

RESOLUTION NO. 2015-42

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA PRELIMINARILY APPROVING THE FISCAL YEAR 2015-16 ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2015-16 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING

WHEREAS, at the regular meeting of June 4, 1996, the City Council adopted Resolution No. 1996-62, ordering the formation of the Seabreeze Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals; and

WHEREAS, the Acting City Engineer, on the direction of the City Council, has filed with the City Clerk a report with respect to the Fiscal Year 2015-16 levy of the assessment in connection with the Assessment District (the "Report"); and

WHEREAS, the Report recommends that the assessment rate remain \$184.42 per parcel; and

WHEREAS, the Report is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the City Council desires to proceed with the process for levying the Fiscal Year 2015-16 levy of assessments in connection with the Assessment District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The Report is hereby approved as filed.
2. The Council declares its intention to levy and collect assessments in the Assessment District for Fiscal Year 2015-16 as described in the Report.
3. Reference is made to the Report for a full and detailed description of (i) the improvements to be operated and maintained in connection with the Assessment District; (ii) the boundaries of the Assessment District; and (iii) the proposed assessments upon assessable lots and parcels of land within the Assessment District. The Report describes, among other things, each affected parcel of real property and the amount of the assessments for each such affected parcel for Fiscal Year 2015-16. The Assessment District generally includes all residential parcels in the Seabreeze subdivision. The amount of the assessment and the general nature of the improvements are not proposed to change from the prior year.
4. A public hearing on the levy of assessments in Fiscal Year 2015-16 in connection with each of the Districts is scheduled for Tuesday, May 5, 2015, at 6:30 P.M. or as soon thereafter as the matter may be heard in the City Council Chambers located at 211 Hillcrest Avenue, City of Marina, California
5. Staff is directed to give notice of the public hearing pursuant to Section 22626(a) of the Act.

Resolution No. 2015-42

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PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of April 2015, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

**SEABREEZE LANDSCAPE
MAINTENANCE
ASSESSMENT DISTRICT**

ENGINEER'S REPORT

FY 2015-16

Council Members:

B. DELGADO, MAYOR

**F. O'CONNELL
N. AMADEO**

**G. MORTON
D. BROWN**

**LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
THERESA SZYMANIS**

**City Manager
Acting Deputy City Clerk
City Attorney
Acting Community Development Department
Director**

**Prepared By
City of Marina
Public Works Division**

SEABREEZE
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2015-2016

This report concerns the Seabreeze Landscape Maintenance Assessment District.

This report has been prepared pursuant to Section 22265 through 22574 of the Streets and Highway Code (Landscaping and Landscaping Act 1972).

The Assessment District encompasses the Seabreeze subdivision located on the north side of Beach Road and west of Marina Drive in the City of Marina, County of Monterey, State of California.

The subdivision consists of 37 residential lots, with all underground utilities (water, sewer, gas and electric) street and drainage improvements. The Assessment District has been formed for the purpose of maintaining the proposed landscape areas including the street scape along the Northerly side of Beach Road adjacent to Seabreeze Subdivision, Tract No. 1251 and the buffer along the westerly side of the Southern Pacific Railroad within the rear portion of Lots 18 through 21 of the Seabreeze subdivision. Lot 38 is dedicated to the City for the maintenance of the drainage percolation basin. These improvements were installed and paid for by the developer.

A brief description of the improvements that are to be maintained by the Assessment District are:

All landscaping elements, irrigation systems and services thereto located along the Northerly side of Beach Road, the westerly of Southern Pacific Railroad and the easterly of the percolation pond. Also included is the maintenance, repair and replacement of the sound walls. Landscaping elements consist of ground cover, shrubs, trees, irrigation pipelines, controllers, valves, emitters, sprinklers and appurtenant improvements all as delineated on the plans with the City of Marina and titled Seabreeze Streetscape and Buffer Plans prepared by Isaacson Wood & Associates, Landscape Architecture.

