

STAFF REPORT



ITEM NO. 21

CITY OF OCEANSIDE

DATE: August 2, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **RENEWAL AND ADOPTION OF RESOLUTIONS FOR THE MAR LADO HIGHLANDS AND SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICTS FOR FY 2006-07**

SYNOPSIS

This hearing is continued from the July 12, 2006, public hearing regarding the proposed assessment increases within the Mar Lado Highlands and Santa Fe Mesa Landscape Maintenance Districts for FY 2006-07.

Staff recommends that the City Council adopt resolutions for each of the districts declaring the results of a property owner protest ballot proceeding for FY 2006-07; approving the Modified Engineer's Report as submitted for FY 2006-07; and confirming the diagrams and assessments for FY 2006-07 for the respective districts, either with the approved increase, or in the amount that was levied in FY 2005-06; and approve a service reduction since the majority of the property owners oppose the assessment increase.

BACKGROUND

The Landscaping and Lighting Act of 1972 requires the annual renewal of the landscape maintenance districts in order to levy and collect assessments for the following fiscal year. Any increase in existing assessments requires property owner balloting of the affected property owners before the assessments can be confirmed and levied. The following districts are being considered for renewal and a proposed increased assessment for FY 2006-07:

Mar Lado Highlands, District No. 1-1988
Santa Fe Mesa, District No. 2-1987

A property owner balloting was conducted regarding a proposed assessment increase for FY 2006-07. On July 12, 2006, a public hearing was held at which time all interested persons were given the opportunity to be heard either in writing or orally regarding the proposed assessment increase. Because of the estimated time required to open and tabulate all of the ballots at the close of the public hearing on July 12, 2006, staff determined that the ballots would be opened on July 13, 2006, in the City Clerk's office.

The public hearing was officially closed and continued to August 2, 2006, at which time the City Council was presented with the results of the ballots and requested to adopt the appropriate resolutions.

ANALYSIS

The City Council is required to adopt resolutions for each district: a) declaring the results of the property owner ballots regarding the increased assessments for FY 2006-07, b) approving the Modified Engineer's Report either as submitted, or further modified for FY 2006-07, and c) confirming the diagrams and assessments for FY 2006-07.

The proposed increased assessments will be used to pay the operation, maintenance and material costs associated with each district for FY 2006-07.

An itemized outline of costs and the calculation of the average annual assessment per benefit unit are summarized in the attached Engineer's Reports 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 Reports contains an assessment roll showing the proposed amount to be assessed against each parcel within each district. Exhibit C is available for review in the City Clerk's office.

Alternatives

Should the majority of the property owners in the Mar Lado Highlands and/or Santa Fe Mesa LMADs oppose an assessment increase, Council shall confirm the assessments as they were levied in FY 2005-06 for the respective LMAD. Thereafter, Council will need to look at alternatives which may include: a reduced maintenance program in order to balance the budget, or the dissolution of the district.

MAR LADO HIGHLANDS

Staff recommends that reductions within this district be taken from the cost to maintain the landscaping. Water consumption is anticipated to remain the same. In addition, staff recommends that the City forgo replacing any trees, shrubs, or other landscaping to balance the budget for FY 2006-07.

SANTA FE MESA

There are two alternatives with regard to balancing the budget for the Santa Fe Mesa LMAD. The first alternative recommended by staff, is to discontinue general maintenance somewhat equally over the entire district. This means that maintenance will primarily focus on fire abatement measures only. In addition, the City will continue to water, but only as minimally necessary.

A second alternative is to stop maintaining the slopes that abut private property within the district. The City would return the maintenance responsibilities to the individual homeowners of the adjacent properties with said property owner being responsible for maintenance thereof, including any costs to separately install an irrigation system. Under this option, the City will continue to maintain areas that do not abut private property.

BEYOND 2006-07

The maintenance contract expires at the end of December 2007. Should proposals for the next contract period continue to increase and should water costs increase, the levels of maintenance and water use will have to be further reduced in both districts to achieve a balanced budget.

FISCAL IMPACT

Since the proposed assessment increases for FY 2006-07 failed, the assessments as levied in fiscal year 2005-06, shall be levied upon the properties within the respective district for FY 2006-07 upon approval by the Council.

| District | Current Annual / Monthly |
|-----------------------|-------------------------------------|
| Mar Lado Highlands | \$495.62/\$41.30 |
| Santa Fe Mesa | \$162.78/\$13.56 |

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 resolutions for each of the districts declaring the results of a property owner protest ballot proceeding for FY 2006-07; approving the Modified Engineer's Report as submitted for FY 2006-07; and confirming the diagrams and assessments for FY 2006-07 for the respective districts, either with the approved increase, or in the amount that was levied in FY 2005-06; and approve an alternative action should the majority of the property owners oppose the assessment increase.

PREPARED BY:

SUBMITTED BY:


Heidi Janz
Program Specialist


Barry E. Martin
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager



Peter A. Weiss, Public Works Director



Douglas E. Eddow, Real Property Manager



1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, DECLARING THE RESULTS OF
4 A PROPERTY OWNER PROTEST BALLOT PROCEEDING
5 FOR THE MAR LADO HIGHLANDS LANDSCAPE
6 MAINTENANCE DISTRICT, ASSESSMENT DISTRICT NO. 1-
7 1988

8 WHEREAS, the City Council called and duly held a property owner protest ballot
9 proceeding for the property owners within the Mar Lado Highlands Landscape
10 Maintenance District, Assessment District No. 1-1988, for fiscal year 2006-2007,
11 pursuant to the provisions of Article XIID of the California Constitution for the purpose
12 of presenting to the qualified property owners within the district a proposition for an
13 assessment increase to cover the costs and expenses of maintaining the landscape
14 improvements benefiting their property; and

15 WHEREAS, the landowners of record within the district as of the close of the
16 public hearing held on July 12, 2006, did cast their ballots, the results of which are
17 illustrated below:

18 Yes: 42%

19 No: 58%

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

22 SECTION 1. The proceedings were conducted, with ballots presented to
23 qualified property owners within the district for receipt by the City Clerk on or before
24 the close of the public hearing, July 12, 2006, weighted according to the proportional
25 financial obligation of the affected property.

26 SECTION 2. The canvass of the protest ballots (votes) cast in the district
27 at the property owner protest proceeding held on July 12, 2006 is hereby approved
28 and confirmed.

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1 SECTION 3. The City Clerk is hereby directed to enter this Resolution on
2 the minutes of the City Council which shall constitute the official declaration of the
3 result of such property owner protest proceeding.

4 SECTION 4. The Resolution will become effective immediately upon its
5 adoption.

6 SECTION 5. That the City Clerk of the City of Oceanside is directed to
7 record said Resolution with the San Diego County Recorder.

