

RESOLUTION NO. 2018-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$182.42
FOR FY 2018-19 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, 2018

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 2018-2019, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on April 17, 2018, 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 1, 2018, 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 2018-19 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, 2018.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 1st day of May 2018, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Morton, O'Connell, Brown, 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 2018-19

Council Members:

B. DELGADO, MAYOR

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

**G. MORTON
D. BROWN**

**LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
BRIAN MCMINN**

**City Manager
Deputy City Clerk
City Attorney
Public Works Director/City Engineer**

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

SEABREEZE
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2018-2019

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 2017-2018, FY 2018-2019 and FY 2019-2020.

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

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer

April 2018

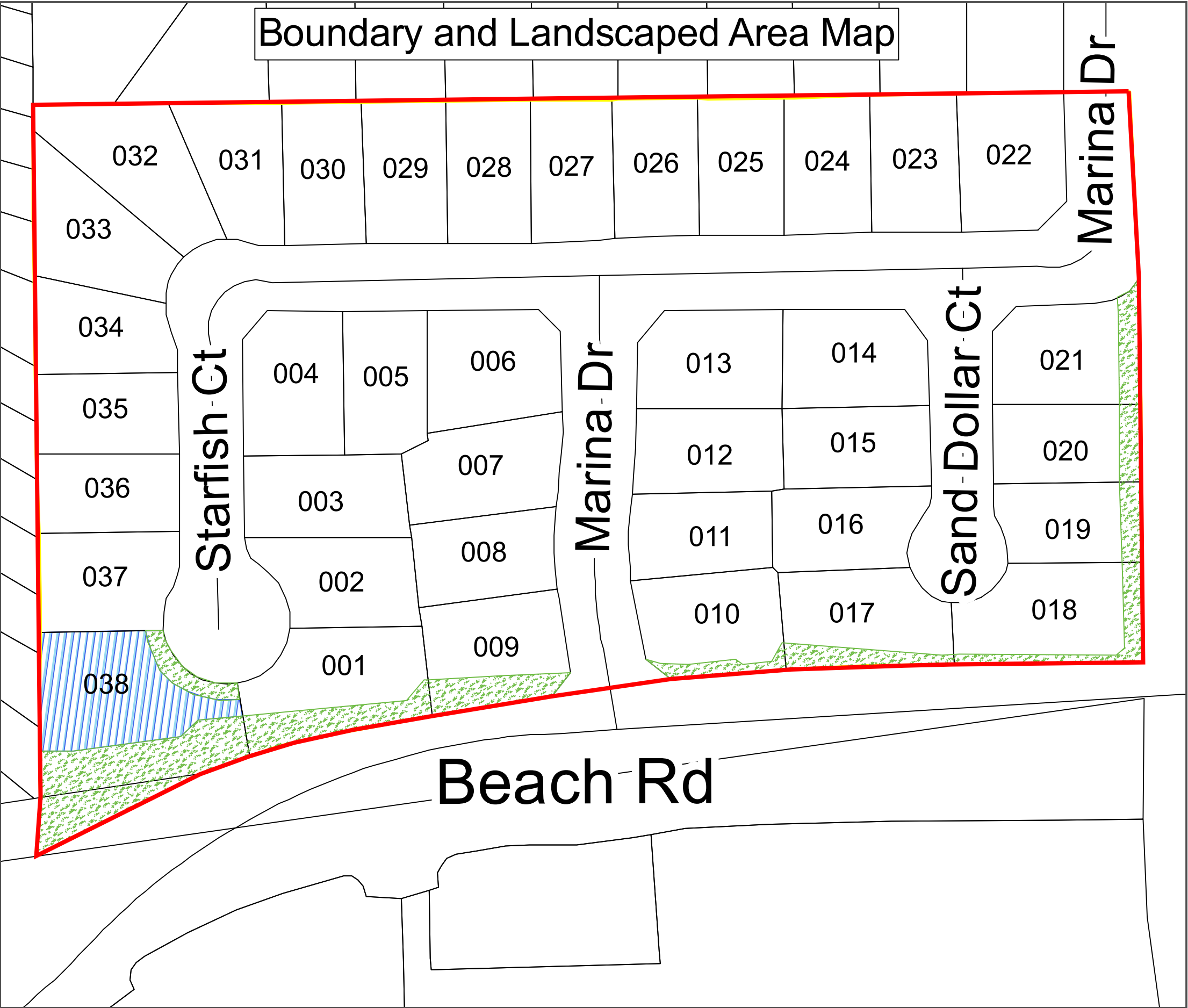
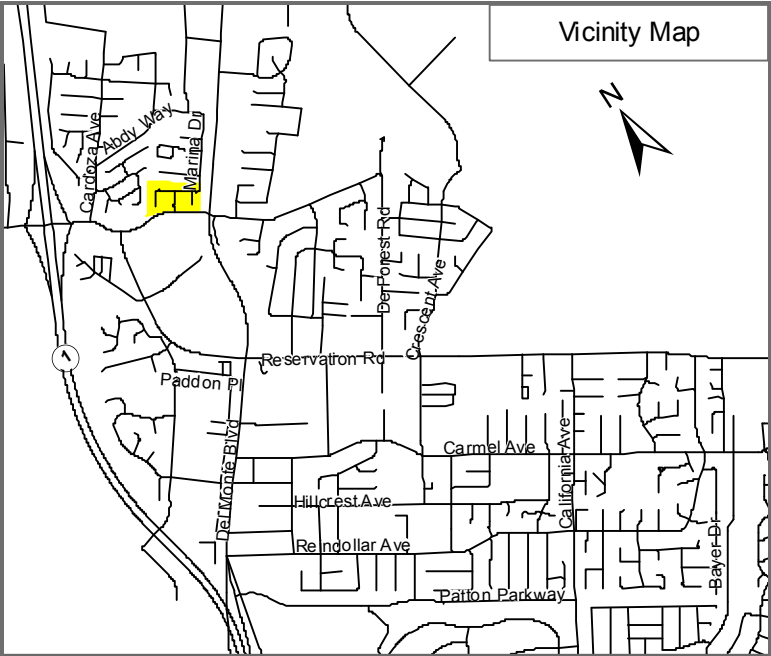