This report includes the following attached exhibits:

EXHIBIT A - An Assessment Diagram and Boundary Map showing all the parcels of the real property within the Assessment District and location of the landscaped areas to be maintained by the Assessment District. The Diagram is keyed to Exhibit C by the separate "Assessment District".

EXHIBIT B - Spreadsheet showing estimated costs for FY 2014-2015, FY 2015-2016 and FY 2016-2017.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessors Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to the lot number of each parcel.

Page Two
Engineer's Report
Seabreeze Landscape Maintenance Assessment District

EXHIBIT D - Method of determination of assessment spread.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Nourdin Khayata', written over a horizontal line.

Nourdin Khayata, PE
Acting City Engineer

February 2015

Boundary and Landscaped Area Map

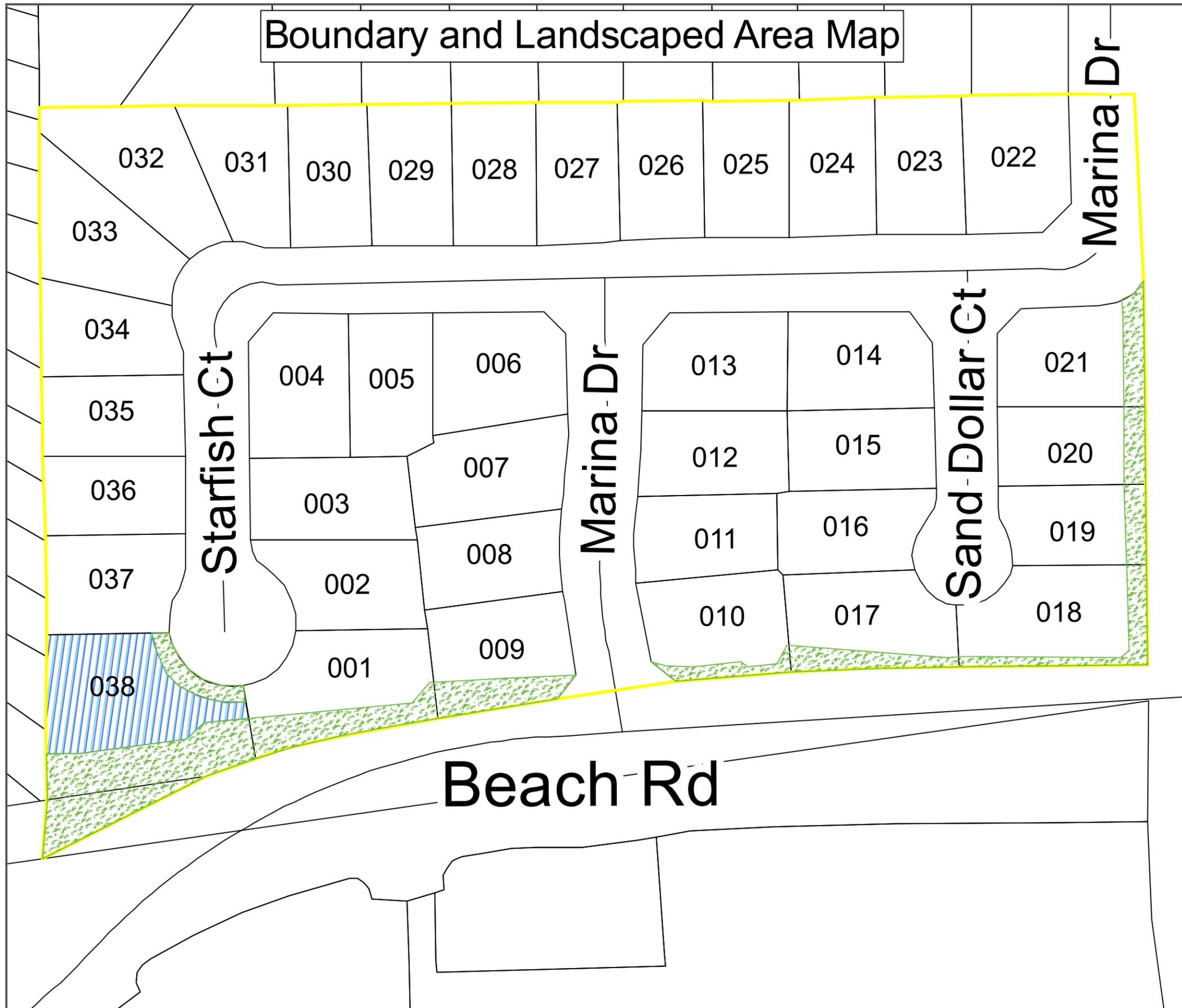
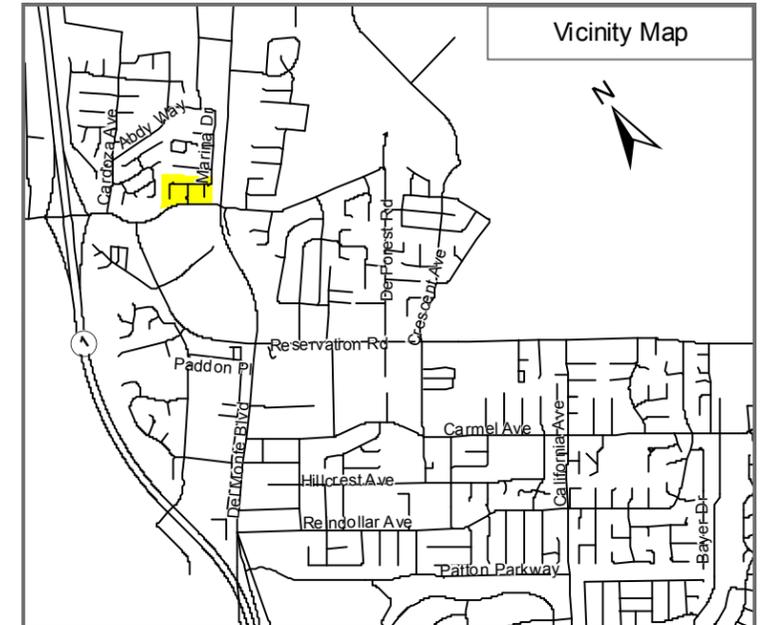