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

- 10 AYES:
- 11 NAYS:
- 12 ABSENT:
- 13 ABSTAIN:
- 14

15 MAYOR OF THE CITY OF OCEANSIDE

17 ATTEST:

18 APPROVED AS TO FORM:
19 OFFICE OF THE CITY ATTORNEY

20 _____
21 City Clerk

20 *Robert Samuelson* ASST.
21 City Attorney

22 **Resolution declaring the results of a property owner**
23 **protest ballot proceeding for the Mar Lado Highlands**
24 **Landscape Maintenance District, Assessment**
25 **District No. 1-1988**
26
27
28

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, APPROVING THE CITY
4 ENGINEER'S MODIFIED ENGINEER'S REPORT
5 REGARDING THE 2006-2007 FISCAL YEAR RENEWAL OF
THE MAR LADO HIGHLANDS LANDSCAPE MAINTENANCE
DISTRICT, ASSESSMENT DISTRICT NO. 1-1988

6 WHEREAS, pursuant to the Landscape and Lighting Act of 1972, Part 2 of
7 Division 15 of the Streets and Highways Code of California, Section 22500 et. seq.,
8 hereinafter referred to as the "Act", the City Council of the City of Oceanside adopted
9 Resolution No. directing the City Engineer to prepare a Report on the Mar
10 Lado Highlands Landscape Maintenance District, Assessment District No. 1-1988, for
11 fiscal year 2006-2007;

12 WHEREAS, the City Engineer has prepared said Report, presented it to the City
13 Council for examination and was approved by City Council by Resolution
14 No. ; and

15 WHEREAS, the City Engineer has prepared and filed a Modified Engineer's
16 Report and said Modified Report was presented to and examined by this City Council;
17 and

18 WHEREAS, the City Council called and duly held a property owner protest
19 proceeding for properties proposed to be subject to an increased assessment in
20 accordance with the provisions of the California Constitution, Article XIID.

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

23 SECTION 1. That said Modified Report is approved as submitted and
24 ordered to be filed in the Office of the City Clerk of the City of Oceanside.

25 SECTION 2. That the City Clerk of the City of Oceanside is directed to
26 endorse upon the Modified Engineer's Report for the Mar Lado Highlands Landscape
27 Maintenance District its approval and the date thereof.

28 SECTION 3. That the Modified Engineer's Report shall be the Report
utilized for the 2006-2007 fiscal year renewal proceedings of the Mar Lado Highlands

1 Landscape Maintenance District and shall take precedence over the Report approved
2 by City Council Resolution No.

3
4 PASSED AND ADOPTED by the City Council of the City of Oceanside,
5 California, this _____ day of _____, 2006, by the following vote:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10
11 _____
12 Mayor of the City of Oceanside

13
14
15
16 ATTEST:

17 APPROVED AS TO FORM:
18 OFFICE OF THE CITY ATTORNEY

19
20
21 _____
22 City Clerk

23
24
25
26
27 *Richard Hamilton, ASST.*
28 _____
City Attorney

Resolution approving the City Engineer's Modified
Engineer's Report regarding the 2006-2007 fiscal year
renewal of the Mar Lado Highlands Landscape Maintenance
District, Assessment District No. 1-1988

MODIFIED 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.

EXHIBIT "A"

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

Introduction

The City of Oceanside ("City") annually levies and collects special assessments in order to provide and maintain the improvements within the Mar Lado Highlands Landscape Maintenance District, Assessment District No. 1-1988 ("District"). The District, as described in this Engineer's Annual Levy Report ("Report") was formed pursuant to conditions of development prior to final tract map approval, to provide and continue the operation and maintenance of public improvements installed as part of the development that are associated with and benefit from the properties within the District. The District was formed, and is levied annual assessments, pursuant to the *Landscaping and Lighting Act of 1972, part 2 of Division 15 of the California Streets and Highways Code* (the 1972 Act).

Each parcel within the District is assessed proportionately for only those improvements provided in the District from which the parcel receives benefit. The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number (Assessor's Parcel Number – APN) by the San Diego County Assessor's Office. The San Diego County Auditor/Controller uses Assessment Numbers and specific District Fund Numbers, to identify on the tax roll, properties assessed for special district benefit assessments.

At a noticed Public Hearing, the City Council will consider all public comments and written protests presented. Upon conclusion of the Public Hearing, the City Council will determine whether a majority protest exists. If no majority protest exists, the City Council may adopt the resolution approving the Modified Engineer's Report for Fiscal Year 2006-2007. If a majority protest exists, the assessments will not be increased from the assessment paid in 2005-2006, and the City Council may approve the Modified Engineer's Report which includes the assessment without the Proposition 218 increase.

Following approval of the Report, the City Council will by resolution, order the improvements to be made and confirm the levy and collection of assessments pursuant to the Act. The assessment rate and method of apportionment described in this Report as approved or modified by the City Council defines the assessment rate to be applied to each parcel within the District for fiscal year 2006-2007.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel

number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved by the City Council.

Compliance with Current Legislation

The District has been formed pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code. Pursuant to the Act, the City Council annually conducts a public hearing to accept property owner and public comments and testimony, to review the Modified Engineer's Report and approve the annual assessments to be levied on the County tax roll for the fiscal year. All assessments approved by the City Council were prepared in accordance with the Act and are in full compliance with the provisions of the California Constitutional Article XIID (Proposition 218).

General Description of the Improvements and Benefits

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 and slopes 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.

The annual assessments for the District are based on the historical and estimated costs to maintain the improvements that provide a benefit to properties within the District. The improvements within the District and the costs of those improvements are identified and budgeted separately, including all expenditures, deficits, surpluses, revenues, and reserves.

All improvements within the District and the properties associated with those improvements have been reviewed for benefit. Because each of the improvements maintained within the District are local in nature and were originally installed as part of the development of properties assessed, it has been determined that there is no measurable general benefit to properties outside the District or to the public at large. In making this determination, it should be noted that similar improvements throughout the City are typically maintained by individual property owners or through some type of association and the on-going maintenance of these improvements are a special benefit to the properties associated with those improvements.

The method of apportionment (method of assessment) for the District is based on the premise that each of the assessed parcels within the District receives benefit from the improvements maintained and financed by District assessments. Specifically, the assessments associated with the District are for the maintenance of landscaped improvements installed as part of the original development of the parcels. The desirability of properties within the District is specially enhanced by the presence of well-maintained landscaping in close proximity to those properties.

The landscape improvements provided by the District may include landscaped parkways, perimeters, entryways, local medians, slopes, internal amenities and appurtenant facilities. The annual assessments outlined in this Report are proposed to cover the estimated costs to provide all necessary service, operation, administration, and maintenance required to keep these improvements in a healthy, vigorous, and satisfactory condition.

The special benefits associated with the local landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties within the District providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control, and drainage and flood control.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation and attenuating noise.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of property values.

Pursuant to the 1972 Act, the costs of the District may be apportioned by any formula or method, which fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated benefits to be received by each such parcel from the improvements. The benefit formula calculation used within the District varies, as do the improvements and properties receiving special benefit from those improvements. The formula used for the District reflects the composition of the parcels within the District, and the improvements and services provided to fairly proportion the costs based on estimated benefit to each parcel.

Proposed Changes to the District

Due to the significant annual budget deficits and to ensure a high level of maintenance and appearance of the District, the City has carefully reviewed the improvements, the services provided, the costs associated with those

improvements and the current fund balances for the District. As expected, the cost to maintain the improvements within the District is greater than the amount currently collected from the assessments. As a result, the property owners within the District will be balloted for an increased maximum assessment in Fiscal Year 2006-2007. The increased amount appears in Exhibit "B" of this report.

District Method of Apportionment

Pursuant to the Act, the costs of the District may be apportioned by any formula or method that fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated benefits to be received by each such parcel from the improvements. The benefit formula used for the District should reflect the composition of the parcels, and the improvements and services provided to each parcel, to fairly proportion the costs based on the benefit to each parcel.

The costs associated with the improvements are equitably spread among all benefiting parcels within the District utilizing the method of apportionment described in this section. The funds collected shall be dispersed and used for only the improvements and services provided within the District.

All of the assessed parcels within the District receive direct and special benefits from the improvements and activities to be funded through the District assessments. The improvements include all necessary activities, services, operation, administration, and maintenance required to keep the improvements in satisfactory condition.

Each parcel in the District is assigned a benefit-weighting factor known as an Equivalent Dwelling Unit (EDU). All single-family residential properties not located adjacent to the District landscape improvements are assigned an EDU of 1.0. Those single-family residential properties located adjacent to District landscape improvements are assigned an EDU of 1.1. The total EDU in the District is divided into the total Balance to levy (or District budget) to establish the Levy per EDU (Rate). The Rate is then multiplied by the parcel's individual EDU to establish the parcel's levy amount. The formula is illustrated below:

$$\begin{aligned} \text{Total District Budget} / \text{Total EDU's} &= \text{Levy per EDU (Rate)} \\ \text{Parcel EDU} \times \text{Levy per EDU} &= \text{Parcel Levy Amount} \end{aligned}$$

Annual Assessment Rate Increase

The annual assessment for a single family home within the Mar Lado Highlands District is currently \$495.62. If the Proposition 218 vote passes, the assessment will increase to \$706.82. The annual assessment for a single family home with additional benefit, a home that is located adjacent to the landscaping areas is currently \$545.18. This assessment will increase to \$777.50 if the Proposition 218 vote passes. If the assessment increase does not pass, the assessment amounts will not be increased. The assessment amounts will remain the same as those levied in FY 2005-06 for each of the respective properties.

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

EXHIBIT "B"
 5/22/06

| OBJ ID | Object Description | EST. COSTS 05/06 | EST. COSTS 06/07 |
|-----------------|-------------------------------------|---------------------------------|---------------------------------|
| 5211.58075 | M&R Bldgs-Contract Cost Excess | \$ 6,215 | \$ 6,215 |
| 5211 | M&R-Buildings & Facilities | 34,203 | 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 | | \$ 65,606 | \$ 70,379 |
| | Personnel Costs* | 5,349 | |
| | Interfund Charges* | 5,147 | |
| 7070.00101 | CstShX-Trns-t General Fd | | 10,496 |
| TOTAL | | \$ 76,102 | \$ 80,875 |

* Combined as OBJ ID 7070.00101 for fy 06/07

FUND BALANCE/REVENUE ACCOUNT

| | 05/06 | 06/07 |
|----------------------------------|--------------|--------------|
| Estimated Beginning Fund balance | \$ 77,889 | \$ 61,871 |
| Estimated Assessment Revenue | 69,783 | 69,783 |
| Estimated Interest Revenue | 2,086 | 2,086 |
| Estimated Expenditures | (87,887) | (80,875) |
| Estimated Ending Fund Balance | \$ 61,871 | \$ 52,865 |

ASSESSMENT COMPARISON

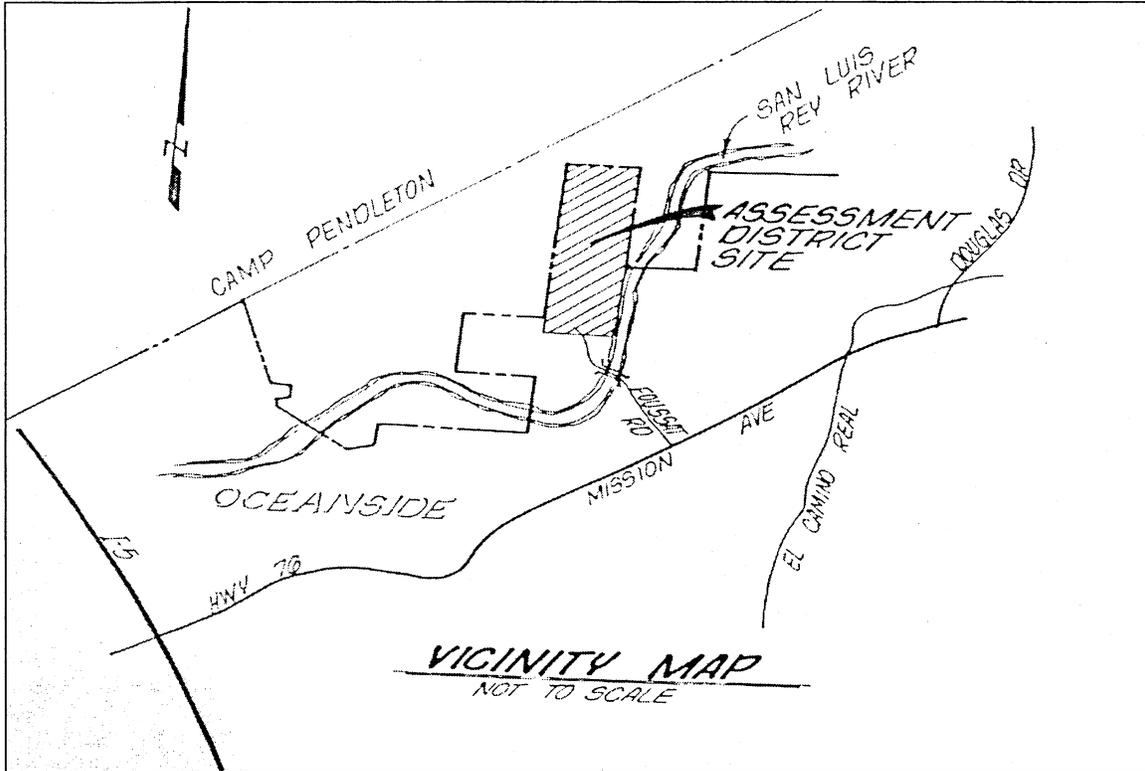
| | 05/06 | 06/07 |
|--|--------------|--------------|
| Number of parcels | 133 | 133 |
| Number of assessment units | 141 | 141 |
| Parcels @ 1.0 | 55 | 55 |
| Parcels @ 1.1 | 78 | 78 |
| Annual assmt. per single family (1.0) | 495.62 | 495.62 |
| Annual assmt. per single family w/add'l. benefit (1.1) | 545.18 | 545.18 |
| Total Assessment @ 1.0 | 27,259 | 27,259 |
| Total Assessment @ 1.1 | 42,524 | 42,524 |
| Total Annual Assessment | \$ 69,783 | \$ 69,783 |

**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 MODIFIED ENGINEER'S
REPORT PER COUNCIL ACTION ON
AUGUST 2, 2006.**

**MAR LADO HIGHLANDS LANDSCAPE MAINTENANCE
DISTRICT, ASSESSMENT NO. 1-1988 FY2006-2007**

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



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

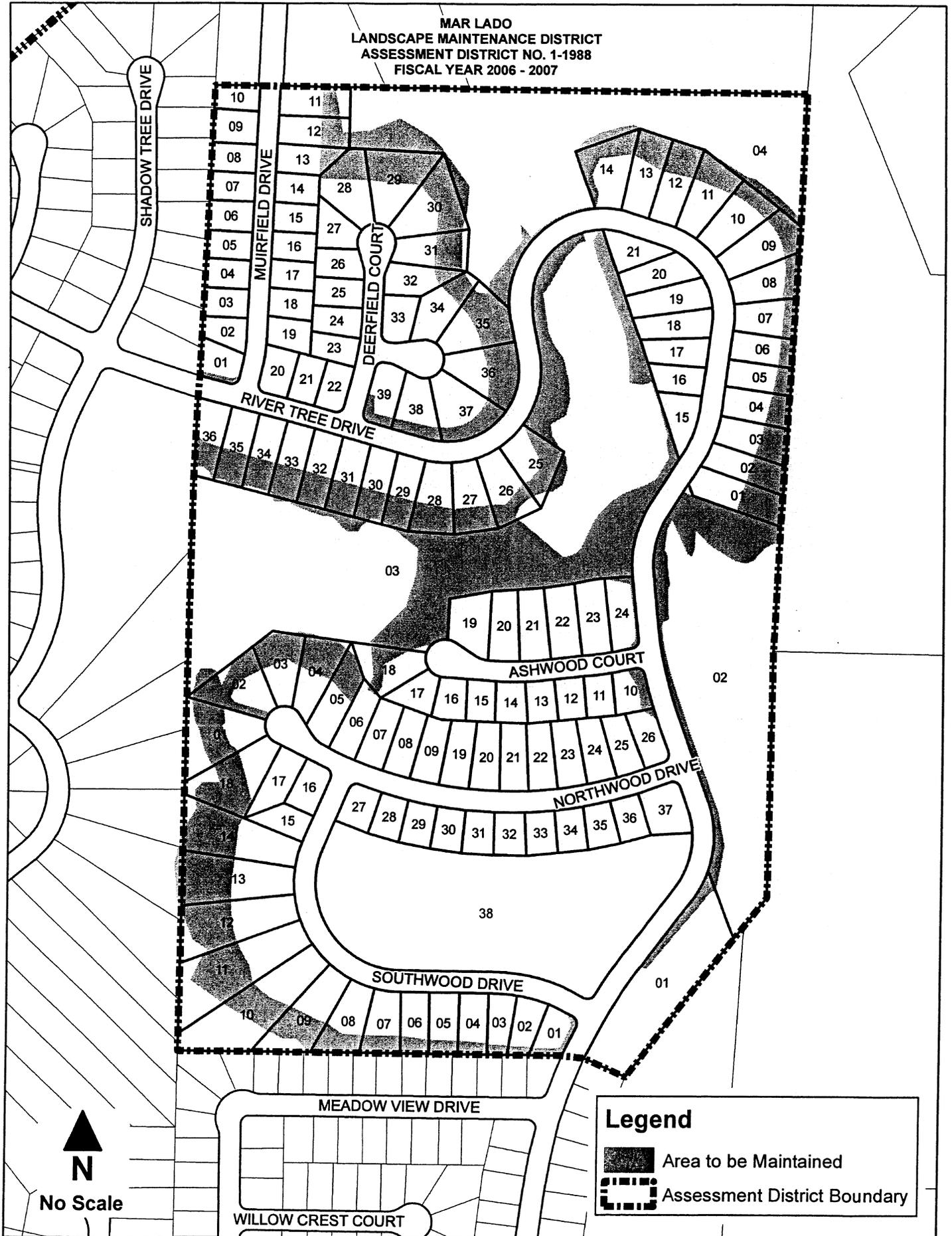
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF MARLADO LANDSCAPE MAINTENANCE DISTRICT, ASSESSEMENT DISTRICT NO. 1-1988, CITY OF OCEANSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF SAID CITY OF OCEANSIDE AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____ 20__ 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

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



No Scale

Legend

- Area to be Maintained
- Assessment District Boundary

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, CONFIRMING THE FISCAL
4 YEAR 2006-2007 DIAGRAM AND ASSESSMENT FOR THE
5 MAR LADO LANDSCAPE MAINTENANCE DISTRICT,
6 ASSESSMENT DISTRICT NO. 1-1988

7 WHEREAS, the City Council of the City of Oceanside, pursuant to the
8 Landscaping and Lighting Act of 1972, being Section 22500 et. seq., of the California
9 Streets and Highways Code, hereinafter referred to as the "Act", adopted Resolution
10 No. declaring its intention to levy and collect assessments for fiscal year
11 2006-2007 to pay the maintenance, operation and administrative costs for landscaping
12 and appurtenant improvements within the Mar Lado Landscape Maintenance District,
13 Assessment District No. 1-1988;

14 WHEREAS, a property owner protest ballot proceeding was conducted for
15 fiscal year 2006-2007, pursuant to the provisions of Article XIID of the California
16 Constitution for the purpose of presenting to the property owners a proposition for an
17 assessment increase;

18 WHEREAS, Resolution No. set a public hearing for July 12, 2006,
19 at 6:00 p.m., or as soon thereafter as possible, in the City Council Chambers located
20 at 300 North Coast Highway, Oceanside, California, as the time and place to hear
21 protests and objections to the proposed assessment and renewal of said district;

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

25 WHEREAS, at the time and place stated in said Resolution of Intention, a public
26 hearing was duly held by the City Council of the City of Oceanside, at which time the
27 Modified Engineer's Report was considered, and all persons desiring to be heard were
28 heard;

WHEREAS, the public input portion of the public hearing was officially closed
and the public hearing was continued to August 2, 2006 at 6:00 p.m. at which time the

1 City Council was presented with the results of the property owner protest ballot
2 proceeding;

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

8 WHEREAS, the City Council of the City of Oceanside, adopted Resolution
9 No. _____ which approved the Modified Engineer's Report regarding the district's
10 proposed 2006-2007 costs and assessments;

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

14 WHEREAS, upon completion of said hearing, the City Council of the City of
15 Oceanside determined that a majority protest existed.

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

18 SECTION 1. That on July 12, 2006 at 6:00 p.m., said hearing on the
19 proposed 2006-2007 fiscal year assessment and renewal was duly held, and each and
20 every step required under the Act and the California Constitution to levy said
21 assessment and renew said district in the proceedings prior to and including said
22 hearing has been duly taken.

23 SECTION 2. That on August 2, 2006, at 6:00 p.m. or as soon as possible
24 thereafter, the results of a property owner protest ballot proceeding were presented to
25 the City Council and each and every step required under the California Constitution to
26 conduct said balloting has been duly taken.

27 SECTION 3. That the City Council does determine that the Modified
28 Engineer's Report approved by its Resolution No. _____ and the amount of the

1 assessment shown in said Modified Report should be confirmed and the total
2 assessment fixed in the amount of \$69,783.

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

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

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

12 AYES:

13 NAYS:

14 ABSENT:

15 ABSTAIN:

16
17
18 _____
Mayor of the City of Oceanside

19 APPROVED AS TO FORM:
20 OFFICE OF THE CITY ATTORNEY

21
22 *Richard J. Hamilton, ASST.*
23 City Attorney

24 ATTEST:

25
26 _____
City Clerk

27
28 **Resolution confirming the fiscal year 2006-2007 diagram and
assessment for the Mar Lado Landscape Maintenance
District, Assessment District No. 1-1988**

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, DECLARING THE RESULTS OF
4 A PROPERTY OWNER PROTEST BALLOT PROCEEDING
5 FOR THE SANTA FE MESA LANDSCAPE MAINTENANCE
6 DISTRICT, ASSESSMENT DISTRICT NO. 2-1987

7 WHEREAS, the City Council called and duly held a property owner protest ballot
8 proceeding for the property owners within the Santa Fe Mesa Landscape Maintenance
9 District, Assessment District No. 2-1987, for fiscal year 2006-2007, pursuant to the
10 provisions of Article XIID of the California Constitution for the purpose of presenting to
11 the qualified property owners within the district a proposition for an assessment
12 increase to cover the costs and expenses of maintaining the landscape improvements
13 benefiting their property. The proceeding was also held for the purpose of presenting
14 to the qualified owners within the district a proposition to for an annual escalator to be
15 implemented within the district which would be based on the Consumer Price Index for
16 the San Diego area; and

17 WHEREAS, the landowners of record within the district as of the close of the
18 public hearing held on July 12, 2006, did cast their ballots, the results of which are
19 illustrated below:

20 Results of the Vote on the Assessment Increase:

21 Yes: 39%

22 No: 61%

23 Results of the Vote on the Annual Escalator (CPI):

24 Yes: 16%

25 No: 84%

26 WHERE AS, a majority protest did exist in the balloting of the proposed
27 assessment increase, and in the balloting of the proposed annual escalator.

28 //

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

3 SECTION 1. The proceedings were conducted, with ballots presented to
4 qualified property owners within the district for receipt by the City Clerk on or before
5 the close of the public hearing, July 12, 2006, weighted according to the proportional
6 financial obligation of the affected property.

7 SECTION 2. The canvass of the protest ballots (votes) cast in the district
8 at the property owner protest proceeding held on July 12, 2006 is hereby approved
9 and confirmed.

10 SECTION 3. The City Clerk is hereby directed to enter this Resolution on
11 the minutes of the City Council which shall constitute the official declaration of the
12 result of such property owner protest proceeding.

13 SECTION 4. The Resolution will become effective immediately upon its
14 adoption.

15 SECTION 5. That the City Clerk of the City of Oceanside is directed to
16 record said Resolution with the San Diego County Recorder.

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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

ATTEST:

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

City Clerk

Andrew Hamilton, ASST.

City Attorney

Resolution declaring the results of a property owner protest ballot proceeding for the Santa Fe Mesa Landscape Maintenance District, Assessment District No. 2-1987

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, APPROVING THE CITY
4 ENGINEER'S MODIFIED ENGINEER'S REPORT
5 REGARDING THE 2006-2007 FISCAL YEAR RENEWAL OF
THE SANTA FE MESA LANDSCAPE MAINTENANCE
DISTRICT, ASSESSMENT DISTRICT NO. 2 -1987

6 WHEREAS, pursuant to the Landscape and Lighting Act of 1972, Part 2 of
7 Division 15 of the Streets and Highways Code of California, Section 22500 et. seq.,
8 hereinafter referred to as the "Act", the City Council of the City of Oceanside adopted
9 Resolution No. directing the City Engineer to prepare a Report on the Santa
10 Fe Mesa Landscape Maintenance District, Assessment District No. 2-1987, for fiscal
11 year 2006-2007;

12 WHEREAS, the City Engineer has prepared said Report, presented it to the City
13 Council for examination and was approved by City Council by Resolution
14 No. ; and

15 WHEREAS, the City Engineer has prepared and filed a Modified Engineer's
16 Report and said Modified Report was presented to and examined by this City Council;
17 and

18 WHEREAS, the City Council called and duly held a property owner protest
19 proceeding for properties proposed to be subject to an increased assessment in
20 accordance with the provisions of the California Constitution, Article XIID.

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

23 SECTION 1. That said Modified Report is approved as submitted and
24 ordered to be filed in the Office of the City Clerk of the City of Oceanside.

25 SECTION 2. That the City Clerk of the City of Oceanside is directed to
26 endorse upon the Modified Engineer's Report for the Santa Fe Mesa Landscape
27 Maintenance District its approval and the date thereof.