EXHIBIT A

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)

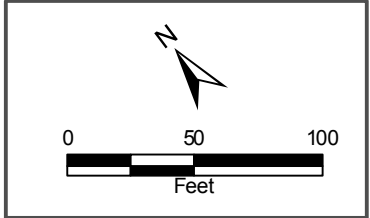


EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2017-2018	Estimates FY 2018-2019	Estimates FY 2019-2020
Beginning Cash Balance, July 1st	\$ 4,075	\$ 5,829	\$ 5,491
(a) Total Assessment Revenues (37 Parcels)	\$ 6,750	\$ 6,750	\$ 6,750

Expenditures

Contractor Services			
Landscape Maintenance Contract	\$ 1,056	\$ 2,112	\$ 2,112
Utilities	\$ -	\$ -	\$ -
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ -	\$ 2,000	\$ 5,000
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Administration (Incl. Engineers Report)	\$ 1,800	\$ 1,000	\$ 1,000
Cost Allocation Plan Charges	\$ 1,740	\$ 1,740	\$ 1,740
Legal Advertising	\$ 400	\$ 235	\$ 235
Total Expenditures	\$ 4,996	\$ 7,087	\$ 10,087

(b) Net Change in Fund Balance	\$ 1,754	\$ (337)	\$ (3,337)
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(c) Ending Fund Balance, June 30th	\$ 5,829	\$ 5,491	\$ 2,154
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(a) Maximum Assessment per Prop 218 is \$182.42 per parcel. The assessment amount for FY18-19 is consistent with FY17-18 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 2018-2019

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 2018-2019

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 2018-2019

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).

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 1, 2018

CITY COUNCIL OPEN PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2018-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2018-19 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2018

REQUEST:

It is requested that the City Council:

1. Open public hearing and take any testimony from the public;
2. Consider adopting Resolution No. 2018-, confirming diagram, assessment and ordering levy of \$182.42 for FY 2018-19 assessment for Seabreeze Landscape Maintenance Assessment District, and;
3. Authorize City Clerk to file certified copy of diagram and assessment with the Monterey County Auditor-Controller prior to Friday, August 1, 2018.

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 17, 2018, the City Council adopted Resolution No. 2018-31, preliminarily approving the FY 2018-19 Engineer's Report for Seabreeze Landscape Maintenance Assessment District and calling a public hearing on May 1, 2018 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 \$182.42. This is the same amount as last year's assessment and is the upper limit set by the last the assessment district at its formation in 1996.

Staff has been coordinating with various District homeowners to discuss further beautification and improvements to the District. Tree removal for fallen trees will occur in Fiscal Year 18/19. Additional tree improvements including retaining wall repairs will occur in Fiscal Year 19/20. Staff is recommending the continued assessment of \$182.42 in order to obtain the required fund balance for these improvements.

At the regular meeting of August 2, 2017, the City Council adopted Resolution No. 2017-77, rescinding award of the Landscape Maintenance Services Contract to Leonard Anthony Valenti Incorporated dba Commercial Environmental Landscape of Gilroy, California, and awarding the Landscape Maintenance Services Contract to Mike Davis Landscape Services of Morgan Hill, California as the lowest responsible bidder. Staff is in the process of addressing all deficiencies with Mike Davis Landscape Services in accordance with the contract which may include early termination.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2018-19 assessment levy is \$6,749.54 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
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina