

STAFF REPORT



ITEM NO. 11

CITY OF OCEANSIDE

DATE: May 10, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **APPROVAL TO CONDUCT A BALLOT FOR AN ASSESSMENT INCREASE FOR THE MAR LADO HIGHLANDS AND THE SANTA FE MESA LANDSCAPE MAINTENANCE ASSESSMENT DISTRICTS; INITIATION OF PROCEEDINGS FOR THE RENEWAL OF THE DISTRICTS; AND SETTING PUBLIC HEARINGS**

SYNOPSIS

Staff recommends that the City Council approve a ballot for an assessment increase for the Mar Lado Highlands Landscape Maintenance District, Assessment District No. 1-1988, and the Santa Fe Mesa Landscape Maintenance District, Assessment District No. 2-1987, and adopt the following resolutions for each district: 1) directing the City Engineer to prepare reports regarding the improvements and the proposed assessments for FY 2006-07; 2) approving the Engineer's Reports as prepared or modified for FY 2006-07; and 3) declaring City Council's intent to levy and collect assessments for FY 2006-07, including conducting a property owners ballot on the matter of any new or increased assessments for FY 2006-07, and setting public hearings to review and confirm the assessments on July 12, 2006.

BACKGROUND

The City's Landscape Maintenance Assessment Districts ("LMAD") were formed under the provisions of the Landscaping and Lighting Act of 1972, which requires the annual renewal of each LMAD in order to levy and collect assessments for the ensuing fiscal year. The levy of the assessments provides funds for the administration and maintenance of the landscape improvements on public streets and slopes within each LMAD. Due to increases in costs without any increase in assessments over the years, the Mar Lado Highlands and the Santa Fe Mesa LMADs are each collecting substantially less revenue than the expenditures incurred to maintain a full landscape maintenance program.

Staff has met with a homeowners' association within the Mar Lado Highlands LMAD and has regularly met with the ad hoc committee for the Santa Fe Mesa LMAD to discuss the revenue shortage and possible alternative solutions. Staff also subsequently met with the respective property owners from each LMAD to discuss the revenue shortage and possible alternative solutions.

ANALYSIS

In order to maintain the current full landscape maintenance program for the Mar Lado Highlands LMAD and the Santa Fe Mesa LMAD, staff is requesting that the City Council approve a ballot for an assessment increase for FY 2006-07. Any property owner in an LMAD proposing an increase in assessments is allowed the right to vote (through the provisions of Article XIID of the California Constitution, the Right to Vote on Taxes Act) for the increase before the assessment can be confirmed and levied. No rate increase can occur until after the ballots are counted and it is determined that a majority of the ballots cast is in approval of the proposed assessment increase.

Below is a chart that sets forth the current assessments for FY 2005-06 and the proposed assessments for FY 2006-07. The proposed assessments are those that will be levied on a single-family residential property within each of the respective districts, should the ballot be approved.

District	Current Annual Assessment	Current Monthly Assessment	Proposed Annual Assessment	Proposed Monthly Assessment
Mar Lado Highlands	\$496.00	\$41.33	\$706.82	\$58.90
Santa Fe Mesa	\$162.78	\$13.57	\$222.78	\$18.57

Notwithstanding the outcome of the ballot, under the Landscape and Lighting Act of 1972, before assessments can be levied and assessed, the City Council is required to conduct a public hearing regarding the proposed FY 2006-07 assessments to be levied within the subject districts. The public hearing provides all interested parties an opportunity to be heard, either in writing or orally. Thereafter, the City Council is requested to adopt resolutions approving the Engineer's Report as prepared or modified and confirming the FY 2006-07 diagrams and assessments.

Staff is requesting that a public hearing be held July 12, 2006, at 6:00 pm in the City Council Chambers for each of the districts. As a result of the time needed to open and tabulate the ballots at the close of the public hearing on July 12, 2006, staff has determined that the ballots be opened on July 13, 2006 in the City Clerk's Office. Accordingly, the public hearing will need to be officially closed and be continued to August 2, 2006, at which time the City Council will be presented with the ballot results and requested to adopt the appropriate resolutions.

Should a ballot to increase the assessment not take place or an assessment increase not be approved, each of the respective LMADs would need to look at other alternatives to resolve the shortfall in revenue relative to the full maintenance service that is

currently being provided. The alternatives could include such options as reducing maintenance levels, eliminating maintenance areas and dissolving the district entirely.

FISCAL IMPACT

All costs are included in each respective district's budget. Revenues to cover the estimated expenditures are levied and collected as a special assessment against the properties within each district. Should the City Council elect not to approve a ballot or if the results of the ballot for each respective district fail, the revenue collected will not be sufficient to cover expenditures; therefore, landscape services will be reduced in order to balance the budget until a further course of action is determined. There is no fiscal impact to the City's general fund at this time.

COMMISSION OR COMMITTEE REPORT

Does not apply.

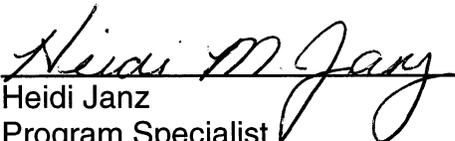
CITY ATTORNEY'S ANALYSIS

Proposition 218 as codified in the California Constitution Article 18D, requires that any new or increased assessment must be voted on by the affected property owners by written ballot. A weighted majority of affected property owners must approve the new or increased assessment; the assessment ballots are weighted by the amount of the proposed assessment to be imposed upon the applicable parcel. If the existing assessment was previously approved by a weighted majority of the property owners, and the assessment does not increase, a new ballot is not required. However, the levying and collection of assessments requires that an Engineer's Report be prepared, and a public hearing be held in accordance with statutory requirements.

