

RESOLUTION NO. 2020-35

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA PRELIMINARILY APPROVING THE FISCAL YEAR 2020-21 ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2020-21 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR MAY 5, 2020

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 2020-21 levy of the assessment in connection with the Assessment District (the "Report"); 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 Report recommends that the assessment rate remain \$182.42 per parcel; and

WHEREAS, the City Council desires to proceed with the process for levying the Fiscal Year 2020-21 levy of assessments in connection with the Assessment District prior to the August 3rd, 2020 deadline with the Monterey County Auditor-Controller.

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 2020-21 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 2020-21. 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 2020-21 in connection with each of the Districts is scheduled for Tuesday, May 5, 2020, at 6:30 P.M. or as soon thereafter as the matter may be heard in conformance with Governor Newsom's Executive Order N.29-20 and City Council Resolution 2020-29 ratifying the Proclamation of a Local Emergency by the City Manager/Director of Emergency Services related to the COVID-19 (coronavirus) pandemic. Public participation in the City of Marina City Council and other public meetings shall be electronic only and without a physical location for public participation, until further notice in compliance with California state guidelines on social distancing. Information on the broadcasting and Public Participation during this meeting will be posted on the Meeting Agenda.
5. Staff is directed to give notice of the public hearing pursuant to Section 22626(a) of the Act.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of April 2020, by the following vote:

AYES: COUNCIL MEMBERS: Berkley, Urrutia, O'Connell, Morton, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

**SEABREEZE LANDSCAPE
MAINTENANCE
ASSESSMENT DISTRICT

ENGINEER'S REPORT**

FY 2020-2021

Council Members:

B. DELGADO, MAYOR

**F. O'CONNELL
L. BERKLEY**

**G. MORTON
A. URRUTIA**

**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 2020-2021

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 2019-2020, FY 2020-2021 and FY 2021-2022.

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 2020

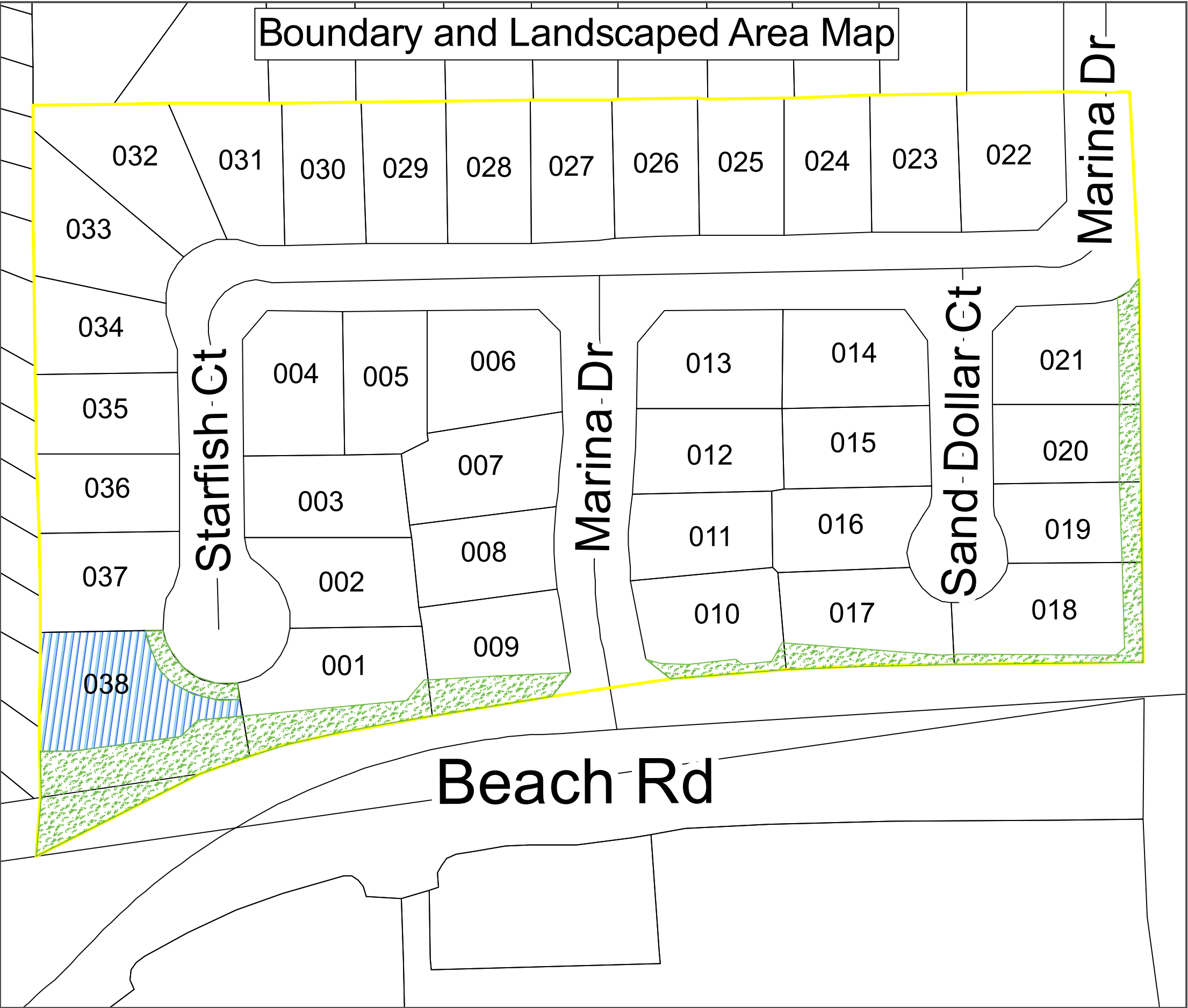
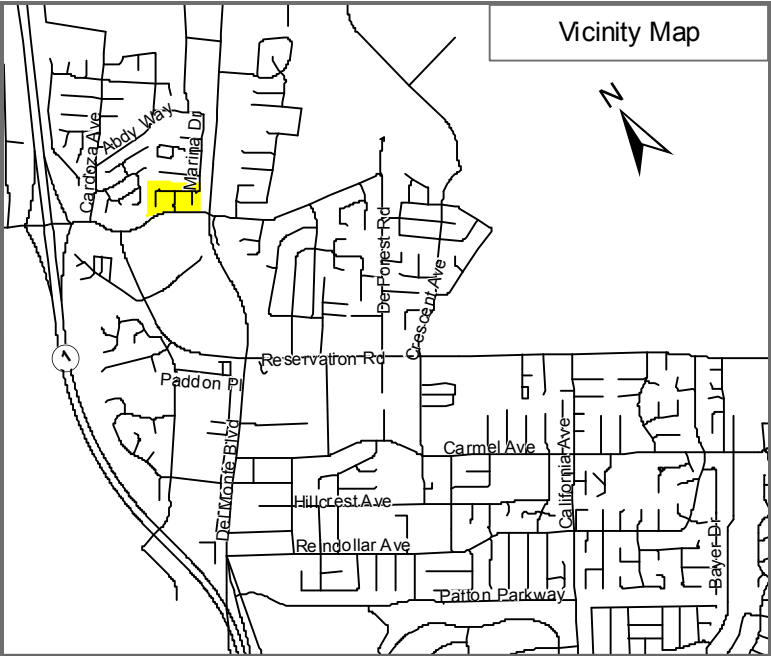


