



DATE: June 26, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Property Management Division

SUBJECT: **INITIATION OF PROCEEDINGS DECLARING THE INTENTION TO FORM THE HI HOPE RANCH LANDSCAPE MAINTENANCE DISTRICT; CONDUCT A PROPERTY OWNER BALLOTING; AND SETTING A PUBLIC HEARING**

SYNOPSIS

Staff recommends that the City Council adopt resolutions: initiating proceedings for the formation of the Hi-Hope Ranch Landscape Maintenance District; approving an Engineer's Report and declaring Council's intention to order the formation of the Hi Hope Ranch Landscape Maintenance District, which will set a public hearing for August 7, 2013, at 5:00 p.m. in the City Council Chambers, and direct assessment ballots be mailed to affected property owners.

BACKGROUND

The City of Oceanside ("City") was approached by the developer of the Hi Hope Ranch project ("Project"), Meritage Homes of California, Inc. ("Developer"), to facilitate the formation of a Landscape Maintenance Assessment District ("Maintenance District") for the required habitat mitigation adjacent to the San Luis Rey River. The Project, consisting of 92 homes on 76.02 acres, is located northwest of State Highway 11-SD-76 at the intersection of Melrose Drive in the City of Oceanside.

Pursuant to approval of the Project, a conservation easement area, comprised of approximately 8 acres on the Project (including a 5.4-acre, 100-foot wide floodplain scrub restoration site and a 2.6-acre non-native grassland preservation area) was established by the City of Oceanside Planning Commission, to be preserved in perpetuity. The City and Developer are desirous of creating the Maintenance District as a funding mechanism to maintain the conservation area in perpetuity pursuant to the Developer's Property Owner Consent to the Formation of a Landscape Maintenance District ("Developer's Request").

ANALYSIS

Staff is recommending that the City Council approve the formation of the Maintenance District in order to address the habitat maintenance in perpetuity that is a requirement of the Project. Affected property owners will be asked to approve an annual assessment

in the amount required per a report completed by Harris & Associates ("Harris"). The affected property owners will be asked to cast a ballot.

Staff has hired the consultant, Harris, to assist in the formation of the Maintenance District. Harris has collected the necessary data and prepared the analysis that is required by the Landscaping and Lighting Act of 1972 and by Proposition 218 in order to form the Maintenance District. Harris was required to perform a benefit analysis with respect to each of the affected properties in order to come up with the assessment amount for each property owner.

In order to form the Maintenance District and approve the new assessments to be levied against the affected properties, the City Council is required to first adopt resolutions declaring its intention to form the Maintenance District, approving the Engineer's Report, directing property owner balloting and setting a public hearing. The public hearing provides all interested person(s) an opportunity to be heard, either in writing or orally. In addition, staff and Harris will conduct a public outreach program prior to the public hearing.

FISCAL IMPACT

According to the analysis by Harris, in order to effectively maintain the habitat area on the property in perpetuity, the Maintenance District would levy an average assessment of \$392 per year against each single-family residence in the Maintenance District (92 homes) for an annual maintenance budget of \$36,465. The revenue will be placed in the Hi Hope Maintenance District Fund Account No. 320342253.4143. The annual assessment under this Maintenance District shall be adjusted each year. The index used will be the semi-annual Consumer Price Index for "All Urban Consumers" for San Diego, California. If this index is no longer published, the index for adjustment will be the U.S. Department of Labor's "Comprehensive Official Index" most comparable to the aforesaid index.

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORT

Does not apply.

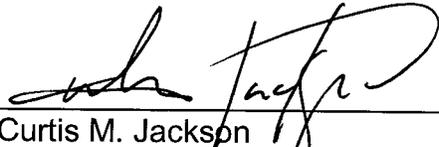
CITY ATTORNEY'S ANALYSIS

The City Attorney has reviewed and approved the resolutions as to form.

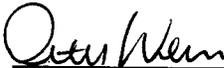
RECOMMENDATION

Staff recommends that the City Council adopt resolutions: initiating proceedings for the formation of the Hi Hope Ranch Landscape Maintenance District; approving an Engineer's Report and declaring Council's intention to order the formation of the Hi Hope Ranch Landscape Maintenance District, which will set a public hearing for August 7, 2013, at 5:00 p.m. in the City Council Chambers, and direct assessment ballots be mailed to affected property owners.

PREPARED BY:


Curtis M. Jackson
Property Management

SUBMITTED BY:


Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Douglas E. Eddow, Real Property Manager

Teri Ferro, Financial Services Director





Attachments:

Attachment A – Resolution Initiating Proceedings

Attachment B – Resolution Approving Engineers Report and Declaring Intention

Attachment C – Draft Letter to Property Owner and Assessment Ballot

ATTACHMENT A

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, INITIATING PROCEEDINGS AND MAKING CERTAIN DESIGNATIONS IN CONNECTION WITH A PROPOSED OPEN SPACE MAINTENANCE DISTRICT

WHEREAS, the City Council of the City of Oceanside (the "City") desires to undertake proceedings pursuant to the provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") and in accordance with Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code) to form an assessment district (the "District") to fund the costs of maintenance and monitoring of the open space within the Conservation Area located within the Hi Hope Ranch development.