RECOMMENDATION

Staff recommends that the City Council approve a ballot for an assessment increase for the Mar Lado Highlands Landscape Maintenance District, Assessment District No. 1-1988, and the Santa Fe Mesa Landscape Maintenance District, Assessment District No. 2-1987, and adopt the following resolutions for each district: 1) directing the City Engineer to prepare reports regarding the improvements and the proposed assessments for FY 2006-07; 2) approving the Engineer's Reports as prepared or modified for FY 2006-07; 3) declaring City Council's intent to levy and collect assessments for FY 2006-07, and including conducting a property owners ballot on the matter of any new or increased assessments for FY 2006-07, and setting public hearings to review and confirm the assessments on July 12, 2006.

PREPARED BY:


Heidi Janz
Program Specialist

SUBMITTED BY:


Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager

Peter A. Weiss, Public Works Director

Douglas E. Eddow, Real Property Manager





Attachments: Resolutions

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE,
3 CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PROPERTY
4 OWNER BALLOTING ON THE MATTER OF ANY NEW OR INCREASED
5 ASSESSMENTS, TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR
6 2006-2007 WITHIN THE MAR LADO HIGHLANDS LANDSCAPE MAINTENANCE
7 DISTRICT, ASSESSMENT DISTRICT NO. 1-1988 AND SETTING A PUBLIC
8 HEARING ON THE PROPOSED ASSESSMENTS

9 WHEREAS, pursuant to the Landscape and Lighting Act of 1972, the City
10 Council of the City of Oceanside adopted Resolution No. _____ directing
11 the City Engineer to prepare a Report on the Mar Lado Landscape Maintenance
12 District for fiscal year 2006-2007;

13 WHEREAS, City has retained Harris and Associates for the purpose of
14 assisting with the establishment of the assessments and to assist the City
15 Engineer with the preparation of the Engineer's Report in accordance with the Act,
16 and in accordance with the requirements of the California Constitution, Articles
17 XIIIIC and XIIID;

18 WHEREAS, said Report, on file with the City Clerk of the City of Oceanside,
19 contains a full and detailed description of the boundaries of the assessment
20 district, the proposed assessments to be levied against each assessable lot or
21 parcel of land within the district, and a description of the improvements to be
22 maintained or modified;

23 WHEREAS, said report proposes an increase in assessments which requires
24 a property owner balloting in order to levy and collect said assessment for fiscal
25 year 2006-2007; and

26 WHEREAS, the City Council of the City of Oceanside adopted Resolution
27 No. _____ approving the aforementioned report either as filed or modified
28 by this Council;

1 NOW THEREFORE, THE City Council of the City of Oceanside does resolve
2 as follows:

3 SECTION 1. That it is the intent of this Council to levy and collect
4 assessments for fiscal year 2006-2007 within the Mar Lado Landscape
5 Maintenance District, Assessment District 1-1988, generally located in that area of
6 the City of Oceanside, California, commonly known as Mar Lado Highlands
7 subdivision.

8 SECTION 2. That the proposed assessments shall be used to pay the
9 district administrative costs and the maintenance and material costs incurred to
10 maintain landscaping and appurtenant structures within the parkways, slopes and
11 open space areas within or adjacent to certain sections of Southwood and
12 Rivertree Drives and Ashwood Court, in addition to the landscaped slopes located
13 behind certain homes within the Mar Lado Highlands subdivision.

14 SECTION 3. That the proposed assessments shall not be used to maintain
15 areas that have not been formally accepted by the City of Oceanside.

16 SECTION 4. That this City Council sets a public hearing on the proposed
17 assessments and an assessment ballot proceeding is hereby called on behalf of
18 the district on the matter confirming assessments for July 12, 2006, at 6:00 PM, or
19 as soon thereafter as possible, in the City Council Chambers located at 300 North
20 Coast Highway, Oceanside, California.

21 The assessment ballot proceeding for the district on the matter of authorizing
22 an increase in assessments, pursuant to California Constitution, Article XIID,
23 Section 4 consists of a ballot, included with mailed notice, distributed by mail, to
24 the property owners of record, not less than 45 days before the date of the public
25 hearing. Each property owner's ballot is weighted by the amount of their
26 assessment. Each property owner may return the ballot by mail or in person to the
27 City Clerk not later than the conclusion of the public hearing. At the conclusion of
28 the public hearing, the City Clerk shall tabulate the ballots to determine if a

1 majority protest exists. The ballots shall be weighted according to the proportional
2 financial obligation of the affected property. A majority protest exists, if upon the
3 conclusion of the hearing, ballots submitted in opposition to the assessment
4 exceed the ballots submitted in favor of the assessment.

5 Any interested person(s) will be heard at this public hearing. Prior to the
6 conclusion of this hearing, anyone may file with the City Clerk a written protest
7 regarding the proposed assessments. Said protest must state why the protest is
8 being made and contain a description sufficient to identify the property owned by
9 the protesting party.

10 SECTION 5. That the City Clerk of the City of Oceanside is directed to give
11 notice of this public hearing as required by Section 22626 of the Streets and
12 Highways Code.

