

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council 

FROM: Yugal K. Lall, Director of Public Works

PREPARED BY: Ken Gilbert, Public Works Consultant

DATE: May 30, 2006 (Council Meeting 06-07-06)

SUBJECT: Consider Final Review and Changes to the Engineer's Report for Assessment District 06-01 (Shea Homes – Tract 5133) and the Adoption of a Resolution Confirming the Assessment Amounts for Fiscal Year 2006/07

BACKGROUND/DISCUSSION

A portion of the property is within the floodplain due to the new DFIRM, thus occupancy will be granted to only 26 of the 77 units at this time. The remaining will not be sold until determination of the DFIRM. The City has appealed to FEMA. It is proposed that the City Council conduct the public hearing, receive public testimony, and continue the item, public hearing open, to the meeting of June 21, 2006, to coincide with the determination of the appeal to be received from FEMA.

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.

On May 17, 2006, the City Council adopted Resolution No. 2006-2464, approving the Engineer's Report for AD06-01 for FY 2006/07 and setting June 7, 2006, as the date of a public hearing to consider the levy of the assessments provided for in the Engineer's Report.

The "Landscaping and Lighting Act of 1972" ["Act"] (Streets and Highways Code) requires that a public hearing be held prior to the formation of any new assessment district and the levy of the assessments provided for by that new assessment district. In signing and submitting the aforementioned Petition and Waiver, all affected property owners for this assessment voluntarily waived their rights to notice, balloting and providing other comment to the City, so no additional noticing is required.

AD 06-01 (T-5133) Approve Assessments
June 7, 2006
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STAFF RECOMMENDATION

Opening the public hearing, receive public testimony and continue the public hearing open to meeting of June 21, 2006.

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