

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director 

DATE: February 23, 2015 (CC Meeting of 3/4/15)

SUBJECT: Consider Resolution Initiating Proceedings for the Formation of Landscaping and Lighting Maintenance Assessment District AD 15-01 for Tentative Tract 5130 (City Ventures, LLC)

DISCUSSION

City Ventures, LLC is the developer of Tentative Tract 5130 (Tract), a 110-home residential subdivision, generally located east of Walnut Canyon Road, west of Spring Road and north of Wicks Road as shown on Attachment 1.

The conditions of approval for the Tract require the developer to construct certain drainage and landscaping improvements within and/or adjacent to the Tract. The conditions of approval also require that an assessment district be formed to fund certain City maintenance costs for these improvements.

A City Council Resolution (Attachment 2) initiating the proceedings for the formation of Landscaping and Lighting Maintenance Assessment District AD 15-01 for Tentative Tract 5130, City Ventures, LLC is required to proceed with the formation of the assessment district.

The provisions of Proposition 218 require that any new assessment, or any increase to an existing assessment, must first be approved by a Mail Ballot provided to the owner(s) of the affected properties. An alternate procedure for forming assessment districts for new developments is to have the developer(s)/Property owner(s) sign a Petition and Waiver 1) requesting the formation of the assessment district, and 2) waiving all rights conferred by Proposition 218 with regard to Mail Ballots.

City Ventures, LLC has indicated its intention to submit a signed Petition and Waiver in the near future requesting the formation of AD 15-01 and waiving all rights conferred by Proposition 218 with regard to Mail Ballots.

Should the City Council approve and adopt the attached resolution, it would be the intent of staff to have the City's Assessment Engineer proceed with the preparation of the Engineer's Report and return to City Council in the near future to approve the Engineer's Report, accept the Petition and Waiver and set a public hearing for eventual approval of AD 15-01.

FISCAL IMPACT

City Ventures, LLC has paid the required fee to cover all City and Assessment Engineer costs related to the formation of AD 15-01.

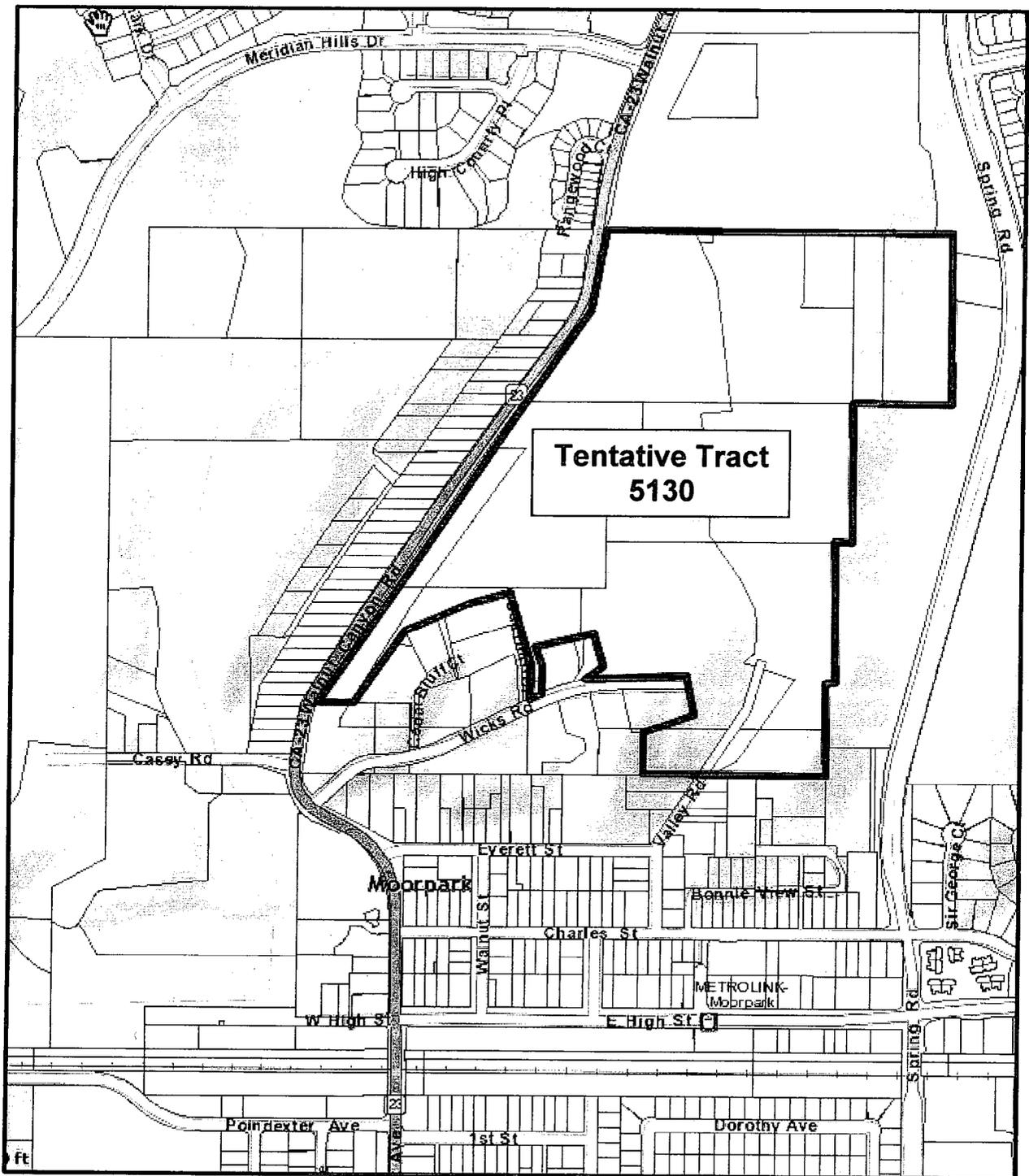
STAFF RECOMMENDATION

Adopt Resolution No. 2015 - _____ initiating the proceedings required for the formation of Landscaping and Lighting Maintenance Assessment District AD 15-01 for Tentative Tract 5130, City Ventures, LLC.

Attachments:

- 1 – Location Map
- 2 – Resolution 2015 - _____

Location Map



RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, INITIATING PROCEEDINGS FOR THE FORMATION OF THE CITY OF MOORPARK LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT AD 15-01 FOR TENTATIVE TRACT 5130 (CITY VENTURES, LLC) AND DIRECTING THE PREPARATION OF AN ENGINEER'S REPORT

WHEREAS, the City of Moorpark provides for the maintenance and improvement of parks, setback landscaping, drainage systems and street lighting services through the City's Landscape and Lighting Assessment Districts.

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

SECTION 1. The Council hereby proposes the formation of a landscaping and lighting assessment district pursuant to Article XIID 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 location and boundaries of the proposed landscaping and lighting district are coincidental with the boundaries of Tentative Tract 5130 (City Ventures, LLC).

SECTION 3. The purpose of the landscaping and lighting district shall be for the installation, maintenance and servicing of improvements to the City of Moorpark described in Section 4 below.

SECTION 4. 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. 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 5. The landscaping and lighting district proposed in this Resolution is hereby given the distinctive designation of the "City of Moorpark Landscaping and Lighting Maintenance Assessment District Number AD 15-01."

SECTION 6. SCI Consulting Group is hereby designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Engineer's Report in accordance with Article 4 of Chapter 1 of the Act and Article XIID of the California Constitution. Upon completion, the Engineer shall file the Engineer's Report with the Clerk of the City Council for submission to the Council.

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 4th day of March, 2015.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk