



REPORT TO COUNCIL

City of Sacramento 8

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

CONSENT
May 26, 2009

Honorable Mayor and
Members of the City Council

Title: Village Garden Landscape Maintenance District – Initiate Annual Proceedings

Location/Council District: North Sacramento, Council District No. 2. Includes Village Garden North Subdivision, Units 1 through 5 (Attachment 3, Page 5).

Recommendation: Adopt 1) a **Resolution** directing Filing of Annual Report for fiscal year (FY) 2009/10; 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10 and setting a time and place for a Public Hearing for June 9, 2009.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788

Presenters: Not Applicable

Department: Finance

Division: Public Improvement Financing

Organization No: 06001321

Description/Analysis

Issue: The Village Garden Maintenance District ("District") is required by the California Streets and Highways Code to present an annual budget to City Council for approval. Approval of the annual budget will authorize the City to collect assessments in the amount sufficient to provide funding for maintenance of the landscaped areas adjacent to the parcels in this District for FY2009/10.

Policy Considerations: The annual proceedings for this District are being conducted as set forth in the Landscaping and Lighting Act of 1972, California Streets and Highways Code sections 22500, et seq. This process is consistent with the City's Strategic Plan 3-Year Goal to "achieve sustainability and enhance livability".

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.

Sustainability Considerations: There are no sustainability considerations applicable to the formation process and administration of a special district.

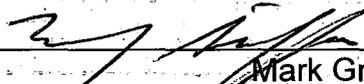
Committee/Commission: None

Rationale for Recommendation: The actions in the recommended Resolutions are required by the California Streets and Highways Code, as set forth in Section 22500 of the Landscaping and Lighting Act of 1972, for annual proceedings of an existing district.

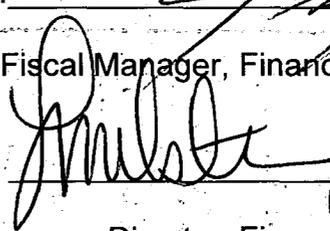
Financial Considerations: This District is self-supporting and has no impact on the General Fund. The estimated budget for FY2009/10 is projected at \$23,486 as shown on Exhibit B (page 11), and detailed in the Engineer's Report on file with the City Clerk. The deficit is paid with available surplus funds from previous assessments. The proposed FY2009/10 assessment of \$100.00 per single-family home is equal to the assessment in FY2008/09 and is the maximum authorized assessment per single-family home in this District.

Emerging Small Business Development (ESBD): City Council approval of these proceedings is not affected by City policy related to the ESBD Program.

Respectfully Submitted by:


Mark Griffin
Fiscal Manager, Finance Department

Approved by:


Leyne Milstein
Director, Finance Department

Recommendation Approved:

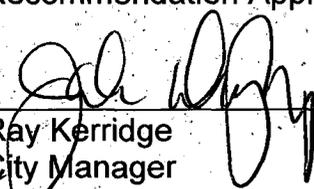

Ray Kerridge
City Manager

Table of Contents:

Report	Pg	1
Attachments		
1 Background	Pg	4
2 Schedule of Proceedings	Pg	5
3 Location Map	Pg	6
4 Resolution, Directing Filing of Annual Report	Pg	7
Exhibit A, Map of District	Pg	8

5	Resolution, Approving Engineer's Annual Report and Intention to Order Maintenance of Improvements.....	Pg 9
	Exhibit A, Map of District	Pg 11
	Exhibit B, District and Parcel Assessments	Pg 12

BACKGROUND

On December 8, 1987, the City Council adopted Resolution No. 87-1012 ordering the formation of the Village Garden North Landscaping and Lighting Assessment District. During the annual proceedings for FY2001/02, Council changed the name of the district to Village Garden Landscape Maintenance District. The district provides funding to maintain frontage landscaping for 208 residential lots.

Each year the City must adopt a new Engineer's Report and re-levy the assessments. This report presents the recommended Village Garden Landscape District budget for FY2009/10 and the necessary assessments to perform the landscape maintenance. The resolution sets the public hearing for June 9, 2009 in the Council Chambers.

The total cost to property owners in FY2009/10 is projected at \$20,800. Landscape costs will be assessed to the 208 residential lots within the district in the amount of \$100 per single-family residential lot. This amount is equal to the maximum authorized annual assessment of \$20,800 approved by City Council at district formation. The assessment pays for the landscape maintenance and administrative costs.

The table below reflects the assessment to property owners and the offset needed from available surplus funds. Available surplus funds are projected to be \$4,415 at the beginning of FY2009/10.

