

RESOLUTION NO. 2016-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$67.14
FOR FY 2016-17 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING &
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, 2016

WHEREAS, on October 3, 1989, the City ordered the formation of the Monterey Bay Estates Lighting & Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2016-2017, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on April 5, 2016, the City preliminarily 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 April 19, 2016, 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, \$67.14, for FY 2016-17 assessment for Monterey Bay Estates Lighting & 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 Monterey Bay Estates Lighting & Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within Monterey Bay Estates Lighting & 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, 2016.

MONTEREY BAY ESTATES
Resolution No. 2016-54
Page Two

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS: O'Connell, Delgado
NOES: COUNCIL MEMBERS: Amadeo
ABSENT: COUNCIL MEMBERS: Brown
ABSTAIN: COUNCIL MEMBERS:

Frank O'Connell, Mayor Pro-Tem

ATTEST:

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

MONTEREY BAY ESTATES LIGHTING AND 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**

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2016-2017

This report concerns the Monterey Bay Estates Lighting and Landscape Maintenance District.

The Assessment District consists of the Monterey Bay Estates Subdivision located in the northeasterly portion of the City of Marina. The subdivision contains 162 lots, a percolation pond parcel, and a park parcel.

The subdivision consists of 162 single family homes complete with underground utilities, water and wastewater facilities, public lighting facilities, street and drainage improvements, and landscaping. The Assessment District has been formed for the purpose of maintaining and servicing both the landscaping areas and public lighting facilities within the subdivision. The landscaping areas to be maintained and serviced are those in the percolation pond parcel and the street rights-of-way of De Forest Road and Quebrada Del Mar adjacent thereto; in and adjacent to the Crescent Avenue right-of-way, installed and paid for by the developer. The public lighting facilities to be maintained and serviced include all the public lighting facilities within the subdivision installed and paid for by the developer.

This report has been prepared pursuant to Sections 22500 through 22679 of the Streets and Highway Code (Landscaping and Lighting Act of 1972).

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

Landscaping elements within the percolation pond parcel and the street rights-of-way of De Forest Road and Quebrada Del Mar adjacent thereto, and landscaping elements within and adjacent to the Crescent Avenue right-of-way (See Exhibit A) are considered as the landscaping improvements included in the Assessment District. Landscaping elements consist of hydroseeded areas, groundcover, shrubs, trees, irrigation pipelines, controllers, valves, sprinklers, water and electrical service, and freestanding concrete block walls.

Public Lighting facilities within the street right-of-way of De Forest Road, Costa Del Mar Road, Sirena Del Mar Road, Tallmon Street, Quebrada Del Mar Road, Isla Del Sol Way, Estrella Del Mar Way and Crescent Avenue all within the boundary of the Monterey Bay Estates Subdivision (Tract no. 1102) are considered as the public lighting improvements included in the Assessment District, see Exhibit A. The public lighting facilities consist of electroliers, mast arm, ballast, electrical service, wiring and lamps.

Page Two
Engineer's Report
Monterey Bay Estates Lighting and Landscape Maintenance District

This report includes the following 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 maintenance 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 Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcel's lot number.

EXHIBIT D- A statement of the method by which the undersigned determined the amount to be assessed against each parcel based on the benefits to be derived by each parcel, respectively, from the improvements.

Respectfully submitted,



Nourdin Khayata, PE
Acting City Engineer

April 2016 (revised)