13 PASSED AND ADOPTED by the City Council of the City of Oceanside,
14 California, this _____ day of _____, 2006, by the following vote:

15 AYES:

16 NAYS:

17 ABSENT:

18 ABSTAIN:

19 _____
20 Mayor of the City of Oceanside

21 APPROVED AS TO FORM:
22 OFFICE OF THE CITY ATTORNEY

23 *Robert Hamilton*, ASSISTANT
24 City Attorney

25 ATTEST:

26 _____
27 City Clerk

1 RESOLUTION NO.

2
3 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 OCEANSIDE, CALIFORNIA, DIRECTING THE CITY
5 ENGINEER TO PREPARE A REPORT ON THE FISCAL
6 YEAR 2006-2007 RENEWAL OF THE MAR LADO
7 HIGHLANDS LANDSCAPE MAINTENANCE DISTRICT,
8 ASSESSMENT DISTRICT 1-1988

9 WHEREAS, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of
10 Division 15 of the Streets and Highways Code of California, Section 22500 et. seq.,
11 hereinafter referred to as the "Act", the City Council of the City of Oceanside adopted
12 Resolution No. R88-150, which ordered the formation of the Mar Lado Landscape
13 Maintenance District, Assessment District No. 1-1988,

14 WHEREAS, pursuant to the Act, the levy of any annual assessment after the
15 formation of such an assessment district must be initiated by the adoption of a
16 resolution of the City Council directing the City Engineer to prepare and file a report in
17 accordance with the provisions of Article 4 of Chapter 1 of the Act;

18 WHEREAS, the City has retained Harris and Associates (herein after referred to
19 as "Assessment Engineer"), for the purpose of assisting with the establishment of the
20 assessments and to assist the City with the preparation of an Engineer's Report in
21 accordance with the Act; and in accordance with the requirements of the California
22 Constitution, Articles XIII C and XIII D;

23 Whereas, the City Engineer assisted by the Assessment Engineer, has prepared
24 said report as directed and presented it to the City Council for examination;

25 Whereas the ongoing administration and maintenance of the improvements and
26 appurtenant structures within the City-maintained portions of the Mar Lado Highlands
27 Landscape Maintenance District will require assessments to be levied on the
28 assessable lots or parcels of land within the district; and

1 WHEREAS, pursuant to the Act, said resolution generally must describe any
2 proposed new improvements or substantial changes in existing district improvements
3 planned for the fiscal year which the resolution applies.

4 NOW THEREFORE, the City Council of the City of Oceanside does resolve as
5 follows:

6 SECTION 1. That improvements or changes in existing improvements will
7 continue for fiscal year 2006-2007 within the Mar Lado Landscape Maintenance
8 District.

9 SECTION 2. That the City Council hereby orders the Assessment Engineer to
10 prepare or cause the preparation of the Engineer's Report concerning the
11 establishment and levy of assessments for the Mar Lado Highlands Landscape
12 Maintenance District in accordance with Chapter 2, Article 1, Section 22585(d) of the
13 Act. Said report shall be filed with the City Clerk for submission to the City Council
14 and contain a full and detailed description of the boundaries of the assessment
15 district, the proposed assessments to be levied on each assessable lot or parcel of
16 land within the district and the improvements to be maintained.

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1 PASSED AND ADOPTED by the City Council of the City of Oceanside,
2 California, this _____ day of _____, 2006, by the following vote:

3
4 AYES:
5 NAYS:
6 ABSENT:
7 ABSTAIN:

Mayor of the City of Oceanside

8 APPROVED AS TO FORM:
9 OFFICE OF THE CITY ATTORNEY

10 
11 Andrew Hamilton, ASSISTANT
City Attorney

12 ATTEST:

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16 City Clerk
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1 RESOLUTION NO.

2 RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF OCEANSIDE, CALIFORNIA, APPROVING THE
4 CITY ENGINEER'S 2006-2007 FISCAL YEAR
5 REPORT ON THE MAR LADO HIGHLANDS
6 LANDSCAPE MAINTENANCE DISTRICT,
ASSESSMENT DISTRICT 1-1988

7 WHEREAS, pursuant to the Landscape and Lighting Act of 1972, the City
8 Council of the City of Oceanside adopted Resolution No. _____ directing the City
9 Engineer to prepare a Report on the Mar Lado Highlands Landscape Maintenance
10 District, Assessment District No.1-1988, for fiscal year 2006-2007;

11 WHEREAS, the City Engineer has prepared or caused the preparation of said
12 report in accordance with the Act, and in accordance with the requirements of the
13 California Constitution, Articles XIII C and XIII D

14 WHEREAS, said report has been prepared and presented the City Council for
15 examination;

16 WHEREAS, said Report contains a full and detailed description of the
17 boundaries of the assessment district, the proposed assessments to be levied against
18 each assessable lot or parcel of land within the district, and a description of the
19 improvements to be maintained or modified; and

20 WHEREAS, the City Council has examined and reviewed the Engineer's
21 Report as presented, and is satisfied with all of the budget items and documentation
22 as set forth therein, and is satisfied that the assessments have been spread in
23 accordance with the benefits received from the improvements, operation,
24 maintenance and services to be performed within the district.

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1 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as
2 follows:

3 SECTION 1. That said report contains a full and detailed description of the
4 boundaries of the assessment district, the annual budget, the method of
5 apportionment for calculating the assessment for each of the assessed parcels and
6 the proposed levy amount for each assessment parcel within the district for fiscal year
7 2006-2007.

8 SECTION 2. That said report is approved as submitted and the assessment
9 amount so described are less than or equal to the maximum assessment amounts
10 which will appear on the ballots received by the property owners. All property owners
11 subject to the proposed increase in assessments shall be balloted pursuant to the
12 California Constitution Article XIID

13 SECTION 3. That said report orderd to be filed in the Office of the City Clerk of
14 the City of Oceanside.

15 SECTION 4. That the City Clerk of the City of Oceanside is directed to
16 endorse upon the Engineer's Report for the Mar Lado Highlands Landscape
17 Maintenance District its approval and the date thereof.