FY08/09 Assessed	FY09/10 Budget	Offset from Projected Surplus	FY09/10 Assessed
\$20,800	\$23,486	(\$2,686)	\$20,800

SCHEDULED OF PROCEEDINGS

**VILLAGE GARDEN LANDSCAPE MAINTENANCE DISTRICT
FY2009/10**

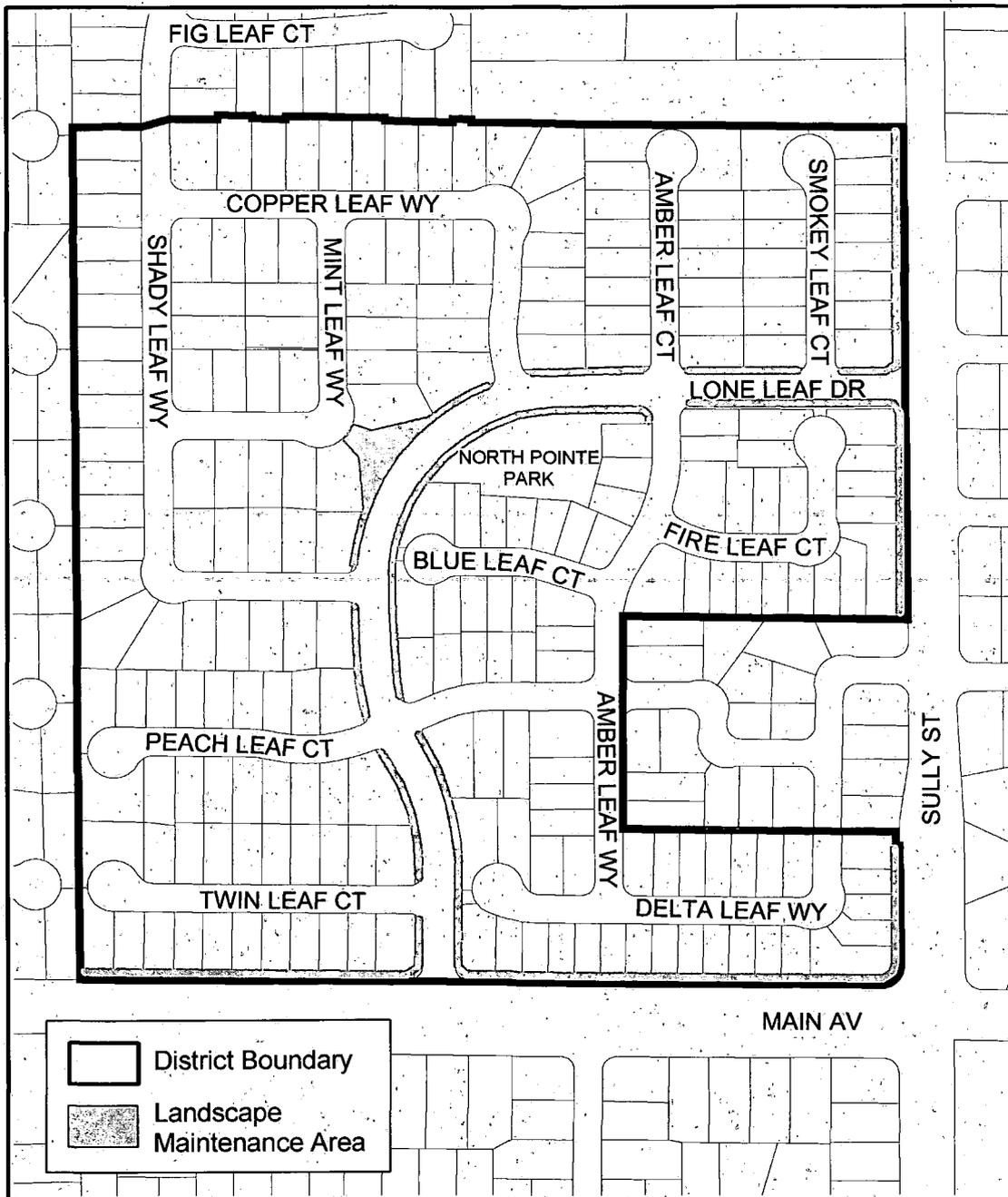
May 26, 2009	Council Considers Resolution of Intention and Sets Date for Public Hearing
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May 27, 2009 Publish Notice of Meeting and Hearing

June 9, 2009 City Council – Public Hearing
Council Orders Annual Levy

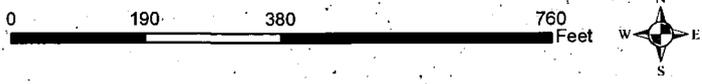
July 2009 Assessments to County for Placement on Tax Roll

Village Garden Landscape District



Legend:

- District Boundary
- Landscape Maintenance Area



B Mueller 05/03/06

RESOLUTION NO.

Adopted by the Sacramento City Council

**DIRECTING FILING OF ANNUAL REPORT
FOR THE VILLAGE GARDEN LANDSCAPE
MAINTENANCE DISTRICT (FY2009/10)
(Pursuant to Landscaping and Lighting Act of 1972)**

BACKGROUND:

- A.** The Village Garden Landscape District ("District"), as depicted in Exhibit A, was established by the City Council and approved by the property owners on December 8, 1987 (Resolution No. 87-1012).
- B.** The City Council established the District under the Landscaping and Lighting Act of 1972 (part 2 of division 15 in the Streets and Highways Code, beginning with section 22500) ("the 1972 Act"), and has previously levied assessments on property in the District to pay for landscaping maintenance services and related services to be provided within the District, all in accordance with the 1972 Act.
- C.** The District has formerly been known as the Village Garden North Landscaping and Lighting Assessment District and the Village Garden Maintenance District.
- D.** The Council is fully advised in this matter.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

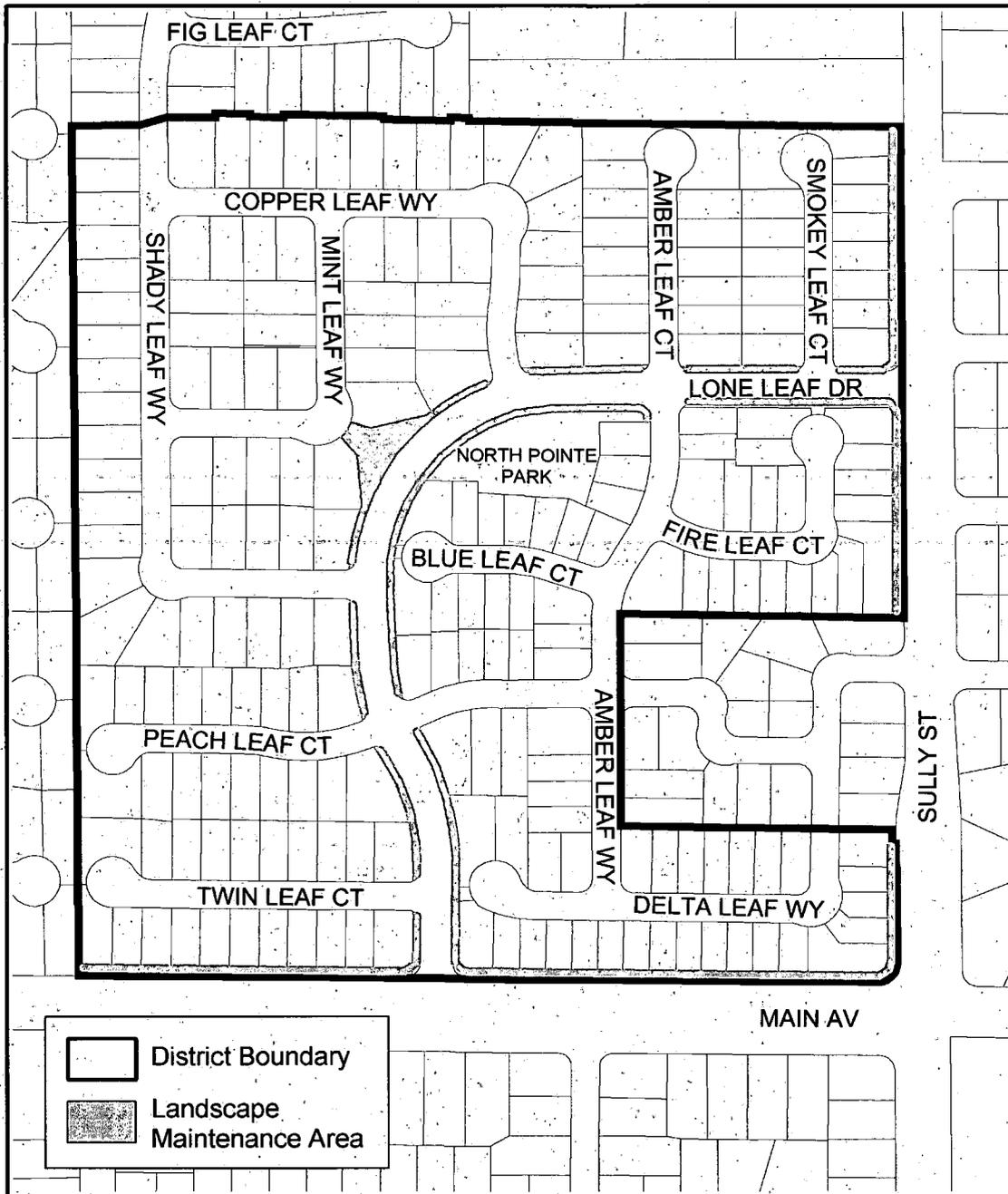
- Section 1.** The City Council finds and determines that the background statements A through D are true and correct.
- Section 2.** The Supervising Engineer of the Department of Transportation, the person designated by this Council as the Engineer of Work for the District, is hereby directed to file an annual report in accordance with the provisions of the Landscaping and Lighting Act of 1972.
- Section 3.** This resolution is adopted pursuant to Section 22622 of the Streets and Highways Code.
- Section 4.** Exhibit A is part of the resolution.

