

Meeting Date: 4/30/2013

Report Type: Consent

Report ID: 2013-00141



Title: Village Garden Landscape Maintenance District-Initiate Proceedings

Location: District 2

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 and associated costs.

Recommendation: Pass 1) a Resolution directing filing of 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 FY2013/14 and setting a time and place for a Public Hearing on May 28, 2013.

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

Presenter: None.

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 annual report

City Attorney Review

Approved as to Form

Michael W. Voss

4/18/2013 3:18:17 PM

City Treasurer Review

Reviewed for Impact on Cash and Debt

Russell Fehr

4/9/2013 10:55:51 AM

Approvals/Acknowledgements

Department Director or Designee: Leyne Milstein - 4/18/2013 1:23:01 PM



Description/Analysis

Issue: On July 19, 2011, City Council approved formation of the Village Garden Landscape Maintenance District No. 2011-01 (District). The property owners within North Pointe subdivisions one through five and the Norwood subdivision petitioned the City of Sacramento (City) to form the District in order to provide maintenance services in the area.

The District provides for maintenance of masonry walls, landscaping, and irrigation systems within the subdivisions. Maintenance efforts include periodic mowing of grass, trimming of trees and shrubs, fertilizing landscaped areas, furnishing water for irrigation of all plant material, as well as upkeep, repair, and replacement of the irrigation system, planted materials, amenities, and masonry walls.

The District is required by the California Streets and Highways Code to present an annual budget to City Council. Approval of the District's annual budget will authorize the City to collect assessments in the amount sufficient to provide funding for maintenance activities in the Village Garden Landscape Maintenance District for FY2013/14.

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, administration and formation of the District does not constitute a project and is therefore exempt from review.

Sustainability: There are no sustainability considerations applicable to the formation or renewal and administration of an assessment 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 Landscaping and Lighting Act of 1972, for annual proceedings of an existing district.

Financial Considerations: The proposed assessment of \$138.15 per single-family residential parcel will be used to cover the expenses associated with maintenance services and administration provided in the District. The total estimated budget for the District in FY2013/14 is \$32,716 as shown on Exhibit B to the Resolution and

detailed in the Engineer's Report on file with the Public Improvement Financing Division, designated by the City Clerk's Office to be the repository of documents associated with special districts.

The proposed assessment of \$138.15 is 7% less than last year's assessment of \$148.66 and 15% below the maximum allowed assessment of \$161.87 for FY2013/14. The maximum allowed assessment adjusts annually as determined by the February-over-February change in the Consumer Price Index for the San Francisco-Oakland-San Jose area (All Urban Consumers). The District is self-supporting and has no impact to 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
VILLAGE GARDEN LANDSCAPE MAINTENANCE DISTRICT 2011-01**

FY2013/14



April 30, 2013	Council Considers Resolution of Intention and Sets Date for Public Hearing
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May 16, 2013 Publish Notice of Meeting and Public Hearing

May 28, 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 VILLAGE GARDEN LANDSCAPE MAINTENANCE DISTRICT 2011-01 FY2013/14 (Pursuant to Landscaping and Lighting Act of 1972)

BACKGROUND:

- A.** The Village Garden Landscape Maintenance District No. 2011-01 (District), the boundaries of which are depicted in Exhibit A, was established by the City Council and approved by the property owners on July 19, 2011.
- 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.

