DATE: June 21, 2016

TO: City Council

THROUGH: Greg Nyhoff, City Manager
Office of the City Manager

FROM: Maria Hurtado, Assistant City Manager

SUBJECT: Adoption of Resolution Approving Engineer’s Report and Ordering the Levy and Collection of Assessments for Fiscal Year 2016-2017 Within Landscape Maintenance Districts No. 1 through 3 and 7 through 60

CONTACT: Mike More, Finance
Mike.More@oxnard.org, 385-7480

RECOMMENDATION:

That City Council:
1. Hold a public hearing to receive public testimony regarding the proposed Fiscal Year 2016-2017 assessments in Landscape Maintenance Districts No. 1-3 and 7-60, and

BACKGROUND

On June 7, 2016, City Council received a report on Landscape Maintenance Districts No. 1-3 and 7-60 concerning the costs of services in each district and the proposed assessments to be levied within the districts. City Council adopted Resolution No. 14,926 which initiated proceedings to levy assessments for Fiscal Year 2016-2017, and Resolution No. 14,927 which declared intent to levy the special assessments, preliminarily approved the Consolidated Engineer’s Report for the 56 districts, and set a public hearing for June 21, 2016.
With the assistance of NBS, and as a result of NBS’ audits, staff has calculated assessment rates and expenditures for maintenance of public landscaping in the 56 landscape maintenance districts. The 2016/17 levy and budget includes the following scenarios: 1) a subsidy for underfunded districts to maintain current service levels for 6 months (7/1/2016 – 12/31/2016) in order for property owners to have the opportunity to choose between reducing the maintenance level to correspond with the existing revenue or increasing their annual levy amount to match current maintenance costs, and 2) beginning January 1, 2017 the maintenance responsibility of the exterior landscaping and medians along arterials is transferred to the City thus reducing maintenance expenses designated to the districts. The City may be able to minimize the reduction in the level of service or subsidy if the City-maintained work is bid out.

Following the City Council's action at the public hearing on June 21, 2016, the assessment data will be delivered to the County Auditor-Controller's Office and processed for the collection of assessments in Fiscal Year 2016-2017. This action must take place prior to July 1, 2016.

**FINANCIAL IMPACT**

The recommendation will result in the City's ability to provide landscape maintenance services in the City’s landscape maintenance districts. In Fiscal Year 2014-2015, the General Fund subsidized the landscape maintenance districts a combined $3.1 million to eliminate negative cash balances in various districts that had accumulated over a number of years. In Fiscal Year 2015-2016, the General Fund subsidy was reduced to $600,000. For Fiscal Year 2016-2017, an analysis of the general benefit contribution for the districts was performed and presented to City Council on June 7, 2016. The Fiscal Year 2016-17 General Fund contribution for general benefit is $292,773. An additional $66,327 General Fund subsidy is needed to maintain the current level of service through December 31, 2016. The total Fiscal Year 2016/17 General Fund contribution and subsidy is $359,100, with the anticipation that the City will begin to assume responsibility for the maintenance costs of the exterior landscaping and medians along arterials beginning January 1, 2017.

**ATTACHMENTS:**

Attachment No. 1 - Resolution  NOTE: Attachment No. 2 - Engineers Report will be provided under separate cover.
CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.


WHEREAS, on June 7, 2016, City Council adopted Resolution No. 14,927, declaring its intention to levy and collect assessments for Fiscal Year 2016-2017 within the City’s fifty-six Landscape Maintenance Districts (the “Districts”) 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. 14,926 set a public hearing for June 21, 2016, on the levy of the proposed assessments; and

WHEREAS, NBS has filed with the City Clerk the Annual Engineer’s Report (the “Report”) concerning the cost of maintaining the improvements in such Districts for Fiscal Year 2016-2017 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.

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 as contained in the Engineer’s Report on file with the City Clerk which is made a part by reference. The assessment proposed in the Report of the Engineer, 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 Report.
4. The adoption of this resolution shall constitute the levy of assessments for Fiscal Year 2016-2017 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 21st day of June 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Tim Flynn, Mayor

ATTEST:

__________________________
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

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Stephen M. Fischer, City Attorney