modified, and Engineer's Certificate are true and correct in all respects.

IT IS HEREBY RESOLVED that the changes that the Superintendent of Streets has made in the Diagram to show creation from original Assessment Parcel No. 83 of the 26 separate lots in the subdivision known as Parkview Estates Unit No. 4, and his assigning of the new Parcel Numbers to said 26 lots as stated in the recitals to this Resolution are hereby approved and confirmed.

IT IS HEREBY FURTHER RESOLVED that this Council hereby orders that new Assessment Parcel No. 83, and new Assessment Parcel Nos. 88 to 112, inclusive, described in the recitals to this Resolution, shall be, and each is hereby assessed the sums set out below and opposite said new Assessment Parcel Nos., viz:

<u>New Assessment Parcel No.</u>	<u>Amount Assessed</u>
83	\$ 13,193.41
88	4,266.07
89	4,266.07
90	4,266.07
91	4,266.07
92	4,266.07
93	13,967.97
94	14,314.48
95	4,266.07
96	4,266.07
97	4,266.07
98	4,266.07
99	4,266.06
100	12,956.97
101	13,345.06
102	5,578.82
103	5,578.82

<u>New Assessment Parcel No.</u>	<u>Amount Assessed</u>
104	\$ 5,578.82
105	5,578.82
106	5,578.82
107	5,578.83
108	13,222.77
109	13,059.71
110	4,266.09
111	4,266.08
112	<u>4,266.08</u>
Total	\$182,992.24

IT IS HEREBY FURTHER RESOLVED that this Council hereby adopts the Engineer's Report that is attached hereto and marked EXHIBIT A, and does hereby incorporate it by reference herein, and hereby declares and determines that said Assessment, together with the Diagram and Engineer's Certificate attached thereto, be and the same are hereby confirmed and approved in all respects as changed hereby.

IT IS HEREBY FURTHER RESOLVED that this Councils finds that each parcel of land within the Assessment District: receives a special benefit from the improvements constructed in this proceeding, and that each parcel of land with the District is increased in value by reason of said improvements.

IT IS HEREBY FURTHER RESOLVED that this Council finds that the amount of the City contribution shown on said Assessment is the true and correct amount to pay to the Contractor, and this

Council hereby authorizes and directs the Director of Finance to pay said sum to the Contractor.

This Resolution was passed and adopted by the City Council of the City of Sacramento, State of California, this ____ day of _____, 1985.

Mayor

ATTEST:

CITY CLERK OF THE CITY OF SACRAMENTO

EXHIBIT A

November 19, 1985

CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of)	
Improvement Proceeding)	
No. 537, GREENHAVEN UNIT)	ENGINEER'S REPORT
NO. 18 ASSESSMENT DISTRICT)	

A Public Hearing is scheduled for this date for hearing all appeals pertaining to the Assessment, Diagram and Engineer's Certificate respecting the public improvement work for GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT.

On October 28, 1985, acting as the Superintendent of Streets, I caused to be prepared and filed with the City Clerk, the Assessment, Diagram and Engineer's Certificate respecting the public improvement work for GREENHAVEN UNIT NO. 18 ASSESSMENT DISTRICT.

After said date, October 28, 1985, when the owners of Assessment Parcel No. 83, on November 14, 1985, filed a subdivision map entitled "Parkview Estates Unit No. 4", and created 26 separate lots from said original Assessment Parcel No. 83, I revised said Diagram to show said 26 lots in place of said original Parcel No. 83, and I revised said Assessment to show my allocation to each

11

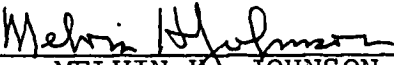
of said 26 lots of the total amount that I had originally assessed to said original Assessment Parcel No. 83.

In my opinion, I have correctly estimated upon the now existing lots or parcels of land within said Assessment District, which said lots and parcels are the lots and parcels shown on the revised Diagram attached to said Assessment, the benefits arising from said work, and I therefore report to you that said Assessment, Diagram and Engineer's Certificate are true and correct in all respects.

The work has been completed under my supervision, and to my satisfaction, and the Assessment is ready to be turned over to the Contractor, TEICHERT CONSTRUCTION, for collection.

I am advised by the City Clerk that no protests have been received, and I recommend the approval of said Assessment, Diagram and Engineer's Certificate.

EXECUTED THIS 19th DAY OF NOVEMBER, 1985.



MELVIN H. JOHNSON
CITY ENGINEER

IMPROVEMENT PROCEEDING NO. 5379
GREENHAVEN UNIT NO. 18
ASSESSMENT DISTRICT

RESOLUTION NO. 85-882

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION EMPLOYING ATTORNEY
FOR
IMPROVEMENT PROCEEDING NO. 5379

GREENHAVEN UNIT NO. 18
ASSESSMENT DISTRICT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, STATE OF CALIFORNIA:

1. That EDGAR A. BOYLES, JR., Attorney at Law, be, and he is hereby employed by this Council to prepare all legal documents and resolutions, but not including Plans, Specifications and Cost Estimate and maps, nor computing the assessment amounts, nor preparing land descriptions, nor preparing the bond ledger sheets for a proceeding to be taken by this Council under the IMPROVEMENT ACT OF 1911 for a proposed Assessment District to be known as

IMPROVEMENT PROCEEDING NO. 5379

GREENHAVEN UNIT NO. 18
ASSESSMENT DISTRICT

APPROVED
BY THE CITY COUNCIL

NOV 19 1985

OFFICE OF THE
CITY CLERK

11

2. That said EDGAR A. BOYLES, JR., Attorney at Law, be, and he is hereby further employed to furnish his professional opinion as to the legality and enforceability of the bonds to be issued to represent unpaid assessments levied in the course of the proceedings for said Assessment District, said opinion to be furnished to, and shall be for the benefit of the contractor, or his assignee, to whom the Treasurer shall issue said bonds.

3. That the City of Sacramento shall pay to EDGAR A. BOYLES, JR., for his services above described, the sum that is equal to one percent (1%) of the construction cost of the work and acquisitions, provided that said sum shall be payable to him only if improvement bonds are issued under the proceedings above described, and that said sum shall be due and payable to him at the time of delivery of said bonds.

This Resolution was passed and adopted by the City Council of the City of Sacramento, State of California, this _____ day of _____, 1985.

Mayor

ATTEST:

.....

CITY CLERK OF THE CITY OF SACRAMENTO