

RESOLUTION NO. 2016-41

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA PRELIMINARILY APPROVING THE FISCAL YEAR 2016-17 ENGINEER'S REPORT FOR THE CYPRESS COVE II 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 16, 1987, the City Council adopted Resolution 1987-23, ordering the formation of the Cypress Cove II 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 \$180.78 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 Cypress Cove II 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. 2016-41

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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

CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FY 2016-2017

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

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT**

FY 2016-2017

This report concerns the Cypress Cove II Landscape Maintenance Assessment District.

The Assessment District consists of the Cypress Cove II Subdivision located in the westerly portion of the City of Marina just east of the Highway I and Reservation Road interchange. The subdivision is bounded on three sides by Abdy Way, Cardoza Avenue, and Beach Road, contains 110 lots, a percolation pond parcel (Parcel B), and an emergency access road (Parcel C).

The subdivision consists of 110 single family homes complete with underground utilities, water and wastewater facilities, street and drainage improvements, and landscaping. The Assessment District has been formed for the purpose of maintaining the exterior boundary landscaping and retaining walls, installed and paid for by the developer.

This report has been prepared pursuant to Sections 22565 through 22574 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

The existing improvements to be maintained which are the subject of this report, are briefly described as follows:

All exterior landscaping elements located adjacent to the subdivision boundaries along Abdy Way, Cardoza Avenue, and Beach Road and outside the chain link fence on Parcel B are considered as the improvements included in the Assessment District. Landscaping elements consist of hydroseeded areas, groundcover, shrubs, trees, irrigation pipelines, controllers, valves, sprinklers, masonry retaining walls, and electrical service. Plans and specifications showing these existing improvements which are to be maintained are on file in the City of Marina Public Works Division.

This report includes the following attached exhibits:

EXHIBIT A - An assessment diagram and boundary map showing all of the parcels of the real property within the Assessment District. The diagram is keyed to Exhibit C by the separate "Assessment Number".

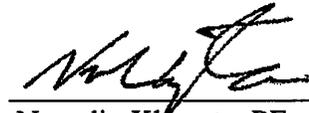
EXHIBIT B - Spreadsheet showing estimated costs for FY 2015-2016 and estimated costs for FY 2016-2017 and FY 2017-2018.

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 Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcels lot number.

Page Two
Engineer's Report
Cypress Cove II 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

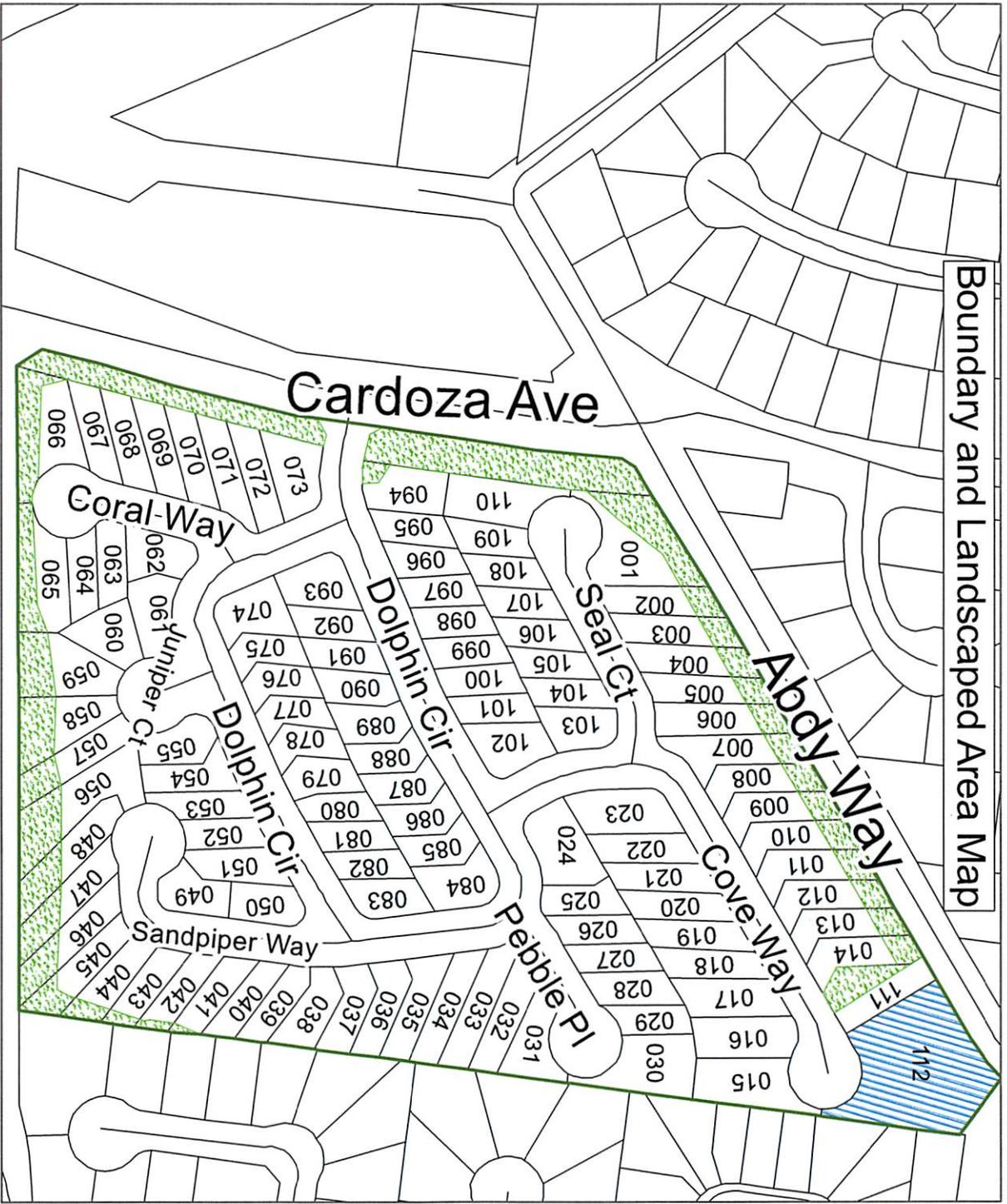
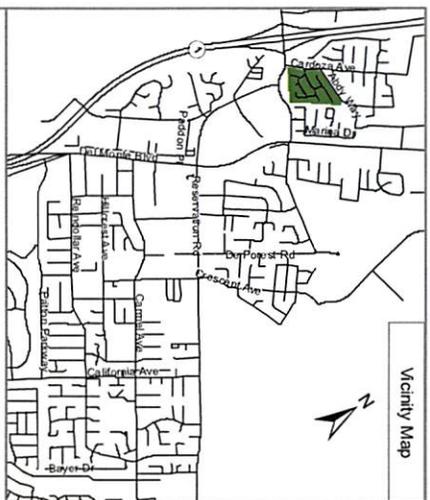