28 SECTION 3. That the Modified Engineer's Report shall be the Report
utilized for the 2006-2007 fiscal year renewal proceedings of the Santa Fe Mesa

1 Landscape Maintenance District and shall take precedence over the Report approved
2 by City Council Resolution No.

3
4 PASSED AND ADOPTED by the City Council of the City of Oceanside,
5 California, this _____ day of _____, 2006, by the following vote:

- 6 AYES:
- 7 NAYS:
- 8 ABSENT:
- 9 ABSTAIN:

10
11 _____
12 Mayor of the City of Oceanside

13
14
15
16 ATTEST:

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

17
18
19
20
21 _____
City Clerk

Paula Hamilton, ASST.

City Attorney

22
23
24
25
26
27 Resolution approving the City Engineer's Modified
28 Engineer's Report regarding the 2006-2007 fiscal year
renewal of the Santa Fe Mesa Landscape Maintenance
District, Assessment District No. 2-1987

MODIFIED 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.

EXHIBIT "A"

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

Introduction

The City of Oceanside ("City") annually levies and collects special assessments in order to provide and maintain the improvements within the Santa Fe Mesa Landscape Maintenance District, Assessment District No. 2-1987 ("District"). The District, as described in this Engineer's Annual Levy Report ("Report") was formed pursuant to conditions of development prior to final tract map approval, to provide and continue the operation and maintenance of public improvements installed as part of the development that are associated with and benefit from the properties within the District. The District was formed, and is levied annual assessments, pursuant to the *Landscaping and Lighting Act of 1972, part 2 of Division 15 of the California Streets and Highways Code* (the 1972 Act).

Each parcel within the District is assessed proportionately for only those improvements provided in the District from which the parcel receives special benefit. The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number (Assessor's Parcel Number – APN) by the San Diego County Assessor's Office. The San Diego County Auditor/Controller uses Assessment Numbers and specific District Fund Numbers, to identify on the tax roll, properties assessed for special district benefit assessments.

At a noticed Public Hearing, the City Council will consider all public comments and written protests presented. Upon conclusion of the Public Hearing, the City Council will determine whether a majority protest exists. If no majority protest exists, the City Council may adopt the resolution approving the Modified Engineer's Report for Fiscal Year 2006-2007.

Following approval of the Report, the City Council will by resolution, order the improvements to be made and confirm the levy and collection of assessments pursuant to the Act. The assessment rate and method of apportionment described in this Report as approved or modified by the City Council defines the assessment rate to be applied to each parcel within the District for fiscal year 2006-2007.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved by the City Council.

Compliance with Current Legislation

The District has been formed pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code. Pursuant to the Act, the City Council annually conducts a public hearing to accept property owner and public comments and testimony, to review the Modified Engineer's Report and approve the annual assessments to be levied on the County tax roll for the fiscal year. All assessments approved by the City Council were prepared in accordance with the Act and are in full compliance with the provisions of the California Constitutional Article XIID (Proposition 218).

General Description of the Improvements and Benefits

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 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 areas commonly known as Mission Santa Fe, Lark Place, Palmera and Lago Vista Subdivisions.

The annual assessments for the District are based on the historical and estimated costs to maintain the improvements that provide a benefit to properties within the District. The improvements within the District and the costs of those improvements are identified and budgeted separately, including all expenditures, deficits, surpluses, revenues, and reserves.

All improvements within the District and the properties associated with those improvements have been reviewed for benefit. Because each of the improvements maintained within the District are local in nature and were originally installed as part of the development of properties assessed, it has been determined that there is no measurable general benefit to properties outside the District or to the public at large. In making this determination, it should be noted that similar improvements throughout the City are typically maintained by individual property owners or through some type of association and the on-going maintenance of these improvements are a special benefit to the properties associated with those improvements.

The method of apportionment (method of assessment) for the District is based on the premise that each of the assessed parcels within the District receives special benefit from the improvements maintained and financed by District assessments. Specifically, the assessments associated with the District are for the maintenance of landscaped improvements installed as part of the original development of the parcels. The desirability of properties within the District is specially enhanced by the presence of well-maintained landscaping in close proximity to those properties.

The landscape improvements provided by the District may include landscaped parkways, perimeters, entryways, local medians, slopes, internal amenities and appurtenant facilities. The annual assessments outlined in this Report are proposed to cover the estimated costs to provide all necessary service, operation, administration, and maintenance required to keep these improvements in a healthy, vigorous, and satisfactory condition.

The special benefits associated with the local landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties within the District providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control, and drainage and flood control.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation and attenuating noise.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of property values.

Pursuant to the 1972 Act, the costs of the District may be apportioned by any formula or method, which fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated benefits to be received by each such parcel from the improvements. The benefit formula calculation used within the District varies, as do the improvements and properties receiving special benefit from those improvements. The formula used for the District reflects the composition of the parcels within the District, and the improvements and services provided to fairly proportion the costs based on estimated benefit to each parcel.

Proposed Changes to the District

Due to the significant annual budget deficits and to ensure a high level of maintenance and appearance of the District, the City has carefully reviewed the improvements, the services provided, the costs associated with those

improvements and the current fund balances for the District. As expected, the cost to maintain the improvements within the District is greater than the amount currently collected from the assessments. As a result, the property owners within the District will be balloted for an increased maximum assessment in Fiscal Year 2006-2007. The increased amount appears in Exhibit "B" of this report.

District Method of Apportionment

Pursuant to the Act, the costs of the District may be apportioned by any formula or method that fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated benefits to be received by each such parcel from the improvements. The benefit formula used for the District should reflect the composition of the parcels, and the improvements and services provided to each parcel, to fairly proportion the costs based on special benefit to each parcel.

The costs associated with the improvements are equitably spread among all benefiting parcels within the District utilizing the method of apportionment described in this section. The funds collected shall be dispersed and used for only the improvements and services provided within the District.

All of the assessed parcels within the District receive direct and special benefits from the improvements and activities to be funded through the District assessments. The improvements include all necessary activities, services, operation, administration, and maintenance required to keep the improvements in satisfactory condition.

Each parcel in the District is assigned a benefit-weighting factor known as an Equivalent Dwelling Unit (EDU). All single-family residential properties not located adjacent to the District landscape improvements are assigned an EDU of 1.0. Those single-family residential properties located adjacent to District landscape improvements are assigned an EDU of 1.1. The total EDU in the District is divided into the total Balance to levy (or District budget) to establish the Levy per EDU (Rate). The Rate is then multiplied by the parcel's individual EDU to establish the parcel's levy amount. The formula is illustrated below:

$$\begin{aligned} \text{Total District Budget} / \text{Total EDU's} &= \text{Levy per EDU (Rate)} \\ \text{Parcel EDU} \times \text{Levy per EDU} &= \text{Parcel Levy Amount} \end{aligned}$$

Annual Assessment Rate Increase

The annual assessment for a single family home within the Santa Fe Mesa District is currently \$162.78. If the Proposition 218 vote passes, the assessment will increase to \$222.78. The annual assessment for a single family home with additional benefit, a home that is located adjacent to the landscaping areas is currently \$179.06. This assessment will increase to \$245.06 if the Proposition 218 vote passes.

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

EXHIBIT "B"
5/27/06

| OBJ ID | Object Description | EST. COSTS 05/06 | EST. COSTS 06/07 |
|-----------------|-------------------------------------|---------------------------------|---------------------------------|
| 5211.58075 | M&R Bldgs-Contract Cost Excess | \$ 103,000 | \$ 18,000 |
| 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 | 115,000 | 94,000 |
| 5393 | NonCapital Equipt & Small Tools | 191 | 191 |
| SUBTOTAL | | \$ 382,490 | \$ 298,583 |
| | Personnel Costs* | 38,225 | |
| | Interfund Charges* | 36,518 | |
| 7070.00101 | CstShX-Trns-t General Fd | | 74,743 |
| TOTAL | | \$ 457,233 | \$ 373,326 |

* Combined as OBJ ID 7070.00101 for fy 06/07

| FUND BALANCE/REVENUE ACCOUNT | 05/06 | 06/07 |
|-------------------------------------|--------------|--------------|
| Estimated Beginning Fund Balance | \$ 154,997 | \$ 37,086 |
| Estimated Assessment Revenue | 335,897 | 335,897 |
| Estimated Interest Revenue | 3,425 | 3,425 |
| Estimated Expenditures | \$ (457,233) | \$ (373,326) |
| Estimated Ending Fund Balance | \$ 37,086 | \$ 3,082 |

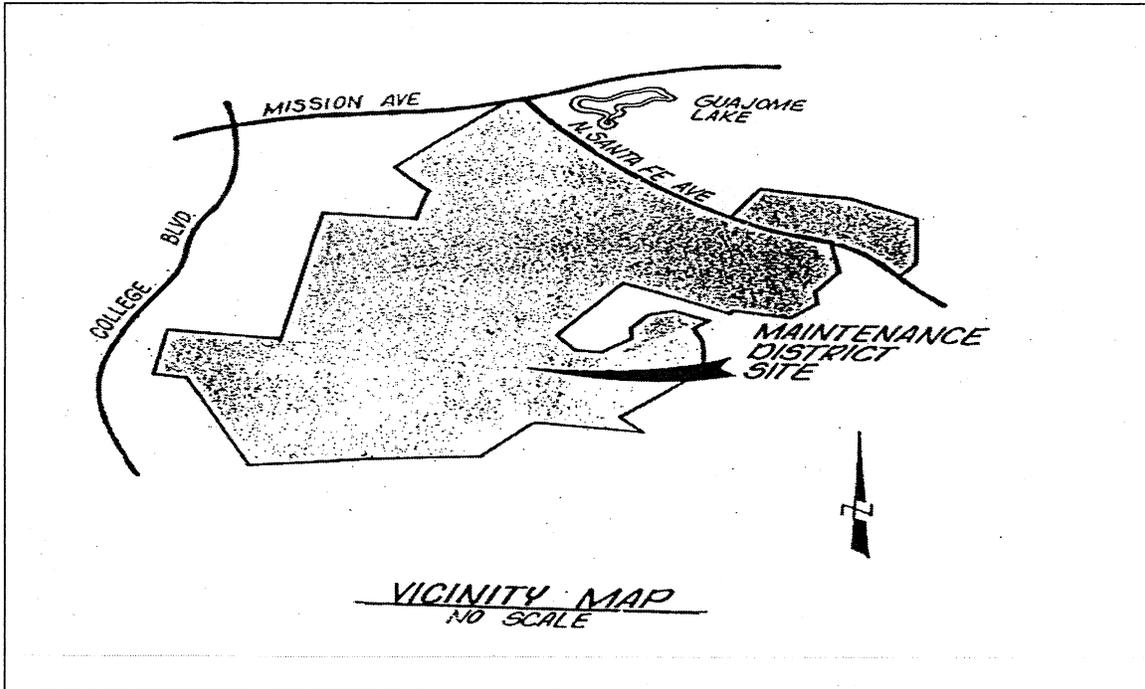
| ASSESSMENT COMPARISON | 05/06 | 06/07 |
|--|--------------|--------------|
| Number of parcels | 2,017 | 2,017 |
| Number of assessment units | 2,073 | 2,073 |
| Parcels @ 1.0 | 1,506 | 1,506 |
| Parcels @ 1.1 | 500 | 500 |
| Annual assmt. per single family (1.0) | 162.78 | 162.78 |
| Annual assmt. per single family w/add'l. benefit (1.1) | 179.06 | 179.06 |
| Total Assessment @ 1.0 | 245,147 | 245,147 |
| Total Assessment @ 1.1 | 89,530 | 89,530 |
| Subtotal | \$ 334,677 | \$ 334,677 |
| Church | 1,220.52 | 1,220.52 |
| Total Annual Assessment | \$ 335,897 | \$ 335,897 |

**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 MODIFIED ENGINEER’S
REPORT PER COUNCIL ACTION ON
JULY 12, 2006.**

**SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICT,
ASSESSMENT NO. 2-1987 FY2006-2007**

SANTA FE MESA
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT NO. 2-1987
FISCAL YEAR 2006-2007



