

RESOLUTION NO. 2016-40

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA PRELIMINARILY APPROVING THE FISCAL YEAR 2016-17 ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2016-17 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR APRIL 19, 2016

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 2016-17 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 2016-17 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 2016-17 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 2016-17. 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 2016-17 in connection with each of the Districts is scheduled for Tuesday, April 19, 2016, 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. 2016-40

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PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of April 2016, 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

Frank O'Connell, Mayor Pro-Tem

ATTEST:

Anita Sharp, Deputy City Clerk



CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA

**SEABREEZE LANDSCAPE
MAINTENANCE
ASSESSMENT DISTRICT

ENGINEER'S REPORT**

FY 2016-17

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 2016-2017

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 2015-2016, FY 2016-2017 and FY 2017-2018.

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.

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Engineer's Report
Seabreeze Landscape Maintenance Assessment District

EXHIBIT D - Method of determination of assessment spread.

Respectfully submitted



Nourdin Khayata, PE
Acting City Engineer

March 2016

Boundary and Landscaped Area Map

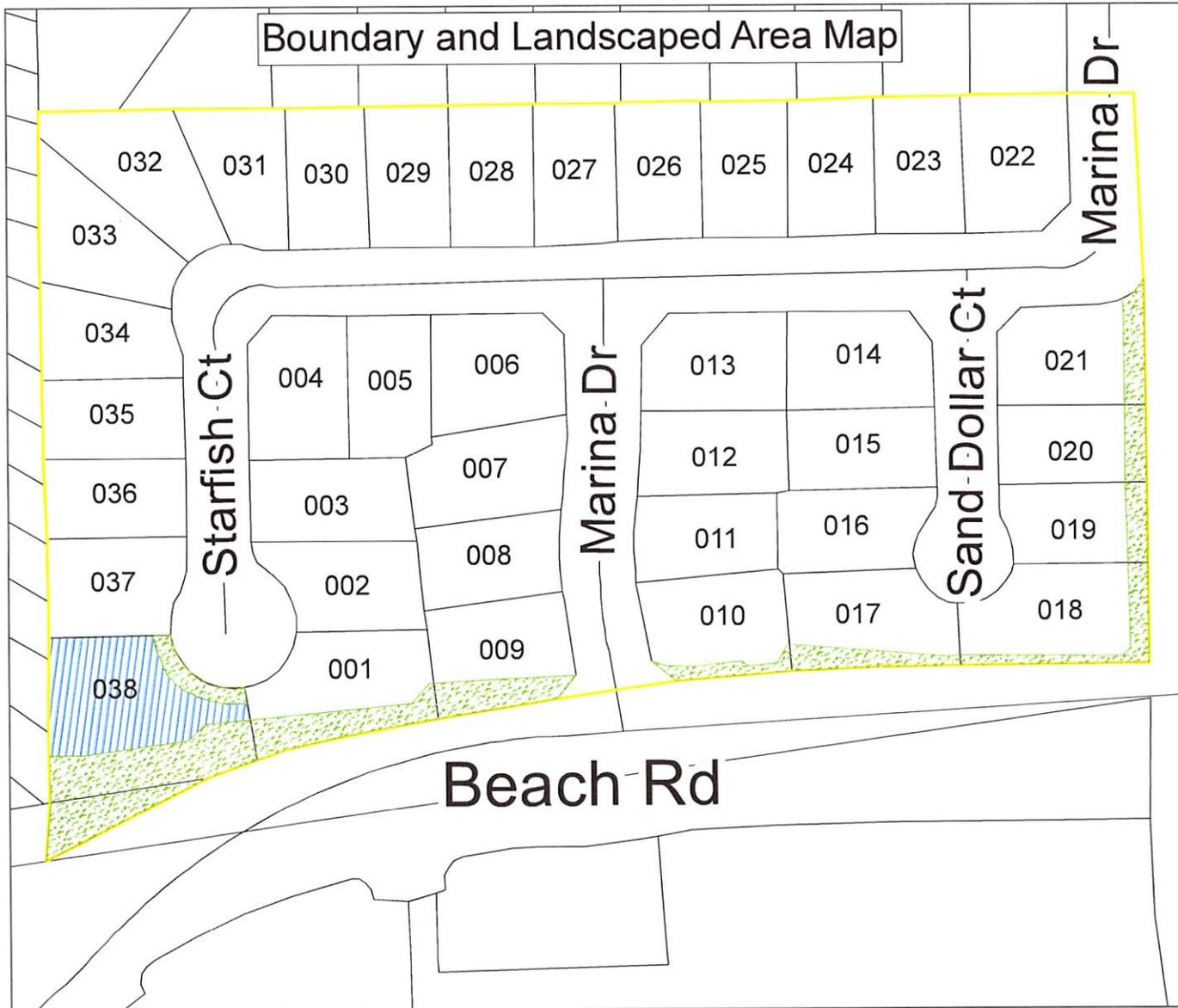
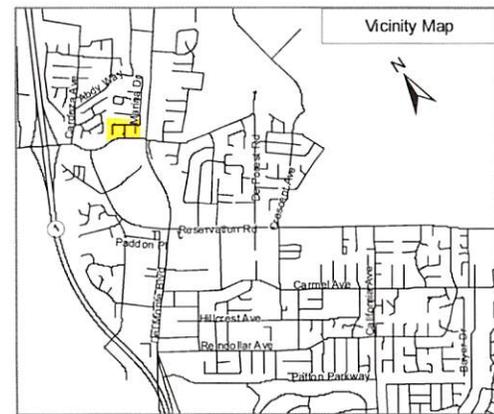


EXHIBIT A
Seabreeze
Landscape Maintenance District



Legend

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

Date: April 15th, 2009

Notes: The City of Marina assumes 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)

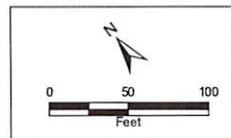


EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

| Summary | Estimates FY 2015-2016 | Estimates FY 2016-2017 | Estimates FY 2017-2018 |
|--|----------------------------------|----------------------------------|----------------------------------|
| Beginning Cash Balance, July 1st | \$ 1,442 | \$ 2,317 | \$ 2,331 |
| (a) Total Assessment Revenues (37 Parcels) | \$ 6,750 | \$ 6,750 | \$ 6,750 |

Expenditures

| Contractor Services | | | |
|---|-----------------|-----------------|-----------------|
| Landscape Maintenance Contract | \$ 2,100 | \$ 2,160 | \$ 2,160 |
| Utilities | \$ - | \$ - | \$ - |
| Large Tree Trimming | \$ - | \$ - | \$ - |
| Extraordinary Maintenance | \$ - | \$ - | \$ - |
| Plant Replacement | \$ - | \$ - | \$ - |
| Administrative Services | | | |
| Supervision | \$ 800 | \$ 800 | \$ 800 |
| Administration (Incl. Engineers Report) | \$ 1,000 | \$ 1,800 | \$ 1,000 |
| Cost Allocation Plan Charges | \$ 1,740 | \$ 1,740 | \$ 1,740 |
| Legal Advertising | \$ 235 | \$ 235 | \$ 235 |
| Total Expenditures | \$ 5,875 | \$ 6,735 | \$ 5,935 |

| | | | |
|---------------------------------------|-----------------|-----------------|-----------------|
| (b) Net Change in Fund Balance | \$ 2,317 | \$ 2,331 | \$ 3,146 |
|---------------------------------------|-----------------|-----------------|-----------------|

| | | | |
|--|-----------------|-----------------|-----------------|
| (c) Ending Fund Balance, June 30th | \$ 2,317 | \$ 2,331 | \$ 3,146 |
|--|-----------------|-----------------|-----------------|

(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 2016-2017

| 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 2016-2017

| 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 2016-2017

| 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).

March 14, 2016

Item No. **8f (2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 5, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
PRELIMINARILY APPROVING THE FISCAL YEAR 2016-17 ENGINEER'S
REPORT FOR THE SEABREEZE LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN
ASSESSMENT IN FISCAL YEAR 2016-17 IN THAT DISTRICT; AND CALLING
A PUBLIC HEARING FOR APRIL 19, 2016**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2016-, preliminarily approving the Fiscal Year 2016-17 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2016-17 in that district; and calling a public hearing for April 19, 2016.

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.

The first step in the annual update process is for the City Council to initiate the process by adopting a resolution ordering the City Engineer to prepare and file an Engineer's Report for the District. After initiation of the update process and preparation of the update report, the City Council will be requested to adopt a resolution of intention to set a Public Hearing. Lastly, a Public Hearing will be held at a subsequent City Council meeting where the Assessment District is approved and confirmed, resulting in the adoption of a resolution confirming the levy of assessment pursuant to the provisions of the Landscape and Lighting Act of 1972 of Part 2 of Division 15 of the Streets and Highways Code of the State of California.

At the regular meeting of February 17, 2016, the City Council adopted Resolution No. 2016-17, ordering the Acting City Engineer to prepare and to file a report related to maintenance of the Seabreeze Landscape Maintenance Assessment District for Fiscal Year 2016-2017.

At the regular meeting of March 17, 2016, the City of Marina Public Works Commission adopted Resolution No. 2016-02(PW), recommending approval to City Council FY 2016-17 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District.

ANALYSIS:

Staff has prepared an Engineer's Report and filed the report with the City Clerk for the maintenance district for FY 2016-17. Staff has set the proposed assessment amounts as follows:

| | <u>Current FY 2015-16</u> | <u>Proposed 2016-17</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 16/17. 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 April 19, 2016 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 15/16 budget account for the Seabreeze Landscape Maintenance Assessment District. 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.
Senior 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 Community Development Director
City of Marina

Layne P. Long
City Manager
City of Marina