EXHIBIT A Cypress Cove II Landscape Maintenance District



Legend

- Cypress Cove II Landscaped Area
- Boundary
- 2.00 Acres
- 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, model changes and other factors. The map is not intended to be used for legal purposes. Parcel data is of mapping grade only and does not represent fielded locations or legal boundaries.

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

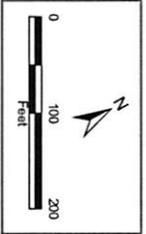


EXHIBIT B
CYPRESS COVE II LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2015-2016	Estimates FY 2016-2017	Estimates FY 2017-2018
Beginning Cash Balance, July 1st	\$ 4,152	\$ 5,594	\$ 6,886
(a) Total Assessment Revenues (110 Parcels)	\$ 19,886	\$ 19,886	\$ 19,886
Expenditures			
Contractor Services			
Landscape Maintenance Contract	\$ 5,220	\$ 5,340	\$ 5,340
Utilities	\$ 1,500	\$ 1,500	\$ 1,500
Large Tree Trimming	\$ 5,770	\$ 2,600	\$ -
Extraordinary Maintenance	\$ -	\$ 3,000	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Supervision	\$ 1,000	\$ 1,000	\$ 1,000
Administration (Incl. Engineers Report)	\$ 2,000	\$ 2,200	\$ 1,500
Cost Allocation Plan Charges	\$ 2,751	\$ 2,751	\$ 2,751
Legal Advertising	\$ 203	\$ 203	\$ 203
Total Expenditures	\$ 18,444	\$ 18,594	\$ 12,294
(b) Net Change in Fund Balance	\$ 1,442	\$ 1,292	\$ 7,592
(c) Ending Fund Balance, June 30th	\$ 5,594	\$ 6,886	\$ 14,478

(a) Maximum Assessment per Prop 218 is \$180.78 per parcel. The assessment amount for FY15-16 is consistent with FY14-15 at \$180.78 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
CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
1	33-076-01	\$180.78
2	33-076-02	\$180.78
3	33-076-03	\$180.78
4	33-076-04	\$180.78
5	33-076-05	\$180.78
6	33-076-06	\$180.78
7	33-076-07	\$180.78
8	33-076-08	\$180.78
9	33-076-09	\$180.78
10	33-076-10	\$180.78
11	33-076-11	\$180.78
12	33-076-12	\$180.78
13	33-076-13	\$180.78
14	33-076-14	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
15	33-076-15	\$180.78
16	33-076-16	\$180.78
17	33-076-17	\$180.78
18	33-076-18	\$180.78
19	33-076-19	\$180.78
20	33-076-20	\$180.78
21	33-076-21	\$180.78
22	33-076-22	\$180.78
23	33-076-23	\$180.78
24	33-076-24	\$180.78
25	33-076-25	\$180.78
26	33-076-26	\$180.78
27	33-076-27	\$180.78
28	33-076-28	\$180.78
29	33-076-29	\$180.78
30	33-076-30	\$180.78
31	33-076-31	\$180.78
32	33-076-32	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
33	33-076-33	\$180.78
34	33-076-34	\$180.78
35	33-076-35	\$180.78
36	33-076-36	\$180.78
37	33-076-37	\$180.78
38	33-076-38	\$180.78
39	33-076-39	\$180.78
40	33-076-40	\$180.78
41	33-076-41	\$180.78
42	33-076-42	\$180.78
43	33-076-43	\$180.78
44	33-076-44	\$180.78
45	33-076-45	\$180.78
46	33-076-46	\$180.78
47	33-076-47	\$180.78
48	33-076-48	\$180.78
49	33-076-49	\$180.78
50	33-076-50	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
51	33-076-51	\$180.78
52	33-076-52	\$180.78
53	33-076-53	\$180.78
54	33-076-54	\$180.78
55	33-076-55	\$180.78
56	33-076-56	\$180.78
57	33-076-57	\$180.78
58	33-076-58	\$180.78
59	33-076-59	\$180.78
60	33-076-60	\$180.78
61	33-076-61	\$180.78
62	33-076-62	\$180.78
63	33-076-63	\$180.78
64	33-076-64	\$180.78
65	33-076-65	\$180.78
66	33-076-66	\$180.78
67	33-076-67	\$180.78
68	33-076-68	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
69	33-076-69	\$180.78
70	33-076-70	\$180.78
71	33-076-71	\$180.78
72	33-076-72	\$180.78
73	33-076-73	\$180.78
74	33-075-01	\$180.78
75	33-075-02	\$180.78
76	33-075-03	\$180.78
77	33-075-04	\$180.78
78	33-075-05	\$180.78
79	33-075-06	\$180.78
80	33-075-07	\$180.78
81	33-075-08	\$180.78
82	33-075-09	\$180.78
83	33-075-10	\$180.78
84	33-075-11	\$180.78
85	33-075-12	\$180.78
86	33-075-13	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
87	33-075-14	\$180.78
88	33-075-15	\$180.78
89	33-075-16	\$180.78
90	33-075-17	\$180.78
91	33-075-18	\$180.78
92	33-075-19	\$180.78
93	33-075-20	\$180.78
94	33-076-74	\$180.78
95	33-076-75	\$180.78
96	33-076-76	\$180.78
97	33-076-77	\$180.78
98	33-076-78	\$180.78
99	33-076-79	\$180.78
100	33-076-80	\$180.78
101	33-076-81	\$180.78
102	33-076-82	\$180.78
103	33-076-83	\$180.78
104	33-076-84	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
105	33-076-85	\$180.78
106	33-076-86	\$180.78
107	33-076-87	\$180.78
108	33-076-88	\$180.78
109	33-076-89	\$180.78
110	33-076-90	\$180.78
111		EXEMPT
112		EXEMPT

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the subdivision exterior boundary landscaping benefits the Assessment District as a whole. Therefore, the assessment spread should be based on the number of building sites or lots contained within the district.

Assessments shall be spread over the 110 lots indicated on the Assessment Diagram (Exhibit A).

March 14, 2016

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

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 CYPRESS COVE II 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 Cypress Cove II 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 16, 1987, the City Council adopted Resolution 1987-23, ordering the formation of the Cypress Cove II 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 Cypress Cove II Landscape Maintenance Assessment District 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's levy amount 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. 2016-15, ordering the Acting City Engineer to prepare and to file a report related to maintenance of the Cypress Cove II 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. 2016-01(PW), recommending approval to City Council FY 2016-17 Engineer's Report for Cypress Cove II Landscape Maintenance Assessment District.

ANALYSIS:

Staff has prepared an Engineer's Report and filed the report with the City Clerk for the Cypress Cove II Maintenance Assessment District for FY 2016-17. Staff has set the proposed assessment amount as follows:

	<u>Current FY 2015-16</u>	<u>Proposed FY 2016-17</u>
Cypress Cove II (110 parcels)	\$180.78	\$180.78

At the request of the homeowners, staff has been meeting with a group of representatives to discuss further beautification and improvements to the District. Tree improvements along Beach Road & utility maintenance will occur in Fiscal Year 15/16. Additional tree improvements are scheduled for Fiscal Year 16/17 along Cardoza Ave. Regular maintenance of the existing District will continue.

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 Cypress Cove II. 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