EXHIBIT A Seabreeze Landscape Maintenance District



Legend

- Seabreeze**
- Boundary
- Landscaped Area
20,470 SQ FT
- Parcels
- Percolation Lot
- Roads

Date: April 15th, 2009

Notes: The City of Marina assume no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates/modifications and may not be complete or appropriate for all purposes. The City of Marina and Monterey County GIS should be queried for the most current information. Parcel data is of mapping grade only and does not represent reliable locations or legal boundaries.

Sources: Monterey County GIS, City of Marina CDD
Map Projection: California State Plane Zone IV, NAD 83 (Feet)

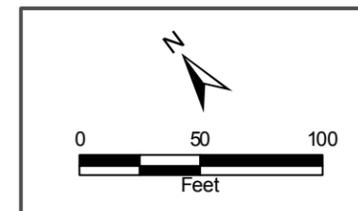


EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

EXPENDITURES FY 2014-2015 FY 2015-2016 FY 2016-2017

Landscape Maintenance Contract	\$ 2,100	\$ 2,100	\$ 2,100
Utilities	\$ -	\$ -	\$ -
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ -	\$ -	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Supervision	\$ 800	\$ 800	\$ 800
Administration (Incl. Engineers Report)	\$ 1,000	\$ 2,000	\$ 1,000
Cost Allocation Plan Charges	\$ 1,740	\$ 1,740	\$ 1,740
Legal Advertising	\$ 235	\$ 235	\$ 235

Total Expenditures	\$ 5,875	\$ 6,875	\$ 5,875
Reserves	\$ 1,550	\$ 1,424	\$ 2,299

Funding Analysis

Beginning Cash Balance	\$ 675	\$ 1,550	\$ 1,424
Estimated Assessment Revenues	\$ 6,750	\$ 6,750	\$ 6,750
Estimated Interest Earnings	\$ -	\$ -	\$ -

Total Funds Available	\$ 7,425	\$ 8,299	\$ 8,174
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Less Expenditures	\$ 5,875	\$ 6,875	\$ 5,875
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Ending Cash Balance	\$ 1,550	\$ 1,424	\$ 2,299
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Maximum Assessment per Prop 218 is \$182.42

The assessment amount for 15-16 consistent with 14-15 is \$182.42 per parcel.