Table of Contents:

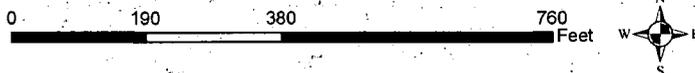
Exhibit A: District Map -1 Page

EXHIBIT A

Village Garden Landscape District



B Mueller 05/03/06



RESOLUTION NO.

Adopted by the Sacramento City Council

**APPROVING ENGINEER'S ANNUAL REPORT AND INTENTION
TO ORDER IMPROVEMENTS FOR THE VILLAGE GARDEN
LANDSCAPE MAINTENANCE DISTRICT (FY2009/10)
(Pursuant to Landscaping and Lighting Act of 1972)**

BACKGROUND:

- A.** The Village Garden Landscape District ("District"), as depicted in Exhibit A, was established by the City Council and approved by the property owners on December 8, 1987 (Resolution No. 87-1012).
- B.** The City Council established the District under the Landscaping and Lighting Act of 1972 (part 2 of division 15 in the Streets and Highways Code, beginning with section 22500) ("the 1972 Act"), and has previously levied assessments on property in the District to pay for landscaping maintenance services and related services to be provided within the District, all in accordance with the 1972 Act.
- C.** The Supervising Engineer of the Department of Transportation, the person designated by this Council as the Engineer of Work for the Village Garden Landscape Maintenance District, was directed to file an annual report in accordance with the provisions of the 1972 Act.
- D.** The District has formerly been known as the Village Garden North Landscaping and Lighting Assessment District and the Village Garden Maintenance District.
- E.** The Council is fully advised in this matter.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1.** The City Council finds and determines that the background statements A through E are true and correct.
- Section 2.** City Council hereby approves the Engineer's Annual Report for FY2009/10 on file in the City Clerk's Office.
- Section 3.** The City Council intends to levy and collect assessments within the Village Garden Landscape Maintenance District during FY2009/10. The area of land to be assessed is located in the City of Sacramento, Sacramento County.
- Section 4.** The maintenance of improvements to be made in this assessment district is generally described as follows:

The maintenance or servicing, or both, of any of the landscaping, water irrigation, and masonry wall, including (a) repair, removal, or replacement of all or part of any improvement, (b) the provision for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury, (c) the removal of trimmings, rubbish, debris, and other solid waste, and (d) the furnishing of water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

Section 5. In accordance with this Council's resolution directing the filing of an annual report, the Engineer of Work has filed with the City Clerk the report required by the 1972 Act. All interested parties are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district.

Section 6. At the hour of 6:00 pm on Tuesday, June 9, 2009, the City Council will conduct a public hearing on the questions of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located in the City Hall, 915 I Street, First Floor, Sacramento, California.

Section 7. This year's assessments are an increase from the previous year, and are equal to the highest authorized amount for this district shown on Exhibit B.

Section 8. The City Clerk is authorized and directed to give the notice of hearing required by the Landscaping and Lighting Act of 1972.

Section 8. Exhibits A and B are part of the resolution.

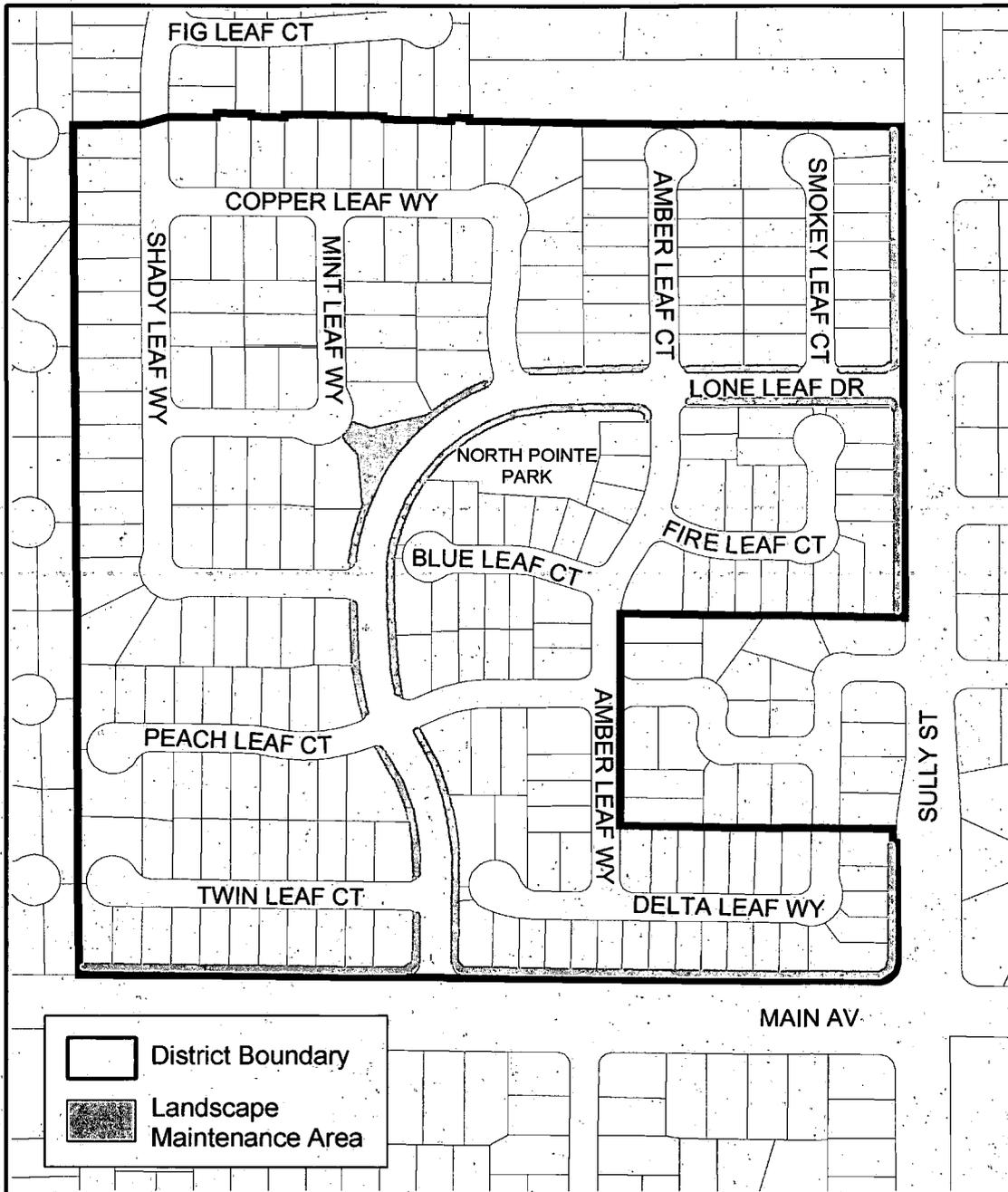
Table of Contents:

Exhibit A: District Map -1 Page

Exhibit B: FY2009/10 District & Parcel Assessment -1 Page

EXHIBIT A

Village Garden Landscape District



Legend:

- District Boundary
- Landscape Maintenance Area



B Mueller 05/03/06

EXHIBIT B

**VILLAGE GARDEN LANDSCAPE MAINTENANCE DISTRICT
FY2009/10
DISTRICT AND PARCEL ASSESSMENT**

DISTRICT ASSESSMENT

Name	FY2009/10 Budget	Surplus/ (deficit)	FY2009/10 Assessed
Village Garden Landscape Maintenance District	\$23,486	(\$2,686)	\$20,800

PARCEL ASSESSMENT

The total annual maintenance cost is assessed to each residential parcel in proportion to the total number of residential parcels in the district. Each benefited residential parcel in the Village Garden Landscape Maintenance District is determined to have equal benefit from the landscaping improvements and maintenance.

Name	Maximum Authorized	FY2008/09	FY2009/10
Village Garden Landscape Maintenance District	\$100.00	\$100.00	\$100.00

