

## MOORPARK CITY COUNCIL AGENDA REPORT

**TO:** The Honorable City Council

**FROM:** Yugal K. Lall, City Engineer/Public Works Director 

**BY:** Ken Gilbert, Public Works Consultant

**DATE:** May 2, 2006 (CC Meeting 5-17-06)

**SUBJECT:** Consider Resolution Approving the Engineer's Report for Assessment District AD06-01 (Shea Homes – Tract 5133) for Fiscal Year 2006/07 and Providing Notice of Public Hearing on June 7, 2006

### DISCUSSION

#### A. Background

On September 7, 2005, the City Council considered a Petition/Waiver from the owner(s) of the property within Tentative Tract 5133, requesting formation of the subject assessment district. On that date the City Council approved and accepted that Petition/Waiver and adopted Resolution No. 2005-2377, initiating the process required for the formation of the subject Assessment District.

#### B. Tract Map 5133

The property subject to Tract Map 5133 (Exhibit 1), consisting of 77 residential lots plus common areas, located on the south side of Los Angeles Avenue at Millard Street.

#### C. Engineer's Report

The Engineer's Report for the formation of this new Assessment District has been distributed to the City Council and key staff members by separate memo. Copies of this report may be obtained from the City Clerk's Division. This report includes

certain information required for the formation of a 1972 Act Lighting and Landscaping Assessment District, including the following:

- a Boundary Map for AD06-01;
- the reason for the assessment;
- the duration of the assessment;
- the method of assessment;
- the amount of the annual assessment; and
- a description of improvements to be maintained.

D. Description of Improvements to be Maintained

A description of the improvements to be maintained by the District is as follows:

1. **Landscaping:**

- a. medians: None
- b. parkways:
  - Los Angeles Avenue frontage;
  - Millard Street; and
  - West side of west perimeter road.

2. **Drainage:**

- a. filtration systems
- b. pad grass swales and drains
- c. storm drains:

Note: A more specific description of the improvements to be maintained is set forth in Exhibit 2.

E. Primary Assessment & Back-Up Assessment

1. **Primary Assessment:** The Primary Assessment to be levied by the District will fund City costs related to the maintenance of certain improvements to be initially assumed by the City, generally described as follows:

- a. Landscaping:
  - the Los Angeles Avenue parkway;
  - the Millard Street parkway; and
  - the west perimeter road parkway.
- b. Drainage Improvements
  - Sand Filtration Systems; and
  - certain specified storm drain pipes.

2. **Back-Up Assessment:** Certain other storm water quality facilities are to be owned and maintained by the Home Owners' Association (HOA) for Tract 5133. In the event it is ever determined by the City that the HOA's maintenance of

those facilities is inadequate, the City may take over the maintenance of those facilities and levy an additional “back-up” assessment amount.

Note: A more specific description of the improvements subject to both the primary and the “back-up” assessments is set forth in Exhibit 2.

3. **Assessment vs. Levy.** The Engineer’s Report for the District sets forth both 1) a total authorized assessment amount (equal to sum of the primary and back-up assessment) and 2) a proposed assessment levy amount for FY2006/07 (equal to the primary assessment amount).

F. Assessment Amount

The proposed assessment and levy amounts are summarized as follows:

Description	Primary Assessment (\$)	Back-up Assessment (\$)	Total (\$)
Total Annual Assessment	27,753	4,125	31,878
Number of Lots	77	77	
Total Annual Per Lot Assessment	360.43	53.57	414.00

As discussed above, initially the City would only levy an amount equal to the Primary Assessment. The levy of the total assessment would only occur if and when the City assumed the maintenance of certain additional HOA maintained improvements identified in the Engineer’s Report.

G. Adjustment

The Engineer’s Report stipulates that, in future years, the assessment amounts may be adjusted, as necessary to accommodate any increases to the cost of maintenance, provided said assessment increases do not exceed the increase to the Consumer Price Index (CPI). The Engineer’s report also states that any such increase which is deferred, may be added in a subsequent year.

H. Right-of-Way

1. **Primary Assessment.** All landscape and/or drainage improvements to be maintained by the City which are located outside of the street right-of-way, will be situated within an easement to be granted to and accepted by the City.
2. **Back-up Assessment.** Any drainage improvements to be maintained by the HOA but subject to the Back-up Assessment provisions of the District, will be

within an easement irrevocably offered to the City but initially not accepted. Should it ever become necessary for the City to assume the maintenance of those facilities, the City will have to record a document accepting the irrevocable offer of dedication.