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1 PASSED AND ADOPTED by the City Council of the City of Oceanside,
2 California, this _____ day of _____, 2006, by the following vote:

3
4 AYES:
5 NAYS:
6 ABSENT:
7 ABSTAIN:

8
9 _____
10 Mayor of the City of Oceanside

11 APPROVED AS TO FORM:
12 OFFICE OF THE CITY ATTORNEY

13 
14 _____, ASSISTANT
15 City Attorney

16 ATTEST:

17 _____
18 City Clerk

ENGINEER'S REPORT
MAR LADO LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 1-1988

FISCAL YEAR 2006-2007

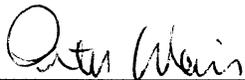
As directed by the City Council of the City of Oceanside, I, Peter Weiss, Public Works Director/City Engineer, respectfully submit the following Report regarding the 2006-2007 fiscal year renewal of the Mar Lado Landscape Maintenance District. This Report is made pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code of the State of California. This Report consists of four parts (Exhibits "A" through "D") defined as follows:

Exhibit "A" - Description of the improvements to be administered and maintained. The plans and specifications for these improvements are part of this Report, but are separately bound and on file in the Engineering Division of the Public Works Department.

Exhibit "B" - Cost estimate for the administration and maintenance of the improvements outlined in Exhibit "A".

Exhibit "C" - An assessment roll showing the proposed amount to be specifically assessed against each lot and parcel of real property within the assessment district. Each parcel is described by San Diego County Assessor's Parcel Number or other designation, and each parcel has been assigned said number for the purposes of this proceeding. The amount assessed is based on Exhibit "B".

Exhibit "D" - Diagram showing the boundaries of the assessment district, parcels of real property within the district, and the location of the improvements. The diagram is keyed to Exhibit "C" by County Assessor's Number. The assessment roll and maps of the San Diego County Assessor shall govern for all details concerning the description, lines and dimensions of any lot or parcel shown.



Peter Weiss
Public Works Director/
City Engineer

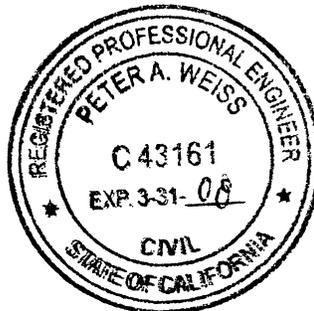


EXHIBIT "A"

MAR LADO LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 1-1988
DESCRIPTION OF THE IMPROVEMENTS
TO BE ADMINISTERED AND MAINTAINED

The proposed assessments shall be used to pay for district administrative costs and the maintenance and material costs incurred to maintain landscaping and appurtenant structures within the parkways, slopes and open space areas within or adjacent to certain sections of Southwood and Rivertree drives and Ashwood Court, in addition to the landscape slopes located behind certain homes all within the Mar Lado Highlands subdivision.

MAR LADO LANDSCAPE DISTRICT NO. 1 - 1988
 BUSINESS UNIT/ID - 249.647296
 FISCAL YEAR 2006-2007

EXHIBIT "B"
 3/28/06

OBJ ID	Object Description	EST. COSTS 05/06	EST. COSTS 06/07
5211.58075	M&R Bldgs-Contract Cost Excess	\$ 6,215	\$ 24,860
5211	M&R-Buildings & Facilities	29,970	38,976
5222	Postage	300	300
5229	Misc materials, supplies & services	253	253
5241	Consultant Fees	-	-
5321	Advertising	244	244
5351	Electric Utilities	500	500
5355	Water Utilities	23,856	23,856
5393	NonCapital Equip & Small Tools	35	35
SUBTOTAL		\$ 61,373	\$ 89,024
	Personnel Costs*	5,349	
	Interfund Charges*	5,147	
7070.00101	CstShX-Trns-t General Fd		10,496
TOTAL		\$ 71,869	\$ 99,520

* Combined as OBJ ID 7070.00101 for fy 06/07

FUND BALANCE/REVENUE ACCOUNT	05/06	06/07
Estimated Beginning Fund balance	\$ 77,889	\$ 61,878
Estimated Assessment Revenue	69,790	99,520
Estimated Interest Revenue	2,086	2,086
Estimated Expenditures	(87,887)	(99,520)
Estimated Ending Fund Balance	\$ 61,878	\$ 63,964

ASSESSMENT COMPARISON	05/06	06/07
Number of parcels	133	133
Number of assessment units	140	140
Parcels @ 1.0	55	55
Parcels @ 1.1	78	78
Annual assmt. per single family (1.0)	496.00	706.82
Annual assmt. per single family w/add'l. benefit (1.1)	545.00	777.50
Total Assessment @ 1.0	27,280	38,875
Total Assessment @ 1.1	42,510	60,645
Total Annual Assessment	\$ 69,790	\$ 99,520

Exhibit "C" is on file at the City Clerk's Office

MAR LADO
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 1-1988
FISCAL YEAR 2006 - 2007

