

**Meeting Date:** 4/30/2013

**Report Type:** Consent

**Report ID:** 2013-00142



**Title:** Power Inn Road Maintenance District-Initiate Annual Proceedings

**Location:** District 6

**Issue:** State law requires that maintenance districts, formed under the Landscaping and Lighting Act of 1972, file an annual report describing the required maintenance work, associated costs, and proposed assessment.

**Recommendation:** Pass 1) a Resolution directing filing of an annual report for Fiscal Year (FY) 2013/14 and 2) a Resolution approving Engineer's Annual Report and intention to order maintenance of improvements for FY 2013/14 and setting a time and place for a Public Hearing on May 28, 2013.

**Contact:** Sheri Smith, Finance Department, Program Specialist, (916) 808-7204

**Presenter:**

**Department:** Finance

**Division:** Public Improvement Finance

**Dept ID:** 06001321

**Attachments:**

- 1-Description/Analysis
- 2-Schedule of Proceedings
- 3-Resolution Directing Filing of Annual Report
- 4-Resolution Approving Engineer's Annual Report

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#### **City Attorney Review**

Approved as to Form  
Michael W. Voss  
4/17/2013 3:23:39 PM

#### **City Treasurer Review**

Reviewed for Impact on Cash and Debt  
Russell Fehr  
4/9/2013 6:12:58 PM

#### **Approvals/Acknowledgements**

Department Director or Designee: Leyne Milstein - 4/16/2013 2:47:41 PM



## **Description/Analysis**

**Issue:** On July 29, 2003, City Council approved formation of the Power Inn Road Maintenance District (District). This District provides funding for the maintenance of the landscaped corridor located along the frontage of lots adjacent to Power Inn Road between 14<sup>th</sup> Avenue and the Regional Transit overcrossing located just south of Folsom Boulevard. The landscaped corridor is designated as the area between the separated sidewalk and the curb and gutter.

The District is required, by the California Streets and Highways Code, to present an annual budget to City Council for approval. Approval of the District's 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.

**Policy Considerations:** The recommended action supports funding for landscape maintenance services in the District via property-based assessments.

**Economic Impacts:** This report does not have direct economic impacts.

### **Environmental Considerations:**

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

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

**Commission/Committee Action:** 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 1972 Act, for annual proceedings of an existing district.

**Financial Considerations:** The District expenditure budget is \$12,462 as shown on Exhibit B and detailed in the Engineer's Report on file with the Public Improvement Finance Division, designated by the City Clerk to be the repository of documents associated with special districts.

The proposed assessment of \$2.249 per linear foot of frontage is a 1% increase from last year's assessment and is 4.5% less than the maximum authorized assessment of \$2.36 per linear foot for FY 2013/14. The 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.



**SCHEDULE OF PROCEEDINGS**  
**POWER INN ROAD MAINTENANCE DISTRICT**  
**FY 2013/14**

<b>April 30, 2013</b>	<b>Council Considers Resolution of Intention and Sets Date for Public Hearing</b>
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May 30, 2013	Publish Notice of Public Hearing
June 11, 2013	City Council – Public Hearing, Council Orders Annual Levy
August 2013	Assessments to County for Placement on Tax Roll



## RESOLUTION NO.

Adopted by the Sacramento City Council

### **DIRECTING FILING OF ANNUAL REPORT FOR THE POWER INN ROAD MAINTENANCE DISTRICT FISCAL YEAR 2013/14 (Pursuant to Landscaping and Lighting Act of 1972)**

#### **BACKGROUND:**

- A.** The Power Inn Road Maintenance District (District), as depicted in Exhibit A, was established by the City Council and approved by the property owners on July 29, 2003.
- 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:**