I. Public Hearing

Adoption of the attached Resolution (Exhibit 3) will approve the Engineer's Report and set June 7, 2006, as the date of a public hearing to consider approval of the levy of the assessments set forth in the Engineer's Report.

**STAFF RECOMMENDATION**

Adopt Resolution No. 2006-\_\_\_\_.

Attachments:

- Exhibit 1: Tract Map 5133
- Exhibit 2: Improvements to be Maintained
- Exhibit 3: Resolution

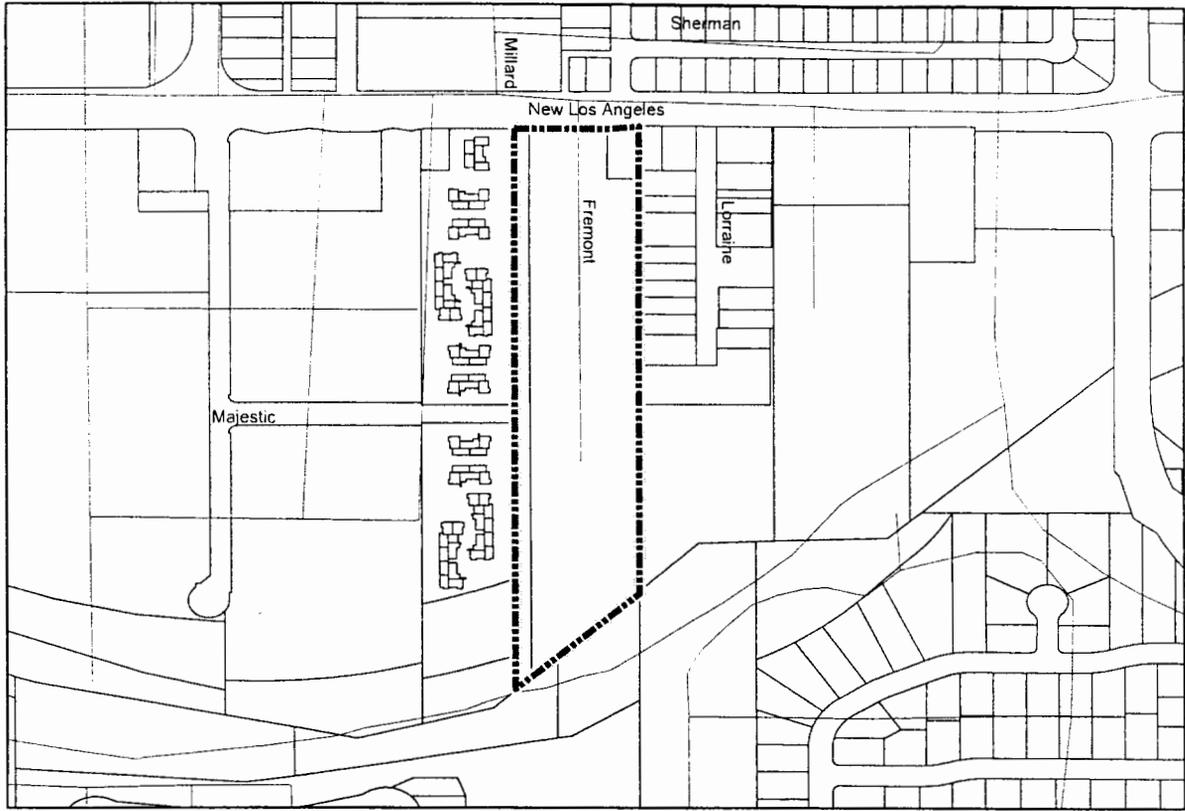


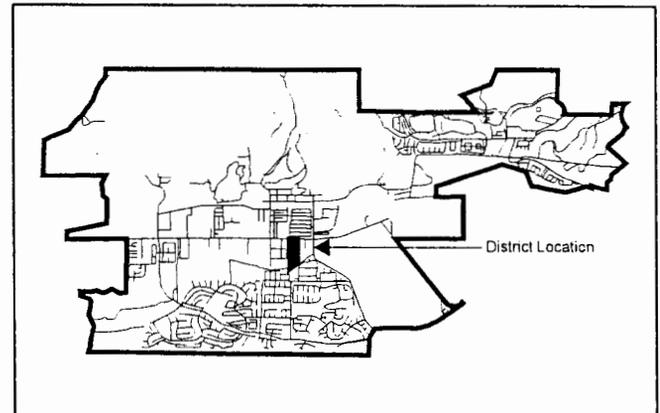
Exhibit 1

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MOORPARK, COUNTY OF VENTURA, CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

