



# REPORT TO COUNCIL City of Sacramento

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

**CONSENT**  
**May 26, 2009**

**Honorable Mayor and  
Members of the City Council**

**Title: Neighborhood Lighting District – Initiate Annual Proceedings Fiscal Year  
2009/10**

**Location/Council District:** This district includes 3 separate neighborhoods: Youngs Heights, Council District 2; Swanston Estates, Council District 3; and Colonial Heights, Council District 5 and District 6. (Attachment 3, Page 6)

**Recommendation:** Adopt 1) a **Resolution** directing Filing of Annual Report for fiscal year (FY) 2009/10 for the Neighborhood Lighting District; and 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10 for the Neighborhood Lighting District and setting a time and place for a Public Hearing for June 23, 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 Neighborhood Lighting 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 neighborhood lighting in this District for FY2009/10.

**Policy Considerations:** The annual proceedings for this District are being processed 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.

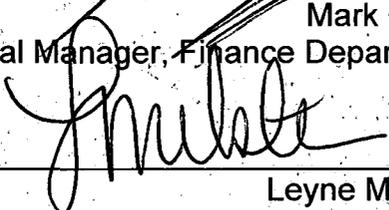
**Financial Considerations:** The estimated total maintenance cost for the three neighborhoods is \$42,253. The assessment per single family lot is \$25.64 annually. The cost for each neighborhood as well as a breakdown of cost per single family lot is provided in Exhibit B (page 12). The District has surplus funds available to cover the deficit. The proposed increase in the annual assessment is 1.16% which is the maximum allowed in the district. The costs are detailed in the Engineer's Report on file with the City Clerk. The maintenance district is self-supporting and has no impact on the General Fund.

**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
<b>Attachments</b>		
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

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

## BACKGROUND

On October 22, 1996, City Council approved formation of the Neighborhood Lighting District No. 96-07 (Resolution No. 96-577) for the Swanston Estates neighborhood. The district provides an affordable means of providing for neighborhood lights by placing lights on SMUD wood poles. Two other neighborhoods, Youngs Heights and Colonial Heights, have since annexed to the district.

The district services include the annual energy cost and maintenance of neighborhood lights installed on wood poles, and the district administration and billing costs. A provision was included to mitigate cost increases based on the Consumer Price Index (CPI), San Francisco area, all items, provided that this increase does not exceed three percent (3%) in any year. Since the February 2009 CPI was 1.16% the annual assessments will be increased 1.16%. The annual assessment for a typical single-family lot in each neighborhood will be \$25.64.

Each year the City must adopt a new Engineer's Report and budget. The recommended Council action is necessary to allow staff to notify the public of the proposed hearing, which has been set for June 23, 2009. At the conclusion of the public hearing staff will recommend Council adopt the budget and levy the assessments.

The total cost to property owners in FY2009/10 is projected at \$40,637.

The table below reflects the assessment to property owners and the offset needed from available surplus funds. Available surplus funds are projected to be \$33,875 at the beginning of FY2009/10.

FY08/09 Assessed	FY09/10 Budget	Offset from Projected Surplus	FY09/10 Assessed
\$41,202	\$42,253	(\$1,615)	\$40,637

**SCHEDULE OF PROCEEDINGS**

**NEIGHBORHOOD LIGHTING DISTRICT  
FY2009/10 SCHEDULE**

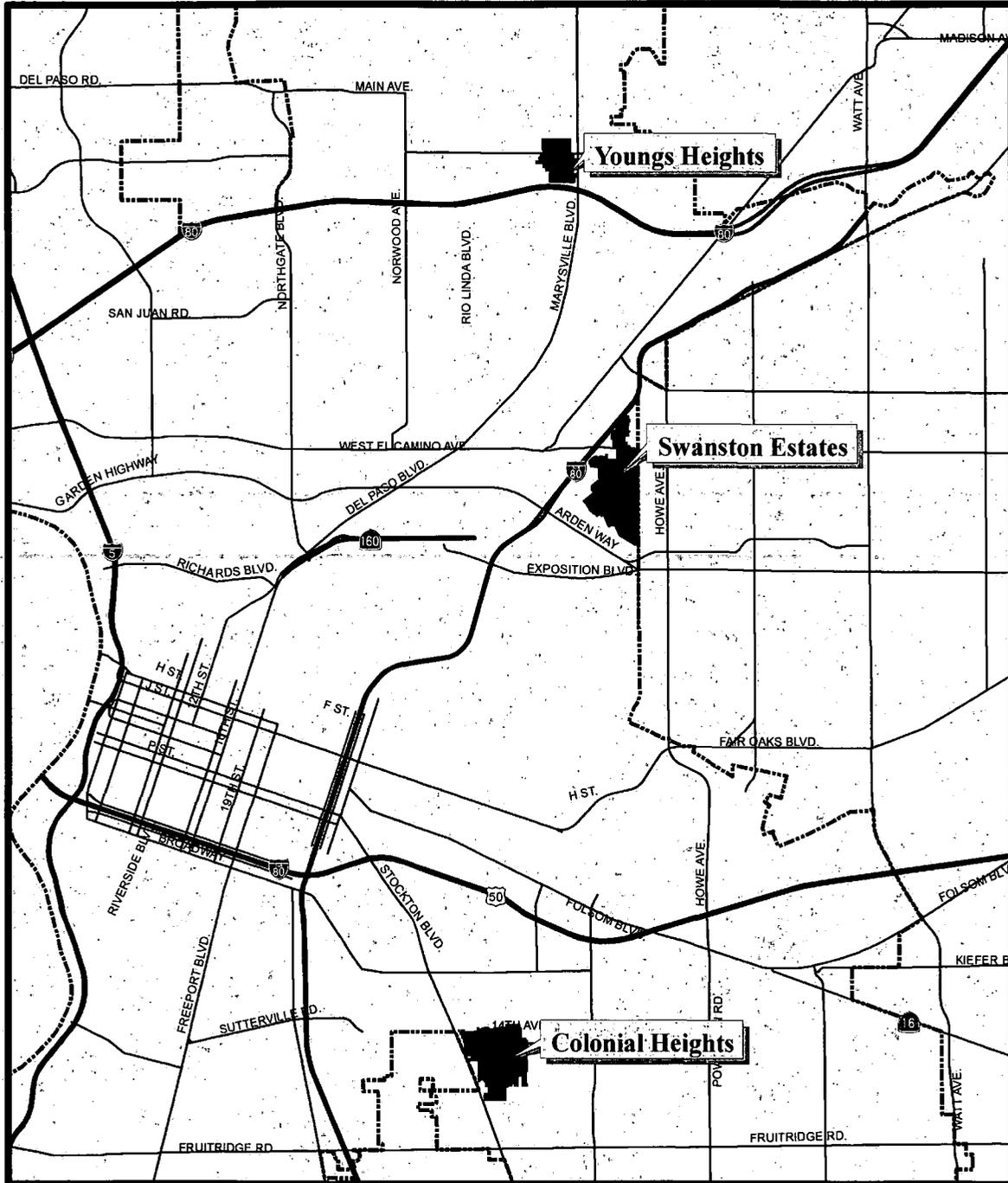
<b>May 26, 2009</b>	<b>Council Considers Resolution of Intention and Sets Date for Public Hearing</b>
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May 27, 2009 Publish Notice of Meeting and Hearing

June 23, 2009 City Council – Public Hearing  
**Council Orders Annual Levy**

July 2009 Assessments to County for Placement on Tax Roll

## Neighborhood Lighting District 96-07



 City Boundary  
 District Boundary

0 0.5 1 2 Miles



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## **RESOLUTION NO.**

Adopted by the Sacramento City Council

### **DIRECTING FILING OF ANNUAL REPORT FOR THE NEIGHBORHOOD LIGHTING DISTRICT (FY2009/10) (Pursuant to Landscaping and Lighting Act of 1972)**

#### **BACKGROUND:**

- A.** The Neighborhood Lighting District ("District"), as depicted in Exhibit A, was established by the City Council and approved by the property owners on October 22, 1996.
- 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 Council is fully advised in this matter.

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

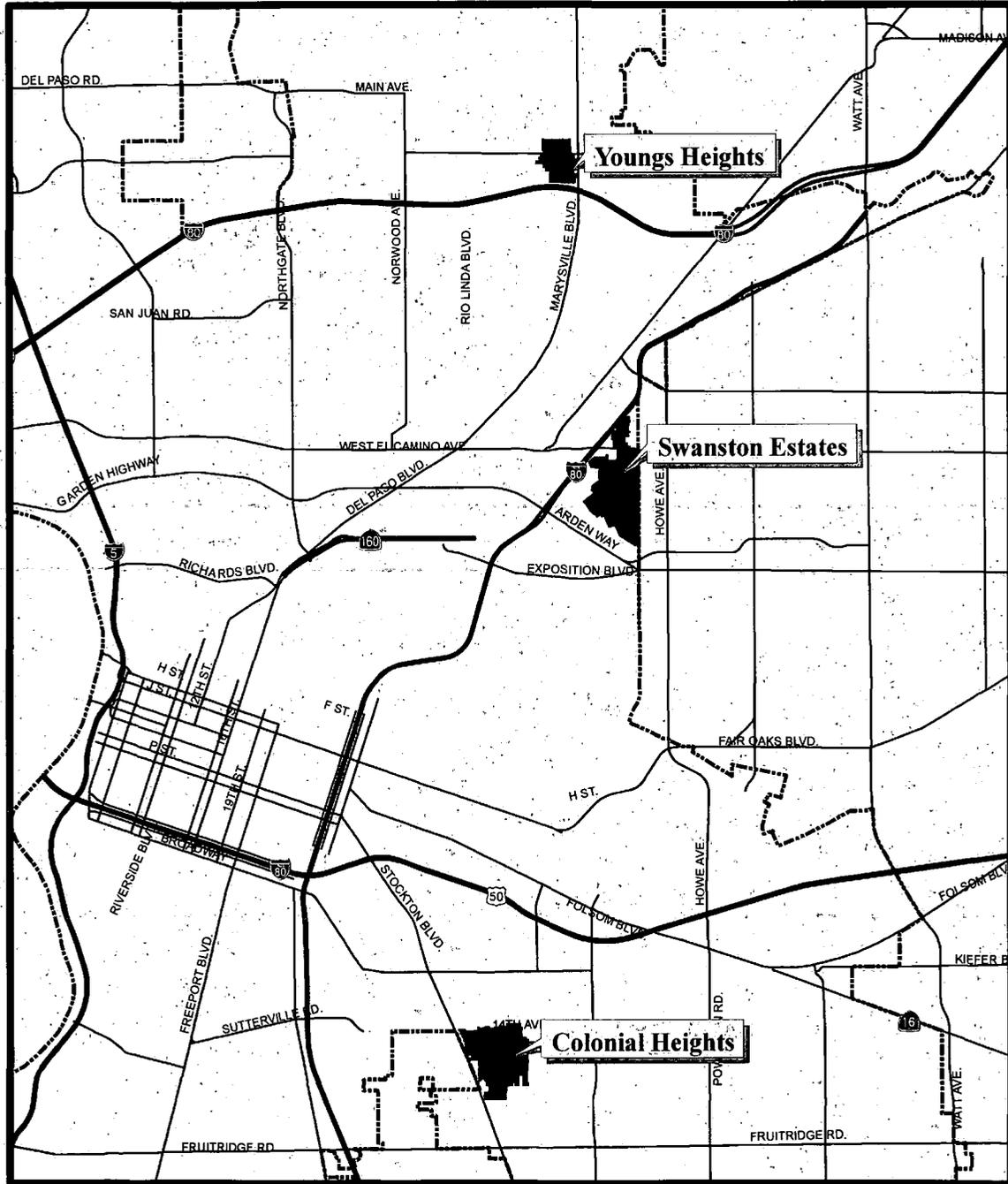
- Section 1.** The City Council finds and determines that the background statements A through C are true and correct.
- Section 2.** The Supervising Engineer of the Department of Transportation, the person designated by this Council as the Engineer of Work for the District, is hereby directed to file 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:**

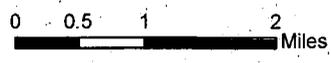
Exhibit A: District Map -1 Page

EXHIBIT A

Neighborhood Lighting District 96-07



City Boundary  
District Boundary



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## **RESOLUTION NO.**

Adopted by the Sacramento City Council

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

#### **BACKGROUND:**

- A.** The Neighborhood Lighting District ("District"), as depicted in Exhibit A, was established by the City Council and approved by the property owners on October 22, 1996.
- 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 operation and maintenance of neighborhood street lights on wood poles 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 Neighborhood Lighting District, was directed to file an annual report in accordance with the provisions of the 1972 Act.
- 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.** 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 Neighborhood Lighting 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 improvements consist of operation and maintenance of neighborhood street lights on wood poles fed by overhead electrical lines, and the engineering, administrative and miscellaneous costs related to the district.

- 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 23, 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.** Assessments for all subdivisions within the District are at or below 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 9.** Exhibits A and B are part of the resolution.

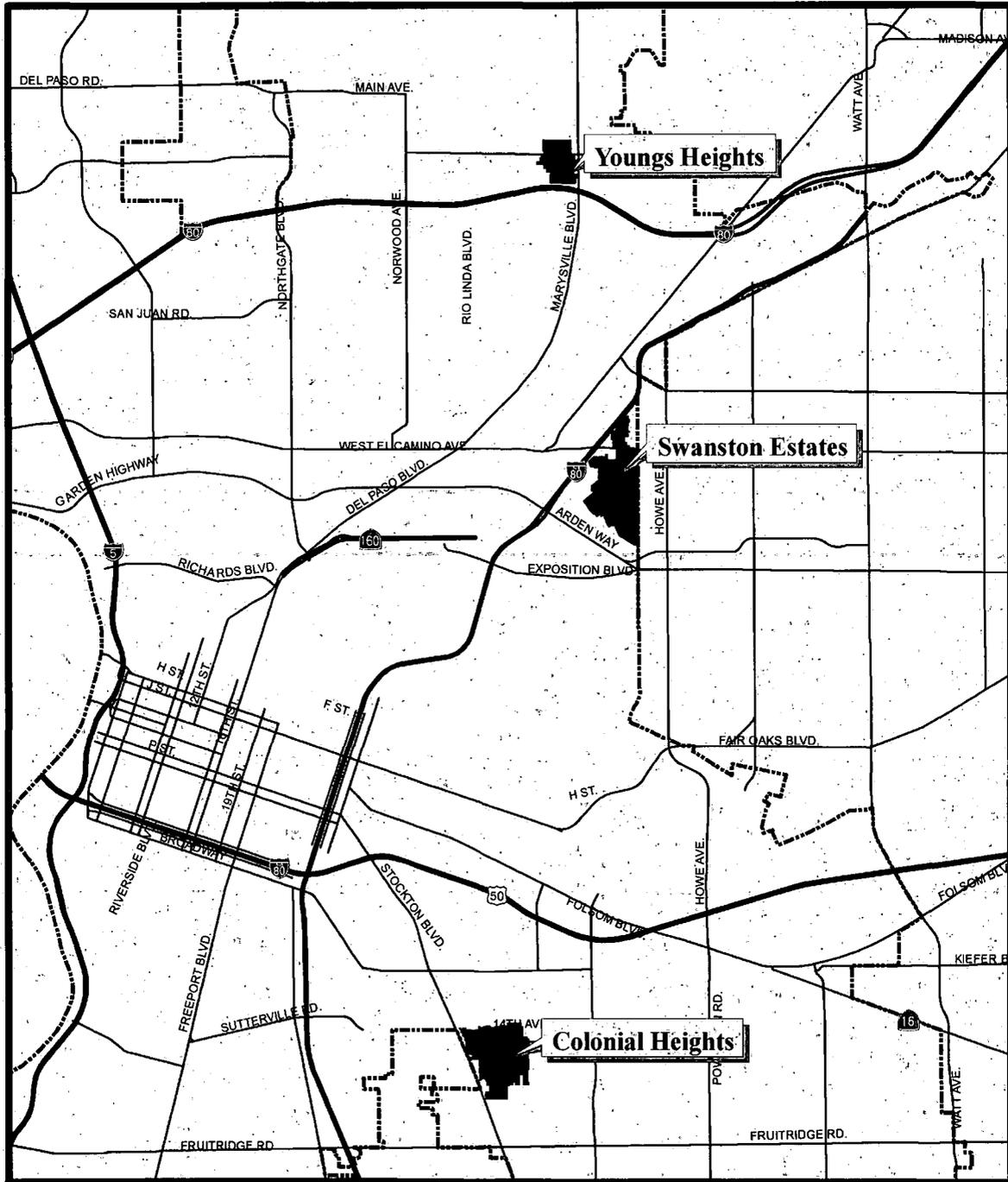
**Table of Contents:**

Exhibit A: District Map -1 Page

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

EXHIBIT A

Neighborhood Lighting District 96-07



City Boundary  
 District Boundary

0 0.5 1 2 Miles



...Users are advised that this map is for informational purposes only. It is not intended to be used as a legal document. The City of Stockton is not responsible for any errors or omissions in this map. The City of Stockton is not responsible for any damages or losses resulting from the use of this map. The City of Stockton is not responsible for any claims or lawsuits resulting from the use of this map. The City of Stockton is not responsible for any claims or lawsuits resulting from the use of this map.

**EXHIBIT B**

**NEIGHBORHOOD LIGHTING DISTRICT  
NEIGHBORHOOD AND PARCEL ASSESSMENTS**

The cost for each individual neighborhood is as follows:

Neighborhood	FY2009/10 Budget	Surplus/ (deficit)	FY2009/10 Assessed
Swanston Estates	\$21,233	(\$3,296)	\$17,937
Young's Heights	1,647	1,921	3,568
Colonial Heights	19,372	(240)	19,132

The following is a breakdown of the average cost per single-family lot in each neighborhood with less than 100 feet of frontage.

Neighborhood	# of Lots	Maximum Authorized	FY2008/09	FY2009/10
Swanston Estates	681	\$25.64	\$25.34	\$25.64
Young's Heights	125	25.64	25.34	25.64
Colonial Heights	722	25.64	25.34	25.64

