



CITY COUNCIL AGENDA REPORT

PUBLIC HEARINGS AGENDA ITEM NO. K.2

DATE: June 2, 2020

TO: City Council

FROM: Rosemarie Gaglione, Public Works Director, (805) 385-8055, rosemarie.gaglione@oxnard.org

SUBJECT: Resolution Approving Engineer's Report and Ordering the Levy and Collection of Assessments for the Fiscal Year 2020-21 within the City's Landscape Maintenance Districts. (5/5/5)

RECOMMENDATION

That the City Council, acting as the legislative body for the City of Oxnard's (City) Landscape Maintenance Districts (LMDs), approve and authorize:

1. Holding a public hearing to receive public testimony regarding the proposed Fiscal Year 2020-21 assessments in the City's LMDs; and
2. Adopting a resolution approving the Fiscal Year 2020-21 Consolidated Engineer's Report and ordering the levy and collection of assessments for Fiscal Year 2020-21 within the City's LMDs pursuant to the Landscaping and Lighting Act of 1972.

BACKGROUND

On May 19, 2020, City Council adopted Resolution No. 15,331 which initiated proceedings and Resolution No. 15,332 declaring intention to levy assessments for Fiscal Year 2020-21, preliminarily approved the Consolidated Engineer's Report for the thirty-six (36) LMDs, and set a public hearing for June 2, 2020.

Discussion

With the assistance of NBS, the City's special districts consultant, staff has calculated assessment rates and expenditures for maintenance of public landscaping in the City's thirty-six (36) LMDs. Following the City Council's action at the public hearing on June 2, 2020, the assessment data will be delivered to the Ventura County Auditor-Controller's Office and processed for the collection of assessments in Fiscal Year 2020-21. This action must take place prior to July 6, 2020.

General Benefit

As presented to Council on May 19, 2020, the general benefit is an overall benefit to the public at large resulting from the maintenance activities to be provided by the special taxes levied in the LMDs. The improvements to be maintained by the LMD are located within the LMD boundaries.

The landscaping, tree and park improvements provide aesthetic, safety and economic benefits to the property within the LMD, but it is recognized that the ongoing LMD maintenance activities will also provide a level of benefit to some property within proximity to the LMD, as well as visitors and individuals passing through the LMD. Traffic from property within and outside of the LMD as well as individuals passing through the LMD area will be able to utilize the park improvements and view the maintained landscaping and trees.

As a result of the maintenance and operation of the authorized improvements, there will be a level of general benefit to people that do not live in or intend to conduct business within the LMDs. In order for property within the LMDs to be assessed only for that portion of special benefits received from the LMDs maintenance activities, general benefits provided by the ongoing maintenance of the improvements need to be quantified. The amount of general benefit that is provided from the LMDs maintenance activities cannot be funded via property owners' assessments.

Utility Caps and General Fund Contributions

A number of LMDs were created with utility caps which limits the percentage by which a district's utilities can be increased each year. Regardless of utility rate or usage increases, the districts may only increase their utilities based on the formula set forth in their formation documents. For example, if the utility rates increase 10% in one year, but the district is limited to a 5% increase, then the district would require a 5% contribution from the general fund to meet their utility needs.

The total General Fund contribution is expected to be \$251,730 which includes \$12,271 of underfunded Cameron Ranch, \$81,195 of general benefit contribution of the districts, and \$158,264 of the General Fund share of utility overage.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

FINANCIAL IMPACT

The total Fiscal Year 2020-21 General Fund contribution to the LMDs is estimated to be \$251,730 which includes \$12,271 of underfunded Cameron Ranch, \$81,195 of general benefit contribution of the districts, and \$158,264 of the General Fund share of utility overage. The \$251,730 will be included in the Proposed Budget for FY 2020-21 as a transfer out contribution to LMDs (account 101-1002-808-8714) from the General Fund.

COMMITTEE OUTCOME

This item did not originate in committee.

Prepared by: Adam Smith, Project Manager

ATTACHMENTS

1. Resolution Approving the Engineer's Report and Levys
2. 2021 Engineers Report (placeholder)
3. Special Districts Map and Legend
4. LMDs Public Hearing Presentation

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE ENGINEER’S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2020-21 WITHIN THE CITY’S LANDSCAPE MAINTENANCE DISTRICTS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972.

