MOORPARK CITY COUNCIL
AGENDA REPORT

TO: **The Honorable City Council**

FROM: **Ron Ahlers, Finance Director** RA

DATE: **January 10, 2012 (CC Meeting of February 1, 2012)**

SUBJECT: **Consider Resolutions to Initiate Proceedings Related to the Citywide Landscape and Lighting Maintenance Assessment District and the Parks and Recreation Maintenance Improvement District for Fiscal Year 2012/13**

BACKGROUND

Landscape and Lighting Maintenance Assessment Districts:

In 1984, a Landscape and Lighting Maintenance Assessment District (AD84-2), encompassing the entire City, was created to fund costs associated with street lighting and the maintenance of various landscaped areas. This was a successor to the District enacted by the County of Ventura prior to the incorporation of the City. In subsequent years, Zones of Benefit (Zones) were added to fund the maintenance of specific areas. Later, these Zones were changed to District 1 through District 12.

Since 1984, the City has formed additional Assessment Districts (AD) to fund the maintenance of certain landscape improvements in and adjacent to:

2001		
	District 14 - Tract 5201, Wilshire Builders	(AD01-1)
	District 15 - Tract 4928, Toll Brothers	(AD01-2)
	Distrcit 16 - Tract 5161, Cabrillo	(AD01-3)
2004		
	District 18 - Tract 5307, Colmer Development	(AD04-01)
2005		
	District 19 - PM 5264, M&M Development	(AD05-01)

2006		
	Disctrict 21 - Tract 5133, Shea Homes	(AD06-01)
2007		
	District 22 - Tract 5045, Pardee Homes	(AD07-01)
	District 20 - Tract 5187, Lyon Homes	(AD07-02)
	District 24 - IPD 2000-10, Casino Storage	(AD07-04)
2008		
	District 25 - CPD 2004-01, Nearon	(AD07-03)
2009		
	District 26 - CPD 2004-03, Warehouse Discount Center	(AD09-01)
2010		
	District 31 - CPD 2005-02, Tuscany Square Park Lane and Moorpark Avenue	(AD10-01)
	District 32 - CPD 2005-03, HFR Investment I, LLC 145 Park Lane	(AD10-02)

Note: Districts 13, 17 and 30 are not assigned. District 23 - Tract 5130, Suncal/Vistas is not completed.

Parks and Recreation Maintenance Improvement District:

In July 1999, the City successfully established a Parks and Recreation Maintenance and Improvement District. The current Maintenance District is based on a "special" assessment. This means that the City assesses property owners for that portion of park and recreation maintenance and improvement activities that generate a "special" benefit. The City is responsible for funding activities that generate a "general" benefit.

The Parks and Recreation Maintenance and Improvement District includes all existing nineteen (19) City parks, including the Serenata Trail located at Miller Parkway and Southfork Road. The amount of the assessment levied may be adjusted annually by a Cost of Living factor, not to exceed three percent (3%).

DISCUSSION

As part of the annual budget process, the City Council considers whether or not to renew the subject Assessment Districts and levy amounts for the upcoming fiscal year. According to State law, before assessments may be levied, an Engineer's Report must be prepared for each assessment district setting forth the amount of the assessments and the basis for establishing said amount.

The preparation of an Engineer's Report does not obligate the City to approve the Engineer's Report nor to proceed with levying assessments. The purpose of the Engineer's Report is to merely develop the information necessary for the City Council to make those decisions. The report sets forth the items proposed to be funded by the district and the methodology used to distribute maintenance and improvement costs to all of the properties within each district.

When completed, each Engineer's Report is submitted to the City Council for approval. Approval of an Engineer's Report by the City Council does not require the City to levy the assessments. Such approval merely allows the Engineer's Reports, and the measurements set forth therein, to be considered at subsequent public hearings.

In accordance with the requirements of applicable State law, the Resolutions attached as Exhibits 1 and 2 initiate the process required for the City Council to consider continuation of the subject Assessment Districts. Upon adoption of these Resolutions, SCI Consulting Group (SCI), the City's assessment engineering consultant, will prepare the Engineer's Report for the Citywide Landscape and Lighting Assessment Districts and a separate Engineer's Report for the Parks and Recreation Maintenance and Improvement District.

FISCAL IMPACT

There will be no fiscal impact in the current fiscal year.

STAFF RECOMMENDATION **(Roll Call Vote)**

Adopt Resolution Nos. 2012- _____ and 2012- _____ (Exhibits 1 and 2).