Boundary and Landscaped Area Map

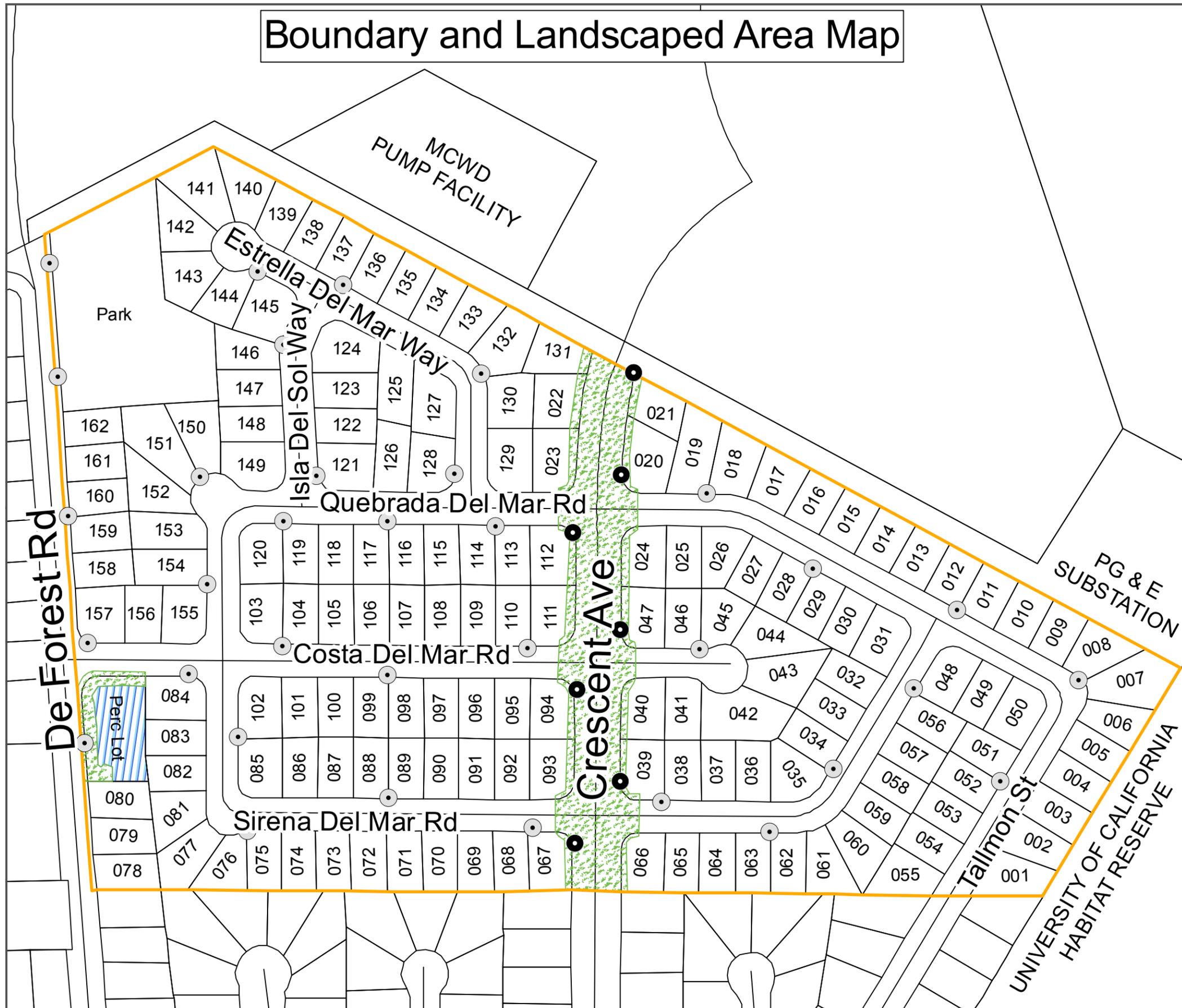
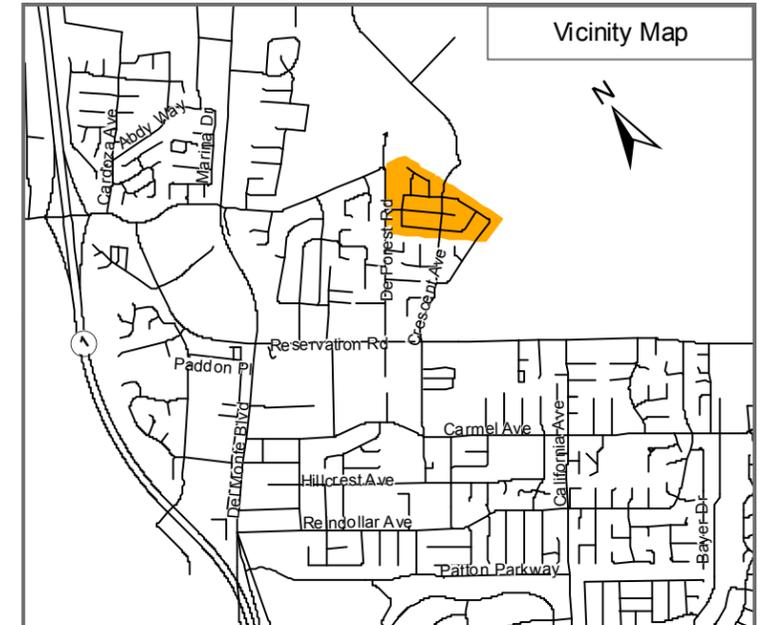


EXHIBIT A Monterey Bay Estates Lighting and Landscape Maintenance District



Legend

- Boundary
- Landscaped Area
2.14 Acres
- Percolation Lot
- Roads
- Parcels
- Roads

Maintained Street Lights

- Total 34 - 100W
- Total 7 - 200W

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)

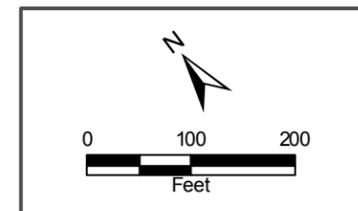


EXHIBIT B

MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates	Estimates	Estimates
	FY 2015-2016	FY 2016-2017	FY 2017-2018
Beginning Cash Balance, July 1 st	\$ 3,237	\$ 5,100	\$ 4,223
(a) Total Assessment Revenues (162 Parcels)	\$ 12,497	\$ 10,877	\$ 10,877

Expenditures

Contractor Services			
Landscape Maintenance Contract	\$ 4,560	\$ 4,680	\$ 4,680
Utilities	\$ 1,000	\$ 1,000	\$ 1,000
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ -	\$ -	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Supervision	\$ 1,000	\$ 1,000	\$ 1,000
Administration (Incl. Engineers Report)	\$ 1,000	\$ 2,000	\$ 1,000
Cost Allocation Plan Charges	\$ 2,871	\$ 2,871	\$ 2,871
Legal Advertising	\$ 203	\$ 203	\$ 203
Total Expenditures	\$ 10,634	\$ 11,754	\$ 10,754

(b) Net Change in Fund Balance	\$ 1,863	\$ (877)	\$ 123
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(c) Ending Fund Balance, June 30 th	\$ 5,100	\$ 4,223	\$ 4,345
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(a) Maximum Assessment per Prop 218 is \$77.14 per parcel. The assessment amount for FY16-17 is \$67.14 per parcel as adopted by City Council on April 19, 2016.