SHADOW TREE DRIVE

MURFIELD DRIVE

DEERFIELD COURT

ASHWOOD COURT

NORTHWOOD DRIVE

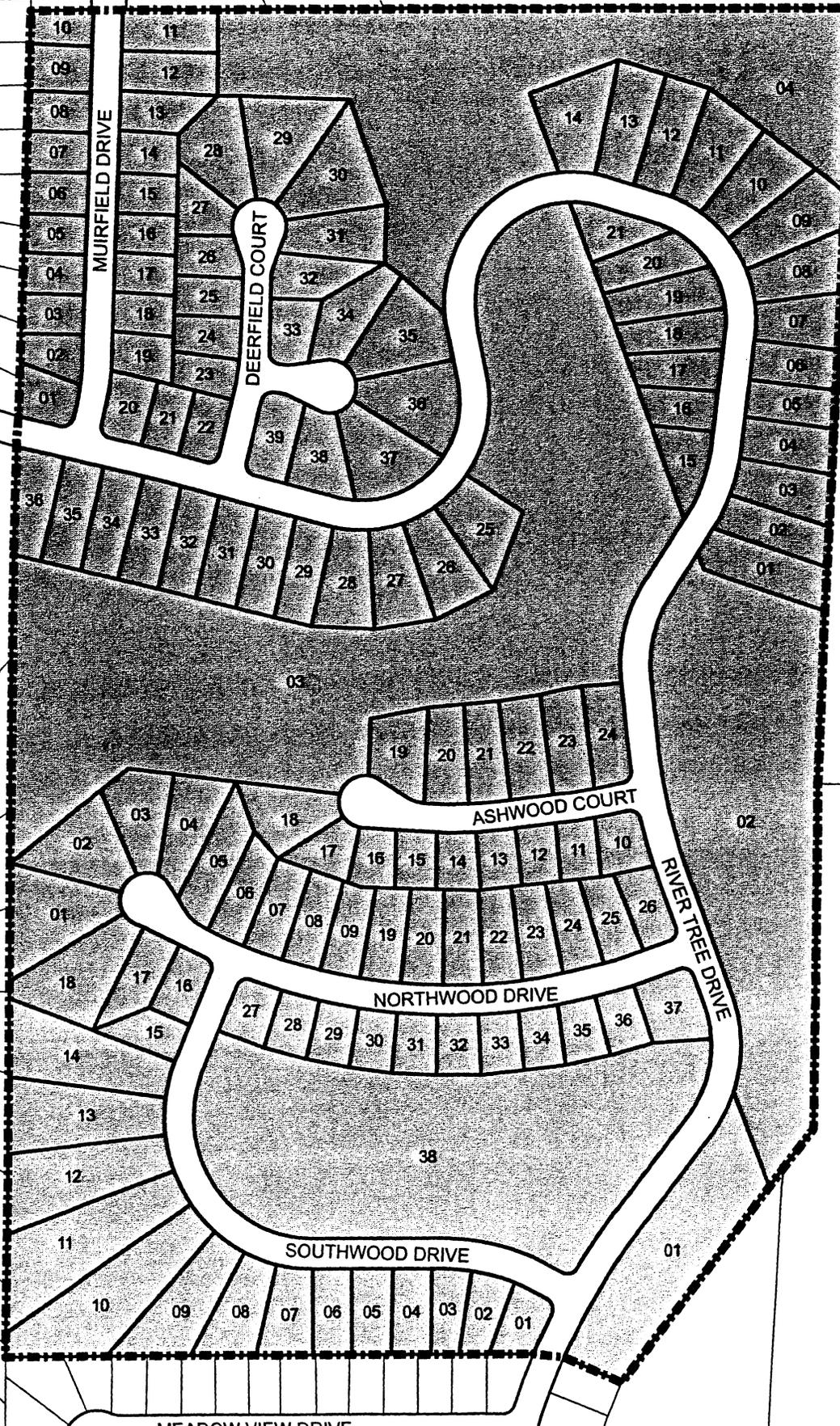
SOUTHWOOD DRIVE

MEADOW VIEW DRIVE

RIVER TREE DRIVE



No Scale



1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, DECLARING ITS INTENTION
4 TO CONDUCT A PROPERTY OWNER BALLOTING ON THE
5 MATTER OF ANY NEW OR INCREASED ASSESSMENTS,
6 TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL
7 YEAR 2006-2007 WITHIN THE SANTA FE MESA
8 LANDSCAPE MAINTENANCE DISTRICT, ASSESSMENT
9 DISTRICT NO. 2-1987 AND SETTING A PUBLIC HEARING
10 ON THE PROPOSED ASSESSMENTS

11 WHEREAS, pursuant to the Landscape and Lighting Act of 1972, the City
12 Council of the City of Oceanside adopted Resolution No. _____ directing the
13 City Engineer to prepare a report on the Santa Fe Mesa Landscape Maintenance
14 District, Assessment Dirstrict No. 2-1987 for fiscal year 2006-2007;

15 WHEREAS, City has retained Harris and Associates for the purpose of
16 assisting with the establishment of the assessments and to assist the City Engineer
17 with the preparation of the Engineer's Report in accordance with the Act, and in
18 accordance with the requirements of the California Constitution, Articles XIIC and
19 XIID;

20 WHEREAS, said Report, on file with the City Clerk of the City of Oceanside,
21 contains a full and detailed description of the boundaries of the assessment district,
22 the proposed assessments to be levied against each assessable lot or parcel of land
23 within the district, and a description of the improvements to be maintained or
24 modified;

25 WHEREAS, said report proposes an increase in assessments which requires a
26 property owner balloting in order to levey and collect said assessment for fiscal year
27 2006-2007; and

28 WHEREAS, the City Council of the City of Oceanside adopted Resolution No.
_____ approving the aforementioned report either as filed or modified by
this Council;

1 NOW THEREFORE, the City Council of the City of Oceanside does resolve as
2 follows:

3 SECTION 1. That it is the intent of this Council to levy and collect
4 assessments for fiscal year 2006-2007 within the Santa Fe Mesa Landscape
5 Maintenance District, Assessment District 2-1987, generally located in that area of
6 the City of Oceanside, California, commonly known as Mission Santa Fe, Lark
7 Place, Palmera and Lago Vista subdivisions.

8 SECTION 2. That the proposed assessments shall be used to pay the district
9 administrative costs and the maintenance and material costs incurred to maintain
10 landscaping and appurtenant structures within the parkways, medians and slopes
11 within or adjacent to certain sections of Mesa, Sumerhill, Overlook, Muirwood,
12 Sagewood, Palmera and Woodhaven Drives, North Santa Fe Avenue, Avenida de la
13 Plata, Wohlford, Chaplain and Wendela Streets, and Paseo Hermosa all within the
14 areas commonly known as Mission Santa Fe, Lark Place, Palmera and Lago Vista
15 subdivisions.

16 SECTION 3. That the proposed assessments shall not be used to maintain
17 areas that have not been formally accepted by the City of Oceanside.

18 SECTION 4. That this City Council sets a public hearing on the proposed
19 assessments and an assessment ballot proceeding is hereby called on behalf of
20 the district on the matter of confirming assessments for for July 12, 2006, at
21 6:00 PM, or as soon thereafter as possible, in the City Council Chambers located at
22 300 North Coast Highway, Oceanside, California.

23 The assessment ballot proceeding for the district on the matter of authorizing an
24 increase in assessments, pursuant to California Consitution, Article XIID Section 4
25 consits of a ballot, included with mailed notice, distributed by mail, to the proeperty
26 owners of record not less than 45 days before the date of the public hearing. Each
27 property owner may return the ballot by mail or in person to the City Clerk not later
28 than the conclusion of the public hearing. At the conclusion of the public hearing,
the City Clerk shall tabulate the ballots to determine if a majority protest exists. The

1 ballots shall be weighted according to the proportional financial obligation of the
2 affected property. A majority protest exists if, upon the conclusion of the hearing,
3 ballots submitted in opposition to the assessment exceed the ballots submitted in
4 favor of the assessment.

5 Any interested person(s) will be heard at this public hearing. Prior to the
6 conclusion of this hearing, anyone may file with the City Clerk a written protest
7 regarding the proposed assessments. Said protest must state why the protest is
8 being made and contain a description sufficient to identify the property owned by the
9 protesting party.

10 SECTION 5. That the City Clerk of the City of Oceanside is directed to give
11 notice of this public hearing as required by Section 22626 of the Streets and
12 Highways Code.

13 PASSED AND ADOPTED by the City Council of the City of Oceanside,
14 California, this _____ day of _____, 2006, by the following vote:

15
16 AYES:

17 NAYS:

18 ABSENT:

19 ABSTAIN:

20 _____
21 Mayor of the City of Oceanside

22 APPROVED AS TO FORM:
23 OFFICE OF THE CITY ATTORNEY

24 *Pauline Hamilton* ASSISTANT
25 City Attorney

26 ATTEST:

27 _____
28 City Clerk

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RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, DIRECTING THE CITY ENGINEER TO PREPARE A REPORT ON THE FISCAL YEAR 2006-2007 RENEWAL OF THE SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICT, ASSESSMENT DISTRICT 2-1987

WHEREAS, pursuant to the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code of California, Section 22500 et. seq, hereinafter referred to as the "Act", the City Council of the City of Oceanside adopted Resolution Nos. R87-226 and R88-31, which ordered the formation of the district and R95-105 which ordered the annexation of territory into the Santa Fe Mesa Landscape Maintenance District, Assessment District No. 2-1987 and;

WHEREAS, pursuant to the Act, the levy of any annual assessment after the formation of such an assessment district must be initiated by the adoption of a resolution of the City Council directing the City Engineer to prepare and file a report in accordance with the provisions of Article 4 of Chapter 1 of the Act;

WHEREAS, the City has retained Harris and Associates (herein after referred to as "Assessment Engineer"), for the purpose of assisting with the establishment of the assessments and to assist the City with the preparation of an Engineer's Report in accordance with the Act; and in accordance with the requirements of the California Constitution, Articles XIIC and XIID;

WHEREAS, the City Engineer assisted by the Assessment Engineer, has prepared said report as directed and presented it to the City Council for examination;

1 WHEREAS the ongoing administration and maintenance of the improvements
2 and appurtenant structures within the City-maintained portions of the Santa Fe
3 Mesa Landscape Maintenance District will require assessments to be levied on
4 the assessable lots or parcels of land within the district; and

5 WHEREAS, pursuant to the Act, said resolution generally must describe any
6 proposed new improvements or substantial changes in existing district
7 improvements planned for the fiscal year which the resolution applies.

8 NOW THEREFORE, the City Council of the City of Oceanside does resolve
9 as follows:
10

11 SECTION 1. That improvements and changes in existing improvements will
12 continue for fiscal year 2006-2007 within the Santa Fe Mesa Landscape
13 Maintenance District.

14 SECTION 2. That the City Council hereby orders the Assessment Engineer to
15 prepare or cause the preparation of the Engineer's Report concerning the
16 establishment and levy of assessments for the Santa Fe Mesa Landscape
17 Maintenance District in accordance with Chapter 2, Article 1, Section 22585 (d) of
18 the Act. Said report shall be filed with the City Clerk for submission to the City
19 Council and contain a full and detailed description of the boundaries of the
20 assessment district, the proposed assessments to be levied on each assessable
21 lot or parcel of land within the district and improvements to be maintained.

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PASSED AND ADOPTED by the City Council of the City of Oceanside,
California, this ____ day of _____, 2006, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Mayor of the City of Oceanside

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Richard Hamilton, ASSISTANT
City Attorney

ATTEST:

City Clerk

1 RESOLUTION NO.

2 RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF OCEANSIDE, CALIFORNIA, APPROVING THE
4 CITY ENGINEER'S 2006-2007 FISCAL YEAR
5 REPORT ON THE SANTA FE MESA LANDSCAPE
6 MAINTENANCE DISTRICT, ASSESSMENT DISTRICT
7 2-1987

8 WHEREAS, pursuant to the Landscape and Lighting Act of 1972, the City
9 Council of the City of Oceanside adopted Resolution No. _____ directing the City
10 Engineer to prepare a Report on the Santa Fe Mesa Landscape Maintenance District,
11 Assessment District No.2-1987, for fiscal year 2006-2007;

12 WHEREAS, the City Engineer has prepared said Report in accordance with
13 the Act, and in accordance with the requirements of the California Constitution,
14 Articles XIIC and XIID

15 WHEREAS, said report has been prepared and presented the City Council for
16 examination;

17 WHEREAS, said Report contains a full and detailed description of the
18 boundaries of the assessment district, the proposed assessments to be levied against
19 each assessable lot or parcel of land within the district, and a description of the
20 improvements to be maintained or modified; and

21 WHEREAS, the City Council has examined and reviewed the Engineer's
22 Report as presented, and is satisfied with all of the budget items and documentation
23 as set forth therein, and is satisfied that the assessments have been sperad in
24 accordance with the benefits received from the improvements, operation,
25 maintenance and services to be performed within the district.

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1 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as
2 follows:

3 SECTION 1. That said report contains a full and detailed description of the
4 boundaries of the assessment district, the annual budget, the method of
5 apportionment for calculating the assessment for each of the assessed parcels and
6 the proposed levy amount for each assessment parcel within the district for fiscal year
7 2006-2007.

8 SECTION 2. That said report is approved as submitted and the assessment
9 amount so described are less than or equal to the maximum assessment amounts
10 which will appear on the ballots received by the property owners. All property owners
11 subject to the proposed increase in assessments shall be balloted pursuant to the
12 California Constitution Article XIID

13 SECTION 3. That said report orderd to be filed in the Office of the City Clerk of
14 the City of Oceanside.

15 SECTION 4. That the City Clerk of the City of Oceanside is directed to
16 endorse upon the Engineer's Report for the Santa Fe Mesa Landscape Maintenance
17 District its approval and the date thereof.

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1 PASSED AND ADOPTED by the City Council of the City of Oceanside,
2 California, this _____ day of _____, 2006, by the following vote:

3
4 AYES:
5 NAYS:
6 ABSENT:
7 ABSTAIN:

8
9 _____
10 Mayor of the City of Oceanside

11 APPROVED AS TO FORM:
12 OFFICE OF THE CITY ATTORNEY

13 
14 _____ ASSISTANT
15 City Attorney

16 ATTEST:

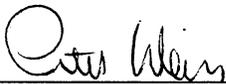
17 _____
18 City Clerk
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ENGINEER'S REPORT
SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 2-1987

FISCAL YEAR 2006-2007

As directed by the City Council of the City of Oceanside, I, Peter Weiss, Public Works Director/City Engineer, respectfully submit the following Report regarding the 2006-2007 fiscal year renewal of the Santa Fe Mesa Landscape Maintenance District. This Report is made pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code of the State of California. This Report consists of four parts (Exhibits "A" through "D") defined as follows:

- Exhibit "A" - Description of the improvements to be administered and maintained. The plans and specifications for these improvements are part of this Report, but are separately bound and on file in the Engineering Division of the Public Works Department.
- Exhibit "B" - Cost estimate for the administration and maintenance of the improvements outlined in Exhibit "A".
- Exhibit "C" - An assessment roll showing the proposed amount to be specifically assessed against each lot or parcel of real property within the assessment district. Each parcel is described by San Diego County Assessor's Parcel Number or other designation, and each parcel has been assigned said number for the purposes of this proceeding. The amount assessed is based on Exhibit "B".
- Exhibit "D" - Diagram showing the boundaries of the assessment district, parcels of real property within the district, and the location of the improvements. The diagram is keyed to Exhibit "C" by County Assessor's Number. The assessment roll and maps of the County Assessor shall govern for all details concerning the description, lines and dimensions of any lot or parcel shown.



Peter Weiss
Public Works Director/
City Engineer



EXHIBIT "A"

SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICT ASSESSMENT DISTRICT NO. 2-1987 DESCRIPTION OF THE IMPROVEMENTS TO BE ADMINISTERED AND MAINTAINED

The proposed assessments shall be used to pay for district administrative costs and the maintenance and material costs incurred to maintain landscaping and appurtenant structures within the parkways, medians and slopes within or adjacent to certain sections of Mesa, Summerhill, Overlook, Muirwood, Sagewood, Palmera and Woodhaven drives, North Santa Fe Avenue, Avenida De La Plata, Wohlford, Champlain and Wendela streets, and Paseo Hermosa all within the areas commonly known as Mission Santa Fe, Lark Place, Palmera and Lago Vista subdivisions.

SANTA FE MESA LANDSCAPE DISTRICT NO. 2 - 1987
 BUSINESS UNIT/ID - 247.647370
 FISCAL YEAR 2006-2007

EXHIBIT "B"
 3/28/06

<u>OBJ ID</u>	<u>Object Description</u>	<u>EST. COSTS 05/06</u>	<u>EST. COSTS 06/07</u>
5211.58075	M&R Bldgs-Contract Cost Excess	\$ 110,000	\$ 88,451
5211	M&R-Buildings & Facilities	158,171	180,264
5221	Office Supplies	-	-
5222	Postage	1,060	1,060
5226	PrMaterial & Forms	-	-
5229	Misc materials, supplies & services	1,524	1,524
5241	Consultant Fees	-	-
5271	Books, Pubs and Subs	-	-
5321	Advertising	244	244
5351	Electric Utilities	3,300	3,300
5355	Water Utilities	124,055	124,055
5393	NonCapital Equipt & Small Tools	191	191
SUBTOTAL		\$ 398,545	\$ 399,089
	Personnel Costs*	38,225	38,225
	Interfund Charges*	36,518	36,518
7070.00101	CstShX-Trns-t General Fd		
TOTAL		\$ 473,288	\$ 473,832

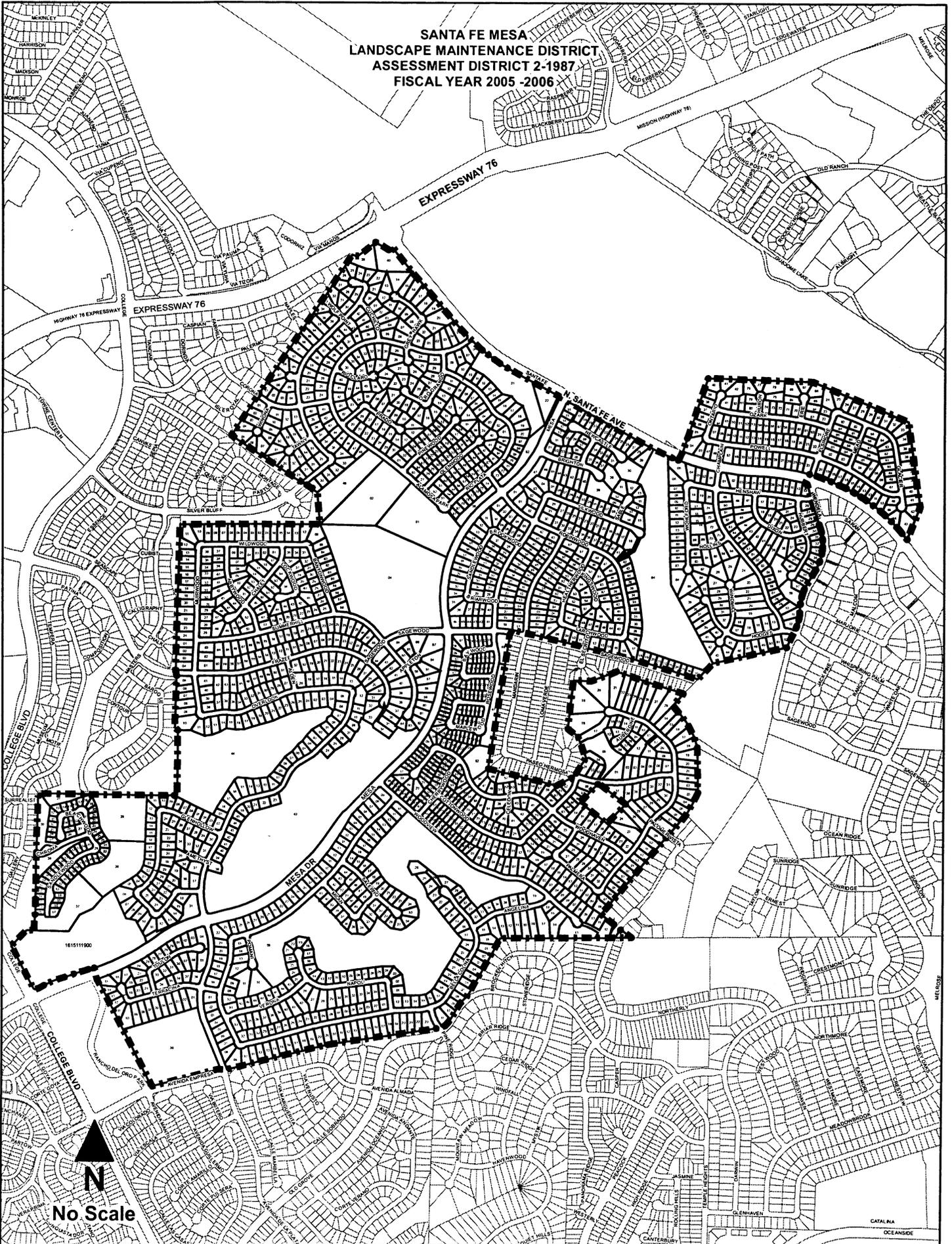
* Combined as OBJ ID 7070.00101 for fy 06/07

<u>FUND BALANCE/REVENUE ACCOUNT</u>	<u>05/06</u>	<u>06/07</u>
Estimated Beginning Fund Balance	\$ 154,997	\$ 44,678
Estimated Assessment Revenue	346,218	473,832
Estimated Interest Revenue	3,425	3,425
Estimated Expenditures	(459,962)	(473,832)
Estimated Ending Fund Balance	\$ 44,678	\$ 48,103

<u>ASSESSMENT COMPARISON</u>	<u>05/06</u>	<u>06/07</u>
Number of parcels	1,019	1,019
Number of assessment units	2,088	2,088
Parcels @ 1.0	1,611	1,611
Parcels @ 1.1	469	469
Annual assmt. per single family (1.0)	162.78	222.78
Annual assmt. per single family w/add'l. benefit (1.1)	179.06	245.06
Total Assessment @ 1.0	262,239	358,899
Total Assessment @ 1.1	83,979	114,933
Total Annual Assessment	\$ 346,218	\$ 473,832

Exhibit "C" is on file at the City Clerk's Office

SANTA FE MESA
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT 2-1987
FISCAL YEAR 2005 -2006



No Scale