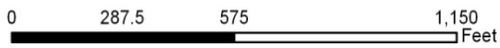
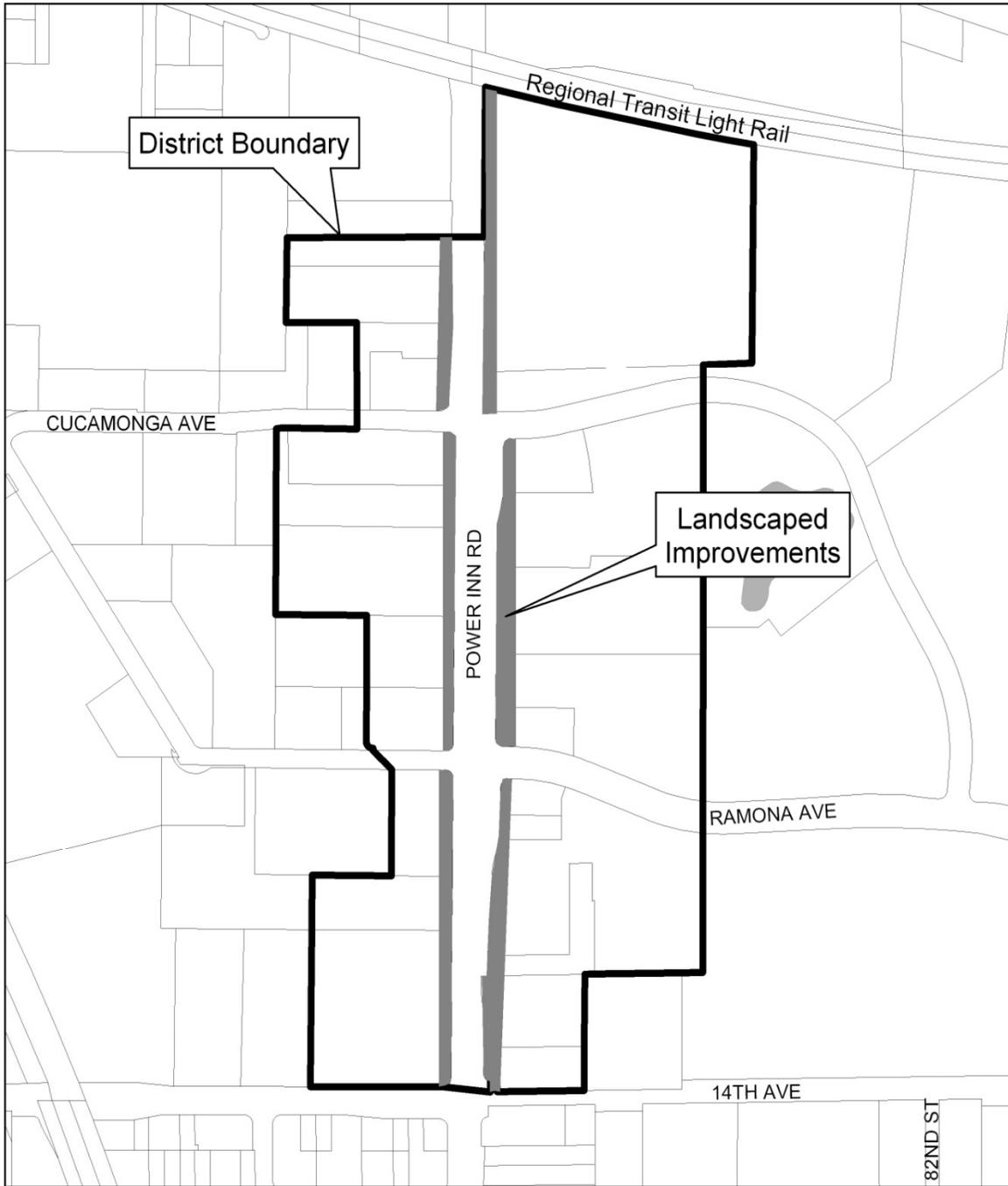
- Section 1.** The City Council finds and determines that the background statements A through C are true and correct.
- Section 2.** The Supervising Engineer of the Department of Public Works, the person designated by this Council as the Engineer of Work for the District, is hereby directed to file an annual report in accordance with the provisions of the 1972 Act.
- 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

