

STAFF REPORT



Meeting Date: July 15, 2020

To: Board of Directors

From: Michael J. Aho – District Administrator

Subject: Public Hearing and Adoption of Resolutions Ordering Continuation of Assessments for FY 2020-21 for the Fair Oaks Parks Maintenance and Recreation Improvement District, the Phoenix Field Landscape and Lighting Assessment District, and the Gum Ranch Landscaping and Lighting Assessment District

I. Recommendation

1. Adopt Resolution No. 071520-01 Approving Engineer's Report, Confirming Diagram and Assessment, and Ordering Continuation of Assessments for Fiscal Year 2020-21 for the Parks Maintenance and Recreation Improvement District. (Attachment A)
2. Adopt Resolution No. 071520-02 Approving Engineer's Report, Confirming Diagram and Assessment, and Ordering Continuation of Assessments for Fiscal Year 2020-21 for the Phoenix Field Landscape and Lighting Assessment District. (Attachment B)
3. Adopt Resolution No. 071520-03 Approving Engineer's Report, Confirming Diagram and Assessment, and Ordering Continuation of Assessments for Fiscal Year 2020-21 for the Gum Ranch Landscaping and Lighting Assessment District. (Attachment C)

II. Background

The District currently has three assessment districts, as follows:

1. the Fair Oaks Parks Maintenance and Recreation Improvement District, an overlay district which serves all residents of the District and includes all properties located within the Park District boundaries with a FY 2020-21 levy of \$40.24 per single family equivalent benefit unit;

2. the Phoenix Field Landscape and Lighting District which serves properties in the Phoenix Field area and includes only properties located within the boundaries of the assessment district with a levy of \$154.58 per single family equivalent benefit unit;
3. the Gum Ranch Lighting and Landscape District which serves properties in the Gum Ranch area and includes only properties located within the boundaries of the assessment district with a FY 2020-21 levy of \$222.24 per single family equivalent benefit unit in Benefit Zone A and \$373.10 in Benefit Zone B.

III. Problem /Situation/ Request

Staff is recommending the Board hold the Public Hearings and consider the approval of the resolutions that will approve the annual Engineer’s Reports and Diagrams prepared by SCI Consulting Group, and will order the continuation of the assessments for the Fair Oaks Parks Maintenance and Recreation Improvement District, for the Phoenix Field Landscape and Lighting District for FY 2020-21, and for the Gum Ranch Lighting and Landscape District.

IV. Financial Analysis

The expected 2020-21 annual revenues from the Fair Oaks Parks Maintenance and Recreation Improvement District assessment is expected to be approximately \$56,576.

The expected 2020-21 annual revenues from the Phoenix Field Landscape and Lighting Assessment District assessment is expected to be approximately \$547,905.

The expected 2020-21 annual revenues from the Gum Ranch Landscaping and Lighting Assessment District assessment is expected to be approximately \$58,053.

Respectfully Submitted,

Michael J. Aho
District Administrator

Attachment A: Resolution No. 071520-01 Fair Oaks Parks Maintenance and Recreation Improvement District

Attachment B: Resolution No. 071520-02 Phoenix Field Landscape and Lighting District

Attachment C: Resolution No. 071520-03 Gum Ranch Landscaping and Lighting District

Attachment A

RESOLUTION NO. 071520-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE FAIR OAKS RECREATION AND PARK DISTRICT

APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND
ORDERING THE CONTINUATION OF ASSESSMENTS FOR
FISCAL YEAR 2020-21
FOR THE PARKS MAINTENANCE & RECREATION IMPROVEMENT DISTRICT

RESOLVED, by the Board of Directors of the Fair Oaks Recreation and Park District (the "Board"), County of Sacramento, State of California, that

WHEREAS, on March 23, 2000, by its Resolution No. 032300-1, this Board ordered the formation of and levied the first assessment within the Fair Oaks Recreation and Park District, Parks Maintenance & Recreation Improvement District (the "Assessment District") pursuant to the provisions of Article XIIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

WHEREAS, the purpose of the Assessment District is for the installation, maintenance and servicing of improvements within the Fair Oaks Recreation and Park District, as described in the annual Engineer's Report; and

WHEREAS, on April 15, 2020, by its Resolution No. 041520-01, a Resolution Directing Preparation of the Engineer's Report for the Parks Maintenance and Recreation Improvement District of the Fair Oaks Recreation and Park District, this Board designated SCI Consulting Group as Engineer of Work and ordered said Engineer to make and file an Engineer's Report for the Parks Maintenance and Recreation Improvement District; in accordance with and pursuant to the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution; and

WHEREAS, on June 17, 2020, the Board adopted Resolution No. 061720-05, a Resolution Declaring Intention to Continue to Levy Assessments for Fiscal Year 2020-21, Preliminarily Approving Engineer's Report, and Providing for Notice of Hearing for the Parks Maintenance and Recreation Improvement District; and said resolution declared the intention to continue to levy and collect assessments for fiscal year 2020-21 upon certain real property within the boundaries of the Assessment District, at an assessment rate of \$40.24 per single family equivalent benefit unit, as described with more detail in the Engineer's Report; and