EXHIBIT C

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2015-2016

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	033-082-001	\$182.42
2	033-082-002	\$182.42
3	033-082-003	\$182.42
4	033-082-004	\$182.42
5	033-082-005	\$182.42
6	033-082-006	\$182.42
7	033-082-007	\$182.42
8	033-082-008	\$182.42
9	033-082-009	\$182.42
10	033-082-010	\$182.42
11	033-082-011	\$182.42
12	033-082-012	\$182.42
13	033-082-013	\$182.42
14	033-082-014	\$182.42
15	033-082-015	\$182.42
16	033-082-016	\$182.42
17	033-082-017	\$182.42

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2015-2016

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
18	033-082-018	\$182.42
19	033-082-019	\$182.42
20	033-082-020	\$182.42
21	033-082-021	\$182.42
22	033-082-022	\$182.42
23	033-082-023	\$182.42
24	033-082-024	\$182.42
25	033-082-025	\$182.42
26	033-082-026	\$182.42
27	033-082-027	\$182.42
28	033-082-028	\$182.42
29	033-082-029	\$182.42
30	033-082-030	\$182.42
31	033-082-031	\$182.42
32	033-082-032	\$182.42
33	033-082-033	\$182.42
34	033-082-034	\$182.42

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2015-2016

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
35	033-082-035	\$182.42
36	033-082-036	\$182.42
37	033-082-037	\$182.42

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the landscaped areas within the Assessment District benefits the Assessment District as a whole. Therefore, the assessment should be equally apportioned over the 37 residential building sites or lots contained within the district as indicated on the Assessment Diagram (Exhibit A).

April 15, 2015

Item No. **8f(3)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 21, 2015

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2015-,
PRELIMINARILY APPROVING THE FISCAL YEAR 2015-16
ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS
INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2015-16 IN
THAT DISTRICT; AND CALLING A PUBLIC HEARING**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2015-, preliminarily approving the Fiscal Year 2015-16 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2015-16 in that district; and calling a public hearing.

BACKGROUND:

At the regular meeting of June 4, 1996, the City Council adopted Resolution No. 1996-62, ordering the formation of the Seabreeze Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of March 19, 2015, the City of Marina Public Works Commission adopted Resolution No. 2015-02(PW), recommending approval to City Council FY 2015-16 Engineer's Report for Seabreeze Landscape Maintenance Assessment District.

ANALYSIS:

Staff has prepared Engineer's Report and filed the reports with the City Clerk for each of the affected maintenance district for FY 2015-16. Staff has set the proposed assessment amounts as follows:

	<u>Current FY 2014-15</u>	<u>Proposed 2015-16</u>
Seabreeze (37 parcels)	\$184.42	\$184.42

The current contract agreement with New Image Landscaping for District landscape maintenance will expire at the end of Fiscal Year 15/16. Additional funds have been programmed into that fiscal year's administration budget to prepare specifications and conduct a public bidding process for the maintenance contract of this District.

Staff is requesting that the City Council approve setting a public hearing for May 5, 2015 to hear concerns on levying and collection of the proposed assessment on this district.

FISCAL IMPACT:

Adequate funding for providing notices for the public hearing has been appropriated in the FY 14/15 budget in account No. 32.232.66210. There is no fiscal impact to approving the engineer's report and setting a public hearing.

CONCLUSION:

This request is submitted for City Council discussion and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Associate Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, PE
Acting City Engineer
City of Marina

Theresa Szymanis, AICP CTP
Acting Director, Community Development Department
City of Marina

Layne Long
City Manager
City of Marina