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

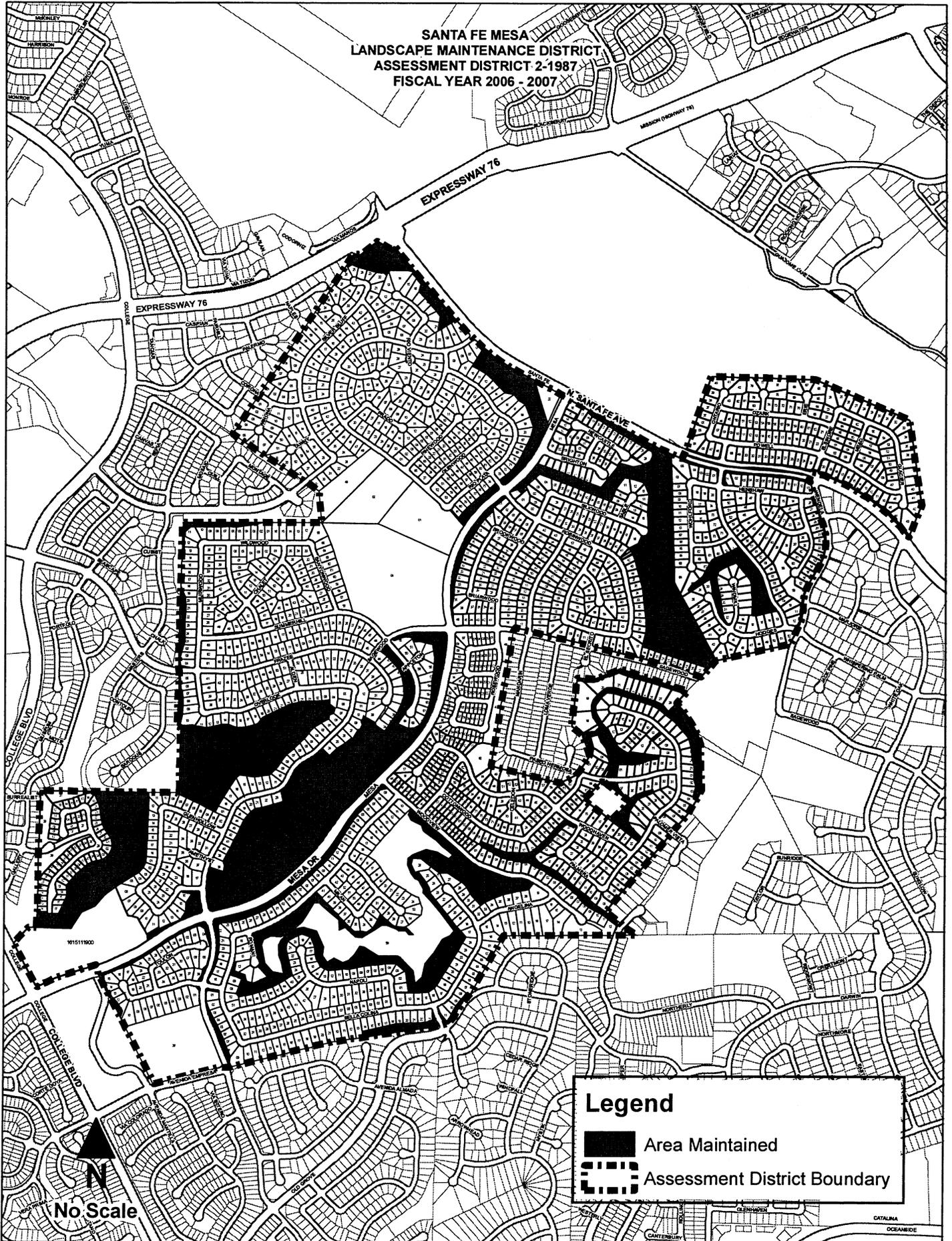
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICT, ASSESMENT DISTRICT NO.2-1987, CITY OF OCEANSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF SAID CITY OF OCEANSIDE AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____ 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

SANTA FE MESA
LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT DISTRICT 2-1987
FISCAL YEAR 2006 - 2007



Legend

-  Area Maintained
-  Assessment District Boundary

No Scale

CATALINA
OCEANBIDE

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE, CALIFORNIA, CONFIRMING THE FISCAL
4 YEAR 2006-2007 DIAGRAM AND ASSESSMENT FOR THE
5 SANTA FE MESA LANDSCAPE MAINTENANCE DISTRICT,
6 ASSESSMENT DISTRICT NO. 2-1987

7 WHEREAS, the City Council of the City of Oceanside, pursuant to the
8 Landscaping and Lighting Act of 1972, being Section 22500 et. seq., of the California
9 Streets and Highways Code, hereinafter referred to as the "Act", adopted Resolution
10 No. declaring its intention to levy and collect assessments for fiscal year
11 2006-2007 to pay the maintenance, operation and administrative costs for landscaping
12 and appurtenant improvements within the Santa Fe Mesa Landscape Maintenance
13 District, Assessment District No. 2-1987;

14 WHEREAS, a property owner protest ballot proceeding was conducted for
15 fiscal year 2006-2007, pursuant to the provisions of Article XIID of the California
16 Constitution for the purpose of presenting to the property owners a proposition for an
17 assessment increase;

18 WHEREAS, Resolution No. set a public hearing for July 12, 2006,
19 at 6:00 p.m., or as soon thereafter as possible, in the City Council Chambers located
20 at 300 North Coast Highway, Oceanside, California, as the time and place to hear
21 protests and objections to the proposed assessment and renewal of said district;

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

25 WHEREAS, at the time and place stated in said Resolution of Intention, a public
26 hearing was duly held by the City Council of the City of Oceanside, at which time the
27 Modified Engineer's Report was considered, and all persons desiring to be heard were
28 heard;

WHEREAS, the public input portion of the public hearing was officially closed
and the public hearing was continued to August 2, 2006 at 6:00 p.m. at which time the

1 City Council was presented with the results of the property owner protest ballot
2 proceeding;

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

8 WHEREAS, the City Council of the City of Oceanside, adopted Resolution
9 No. _____ which approved the Modified Engineer's Report regarding the district's
10 proposed 2006-2007 costs and assessments;

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

14 WHEREAS, upon completion of said hearing, the City Council of the City of
15 Oceanside determined that a majority protest existed.

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

18 SECTION 1. That on July 12, 2006 at 6:00 p.m., said hearing on the
19 proposed 2006-2007 fiscal year assessment and renewal was duly held, and each and
20 every step required under the Act and the California Constitution to levy said
21 assessment and renew said district in the proceedings prior to and including said
22 hearing has been duly taken.

23 SECTION 2. That on August 2, 2006, at 6:00 p.m. or as soon as possible
24 thereafter, the results of a property owner protest ballot proceeding were presented to
25 the City Council and each and every step required under the California Constitution to
26 conduct said balloting has been duly taken.

27 SECTION 3. That the City Council does determine that the Modified
28 Engineer's Report approved by its Resolution No. _____ and the amount of the

1 assessment shown in said Modified Report should be confirmed and the total
2 assessment fixed in the amount of \$335,897.

3 SECTION 3. This City Council does determine that the amounts to be
4 assessed against the individual parcels shown on the assessment diagram contained
5 in said Modified Report are approved and confirmed, and the City Clerk of the City of
6 Oceanside is directed to endorse upon the Modified Engineer's Report for the Santa
7 Fe Mesa Landscape Maintenance District its approval and the date thereof.

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

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

12 AYES:

13 NAYS:

14 ABSENT:

15 ABSTAIN:

16
17
18 _____
Mayor of the City of Oceanside

19 APPROVED AS TO FORM:
20 OFFICE OF THE CITY ATTORNEY

21
22  _____
City Attorney

23
24 ATTEST:

25
26 _____
City Clerk

27
28 **Resolution confirming the fiscal year 2006-2007 diagram and
assessment for the Santa Fe Mesa Landscape Maintenance
District, Assessment District No. 2-1987**