ITEM NO. 18

STAFF REPORT

CITY OF OCEANSIDE

DATE: May 16, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ADOPTION OF RESOLUTION CONFIRMING THE DIAGRAMS AND ASSESSMENTS FOR FY 2007-08 FOR THE DOUGLAS PARK LANDSCAPE MAINTENANCE DISTRICT**

SYNOPSIS

Staff recommends that the City Council adopt the resolution confirming the diagrams and assessments for the Douglas Park Landscape Maintenance District, Assessment District 5-1981 and order the assessments to be levied for FY 2007-08.

BACKGROUND

The Douglas Park Landscape Maintenance District (hereinafter "District") was formed pursuant to the authority granted by the Landscaping and Lighting Act of 1972 of the California Streets and Highways Code. This legislation provided the means to finance the maintenance of landscape improvements within the boundaries of the District.

The FY 2007-2008 assessment for the District will be increased by two percent for Douglas Park and three percent for the Vandegrift corridor, Zone A, which is part of the Douglas Park District. This increase was agreed to by a majority of property owners within the District, and as such, a proposition 218 balloting is not necessary. A comparative summary of the existing and proposed assessments for the District is shown in the fiscal impact portion of this report.

ANALYSIS

The City Council is required to conduct a public hearing regarding the proposed FY 2007-08 assessments to be levied within the District. The public hearing provides all interested persons an opportunity to be heard, either in writing or orally at the public hearing, regarding the renewal and proposed assessments. After consideration of the evidence submitted, the City Council is requested to adopt the resolution for the District confirming the FY 2007-08 diagram and assessment.

The amount of the assessment levied against a parcel is based on benefit unit costs. Benefit units are assigned to each parcel reflecting both land use designation and proximity to District landscaping. The District's total costs, divided by the total benefit

units in the District, determines the assessment per benefit unit. A parcel's assessment is determined by multiplying its assigned number of benefit units by the assessment per benefit unit.

Single-family homes are assessed one benefit unit. An additional 0.1 benefit unit is assessed if the single-family home is adjacent to District landscaping. Condominiums and apartments are assigned 0.8 benefit unit per dwelling.

An itemized outline of costs and the calculation of the average annual assessment per benefit unit are summarized in the attached Engineer's Report, approved on April 4, 2007, and the accompanying exhibits. The report identifies the proposed assessment for each lot and parcel of real property within the District. Exhibit C of the Engineer's Report contains an assessment roll showing the proposed amount to be assessed against each parcel within the District. The proposed assessments within the Engineer's Reports will be used to pay the operation, maintenance, and material costs associated with the District for FY 2007-08. Exhibit C is available for review in the City Clerk's office. Since there will not be any changes to the Engineer's Report approved on April 4, 2007, the City Council is not required to approve a Modified Engineer's Report. The proposed assessments within the Engineer's Report, approved on April 4, 2007, will be used to pay the operation, maintenance and material costs associated with the District for FY 2007-08.

FISCAL IMPACT

All costs are included in the District's budget. Revenues to cover the estimated expenditures are levied and collected as a special assessment against the properties within the District. The budget for the District is detailed on Exhibit B of the Engineer's Report. A comparative summary of the existing and proposed assessments for the District is shown below:

District	Current Annual / Monthly	Proposed Annual / Monthly	CPI	Account Number
Douglas Park	$84.78/$7.06	$86.48/$7.21	2% Annually	244.647340.5241
Douglas Park (Zone A) Vandegrift	$31.46/$2.62	$32.40/$2.70	3% Annually	244.647341.5241

An annual increase to the base assessment rate by the Consumer Price Index (CPI) for all Urban Consumers for the San Diego Area was approved by a majority of the property owners within the District with City Council approval. The total annual

assessment will not exceed the maximum rate unless a balloting process in compliance with Proposition 218 is completed. All of the assessments approved by the City Council were prepared in accordance with the 1972 Act and are in full compliance with the provisions of the California Constitution Article XIIID (Proposition 218).

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt the resolution confirming the diagrams and assessments for the Douglas Park Landscape Maintenance District, Assessment District 5-1981 and order the assessments to be levied for FY 2007-08.