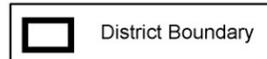
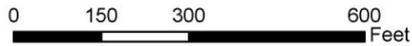
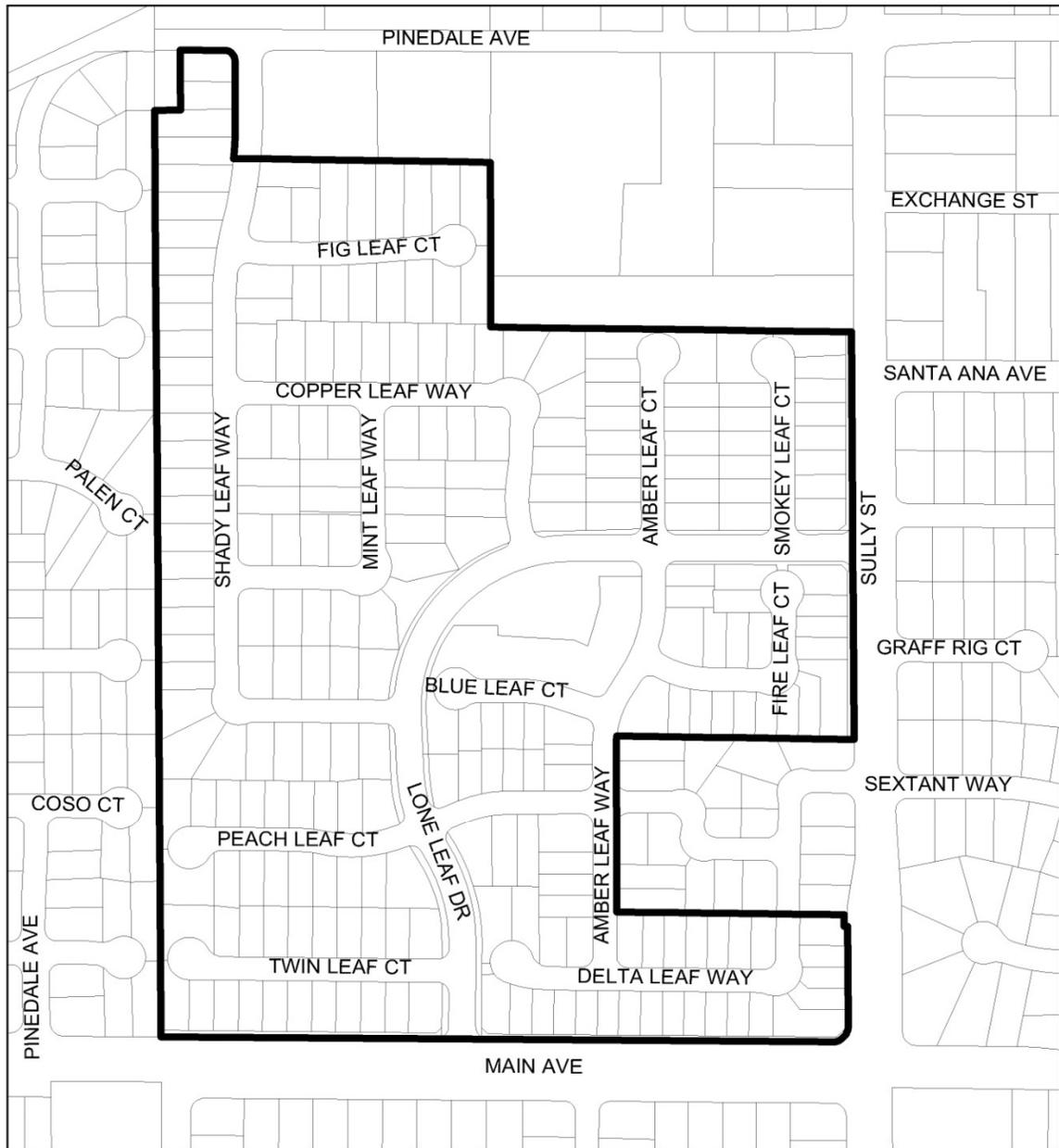
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Exhibit A: District Map

EXHIBIT A

District Boundary Map

Village Garden Landscape Maintenance District No. 2011-01





RESOLUTION NO.
Adopted by the Sacramento City Council

**APPROVING ENGINEER'S ANNUAL REPORT
AND INTENTION TO ORDER
MAINTENANCE OF IMPROVEMENTS FOR THE
VILLAGE GARDEN LANDSCAPE MAINTENANCE DISTRICT 2011-01
FY2013/14
(Pursuant to Landscaping and Lighting Act of 1972)**

BACKGROUND:

- A.** The Village Garden Landscape Maintenance District No. 2011-01 (District), boundaries of which are depicted in Exhibit A, was established by the City Council and approved by the property owners on July 19, 2011.
- 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.** The City Council hereby approves the Engineer's Annual Report (FY2013/14) 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 FY2013/14.

- Section 4.** The City Council intends to levy and collect assessments within the District during FY2013/14. 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 as shown on Exhibit A, and more particularly described on plans and specifications approved by the City of Sacramento on file at the City of Sacramento, Public Improvement Finance division, 915 I Street, 3rd Floor, Sacramento, California 95814.
- The improvements generally consist of masonry walls; landscaping and irrigation systems for the landscape areas within or adjacent to the residential subdivisions identified on attached schematic diagram. 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. Maintenance of masonry walls includes periodic repair as required.
- 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 7% decrease 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.

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Exhibit A: District Map

Exhibit B: FY2013/14 District Budget & Parcel Assessment

EXHIBIT B

Village Garden Landscape Maintenance District No. 2011-01 FY2013/14

District Budget

Estimated Beginning Fund Balance	\$ 18,126
Total Assessed to Property Owners	\$ 32,603
Total Resources	<u>\$ 50,729</u>
Maintenance Tasks	
Street Maintenance	\$ 11,400
Inspections & corrective Action	\$ 5,000
Utilities	\$ 7,705
Administrative Costs	
Public Improvement Financing	\$ 7,323
Administration	
Parcel reporting	\$ 150
Accounting	
Administration	\$ 952
County Billing	\$ 186
Total Expenditures	<u>\$ 32,716</u>
Estimated Ending Fund Balance	<u>\$ 18,013</u>
Year-Over-Year Change in Fund Balance	<u>\$ (113)</u>

Parcel Assessment

Each benefited residential lot in the Village Garden Landscape Maintenance District No. 2011-01 (District) is determined to have equal benefit from the landscaping improvements and maintenance thereof. Therefore, each parcel is assessed in proportion to the total number of parcels in the District.

The annual assessment may be increased for inflation. The amount of the increase will be computed using the prior-year annual average of the Consumer Price Index for the San Francisco-Oakland-San Jose area (All Urban Consumers) or a substitute index of a similar nature should that index be discontinued.

Note: If the change in the February-over-February CPI is negative in any given year, the maximum assessment in the subsequent tax year will remain the same as in the prior year.

District Name	FY2013/14 Maximum Assessment	FY2012/13 Assessment per Residential Parcel	FY2013/14 Assessment per Residential Parcel
Village Garden Landscape Maintenance District No. 2011-01	\$161.87	\$148.67	\$138.15