

**Meeting Date:** 5/28/2013

**Report Type:** Public Hearing

**Report ID:** 2013-00145

**Title:** Village Garden Landscape Maintenance District-Public Hearing

**Location:** District 2

**Issue:** State law requires that maintenance districts, formed under the Landscaping and Lighting Act of 1972, conduct a public hearing prior to levying an assessment.

**Recommendation:** Conduct a public hearing and upon conclusion, pass a Resolution confirming the assessment diagram and the assessment and levying the assessment for Fiscal Year (FY) 2013-14 for the Village Garden Landscape Maintenance District (District).

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

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

**Department:** Finance

**Division:** Public Improvement Finance

**Dept ID:** 06001321

**Attachments:**

1-Description/Analysis

2-Schedule of Proceedings

3-Resolution

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**City Attorney Review**

Approved as to Form

Michael W. Voss

5/14/2013 1:44:29 PM

**City Treasurer Review**

Reviewed for Impact on Cash and Debt

Russell Fehr

5/10/2013 11:44:32 AM

**Approvals/Acknowledgements**

Department Director or Designee: Leyne Milstein - 5/14/2013 9:28:18 AM

## **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 report 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 FY 2013-14.

**Policy Considerations:** The recommended action supports continued maintenance of masonry walls, landscaping, and irrigation systems within the District.

**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 resolution 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 FY 2013-14 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 FY 2013-14. The maximum allowed is increased by 2.4% this year 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**  
**FY 2013-14**

April 30, 2013            Council Considers Resolution of Intention and Sets Date for  
Public Hearing

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

## **CONFIRMING THE ASSESSMENT DIAGRAM AND ASSESSMENT AND LEVYING THE ASSESSMENT FOR THE VILLAGE GARDEN LANDSCAPE DISTRICT FOR FISCAL YEAR (FY) 2013-14**

### **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.** Pursuant to Chapter 3 of the 1972 Act, City Council directed the Supervising Engineer of the Department of Public Works, as the Engineer of Work for the District, to prepare and file an Annual Engineer's Report for FY 2013-14.
- D.** The Engineer of Work filed the Annual Report on April 30, 2013, and City Council adopted Resolution 2013-139 approving the Annual Engineer's Report and Intention to Levy and Collect Assessments within the assessment district for FY 2013-14 and set a public hearing for May 28, 2013, in the meeting place of City Council, City Hall, 915 I Street, First Floor, Sacramento, California. Notice of the hearing was given in the time and manner required by law.
- E.** The assessment in FY 2013-14 represents a 7% decrease as compared to the assessment in the prior fiscal year as shown on Exhibit B.
- F.** 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 F are true and correct.
- Section 2.** The City Council:
  - (a) Confirms the assessment diagram and the assessment roll set forth in the Annual Engineer's Report; and
  - (b) Levies the assessment set forth in the Annual Engineer's Report.

**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.** Exhibits A and B are part of the resolution.

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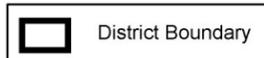
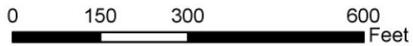
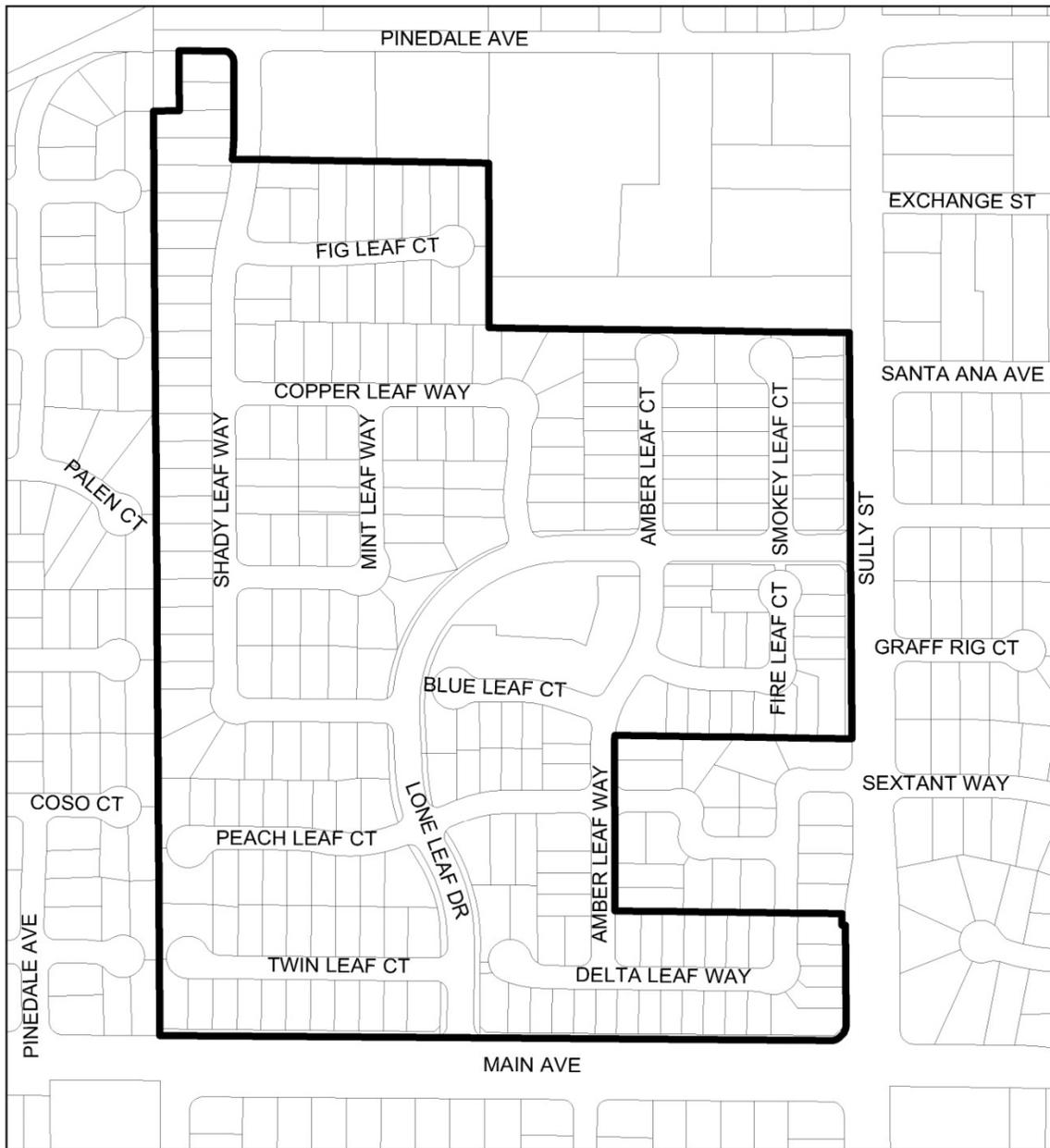
Exhibit A: District Map

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

# EXHIBIT A

## District Boundary Map

### Village Garden Landscape Maintenance District No. 2011-01



**EXHIBIT B**

**Village Garden Landscape Maintenance District No. 2011-01  
FY 2013-14  
(FUND 2231)**

Estimated Beginning Fund Balance	\$ 18,239
Total Assessed to Property Owners	\$ 32,603
<b>Total Resources</b>	<b>\$ 50,842</b>
Maintenance Tasks	
Street Maintenance	\$ 11,400
Inspections & corrective Action	\$ 5,000
Utilities	\$ 7,705
Administrative Costs	
Public Improvement Financing	
Administration	\$ 7,323
Parcel reporting	\$ 150
Accounting	
Administration	\$ 952
County Billing	\$ 186
<b>Total Expenditures</b>	<b>\$ 32,716</b>
Estimated Ending Fund Balance	\$ 18,126
Year-Over-Year Change in Fund Balance	\$ (113)

**Parcel Assessment**

District Name	FY 2013-14 Maximum Assessment	FY 2012-13 Assessment per Residential Parcel	FY 2013-14 Assessment per Residential Parcel
Village Garden Landscape Maintenance District No. 2011-01	\$161.87	\$148.67	\$138.15

The annual assessment may be increased for inflation. The maximum allowed 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).

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.