# Exhibit A

## Power Inn Road Maintenance District 2003-01





## RESOLUTION NO.

Adopted by the Sacramento City Council

### **APPROVING ENGINEER'S ANNUAL REPORT AND INTENTION TO ORDER MAINTENANCE OF IMPROVEMENTS FOR THE POWER INN ROAD MAINTENANCE DISTRICT FISCAL YEAR (FY) 2013/14 (Pursuant to Landscaping and Lighting Act of 1972)**

#### **BACKGROUND:**

- A.** The Power Inn Road Maintenance District (District), as depicted in Exhibit A, was established by the City Council and approved by the property owners on July 29, 2003.
- 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 Public Works, the person designated by this Council as the Engineer of Work for the 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 (FY 2013/14) on file with the Public Improvement Finance Division, designated by the City Clerk to be the repository of documents associated with special districts.
- Section 3.** The City Manager is authorized to make any necessary budgetary adjustments associated with the approval of the Engineer's Annual Report for FY 2013/14.
- Section 4.** The City Council intends to levy and collect assessments within the District during FY 2013/14. The area of land to be assessed is located in the City of Sacramento, Sacramento County.
- Section 5.** The maintenance of improvements to be made in this assessment district is

generally described as follows:

Furnish all tools, equipment, apparatus, facilities, labor, material, supplies and utilities necessary or desirable to maintain and service the landscape improvements adjacent to Power Inn Road on the East side from 14<sup>th</sup> Avenue to approximately 900 feet north of Cucamonga Avenue and on the west side from 14<sup>th</sup> Avenue to approximately 590 feet north of Cucamonga Avenue, and more particularly described on plans and specifications approved by the City of Sacramento on file at the City of Sacramento, Public Improvement Financing Division of the Finance Department, 915 "I" Street, 3<sup>rd</sup> Floor, Sacramento, California 95814.

The improvements generally consist of landscaping and irrigation systems for the landscape area adjacent to Power Inn Road (Exhibit A) between the back of curb and the front of the sidewalk. Maintenance of said improvements will 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 and replacement of the irrigation system, planted materials and amenities.

- Section 6.** In accordance with this Council's resolution directing the filing of an annual report, the Engineer of Work has filed, with the Public Improvement Finance Division, 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 7.** At the hour of 6:00 pm on Tuesday, May 28, 2013, 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 8.** This assessment in FY2013/14 represents a 1% increase as compared to the assessment in the prior fiscal year as shown on Exhibit B.
- Section 9.** The City Clerk is authorized and directed to give the notice of hearing required by the 1972 Act.
- Section 10.** Exhibits A and B are part of the resolution.

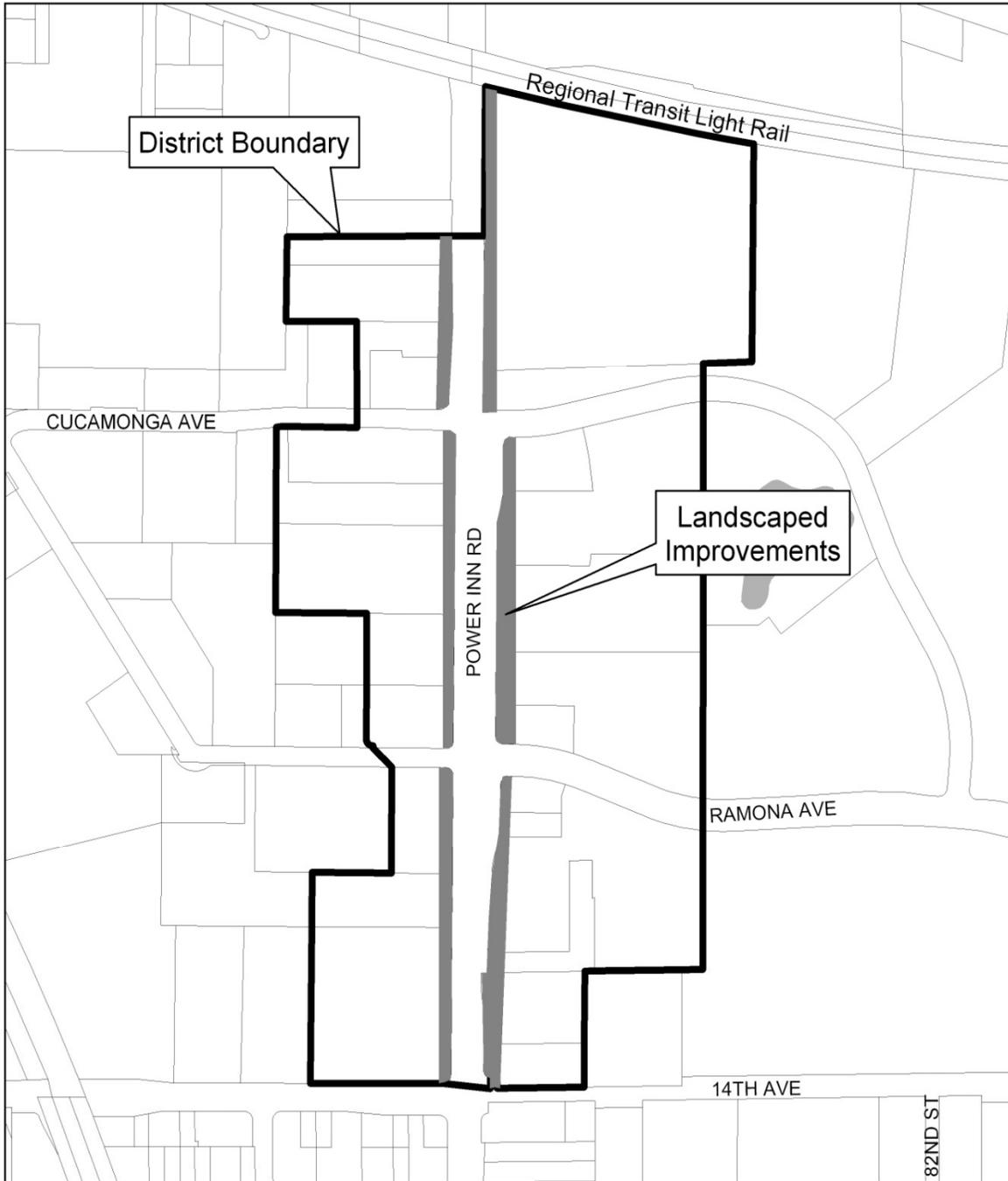
**Table of Contents:**

Exhibit A: District Map

Exhibit B: FY 2013/14 District Budget & Parcel Assessment

# Exhibit A

## Power Inn Road Maintenance District 2003-01



**Exhibit B**  
**POWER INN ROAD MAINTENANCE DISTRICT**  
**FY 2013/14**  
**DISTRICT BUDGET AND PARCEL ASSESSMENT**

Estimated Beginning Fund Balance	6147
Total Assessed to Property Owners	<u>10,315</u>
Total Resources	<u>\$16,462</u>
Maintenance Tasks	
a) Contracts	5,256
c) Unscheduled Maintenance	327
d) Inspections	2,070
Administrative Costs	
Public Improvement Financing	
Administration	3,625
Parcel reporting	150
Accounting	
Administration	952
County Billing	82
Total Expenditures	<u>\$12,462</u>
Estimated Ending Fund Balance	<u>\$4,000</u>
Year-Over-Year Change in Fund Balance	<u>(2,147)</u>

**PARCEL ASSESSMENT**

The annual maintenance cost for each property owner is based on the linear footage of their property's street frontage multiplied by the following cost per foot.

Name	Maximum Authorized	FY 2012/13	FY 2013/14
Power In Road Maintenance District	\$2.355	\$2.229	\$2.249

Every fiscal year the cost per foot may be subject to an increase by the Consumer Price Index (CPI), San Francisco or by 4% per year, whichever is less.