



Meeting Date: 06 /12 /07

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s).	<input type="checkbox"/> Report/Public Meeting
<input type="checkbox"/> Res. No(s).	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other	<input type="checkbox"/> Other _____

Prepared By: Joel Galaviz *JG* Agenda Item No. L-2
 Reviewed By: City Manager *MMKH* City Attorney *PAK* Finance *4/6* Other *Director of Public Works*

DATE: May 22, 2007

TO: City Council

FROM: Michael Henderson, Deputy Public Works Director *MHA*
Public Works Department

SUBJECT: Public Hearing and Adoption of Resolutions to Levy FY 2007-2008 Assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26

RECOMMENDATION

That City Council:

1. Hold a public hearing to receive public testimony regarding the proposed FY 2007-2008 assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26.
2. Adopt resolutions for FY 2007-2008 confirming assessments for Landscape Maintenance District Nos. 1 through 3, and 7 through 26 in the following tracts:
 - Tract No. 2247, District No. 1 (Summerfield);
 - Tract Nos. 4065, 4164, 4355 and 4225, District No. 2 (Channel Islands Business Park);
 - Tract No. 3384, District No. 3 (River Ridge);
 - Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park);
 - Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields);
 - Tract No. 4405, District No. 10 (Country Club Estates);
 - Tract No. 4376, District No. 11 (St. Tropez);
 - Tract No. 4294, District No. 12 (Standard Pacific);
 - Tract No. 4424, District No. 13 (Le Village);
 - Tract No. 4492, District No. 14 (California Cove);
 - Tract No. 4443, District No. 15 (Pelican Pointe);
 - Tract No. 4810, District No. 16 (California Lighthouse);
 - Tract No. 4702, District No. 17 (Village of San Miguel);
 - Parcel Map Nos. 213-03-28 and 213-03-29, District No. 18 (St. John's Regional Medical Center);

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- Tract No. 4827, District No. 19 (Shopping at the Rose);
- Parcel Map Nos. 231-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center);
- Tract No. 3384-7, 8, District No. 21 (Cypress Pointe);
- Tract No. 4611, District No. 22 (McDonald's Median);
- Tract No. 4529, District No. 23 (Greystone);
- Tract No. 4529, District No. 24 (Vineyards);
- Tract No. 4840, District No. 25 (The Pointe); and
- Parcel Map No. 94-5-25, District No. 26 (Albertson's).

DISCUSSION

As a condition of development, the City Council required that the developers of certain tracts cooperate with the City in order to establish landscape maintenance districts. These districts were formed by separate City Council resolutions in prior years. The assessments are exempt from Article XIII D of the California Constitution, by reason of Section 5 thereof.

The Landscape and Lighting Act of 1972, pursuant to which these districts were formed, requires annual City Council action to update the assessments which appear on the Ventura County tax rolls. On May 15, 2007, Council adopted Resolution Nos. 13,221, 13,222, 13,223, 13,224, 13,225, 13,226, 13,227, 13,228, 13,229, 13,230, 13,231, 13,232, 13,233, 13,234, 13,235, 13,236, 13,237, 13,238, 13,239, 13,240, 13,241, 13,242, to declare its intention to levy assessments. The public hearing held today, June 12, 2007, is for Council to receive public testimony and to levy assessments for the next fiscal year.

Staff has calculated costs and assessments for the City's FY 2007-2008 maintenance of public landscaping in Landscape Maintenance District Nos. 1 through 3, and 7 through 26. The resolutions levying assessments state that assessments for FY 2007-2008 are not proposed to increase over the assessments for FY 2006-2007.

Following the City Council's action at the public hearing today, the assessment data will be delivered to the County Auditor-Controller's Office and processed for the collection of assessments in FY 2007-2008. This action must take place prior to July 1, 2008.

SELF-MAINTAINED DISTRICTS

Some districts maintain the landscaping without involving the City work force or contract maintenance services. However, the City requires an annual \$1,080 budget for contingencies and inspections by City staff. Unused amounts remain in the fund balance for the district and are applied against the required 15 percent operating reserve and any additional surplus is used to reduce subsequent assessments. District Nos. 2 (Channel Islands Business District); 19 (Shopping at the Rose); and 21 (Cypress Pointe) are self-maintained districts.

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CONTRACT SERVICE DISTRICTS

District Nos. 3 (River Ridge); 14 (California Cove); and 16 (California Lighthouse) are contract service districts, which means that the City will obtain the lowest bid from a private contractor on behalf of the districts. The annual assessment will vary from one year to the next. The engineer's report for each indicates the FY 2007-2008 costs.

CITY MAINTAINED DISTRICTS

Staff has determined that the City work force can provide improved landscape maintenance services to some districts equal to or below the costs charged by a contractor. For FY 2007-2008, City staff will provide services to the following tracts:

- Tract No. 2247, District No. 1 (Summerfield);
- Tract Nos. 4183 and 3943, District Nos. 7 and 8 (Northfield/Seagate Business Park);
- Tract Nos. 3051-2, 3051-3, and 4351, District No. 9 (Strawberry Fields);
- Tract No. 4405, District No. 10 (Country Club Estates);
- Tract No. 4376, District No. 11 (St. Tropez);
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- Tract No. 4424, District No. 13 (Le Village);
- Tract No. 4443, District No. 15 (Pelican Pointe);
- Tract No. 4702, District No. 17 (Village of San Miguel);
- Parcel Map Nos. 213-03-28 and 213-03-29, District No. 18 (St. John's Regional Medical Center);
- Parcel Map Nos. 231-020-200, 210, 240, District No. 20 (Wallenius Vehicle Preparation Center);
- Tract No. 4611, District No. 22 (McDonald's Median);
- Tract No. 4529, District No. 23 (Greystone);
- Tract No. 4529, District No. 24 (Vineyards);
- Tract No. 4840, District No. 25 (The Pointe); and
- Parcel Map No. 94-5-25, District No. 26 (Albertson's).

DISTRICTS NOT INCLUDED IN THIS REPORT

Assessment District No. 4, the Mandalay Beach and Landscaping Maintenance District, is not included in this action because it was formed pursuant to the Improvement Act of 1911, and, therefore, requires separate treatment. Assessment District Nos. 5 and 6, for the Maulhardt (4021) and Continental Heritage (4169) industrial tracts, are also excluded because they contain no City-maintained landscaping at this time.

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FINANCIAL IMPACT

The recommendation will result in the City's ability to provide landscaping services in District Nos. 1 through 3, and 7 through 26 at no cost to the General Fund.

- Attachment
- 1 - Resolution Levying Assessment: District No. 1
 - 2 - Resolution Levying Assessment: District No. 2
 - 3 - Resolution Levying Assessment: District No. 3
 - 4 - Resolution Levying Assessment: District Nos. 7 & 8
 - 5 - Resolution Levying Assessment: District No. 9
 - 6 - Resolution Levying Assessment: District No. 10
 - 7 - Resolution Levying Assessment: District No. 11
 - 8 - Resolution Levying Assessment: District No. 12
 - 9 - Resolution Levying Assessment: District No. 13
 - 10 - Resolution Levying Assessment: District No. 14
 - 11 - Resolution Levying Assessment: District No. 15
 - 12 - Resolution Levying Assessment: District No. 16
 - 13 - Resolution Levying Assessment: District No. 17
 - 14 - Resolution Levying Assessment: District No. 18
 - 15 - Resolution Levying Assessment: District No. 19
 - 16 - Resolution Levying Assessment: District No. 20
 - 17 - Resolution Levying Assessment: District No. 21
 - 18 - Resolution Levying Assessment: District No. 22
 - 19 - Resolution Levying Assessment: District No. 23
 - 20 - Resolution Levying Assessment: District No. 24
 - 21 - Resolution Levying Assessment: District No. 25
 - 22 - Resolution Levying Assessment: District No. 26

Note: Attachments 1 through 22 have been provided to the City Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Friday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Friday.

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