PREPARED BY:

Heidi Janz,
Program Specialist

SUBMITTED BY:

Peter A. Weiss
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Joseph Arranaga, Acting Deputy Public Works Director

Douglas E. Eddow, Real Property Manager

Scott O. Smith, Acting City Engineer

Nita McKay, Financial Services Director

Attachments: Resolutions

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, CONFIRMING THE FISCAL YEAR 2007-2008 DIAGRAM AND ASSESSMENT FOR THE DOUGLAS PARK LANDSCAPE MAINTENANCE DISTRICT, ASSESSMENT DISTRICT NO. 5-1981

WHEREAS, pursuant to the Landscaping and Lighting Act of 1972, 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 No. declaring its intention to levy and collect assessments for fiscal year 2007-2008 to pay the maintenance, operation and administrative costs for landscaping and appurtenant improvements within the Douglas Park Landscape Maintenance District, Assessment District No. 5-1981;

WHEREAS, said resolution also set a public hearing for May 16, 2007 at 6:00 p.m., or as soon thereafter as possible, in the City Council Chambers located at 300 North Coast Highway, Oceanside, California, as the time and place to hear protests and objections to the proposed assessment and renewal of said district;

WHEREAS, the City Clerk of the City of Oceanside has given notice of said hearing by publishing the Resolution of Intention, as required by Section 22626 of the Act;

WHEREAS, at the time and place stated in said Resolution of Intention, a public hearing was duly held by the City Council of the City of Oceanside, at which time all persons desiring to be heard were heard;

WHEREAS, the Engineer's Report for the Douglas Park Landscape Maintenance District was approved by the Oceanside City Council on April 4, 2007, and no changes have been made to that report.

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

WHEREAS, the City Council of the City of Oceanside, adopted Resolution No. which approved the Engineer's Report regarding the district's proposed 2007-2008 costs and assessments;

WHEREAS, the City Council of the City of Oceanside has examined and considered the proposed assessment in said Report and proceedings prior thereto, in addition to the evidence presented at said hearing; and

WHEREAS, upon completion of said hearing, the City Council of the City of Oceanside determined that a majority protest did not exist.

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

SECTION 1. That on May 16, 2007, at 6:00 p.m., said hearing on the proposed 2007-2008 fiscal year assessment and renewal was duly held, and each and every step required under the Act and the California Constitution to levy said assessment and renew said district in the proceedings prior to and including said hearing has been duly taken.

SECTION 2. That this City Council does determine that the Engineer's Report, approved by its Resolution No. and the amount of the assessment rates shown in said Report, should be confirmed.

SECTION 3. That the City Council does determine that the amounts to be assessed against the individual parcels shown on the assessment diagram contained in said Report are approved and confirmed, and the City Clerk of the City of Oceanside is directed to endorse upon the Engineer's Report for the Douglas Park Landscape Maintenance District its approval and the date thereof.

SECTION 4. The City Clerk of the City of Oceanside is directed to file said diagram and assessment as required by Section 22641 of the Act.

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PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____, 2007, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Mayor of the City of Oceanside

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

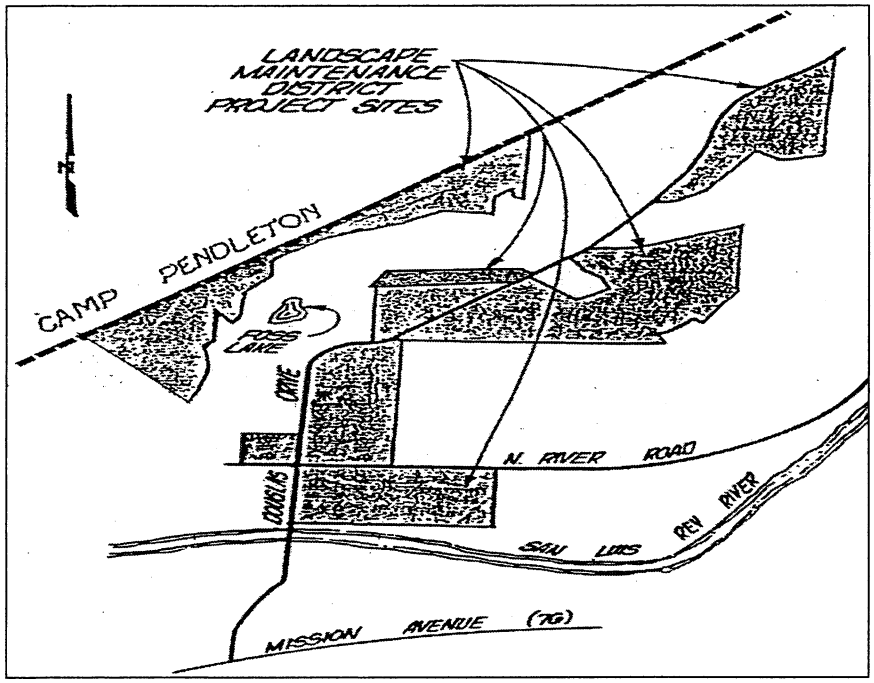
Barbara Hamilton ASST.
_____
City Attorney

ATTEST:

_____
City Clerk

Resolution confirming the fiscal year 2007-2008 diagram and assessment for the Douglas Park Landscape Maintenance District, Assessment District No. 5-1981

DOUGLAS PARK
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5-1981
FISCAL YEAR 2007-2008



SEE ATTACHED FOR DETAIL

SHOWING THE GENERAL NATURE, LOCATION AND EXTENT OF THE PROPOSED IMPROVEMENT IN THE CITY OF OCEANSIDE AND THE LANDS TO BE ASSESSED TO PAY THE COSTS THEREOF.

NOTE: FOR DETAILS AND DIMENSIONS SEE SAN DIEGO COUNTY ASSESSOR'S MAP BOOK

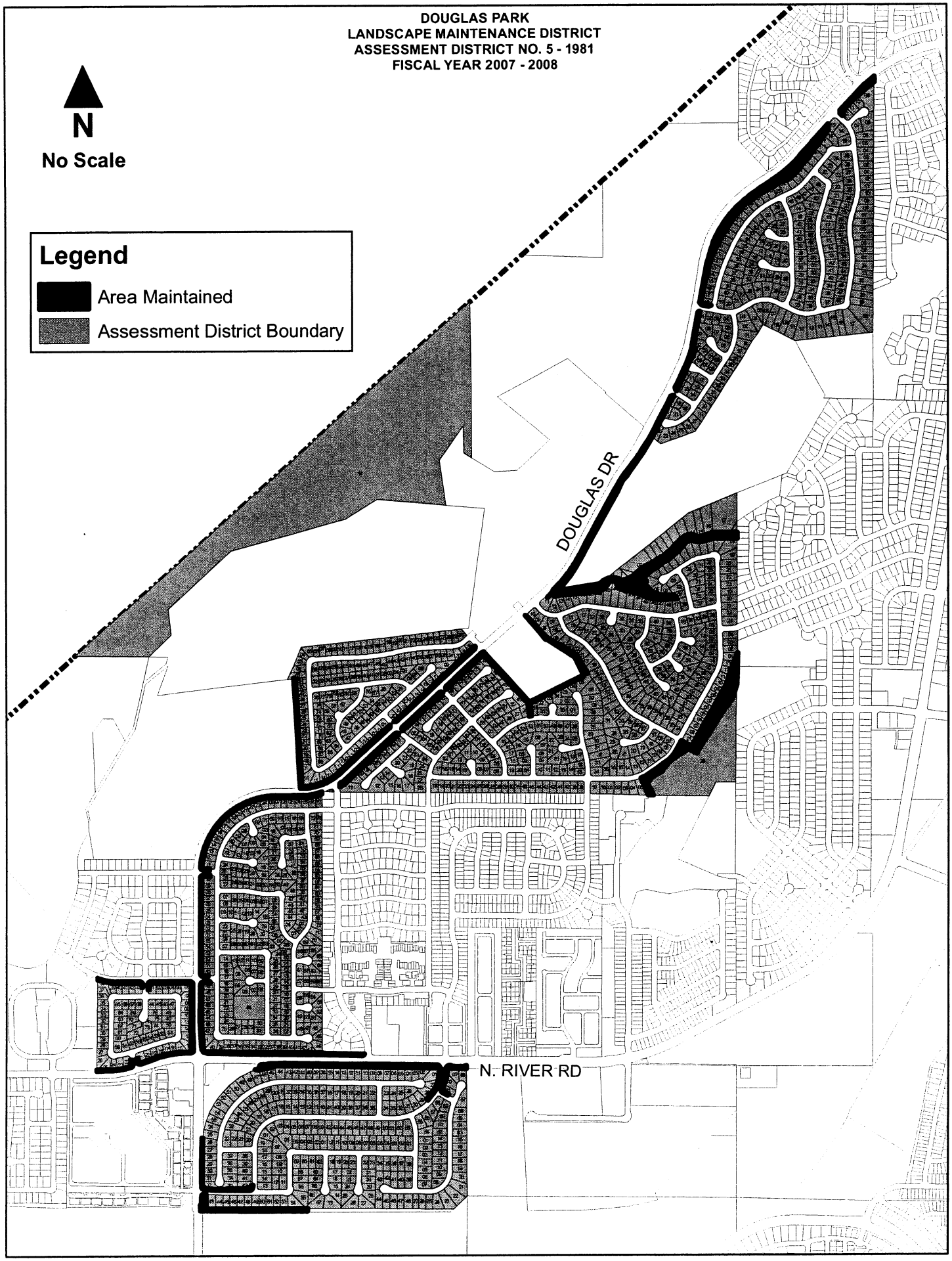
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF DOUGLAS PARK LANDSCAPE MAINTENANCE DISTRICT, ASSESSEMENT DISTRICT NO.5-1981, CITY OF OCEANSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF SAID CITY OF OCEANSIDE AT A REGULAR MEETING THEREOF HELD ON THE _____DAY OF _____20__ BY RESOLUTION NO. _____

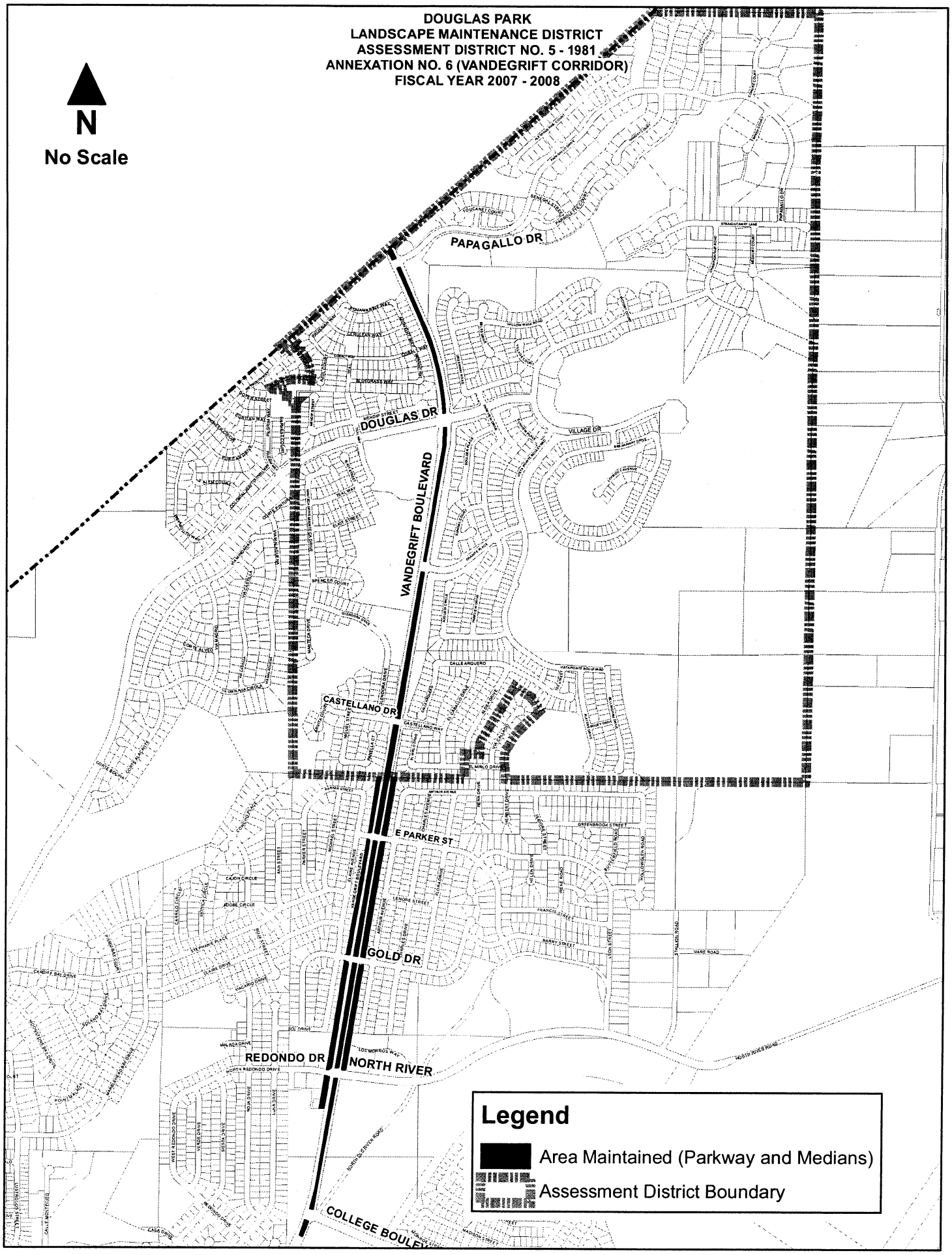
_____
CITY CLERK, CITY OF OCEANSIDE

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OCEANSIDE
THIS _____DAY OF _____20___