\_\_\_\_\_  
CITY CLERK

RECORDED IN THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF MOORPARK, COUNTY OF VENTURA, CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

\_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS



AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE CITY COUNCIL OF THE CITY OF MOORPARK ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006 FOR FISCAL YEAR 2006-07 AND SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL FOR SAID FISCAL YEAR WERE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF VENTURA ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006. REFERENCE IS HEREBY MADE TO SAID RECORDED ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND.

\_\_\_\_\_  
CITY CLERK

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AT THE REQUEST OF THE CITY OF MOORPARK CITY COUNCIL.

\_\_\_\_\_  
COUNTY AUDITOR, COUNTY OF VENTURA

Note:  
REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF VENTURA FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.



SCI Consulting Group  
2300 Boynton Ave, Suite 201  
Fairfield, CA 94533

CITY OF MOORPARK LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT NO. AD06-1  
ASSESSMENT DIAGRAM

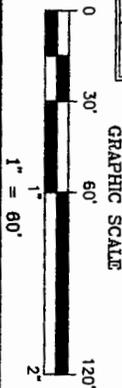
**RJR ENGINEERING GROUP**  
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BACKUP ASSESSMENT DISTRICT QUANTITIES

12" PAD CATCH BASIN	6	EA
PVC DRAIN PIPE	35	LF
7" CATCH BASIN	1	EA
FRONT YARD GRASS SWALE	2,310	SF
(77,1015)		

