



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

Prepared By: Phillip Gregoire, Streets Manager *gg* Agenda Item No. *H-1*

Reviewed By: City Manager *GRB* City Attorney *SMF* Finance *J.C* Public Works

DATE: June 12, 2013

TO: City Council

FROM: Rob Roshanian, Interim Public Works Director *J.R.*
Public Works

SUBJECT: FY 2013-14 Assessments in Waterway Maintenance District

RECOMMENDATION

That City Council:

1. Hold a public hearing to receive public testimony regarding proposed assessments for the Waterway Maintenance District for FY 2013-14.
2. Adopt a resolution for FY 2013-14 fixing assessments for the Waterway Maintenance District.

DISCUSSION

Background

The assessment district for the maintenance of the waterways and landscaping on public rights-of-way within Mandalay Bay was established on June 16, 1970 by Resolution No. 5144. The district was formed pursuant to the Improvement Act of 1911 in order to recover the City's cost of maintenance of waterways and landscaping on public rights-of-way within Mandalay Bay. Assessments are levied according to the procedures set out in section 5820 et. seq. of the Streets and Highways Code (the Improvement Act of 1911). The assessments are exempt from Article XIID of the California Constitution by reason of section 5 thereof.

The recommended resolution fixes the assessments to be collected via tax rolls for FY 2013-14. After Council adopts the resolution, assessment data will be delivered to the County Auditor-Controller's Office for processing and collection of FY 2013-14 assessments.

FY 2013-14 Assessments in Waterway Maintenance District

June 12, 2013

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Assessment Rates

The proposed rates and methodology for FY 2013-14 remain as they were for FY 2012-13. Total maintenance costs for FY 2012-13 are projected to be \$497,492 and are apportioned as follows:

- **LANDSCAPE MAINTENANCE**
The City's recommended budget for landscaping maintenance costs for fiscal year 2013-14 is \$169,316.

- **WATERWAY MAINTENANCE**
The City's recommended budget for waterway maintenance costs for fiscal year 2013-14 is \$328,176.

- **DELINQUENCY AND COUNTY FEE**
The City's recommended budget for delinquency expense and County fees for fiscal year 2013-14 will remain \$6,332.

The following table provides a landscape and waterway maintenance budget comparison between FY 2012-13 and FY 2013-14:

	<u>FY 12-13</u>	<u>FY 13-14</u>
Landscape Budget	\$171,698	\$169,316
Waterway Budget	<u>\$332,800</u>	<u>\$328,176</u>
Total	\$504,498	\$497,492
Delinquency and County Fee	\$ 13,326	\$ 6,332
Less Interest Earnings	\$(25,000)	\$(11,000)
Less Amount from Fund Balance	\$ 0	\$ 0
Total Assessments	\$492,824	\$492,824

FINANCIAL IMPACT

The estimated cost of maintenance in FY 2013-14 for the Waterway and Landscape District is \$497,492. The amount of \$492,824 will be borne by the property owners in the district and will be placed on the Ventura County tax roll for collection. Interest earnings revenue is estimated to be \$11,000.

Attachment #1 - Resolution Fixing Assessments

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION FIXING ASSESSMENTS ON PROPERTY
IN THE WATERWAY MAINTENANCE DISTRICT
FOR FISCAL YEAR 2013-2014

WHEREAS, by Resolution No. 5144, adopted June 16, 1970, the City Council formed the Waterway Maintenance District (“the District”) pursuant to the maintenance district provisions of the Improvement Act of 1911 (Streets and Highways Code Section 5820 et seq.); and

WHEREAS, the District was formed with the consent of the developer owning all of the parcels subject to assessment at the time assessments were initially imposed; and

WHEREAS, the City Council is required by Streets and Highways Code section 5830 to estimate the cost of maintaining and operating the improvements within the District, to decide whether the cost of such maintenance and operations shall be borne wholly or partially by the District, and to fix assessments within the District sufficient to raise the money to pay for such cost; and

WHEREAS, assessments existed in the District throughout 2012-2013, and such assessments are not proposed to increase in 2013-2014; and

WHEREAS, the assessments are imposed exclusively to finance the capital costs and maintenance and operation expenses for sidewalks, streets, water, flood control, drainage systems and vector control, inasmuch as the waterway serves much as a street, manages water and is part of the flood control and drainage systems in the District; the landscaping is located in or adjacent to sidewalks, streets and other public rights of way and maintenance of the landscaping involves irrigation and vector control; and the other improvements maintained with assessments, such as parking areas and fences, are located in or adjacent to sidewalks, streets and the waterway; and

WHEREAS, for the foregoing reasons, the assessments are exempt from Article XIID of the California Constitution, by reason of section 5 thereof.

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

1. The budget for fiscal year 2013-2014 for the Waterway Maintenance Assessment District is hereby approved as follows:

Landscape Maintenance	\$150,316	
Landscape Utilities	19,000	
Seawall Maintenance	236,031	
Channel Cleaning	<u>87,675</u>	
Total Budget Requirements		\$ 497,492
Less Estimated Interest Revenue		\$ 11,000
Add Delinquency		\$ 4,928
Add County Fee		<u>\$ 1,404</u>
Net Required from Assessment:		<u>\$ 492,824</u>
County Assessment Roll	\$492,824	
Assessment Required		<u>\$ 492,824</u>

2. The total cost of \$497,492 for maintaining and operating channels, parking and landscaping shall be borne by the District.
3. Assessments for the purpose of raising budgeted funds of \$492,824 for the District for the fiscal year beginning July 1, 2013, as shown in paragraph 1 on the line entitled, "Assessment Required," are hereby fixed as set forth in the assessment roll attached hereto and made a part hereof (Exhibit A), showing the assessment for each parcel according to the benefit received by each parcel, as determined by the engineer's report approved by the City Council on May 10, 1988.
4. The City Clerk is instructed to have copies of this resolution available for public review for 5 days within 15 days after its adoption at the City Clerk's Office and the Circulation Desk in the Library.
5. The City Clerk is instructed to file with the Ventura County Auditor within 60 days from July 1, 2013 a certified copy of this resolution, as provided in Government Code Section 53901.

PASSED AND ADOPTED this 25th day of June, 2013, by the following vote:

AYES:

NOES:

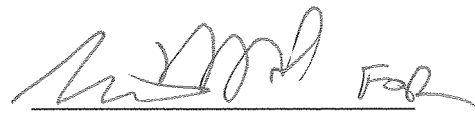
ABSENT:

Tim Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk



Alan Holmberg, City Attorney

EXHIBIT A

Parcel No.	Amount
1880011015	\$657.32
1880011025	\$634.64
1880011035	\$634.64
1880011045	\$679.98
1880011055	\$679.98
1880012015	\$657.32
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1880012035	\$657.32
1880012045	\$679.98
1880012055	\$679.98
1880012065	\$679.98
1880012075	\$657.32
1880012085	\$657.32
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1880013045	\$679.98
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1880013235	\$679.98
1880013245	\$679.98
1880013255	\$679.98
1880013265	\$679.98
1880013275	\$679.98
1880014015	\$770.64
1880014025	\$1,014.50
1880014035	\$815.98
1880014045	\$793.30
1880014055	\$793.30
1880014065	\$793.30
1880014075	\$1,019.96
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1880015045	\$679.98
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1880015095	\$793.30
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1880021345	\$679.98
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1880021375	\$272.00
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1880021395	\$611.98
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