(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

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	032-541-01	\$67.14
2	032-541-02	\$67.14
3	032-541-03	\$67.14
4	032-541-04	\$67.14
5	032-541-05	\$67.14
6	032-541-06	\$67.14
7	032-541-07	\$67.14
8	032-541-08	\$67.14
9	032-541-09	\$67.14
10	032-541-10	\$67.14
11	032-541-11	\$67.14
12	032-541-12	\$67.14
13	032-541-13	\$67.14
14	032-541-14	\$67.14
15	032-541-15	\$67.14
16	032-541-16	\$67.14
17	032-541-17	\$67.14
18	032-541-18	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
19	032-541-19	\$67.14
20	032-541-20	\$67.14
21	032-541-21	\$67.14
22	032-555-38	\$67.14
23	032-555-02	\$67.14
24	032-542-01	\$67.14
25	032-542-02	\$67.14
26	032-542-03	\$67.14
27	032-542-04	\$67.14
28	032-542-05	\$67.14
29	032-542-06	\$67.14
30	032-542-07	\$67.14
31	032-542-08	\$67.14
32	032-542-09	\$67.14
33	032-542-10	\$67.14
34	032-542-11	\$67.14
35	032-542-12	\$67.14
36	032-542-13	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
37	032-542-14	\$67.14
38	032-542-15	\$67.14
39	032-542-16	\$67.14
40	032-542-17	\$67.14
41	032-542-18	\$67.14
42	032-542-25	\$67.14
43	032-542-26	\$67.14
44	032-542-21	\$67.14
45	032-542-22	\$67.14
46	032-542-23	\$67.14
47	032-542-24	\$67.14
48	032-543-01	\$67.14
49	032-543-02	\$67.14
50	032-543-03	\$67.14
51	032-543-04	\$67.14
52	032-543-05	\$67.14
53	032-543-06	\$67.14
54	032-543-07	\$67.14
55	032-543-08	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
56	032-543-09	\$67.14
57	032-543-10	\$67.14
58	032-543-11	\$67.14
59	032-543-12	\$67.14
60	032-543-13	\$67.14
61	032-543-14	\$67.14
62	032-543-15	\$67.14
63	032-543-16	\$67.14
64	032-543-17	\$67.14
65	032-543-18	\$67.14
66	032-543-19	\$67.14
67	032-551-01	\$67.14
68	032-551-02	\$67.14
69	032-551-03	\$67.14
70	032-551-04	\$67.14
71	032-551-05	\$67.14
72	032-551-06	\$67.14
73	032-551-07	\$67.14
74	032-551-08	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
75	032-551-09	\$67.14
76	032-551-10	\$67.14
77	032-551-11	\$67.14
78	032-551-12	\$67.14
79	032-551-13	\$67.14
80	032-551-14	\$67.14
81	032-551-15	\$67.14
82	032-551-16	\$67.14
83	032-551-17	\$67.14
84	032-551-18	\$67.14
85	032-552-01	\$67.14
86	032-552-02	\$67.14
87	032-552-03	\$67.14
88	032-552-04	\$67.14
89	032-552-05	\$67.14
90	032-552-06	\$67.14
91	032-552-07	\$67.14
92	032-552-08	\$67.14
93	032-552-09	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
94	032-552-10	\$67.14
95	032-552-11	\$67.14
96	032-552-12	\$67.14
97	032-552-13	\$67.14
98	032-552-14	\$67.14
99	032-552-15	\$67.14
100	032-552-16	\$67.14
101	032-552-17	\$67.14
102	032-552-18	\$67.14
103	032-553-01	\$67.14
104	032-553-02	\$67.14
105	032-553-03	\$67.14
106	032-553-04	\$67.14
107	032-553-05	\$67.14
108	032-553-06	\$67.14
109	032-553-07	\$67.14
110	032-553-08	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
111	032-553-09	\$67.14
112	032-553-10	\$67.14
113	032-553-11	\$67.14
114	032-553-12	\$67.14
115	032-553-13	\$67.14
116	032-553-14	\$67.14
117	032-553-15	\$67.14
118	032-553-16	\$67.14
119	032-553-17	\$67.14
120	032-553-18	\$67.14
121	032-554-01	\$67.14
122	032-554-02	\$67.14
123	032-554-03	\$67.14
124	032-554-04	\$67.14
125	032-554-05	\$67.14
126	032-554-06	\$67.14
127	032-554-07	\$67.14
128	032-554-08	\$67.14
129	032-555-03	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
130	032-555-39	\$67.14
131	032-555-05	\$67.14
132	032-555-06	\$67.14
133	032-555-07	\$67.14
134	032-555-08	\$67.14
135	032-555-09	\$67.14
136	032-555-10	\$67.14
137	032-555-11	\$67.14
138	032-555-12	\$67.14
139	032-555-13	\$67.14
140	032-555-14	\$67.14
141	032-555-15	\$67.14
142	032-555-16	\$67.14
143	032-555-17	\$67.14
144	032-555-18	\$67.14
145	032-555-19	\$67.14
146	032-555-20	\$67.14
147	032-555-21	\$67.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
148	032-555-22	\$67.14
149	032-555-23	\$67.14
150	032-555-24	\$67.14
151	032-555-25	\$67.14
152	032-555-26	\$67.14
153	032-555-27	\$67.14
154	032-555-28	\$67.14
155	032-555-29	\$67.14
156	032-555-30	\$67.14
157	032-555-31	\$67.14
158	032-555-32	\$67.14
159	032-555-33	\$67.14
160	032-555-34	\$67.14
161	032-555-35	\$67.14
162	032-555-36	\$67.14

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the percolation pond and Crescent Avenue landscaping together with maintenance and service of the public lighting facilities, benefits the Assessment District as a whole. The tentative subdivision map approval was conditioned on the formation of this Maintenance District. Since the creation of the lots was so conditioned, each lot equally benefits from the District. Therefore, the assessment spread just based on the number of building sites or lots contained within the district.

Assessments shall be spread over the 162 lots indicated on the Assessment Diagram (Exhibit B).

April 11, 2016

Item No. **9c**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

CITY COUNCIL OPEN PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2016-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2016-17 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING & 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, 2016

REQUEST:

It is requested that the City Council:

1. Open public hearing and take any testimony from the public;
2. Consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$77.14 for FY 2016-17 assessment for Monterey Bay Estates Lighting & 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, 2016.

BACKGROUND:

At the regular meeting of October 3, 1989, the City Council adopted Resolution No. 1989-62, ordering the formation of the Monterey Bay Estates Lighting & 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 5, 2016, the City Council adopted Resolution No. 2016-42, preliminarily approving the FY 2016-17 Engineer's Report for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District and calling a public hearing on April 19, 2016 on proposed intention to levy and collect assessments for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of \$77.14. 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 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.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2016-17 assessment levy is \$12,496.68 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

Layne Long
City Manager
City of Marina