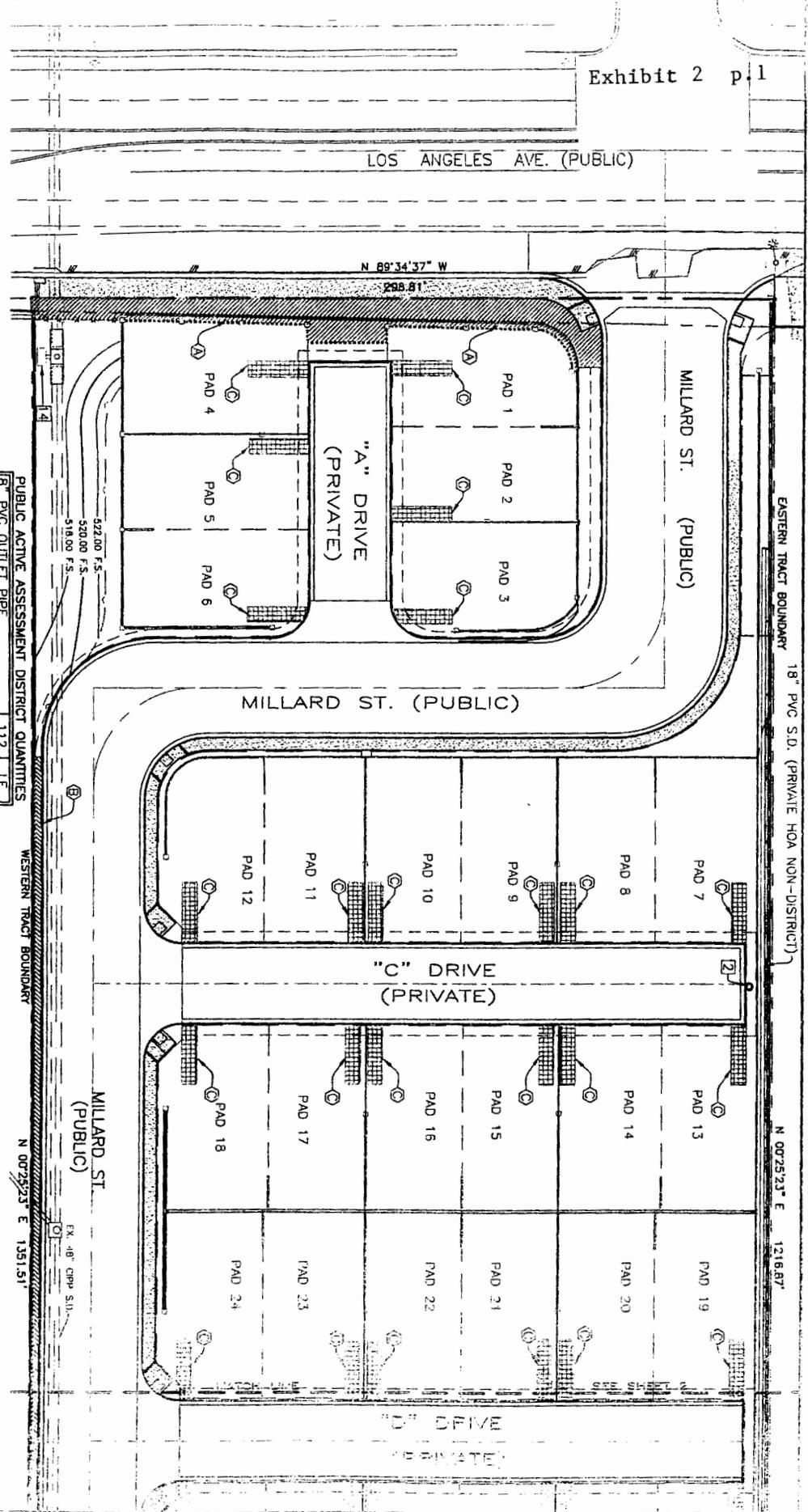
PUBLIC ACTIVE ASSESSMENT DISTRICT QUANTITIES

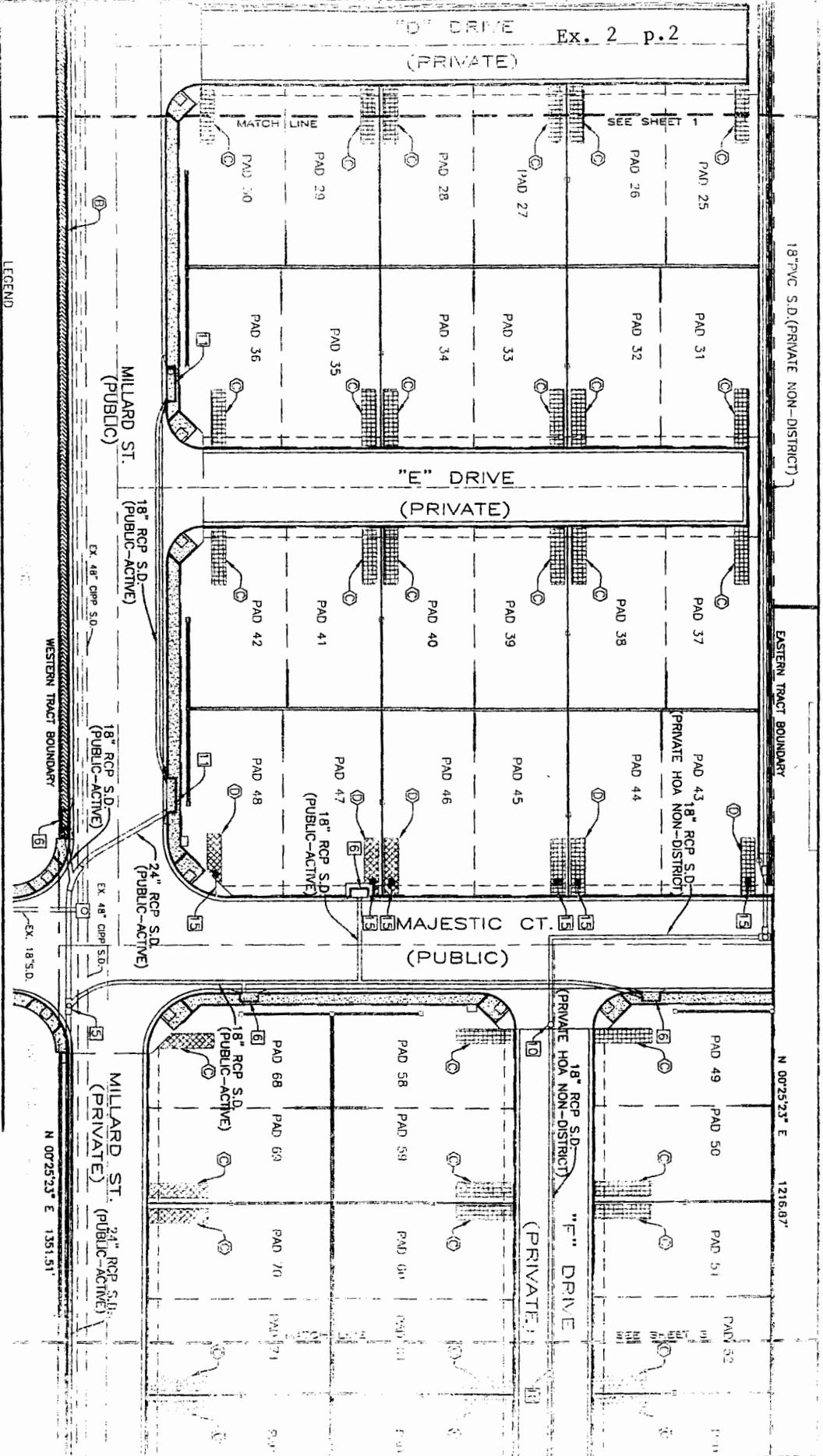
8" PVC OUTLET PIPE	112	LF
18" RCP PIPE	530	LF
24" RCP PIPE	620	LF
12" RCP PIPE	40	LF
STORM GATE M.H.	2	EA
STORM DRAIN MANHOLE	2	EA
7" CATCH BASIN	6	EA
14" CATCH BASIN	2	EA
8x16 FILTRATION SYSTEM	1	EA
8x12 FILTRATION SYSTEM	1	EA
STORMGATE BYPASS UNIT	2	EA
UNDERGROUND DETENTION SYSTEM	1	EA
LOS ANGELES AVENUE FRONTAGE LANDSCAPE AREA	2,715	SF
MILLARD ST./ WESTERN PERIMETER LANDSCAPE AREA	1,850	SF