EXHIBIT A

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)

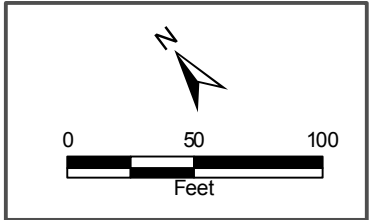


EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2019-2020	Estimates FY 2020-2021	Estimates FY 2021-2022
Beginning Cash Balance, July 1st	\$ 4,611	\$ 2,366	\$ 546
(a) Total Assessment Revenues (37 Parcels)	\$ 6,750	\$ 6,750	\$ 6,750

Expenditures

Contractor Services			
(b) Landscape Maintenance Contract	\$ 2,520	\$ 2,596	\$ 2,673
Utilities	\$ -	\$ -	\$ -
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ 2,500	\$ 2,500	
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Administration (Incl. Engineers Report)	\$ 2,000	\$ 1,500	\$ 1,500
Cost Allocation Plan Charges	\$ 1,740	\$ 1,740	\$ 1,740
Legal Advertising	\$ 235	\$ 235	\$ 235
Total Expenditures	\$ 8,995	\$ 8,571	\$ 6,148

(c) Net Change in Fund Balance	\$ (2,245)	\$ (1,821)	\$ 602
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(d) Ending Fund Balance, June 30th	\$ 2,366	\$ 546	\$ 1,147
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(a) Maximum Assessment per Prop 218 is \$182.42 per parcel. The assessment amount for FY20-21 is consistent with FY19-20 at \$182.42 per parcel.

(b) Maintenance Costs are shown as increasing per fiscal year by an estimated Consumer Cost Index (CPI) of 3% as allowed by the Contract Specifications.

(c) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

(d) 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 2020-2021

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 2020-2021

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 2020-2021

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 16, 2020

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

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 21, 2020

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2020-,
PRELIMINARILY APPROVING THE FISCAL YEAR 2020-21
ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS
INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2020-21 IN
THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR MAY 5,
2020**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2020-, preliminarily approving the Fiscal Year 2020-21 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2020-21 in that district; and calling a public hearing for May 5, 2020.

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 4, 2020, the City Council adopted Resolution No. 2020-11, ordering the City Engineer to prepare and to file a report related to maintenance of the Seabreeze Landscape Maintenance Assessment District for Fiscal Year 2020-21.

ANALYSIS:

Staff has prepared an Engineer's Report for the maintenance district for FY 2020-21 and filed the report with the City Clerk. Staff is proposing assessment amounts as follows:

	<u>Current FY 2019-20</u>	<u>Proposed 2020-21</u>
Seabreeze (37 parcels)	\$182.42	\$182.42

Staff has been coordinating with various District homeowners to discuss further beautification and improvements to the District. Further wall improvements will occur in Fiscal Year 2020-21. Staff is recommending the continued assessment of \$182.42 in order to obtain the required fund balance for these improvements.

Staff is requesting that the City Council approve setting a public hearing for May 5, 2020 to hear concerns on levying and collection of the proposed assessment on this district. Staff will mail notices to all affected property owners upon City Council approval of the public hearing.

Once the hearing is completed and the levy approved, the City has until August 3rd, 2020 to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller.

FISCAL IMPACT:

Adequate funding for providing notices for the public hearing has been appropriated in the FY 19/20 budget account for the Seabreeze Landscape Maintenance Assessment District. There is no fiscal impact to preliminarily 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
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