Attachments:

Exhibit 1: Resolution to Initiate Proceeding for the Citywide Landscape and Lighting Assessment Districts

Exhibit 2: Resolution to Initiate Proceedings for the Parks and Recreation Maintenance and Improvement District

RESOLUTION NO. 2012 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DIRECTING THE PREPARATION OF THE ANNUAL ENGINEER'S REPORT FOR FISCAL YEAR 2012/2013 FOR THE CITY OF MOORPARK, LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS

WHEREAS, the City of Moorpark provides for the maintenance and improvement of landscapes and street lighting services through the City's Landscape and Lighting Maintenance Assessment Districts; and

WHEREAS, the City Council of the City of Moorpark proposes to continue the specified districts for the fiscal year commencing July 1, 2012, and ending June 30, 2013.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. This Council ordered the formation of and levied the first assessments within the City of Moorpark Landscape and Lighting Maintenance Assessment Districts Nos. AD84-2, AD01-1, AD01-2, AD01-3, AD04-01, AD05-01, AD06-01, AD07-1, AD07-2, AD07-3, AD07-4, AD09-01, AD10-01 and AD10-02 (the "Landscape and Lighting Districts") pursuant to the provisions of the Landscaping and Lighting Act of 1972, commencing at Section 22500 of the California Streets and Highways Code (hereinafter "the Act").

SECTION 2. Sections 22620 et. Seq., of the Act provide for the levy of annual assessments after formation of the Landscape and Lighting Maintenance Assessment Districts.

SECTION 3. Within the Landscape and Lighting Districts, the existing and proposed improvements and any substantial changes proposed to be made to the existing improvements are generally described as follows:

Installation, maintenance and servicing of public facilities, including but not limited to one or more street lights, public lighting facilities, landscaping, statuary, fountains, and other ornamental structures and facilities, entry monuments and all necessary appurtenances, debris basins, turf, ground cover, shrubs and trees, irrigation systems, drainage systems, lighting, fencing and any facilities which are appurtenant to any of the aforementioned or which are necessary or convenient for the maintenance or servicing thereof, including irrigation, electric current and energy; and to provide incidental expenses in connection therewith. Services provided include all necessary service, operations and maintenance of the above mentioned improvements, as applicable, for any property owned or maintained by the City of Moorpark.

SECTION 4. SCI Consulting Group is hereby designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare and Engineer's Report in accordance with Article 4 of Chapter 1 of the Act and Article XIIID of the California Constitution, for the Districts referred to in Section 1 of this Resolution. Upon completion, the Engineer shall file the Engineer's Report with the Clerk of the City Council for submission to the Council.

SECTION 5. 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 1st day of February, 2012.

_____
Janice S. Parvin, Mayor

ATTEST:

_____
Maureen Benson, City Clerk

RESOLUTION NO. 2012 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DIRECTING THE PREPARATION OF THE ANNUAL ENGINEER'S REPORT FOR FISCAL YEAR 2012/2013 FOR THE PARKS AND RECREATION MAINTENANCE AND IMPROVEMENT DISTRICT OF THE CITY OF MOORPARK

WHEREAS, the City of Moorpark provides for the maintenance and improvement of parks and recreation facilities through the City's Parks and Recreation Maintenance and Improvement District; and

WHEREAS, the City Council of the City of Moorpark proposes to continue the specified district for the fiscal year commencing July 1, 2012, and ending June 30, 2013.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. On July 15, 1999, by its Resolution No. 99-1625, this Council ordered the formation of and levied the first assessment within the City of Moorpark Parks and Recreation Maintenance Improvement District (the "Maintenance Improvement District") pursuant to the provisions of Article XIIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof).

SECTION 2. The purpose of the Maintenance Improvement District is for the installation, maintenance and servicing of improvements to the City of Moorpark, as described in Section 3 below.

SECTION 3. Within the Maintenance and Improvement District, the existing and proposed improvements to be undertaken by the Maintenance and Improvement District are generally described as the installation, maintenance and servicing of public facilities, including but not limited to landscaping, sprinkler systems, park grounds, park facilities, landscape corridors, ground cover, shrubs and trees, street frontages, playground equipment and hardcourt areas, senior and community centers, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts, running tracks, other recreational facilities, security guards, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, for property owned and maintained by the City of Moorpark. Installation means the construction of recreational improvements, including but not limited to, land preparation, such as grading leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, recreational facilities and public restrooms. 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 for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.

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