- LEGEND
- ① - LOS ANGELES AVENUE FRONTAGE LANDSCAPE AREA (ACTIVE ASSESSMENT DISTRICT)
  - ② - MILLARD ST./ WESTERN PERIMETER LANDSCAPE AREA (ACTIVE ASSESSMENT DISTRICT)
  - ③ - GRASS SWALE WITHOUT PAD CATCH BASIN-PRIVATE (BACK-UP DISTRICT)
  - ④ 7" CATCH BASIN-PRIVATE (BACK-UP DISTRICT)

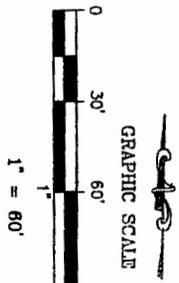
ASSESSMENT DISTRICT  
 IN TRACT IMPROVEMENTS  
 PETTITON / WAIVER  
 TENTATIVE TRACT NO. 5133  
 DATE: 07-05-05  
 DRAWN BY: JVF  
 Project No. 131200





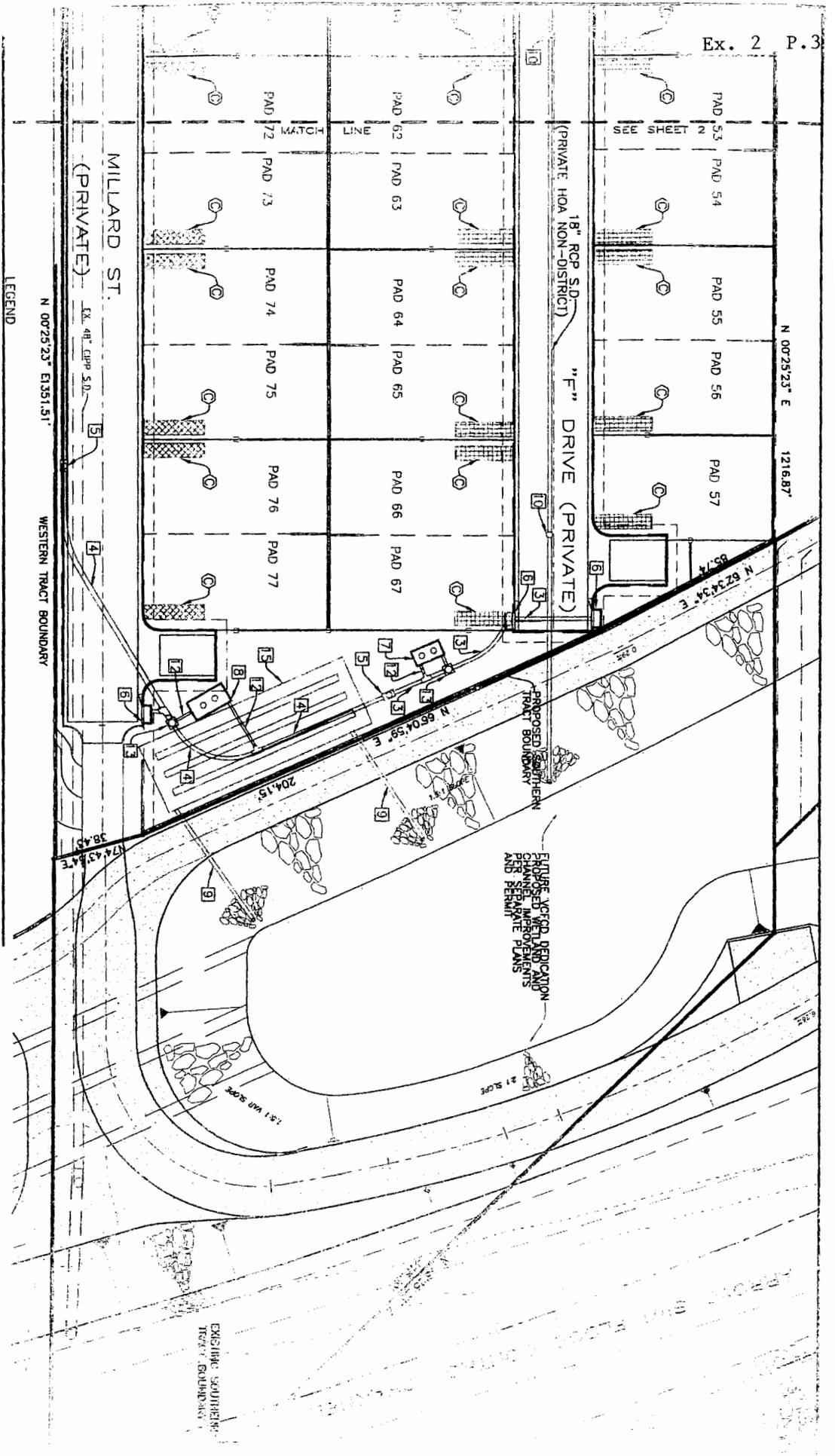
- LEGEND**
- ① MILLARD ST./ WESTERN PERIMETER LANDSCAPE AREA (ACTIVE ASSESSMENT DISTRICT)
  - ② GRASS SWALE WITHOUT PAD CATCH BASIN-PRIVATE (BACK-UP DISTRICT)
  - ③ GRASS SWALE WITH 12" PAD CATCH BASIN-PRIVATE (BACK-UP DISTRICT)
  - ④ 7' CATCH BASIN (PUBLIC-ACTIVE)
  - ⑤ STORM DRAIN CLEAN OUT (PRIVATE HOA NON-DISTRICT)
  - ⑥ 14" CATCH BASIN (PUBLIC-ACTIVE)

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**ASSESSMENT DISTRICT**  
**IN TRACT IMPROVEMENTS**  
**PETITION / WAIVER**  
**TENTATIVE TRACT NO. 5133**

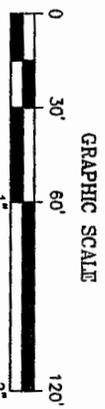
DATE: 05-05-05  
 DRAWN BY: JNF



- LEGEND**
- 1 - GRASS SWALE WITHOUT PAD CATCH BASIN-PRIVATE (BACK-UP DISTRICT)
  - 2 - 18" STORM DRAIN (PUBLIC-ACTIVE)
  - 3 - 24" STORM DRAIN (PUBLIC-ACTIVE)
  - 4 - STORM DRAIN M.H. (PUBLIC-ACTIVE)
  - 5 - 7' CATCH BASIN (PUBLIC-ACTIVE)
  - 6 - 6'X12" STORMWATER INC. FILTER (PUBLIC-ACTIVE)
  - 7 - 8'X16" STORMWATER INC. FILTER (PUBLIC-ACTIVE)
  - 8 - 30'X90" UNDERGROUND DETENTION SYSTEM (PUBLIC-ACTIVE)
  - 9 - CLEANOUT (PRIVATE HOA NON-DISTRICT)
  - 10 - 12" RCP SD (PUBLIC ACTIVE)
  - 11 - STORM GATE M.H. (PUBLIC-ACTIVE)
  - 12 - 8" PVC OUTLET PIPE (PUBLIC-ACTIVE)



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**ASSESSMENT DISTRICT  
 IN TRACT IMPROVEMENT  
 PETITION / WAIVER  
 TENTATIVE TRACT NO. 5133**

DATE: 05-05-05  
 DRAWN BY: JVF

Project No. 1312.81

## RESOLUTION NO. 2006 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DECLARING ITS INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2006-07, PRELIMINARILY APPROVING ENGINEER'S REPORT, AND PROVIDING FOR NOTICE OF HEARING FOR THE CITY OF MOORPARK LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT AD06-01

THE CITY COUNCIL OF THE CITY OF MOORPARK (the "City") DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. On September 7, 2005, the Moorpark City Council adopted Resolution No. 2005-2377, a Resolution initiating proceedings for the formation of the City of Moorpark Landscaping and Lighting Maintenance Assessment District No. AD06-01 pertaining to the properties within Tract 5133 (Shea Homes) and directing preparation of an Annual Report. Pursuant to this resolution, SCI Consulting Group (formerly known as Shilts Consultants, Inc.), the Engineer of Work, prepared an Engineer's Report in accordance with Section 22565, et. seq., of the Streets and Highway Code (the "Report") and Article XIIID of the California Constitution. The Report has been made, filed with the City Clerk and duly considered by the City Council and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

SECTION 2. It is the intention of the City Council to levy and collect assessments within the District for fiscal year 2006-07. Within the landscaping and lighting district, the existing and proposed improvements are generally described as the installation, maintenance and servicing of turf, ground cover, shrubs and trees, irrigation systems, drainage systems, lighting, fencing, and all necessary appurtenances, and labor, materials, supplies, utilities and equipment, as applicable, for property owned or maintained by the City of Moorpark located in or adjacent to the properties contained within Tract 5133. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of electric current or energy, or other illuminating agent, for the operation or lighting of any improvements, maintaining, operating and servicing street and traffic safety lighting, and water for irrigation of any landscaping or the maintenance of any other improvements.

SECTION 3. The District consists of all of the lots and parcels within the boundary map of the District to be placed on file with the City Clerk, and reference is hereby made to such map for further particulars.

SECTION 4. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and the proposed assessments upon assessable lots and parcels of land within the District. The assessment is subject to an annual adjustment tied to the Consumer Price Index for the Los Angeles Area as of December of each succeeding year (the CPI). In the event that the actual assessment rate for any given year is not increased by an amount equal to the CPI change, any such deferred assessment increase may be added to the total amount assessed in any subsequent year. In such event, the maximum authorized assessment amount shall be equal to the base year assessment as adjusted by the increase to the CPI, plus any and all CPI adjustments deferred in any and all prior years.

SECTION 5. The public hearing shall be held, before the City Council, in the City Council Chambers of the City of Moorpark, located at 799 Moorpark Avenue, Moorpark, California 93021 as follows: on June 7, 2006, at the hour of 7:00 p.m. for the purpose of determining whether the public interest, convenience and necessity require the improvements and the City Council's final action upon the Engineer's Report and the assessments therein.

SECTION 6. In order to expedite the proceedings, the property owners have submitted a Petition and Waiver. In submitting these documents to the City, the property owners (1) request that the new assessment district be formed; and (2) waive all rights conferred by Proposition 218 with respect to the approval of the new assessment by mailed ballot and the 45-day time period for balloting.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 17<sup>th</sup> day of May 2006.

\_\_\_\_\_  
Patrick Hunter, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk