RESOLUTION NO. 2015-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF $184.42 FOR FY 2015-16 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AND AUTHORIZING THE CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2015

WHEREAS, on June 4, 1996, the City ordered the formation of the Seabreeze Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2015-2016, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on April 21, 2015, the City approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on May 5, 2015, and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

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

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.

2. The City does hereby order the levy and collection of said assessment, $182.42, for FY 2015-16 assessment for Seabreeze Landscape Maintenance Assessment District.

3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of Seabreeze Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within Seabreeze Landscape Maintenance Assessment District.

4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2015.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of May 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

EXHIBIT A

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	City Manager
ANITA SHEPHERD-SHARP	Acting Deputy City Clerk
ROBERT WELLINGTON	City Attorney
THERESA SZYMANIS	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.

EXHIBIT D - Method of determination of assessment spread.

Respectfully submitted

Nourdin Khayata, PE
Acting City Engineer

February 2015

Boundary and Landscaped Area Map

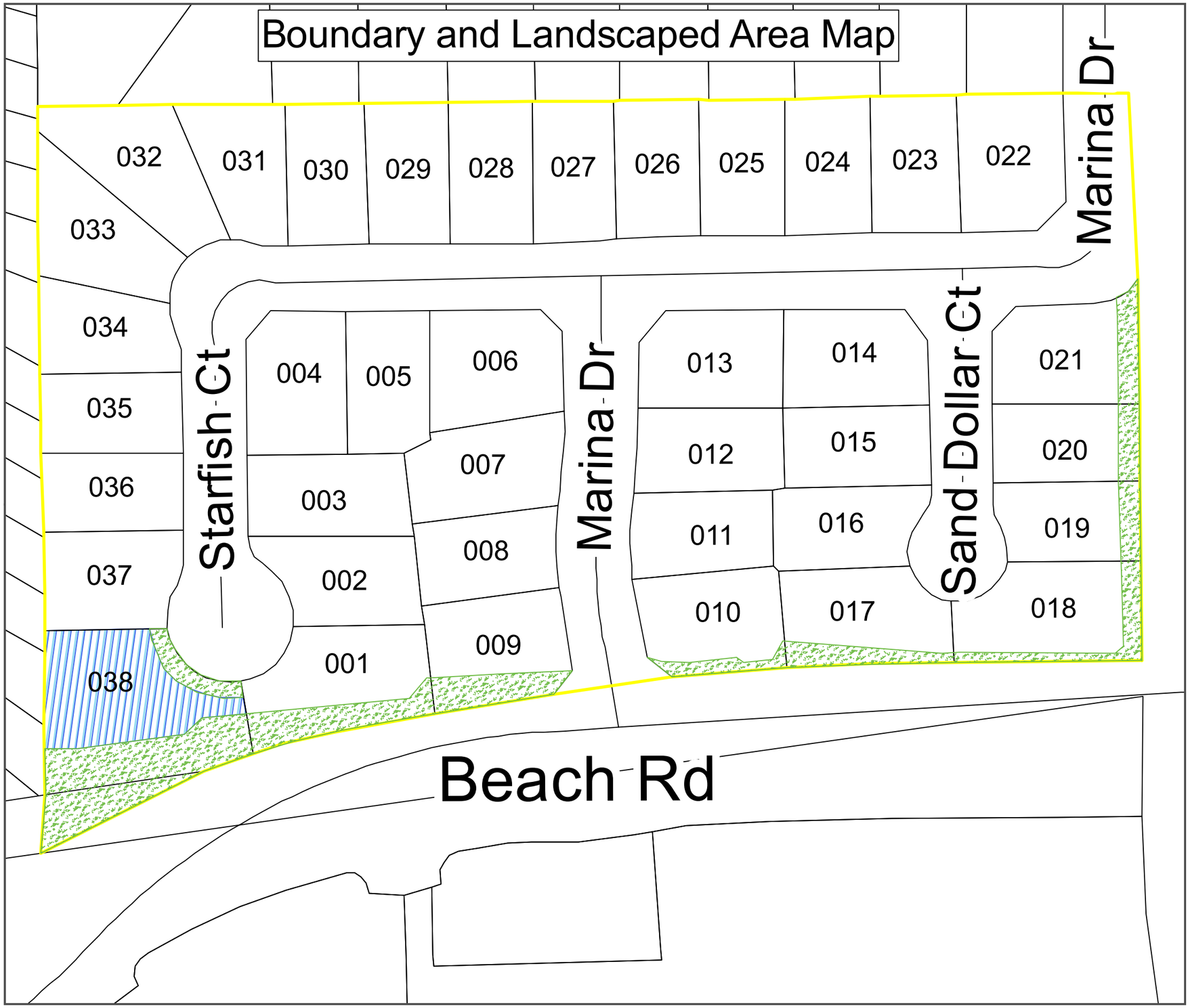
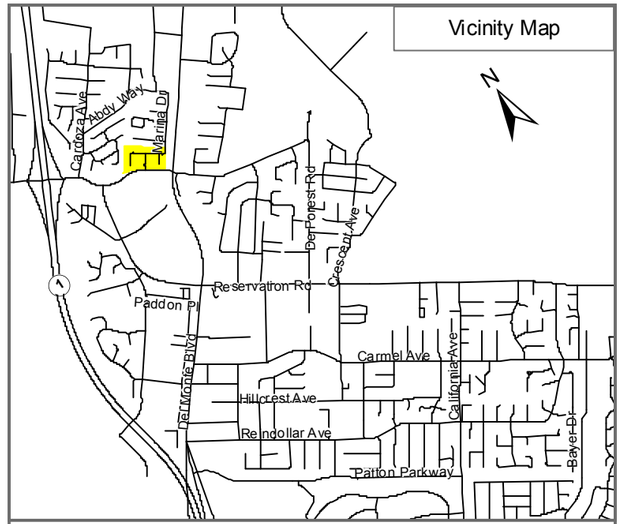


EXHIBIT A

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)

N

0 50 100
Feet

CITY OF MARINA

EXHIBIT B

SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2014-2015	Estimates FY 2015-2016	Estimates FY 2016-2017
Beginning Cash Balance, July 1st	**$ 675**	**$ 1,550**	**$ 1,424**
[a]Total Assessment Revenues (37 Parcels)	**$ 6,750**	**$ 6,750**	**$ 6,750**
Expenditures			
Contractor Services			
Landscape Maintenance Contract	$ 2,100	$ 2,100	$ 2,100
Utilities	$ -	$ -	$ -
Large Tree Trimming	$ -	$ -	$ -
Extraordinary Maintenance	$ -	$ -	$ -
Plant Replacement	$ -	$ -	$ -
Administrative Services			
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**
[b]Net Change in Fund Balance	**$ 875**	**$ (125)**	**$ 875**
[c]Ending Fund Balance, June 30th	**$ 1,550**	**$ 1,424**	**$ 2,299**

[a] Maximum Assessment per Prop 218 is $182.42 per parcel. The assessment amount for FY15-16 is consistent with FY14-15 at $182.42 per parcel.

[b] Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

[c] End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

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 27, 2015 Item No. **9b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 5, 2015

CITY COUNCIL OPEN PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2015-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF $184.42 FOR FY 2015-16 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2015

REQUEST:
It is requested that the City Council:

1. Open public hearing and take any testimony from the public;

2. Consider adopting Resolution No. 2015-, confirming diagram, assessment and ordering levy of $184.42 for FY 2015-16 assessment for Seabreeze Landscape Maintenance Assessment District, and;

3. Authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2015.

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 April 21, 2015, the City Council adopted Resolution No. 2015-42, preliminarily approving the FY 2015-16 Engineer's Report for Seabreeze Landscape Maintenance Assessment District and calling a public hearing on May 5, 2015 on proposed intention to levy and collect assessments for the Seabreeze Landscape Maintenance Assessment District.

ANALYSIS:
Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of $184.42. This is the same amount as last year's assessment and does not represent an increase.

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.

FISCAL IMPACT:
Should the City Council approve this request, the anticipated revenue for the FY 2015-16 assessment levy is $6,823.54 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:
This request is submitted for City Council consideration and possible action.

Respectfully submitted,

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

REVIEWED/CONCUR:

_____
Nourdin Khayata, PE
Acting City Engineer, Engineering Division
Community Development Department
City of Marina

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

_____
Layne Long
City Manager
City of Marina