_____
CITY CLERK, CITY OF OCEANSIDE

DOUGLAS PARK
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5 - 1981
FISCAL YEAR 2007 - 2008




DOUGLAS PARK
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5 - 1981
ANNEXATION NO. 6 (VANDEGRIFT CORRIDOR)
FISCAL YEAR 2007 - 2008
N
No Scale
PAPAGALLO DR
DOUGLAS DR
VANDEGRIFT BOULEVARD
VILLAGE DR
CASTELLANO DR
E PARKER ST
GOLD DR
REDONDO DR
NORTH RIVER
COLLEGE BOULEV
Legend
Area Maintained (Parkway and Medians)
Assessment District Boundary

ENGINEER'S REPORT
DOUGLAS PARK LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5-1981

FISCAL YEAR 2007-2008

As directed by the City Council of the City of Oceanside, I, Scott Smith, Acting City Engineer, respectfully submit the following report regarding the 2007-2008 fiscal year renewal of the Douglas Park 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 San Diego County Assessor shall govern for all details concerning the description, lines or dimensions of any lot or parcel shown.

Scott Smith
Acting City Engineer

EXHIBIT "A"

DOUGLAS PARK LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5-1981
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 Douglas, Marblehead Bay and Westport drives and North River Road, and between or along certain residential streets within those areas commonly known as Foxwood, Whelan Ranch, Creekside Estates and Sunwest Estates, Oceanside 1 and Darwin Estates subdivisions.

VANDEGRIFT ANNEXATION
ASSESSMENT DISTRICT NO. 5-1981
DESCRIPTION OF THE IMPROVEMENTS
TO BE ADMINISTERED AND MAINTAINED

The Vandegrift Annexation is part of the Douglas Park Landscape Maintenance District, Assessment District 5-1981. The proposed assessments shall be used to pay for district administrative costs and the maintenance and material costs incurred to maintain landscaping with the parkways, medians, and slopes within or adjacent to certain sections of North River Road from North College Boulevard to North Redondo Drive, Vandegrift Boulevard from North Redondo Drive to Vandegrift Heights/Sonoma Hills, Vandegrift Boulevard adjacent to Sonoma Hills, Vandegrift Boulevard between Sonoma Hills and Morrow Hills West, Vandegrift Boulevard between Morro Hills West and Wilmont Ranch, and Vandegrift Boulevard adjacent to Wilmont Ranch

DOUGLAS PARK LANDSCAPE DISTRICT NO. 5 - 1981
BUSINESS UNIT/ID - 244.647340
FISCAL YEAR 2007-2008

EXHIBIT "B"
3/6/07

OBJ ID	Object Description	EST. COSTS 06/07	EST. COSTS 07/08
5211.58075	M&R Bldgs-Contract Cost Excess	$ 30,030	$ 20,143
5211*	M&R-Buildings & Facilities	47,736	53,703
5222	Postage	-	-
5229	Misc materials, supplies & services	300	300
5241	Consultant Fees	276	276
5321	Advertising	226	226
5351	Electric Utilities	1,800	1,800
5355**	Water Utilities	36,000	39,000
5393	NonCapital Equip & Small Tools	-	-
SUBTOTAL		**$ 116,368**	**$ 115,448**
7070.00101	CstShX-Trns-t General Fd	10,259	10,259
TOTAL		**$ 126,627**	**$ 125,707**

FUND BALANCE/REVENUE ACCOUNT	06/07	07/08
Fund Balance 7/1/05	$ (20,871)	
Assessment Revenue 05/06	123,198	
Interest Revenue 05/06	817	
Expenditures 05/06	105,478	
Fund Balance 7/1/06 & 7/1/07	$ (2,334)	$ (2,885)
Assessment Revenue 06/07 & 07/08	125,662	128,179
Interest Revenue 06/07 & 07/08	413	413
Estimated Expenditures 06/07 & 07/08	126,627	125,707
Fund Balance 7/1/07	$ (2,885)	$ (0)

ASSESSMENT COMPARISON	06/07	07/08
Number of parcels	1,468	1,468
Number of assessment units	1,482.2	1,482.2
Parcels @ 1.0	1,249	1,249
Parcels @ 1.1	212	212
Annual assmt. per single family (1.0)	84.78	86.48
Annual assmt. per single family w/add'l. benefit (1.1)	93.25	95.12
Total Assessment @ 1.0	105,890	108,014
Total Assessment @ 1.1	19,769	20,165
Total Annual Assessment	125,659	128,179

Assessment includes 2% annual increases

*Contract maintenance includes a 25% increase for the 2nd half of 07/08
**Includes a 10% increase of 5-year average

DP/VANDEGRIFT ANNEXATION NO. 6 - ZONE A NO. 5 - 1981 **EXHIBIT "B"**
BUSINESS UNIT/ID - 244.647341 3/6/07
FISCAL YEAR 2007-2008

OBJ ID	Object Description	EST. COSTS 06/07	EST. COSTS 07/08
5211.58075	M&R Bldgs-Contract Cost Excess	$ 8,968	$ 12,000
5211*	M&R-Buildings & Facilities	5,689	9,483
5222	Postage	-	-
5229	Misc materials, supplies & services	30	30
5241	Consultant Fees	14	14
5321	Advertising	226	226
5351	Electric Utilities	250	250
5355**	Water Utilities	6,700	9,000
5393	NonCapital Equip & Small Tools	-	-
SUBTOTAL		**$ 21,877**	**$ 31,003**
7070.00101	CstShX-Trns-t General Fd	3,367	3,367
TOTAL		**$ 25,244**	**$ 34,370**

FUND BALANCE/REVENUE ACCOUNT	06/07	07/08
Fund Balance 7/1/05	$ 16,760	
Assessment Revenue 05/06	25,000	
Interest Revenue 05/06	171	
Expenditures 05/06	25,234	
Fund Balance 7/1/06 & 7/1/07	$ 16,697	$ 25,737
Assessment Revenue 06/07 & 07/08	34,197	35,219
Interest Revenue 06/07 & 07/08	87	87
Estimated Expenditures 06/07 & 07/08	(25,244)	(34,370)
Fund Balance 7/1/07	$ 25,737	$ 26,672

ASSESSMENT COMPARISON	06/07	07/08
Number of parcels	1,154	1,154
Number of assessment units	1,087	1,087
Parcels @ 1.0	1,087	1,087
Annual assmt. per single family (1.0)	31.46	32.40
Total Assessment @ 1.0	36,305	35,219
Total Annual Assessment	$ 36,305	$ 35,219

Assessment includes 3% annual increases

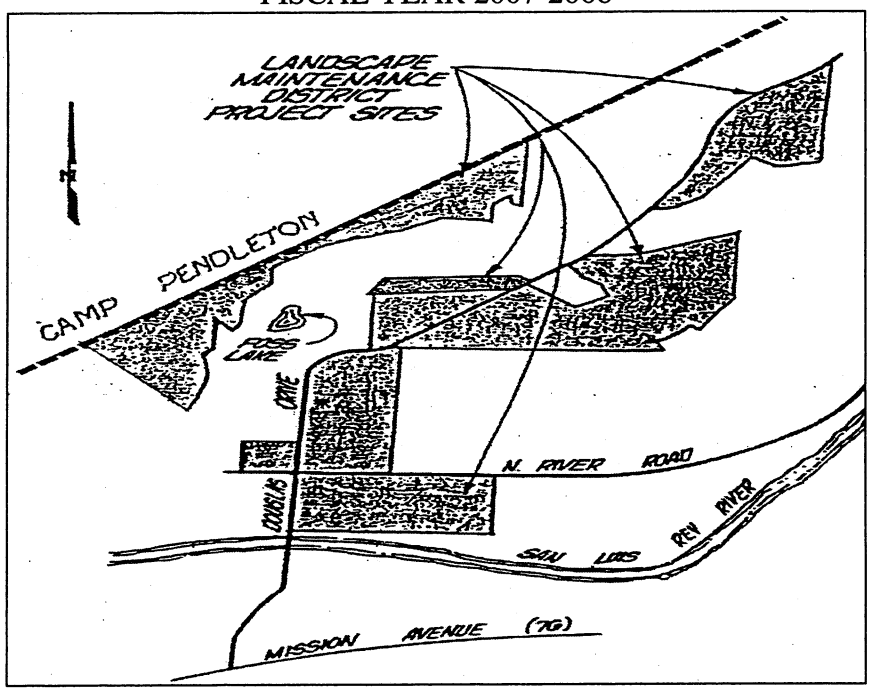
*Contract maintenance includes a 25% increase for the 2nd half of 07/08
plus increase for addition area accepted from developer
**Includes a 10% increase based on a 5-year average
plus increase for addition area accepted from developer

EXHIBIT "C" CONTAINS THE PROPOSED AMOUNT TO BE ASSESSED ON EACH LOT AND PARCEL WITHIN THE DISTRICT.

EXHIBIT "C" IS MADE A PART OF THE ENGINEER'S REPORT PER COUNCIL ACTION ON APRIL 4, 2007.

EXHIBIT C IS ON FILE IN THE CITY CLERK'S OFFICE AND IS AVAILABLE FOR REVIEW.

DOUGLAS PARK
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5-1981
FISCAL YEAR 2007-2008



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CITY CLERK, CITY OF OCEANSIDE

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF OCEANSIDE
THIS _____DAY OF _____20___

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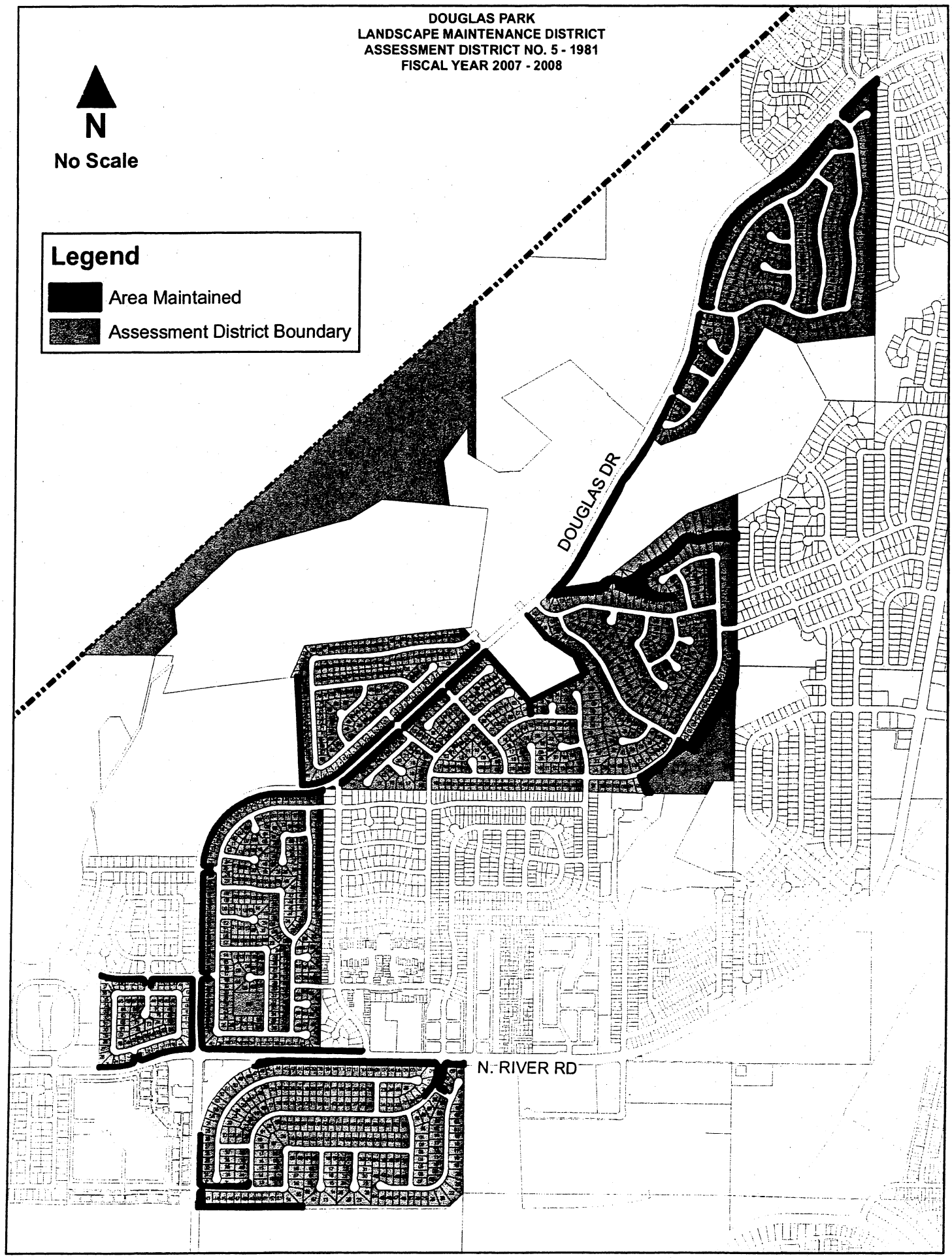
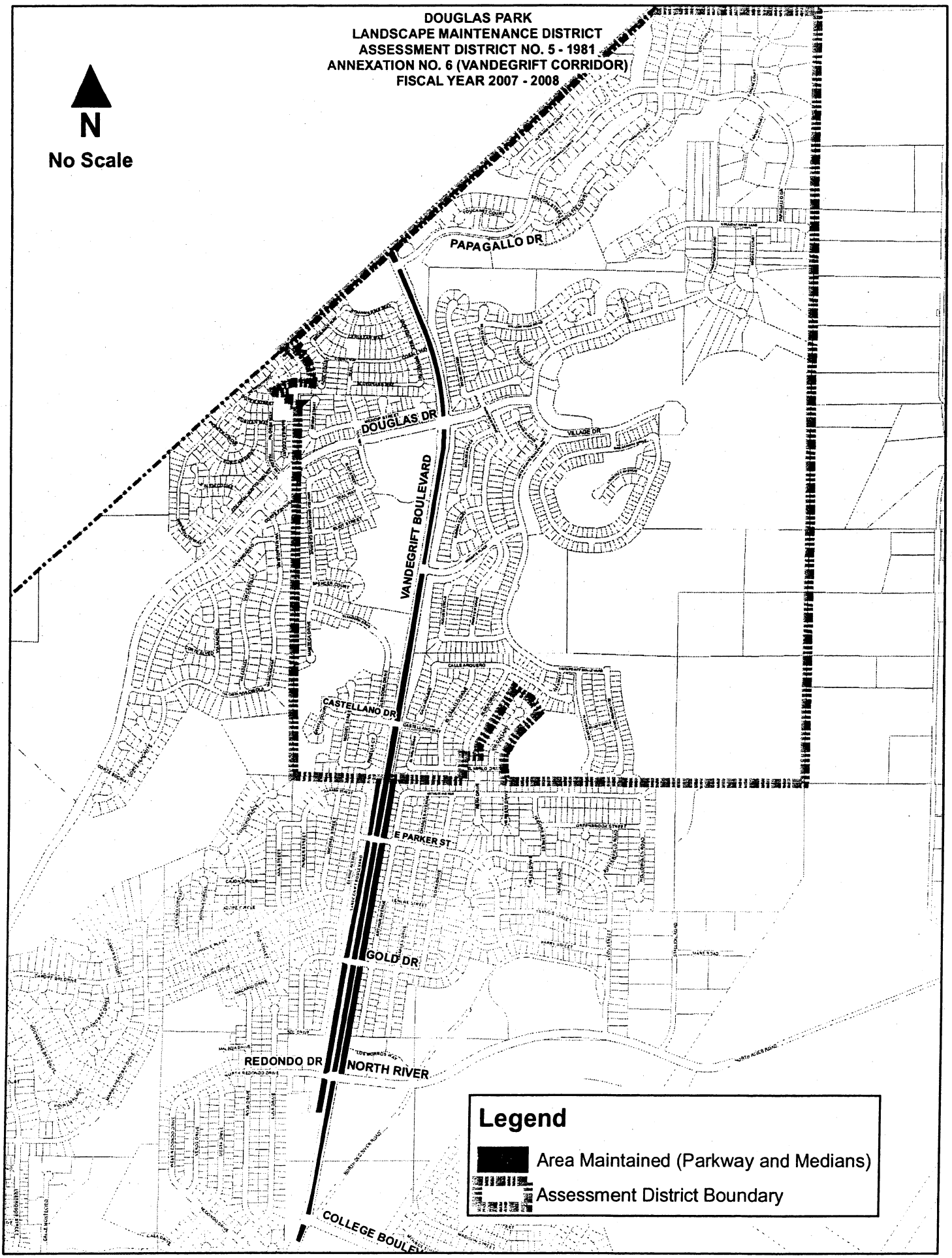
CITY CLERK, CITY OF OCEANSIDE

DOUGLAS PARK
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 5 - 1981
FISCAL YEAR 2007 - 2008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