WHEREAS, on May 19th, 2020, City Council adopted Resolution No. 15,332 declaring its intention to levy and collect assessments for Fiscal Year 2020-21 within the City’s Landscape Maintenance Districts (the “Districts”), the listing of which are included in this Resolution as Exhibit A, pursuant to the provision of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code*, in order to pay the costs of maintaining the improvements therein; and

WHEREAS, Resolution No. 15,332 set a public hearing for June 2nd 2020, on the levy of the proposed assessments; and

WHEREAS, NBS has filed with the City Clerk the Annual Engineer’s Report (the “Engineer’s Report”) concerning the cost of maintaining the improvements in such Districts for Fiscal Year 2020-21 and this City Council is satisfied with all matters as contained in the Engineer’s Report as now submitted for final consideration and approval; and

WHEREAS, notice of said hearing was given pursuant to Section 22626 and duly published as required by Sections 22552 and 22553 of said Code; and

WHEREAS, said Public Hearing was held and all interested persons were afforded the opportunity to speak and be heard; and

WHEREAS, City Council has considered the oral statements and all written protests made or filed by any interested person; and

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The City Council approves the Engineer’s Report (Exhibit B).
2. A full and detailed description of the improvements, the boundaries of the Districts and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Districts are contained in the Engineer’s Report on file with the City Clerk which is made a part by reference. The assessment proposed in the Engineer’s Report and its accompanying diagram, on file with the City Clerk, are confirmed.

3. The City Council hereby orders the improvements, maintenance and services to be performed as described in the Engineer's Report.
4. The adoption of this resolution shall constitute the levy of assessments for Fiscal Year 2020-21 within the Districts.
5. The City Clerk or their designee is hereby authorized and directed to file the assessments with the Ventura County Auditor upon adoption of this resolution.

PASSED AND ADOPTED this 2nd day of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tim Flynn, Mayor

ATTEST:

Michelle Ascension, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

EXHIBIT A

CITY OF OXNARD
LANDSCAPE MAINTENANCE DISTRICT LISTING

District Name	Formation Date⁽¹⁾	Formation Resolution No.⁽¹⁾
Landscape Maintenance District No. 3 (River Ridge)	March 18, 1986	8983
Landscape Maintenance District No. 10 (Country Club Estates)	December 13, 1988	9587
Landscape Maintenance District No. 11 (St. Tropez)	January 3, 1989	9603
Landscape Maintenance District No. 12 (Standard Pacific)	March 28, 1989	9665
Landscape Maintenance District No. 13 (Le Village)	March 20, 1990	9894
Landscape Maintenance District No. 14 (California Cove)	June 5, 1990	9972
Landscape Maintenance District No. 16 (California Lighthouse)	July 9, 1991	10206
Landscape Maintenance District No. 23 (Greystone)	June 18, 1996	11071
Landscape Maintenance District No. 24 (Vineyards)	June 18, 1996	11072
Landscape Maintenance District No. 25 (The Pointe)	June 18, 1996	11073
Landscape Maintenance District No. 27 (Rose Island)	June 24, 1997	11259
Landscape Maintenance District No. 28 (Harborside)	June 24, 1997	11260
Landscape Maintenance District No. 30 (Haas Automation)	June 24, 1997	11261
Landscape Maintenance District No. 31 (Rancho De La Rosa)	June 23, 1998	11415
Landscape Maintenance District No. 32 (Oak Park)	February 23, 1999	11505
Landscape Maintenance District No. 33 (El Paseo)	October 19, 1999	11653
Landscape Maintenance District No. 34 (Sunrise Pointe & Sunset Cove)	October 19, 1999	11654
Landscape Maintenance District No. 36 (Villa Santa Cruz & Villa Carmel)	January 25, 2000	11684
Landscape Maintenance District No. 37 (Pacific Breeze)	January 25, 2000	11685
Landscape Maintenance District No. 38 (Aldea Del Mar)	November 28, 2000	11863
Landscape Maintenance District No. 39 (Promesa/Sueno & DR Horton/Seawinds)	March 6, 2001	11905
Landscape Maintenance District No. 40 (Cantada)	January 8, 2002	12078
Landscape Maintenance District No. 41 (Pacific Cove)	January 8, 2002	12079
Landscape Maintenance District No. 42 (Cantabria & Coronado)	May 14, 2002	12144
Landscape Maintenance District No. 43 (Greenbelt)	January 7, 2003	12295
Landscape Maintenance District No. 46 (Daily Ranch)	June 24, 2003	12440
Landscape Maintenance District No. 47 (Sycamore Place)	April 22, 2003	12355
Landscape Maintenance District No. 49 (Cameron Ranch)	June 3, 2003	12394
Landscape Maintenance District No. 50 (Pleasant Valley Senior Housing)	June 10, 2003	12404

District Name	Formation Date⁽¹⁾	Formation Resolution No.⁽¹⁾
Landscape Maintenance District No. 51 (Pfeiler)	April 19, 2005	12799
Landscape Maintenance District No. 52 (Wingfield)	February 1, 2005	12768
Landscape Maintenance District No. 53 (Huff Court)	June 7, 2005	12879
Landscape Maintenance District No. 54 (Meadowcrest)	March 28, 2006	13024
Landscape Maintenance District No. 55 (Wingfield West)	March 28, 2006	13025
Landscape Maintenance District No. 58 (Westwind)	June 6, 2006	13069
Landscape Maintenance District No. 60 (Artisan)	March 3, 2009	13604

(1) Source: City of Oxnard Resolution Initiating Proceedings for Fiscal Year 2019-20.