WHEREAS, the report was duly made and filed with the District Administrator and duly considered by this Board and found to be sufficient in every particular, whereupon

it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that July 15, 2020 at the hour of 6:00 p.m. was appointed as the time, and the Village Hall at 7997 California Avenue, Fair Oaks, California, 95628, was appointed as the place for a hearing by this Board on the question of the levy of the proposed assessment and remote access was made available, notice of which hearing was given as required by law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the continuation of the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED, that:

1. The public interest, convenience and necessity require that the continuation of the levy be made.
2. The Parks Maintenance and Recreation Improvement District benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the Board, which map is made a part hereof by reference thereto.
3. The assessment is levied without regard to property valuation.
4. The Engineer's Report as a whole and each part thereof, to wit:
 - a. the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
 - b. the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Parks Maintenance and Recreation Improvement District; and
 - c. the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the Parks Maintenance and Recreation Improvement District in proportion to the estimated special benefits

to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto are finally approved and confirmed.

5. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Board.
6. The continued assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2020-21 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Engineer's Report.
7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively; (b) that the assessment is continued to be levied without regard to property valuation; and (c) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
8. Immediately upon the adoption of this resolution, but in no event later than August 10 following such adoption, the District Administrator shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Sacramento. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments, After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Parks Maintenance and Recreation Improvement District of the Fair Oaks Recreation and Park District.

9. The moneys representing assessments collected by Sacramento County shall be deposited in the District Treasury to the credit of the improvement fund previously established under the distinctive designation of the Parks Maintenance and Recreation Improvement District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the improvements.

10. The Board of Directors of the Fair Oaks Recreation and Park District hereby certifies that the assessments to be placed on the fiscal year 2020-21 property tax bills meet the requirements of Proposition 218 that added Articles XIIIIC and XIIIID to the California Constitution.

PASSED AND ADOPTED this 15th day of July, 2020 by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Delinda Tamagni, Board Chair
Fair Oaks Recreation and Park District

Michael J. Aho, District Administrator
Fair Oaks Recreation and Park District

Attachment B

RESOLUTION NO. 071520-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE FAIR OAKS RECREATION AND PARK DISTRICT

APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND
ORDERING THE CONTINUATION OF ASSESSMENTS FOR
FISCAL YEAR 2020-21 FOR
THE PHOENIX FIELD LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT

RESOLVED, by the Board of Directors of the Fair Oaks Recreation and Park District (the "Board"), County of Sacramento, State of California, that

WHEREAS, on June 15, 1989, by its Resolution No. 61589-3, this Board ordered the formation of and levied the first assessment within the Fair Oaks Recreation and Park District, Phoenix Field Landscape and Lighting Assessment District (the "Assessment District") pursuant to the provisions of Article XIIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

WHEREAS, the purpose of the Assessment District is for the installation, maintenance and servicing of improvements to the Fair Oaks Recreation and Park District, as described in the annual Engineer's Report; and

WHEREAS, on April 15, 2020, by its Resolution No. 041520-02, A Resolution Directing Preparation of Engineer's Report for the Phoenix Field Landscaping and Lighting Assessment District of the Fair Oaks Recreation and Park District, this Board designated SCI Consulting Group as Engineer of Work and ordered said Engineer to make and file an Engineer's Report for the Phoenix Field Landscaping and Lighting Assessment District in accordance with and pursuant to the Landscaping and Lighting Act of 1972;

WHEREAS, on June 17, 2020, the Board adopted Resolution No. 061720-06, a Resolution Declaring Intention to Continue to Levy Assessments for Fiscal Year 2020-21, Preliminarily Approving Engineer's Report, and Providing for Notice of Hearing for the Phoenix Field Landscape and Lighting Assessment District; and said resolution declared the intention to continue to levy and collect assessments for fiscal year 2020-21 upon certain real property within the boundaries of the Assessment District, at an assessment rate of \$154.58 per single family equivalent benefit unit, as described with more detail in the Engineer's Report; and

WHEREAS, the report was duly made and filed with the District Administrator and duly considered by this Board and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent

proceedings under and pursuant to the aforesaid resolution, and that July 15, 2020 at the hour of 6:00 p.m. was appointed as the time, and the Village Hall at 7997 California Avenue, Fair Oaks, California, 95628, was appointed as the place for a hearing by this Board on the question of the levy of the proposed assessment and remote access was made available, notice of which hearing was given as required by law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the continuation of the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED, that:

1. The public interest, convenience and necessity require that the continuation of the levy be made.
2. The Phoenix Field Landscaping and Lighting Assessment District benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the District Administrator, which map is made a part hereof by reference thereto.
3. The assessment is levied without regard to property valuation.
4. The Engineer's Report as a whole and each part thereof, to wit:
 - a. the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
 - b. the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Phoenix Field Landscaping and Lighting Assessment District; and
 - c. the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the Phoenix Field Landscaping and Lighting Assessment District in proportion to the estimated special benefits to

be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto are finally approved and confirmed.

5. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Board.
6. The continued assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2020-21 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Engineer's Report.
7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively; (b) that the assessment is continued to be levied without regard to property valuation; and (c) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
8. Immediately upon the adoption of this resolution, but in no event later than August 10 following such adoption, the District Administrator shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Sacramento. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments, After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Phoenix Field Landscaping and Lighting Assessment District of the Fair Oaks Recreation and Park District.

9. The moneys representing assessments collected by the Sacramento County shall be deposited in the District Treasury to the credit of the improvement fund previously established under the distinctive designation of the Phoenix Field Landscaping and Lighting Assessment District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the improvements.

10. The Board of Directors of the Fair Oaks Recreation and Park District hereby certifies that the assessments to be placed on the fiscal year 2020-21 property tax bills meet the requirements of Proposition 218 that added Articles XIIIIC and XIIIID to the California Constitution.

PASSED AND ADOPTED this 15th day of July, 2020 by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Ralph Carhart, Board Chair
Fair Oaks Recreation and Park District

Michael J. Aho, District Administrator
Fair Oaks Recreation and Park District

Attachment C

RESOLUTION NO. 071520-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE FAIR OAKS RECREATION AND PARK DISTRICT

APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND
ORDERING THE CONTINUATION OF ASSESSMENTS FOR
FISCAL YEAR 2020-21
FOR THE GUM RANCH LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

RESOLVED, by the Board of Directors of the Fair Oaks Recreation and Park District (the "Board"), County of Sacramento, State of California, that

WHEREAS, on July 20, 2006, by its Resolution No. 072006-02, this Board ordered the formation of the Gum Ranch Landscaping and Lighting Assessment District (the "Assessment District") within the Fair Oaks Recreation and Park District Gum Ranch property, pursuant to the provisions of Article XIIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

WHEREAS, the purpose of the Assessment District is for the installation, maintenance and servicing of improvements within the Fair Oaks Recreation and Park District, as described in the annual Engineer's Report; and

WHEREAS, on April 15, 2020, by its Resolution No. 041520-03, a Resolution Directing Preparation of the Engineer's Report for the Gum Ranch Landscaping and Lighting Assessment District of the Fair Oaks Recreation and Park District, this Board designated SCI Consulting Group as Engineer of Work and ordered said Engineer to make and file an Engineer's Report for the Gum Ranch Landscaping and Lighting Assessment District; in accordance with and pursuant to the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution; and

WHEREAS, on June 17, 2020, the Board adopted Resolution No. 061720-07, a Resolution Declaring Intention to Continue to Levy Assessments for Fiscal Year 2020-21, Preliminarily Approving Engineer's Report, and Providing for Notice of Hearing for the Gum Ranch Landscaping and Lighting Assessment District; and said resolution declared the intention to continue to levy and collect assessments for fiscal year 2020-21 upon certain real property within the boundaries of the Assessment District, at an assessment rate of \$222.24 per single family equivalent benefit unit in Benefit Zone A and \$373.10 in Benefit Zone B, as described with more detail in the Engineer's Report; and

WHEREAS, the report was duly made and filed with the District Administrator and duly considered by this Board and found to be sufficient in every particular, whereupon

it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that July 15, 2020 at the hour of 6:00 p.m. was appointed as the time, and the Village Hall at 7997 California Avenue, Fair Oaks, California, 95628, was appointed as the place for a hearing by this Board on the question of the levy of the proposed assessment and remote access was made available, notice of which hearing was given as required by law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the continuation of the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED, that:

1. The public interest, convenience and necessity require that the continuation of the levy be made.
2. The Gum Ranch Landscaping and Lighting Assessment District benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the Board, which map is made a part hereof by reference thereto.
3. The assessment is levied without regard to property valuation.
4. The Engineer's Report as a whole and each part thereof, to wit:
 - a. the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
 - b. the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Gum Ranch Landscaping and Lighting Assessment District; and
 - c. the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the Gum Ranch Landscaping and Lighting Assessment District in proportion to the estimated special benefits to

be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto are finally approved and confirmed.

5. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Board.
6. The continued assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2020-21 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Engineer's Report.
7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively; (b) that the assessment is continued to be levied without regard to property valuation; and (c) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
8. Immediately upon the adoption of this resolution, but in no event later than August 10 following such adoption, the District Administrator shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Sacramento. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments, After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Gum Ranch Landscaping and Lighting Assessment District of the Fair Oaks Recreation and Park District.
9. The moneys representing assessments collected by Sacramento County

shall be deposited in the District Treasury to the credit of the improvement fund previously established under the distinctive designation of the Gum Ranch Landscaping and Lighting Assessment District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the improvements.

10. The Board of Directors of the Fair Oaks Recreation and Park District hereby certifies that the assessments to be placed on the fiscal year 2020-21 property tax bills meet the requirements of Proposition 218 that added Articles XIIIIC and XIIIID to the California Constitution.

PASSED AND ADOPTED this 15th day of July, 2020 by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Delinda Tamagni, Board Chair
Fair Oaks Recreation and Park District

Michael J. Aho, District Administrator
Fair Oaks Recreation and Park District