WHEREAS, the boundaries of the proposed District shall be as shown on the map presented to this Council and on file with the City Clerk and incorporated herein by reference; and

WHEREAS, the title of the proposed District shall be "City of Oceanside Hi Hope Ranch Open Space Maintenance District"; and

WHEREAS, the City has approved a consulting engineer's contract with Harris & Associates, naming Harris & Associates as the Assessment Engineer and firm responsible for preparing the Engineer's Report and assisting in the public hearing and formation process for the proposed District.

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

SECTION 1. The City Council of the City proposes to form the "City of Oceanside Hi Hope Ranch Open Space Maintenance District." The boundaries of said District shall be as shown on the map entitled "City of

1 Oceanside Hi Hope Ranch Open Space Maintenance District
2 Diagram/Boundary Map,” on file with the City Clerk.

3 SECTION 2. The proposed District would fund the costs of the monitoring
4 and maintenance of the open space within the Conservation Area located
5 within the Hi Hope Ranch development.

6 SECTION 3. Harris & Associates, an engineer registered pursuant to the
7 Professional Engineers Act (Chapter 7, commencing with Section 670, of
8 Division 3 of the Business and Professions Code), is hereby designated
9 Assessment Engineer for the proposed District. Harris & Associates is hereby
10 ordered to prepare and file an “Engineer’s Report” for the City Council’s
11 review, consideration and adoption in accordance with the Act and the laws of
12 the State of California.

13 SECTION 4. This resolution shall take effect immediately.

14 SECTION 5. The City Clerk shall certify to the passage and adoption of this
15 resolution; shall cause the same to be entered in the book of resolutions of the
16 City, and shall make a minute of the passage and adoption thereof in the
17 records of the proceedings of the City Council of the City in the minutes of the
18 meeting at which the same is presented.

19
20 PASSED AND ADOPTED by the City Council of the City of Oceanside,
21 California, this _____ day of _____, 2013, by the following vote:

22 AYES:

23 NAYS:

24 ABSENT:

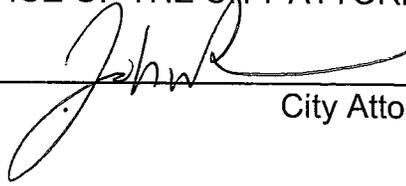
25 ABSTAIN:

26 _____
Mayor of the City of Oceanside

27 /

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APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



City Attorney

ATTEST:

City Clerk

**Resolution declaring intent to levy and collect assessments
for fiscal year 2013-2014 within the Hi-Hope Ranch Landscape
Maintenance District, Assessment District No. _____**

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ATTACHMENT B

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, APPROVING AN ENGINEERS REPORT AND DECLARING ITS INTENTION TO ORDER THE FORMATION OF A OPEN SPACE MAINTENANCE DISTRICT AND TO LEVY AN ASSESSMENT THEREON, AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City Council of the City of Oceanside (the "City") has initiated proceedings to form an assessment district (the "District") pursuant to the provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") and in accordance with Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code), to fund the maintenance and monitoring of the open space within the Conservation Area located within the Hi Hope Ranch development (the "Property"); and

WHEREAS, the boundaries of the proposed District shall be as shown on the map presented to this Council and on file with the City Clerk and incorporated herein by reference; and

WHEREAS, the title of the proposed District shall be "City of Oceanside Hi Hope Ranch Open Space Maintenance District"; and

WHEREAS, the Assessment Engineer, Harris & Associates, has filed with the City Clerk of the City and the City Clerk has presented to the City Council a report dated May 30, 2013 (the "Engineer's Report") regarding the proposed District and containing the matters specified in Section 22586 of the Act; and

WHEREAS, the Engineer's Report has been duly presented by the City Clerk for consideration and has been fully considered by the City Council.

///

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

3 SECTION 1. The above recitals are true and correct.

4 SECTION 2. The Engineer's Report, including the plans, specifications,
5 general descriptions, estimate of the cost of the maintenance and monitoring of the
6 open space within the Conservation Area (the "Improvements") and incidental
7 expenses in connection therewith, the diagram and the proposed assessments, is
8 hereby approved as filed [or modified] and incorporated herein by this reference.
9 The Engineer's Report shall stand as the report for the purpose of all subsequent
10 proceedings under the Act and Article XIID, except that it may be confirmed,
11 modified or corrected as provided in the Act.

12 SECTION 3. The City Council hereby declares its intention to form an
13 assessment district to be known as the "City of Oceanside Hi Hope Ranch Open
14 Space Maintenance District." The boundaries of the District shall cover the real
15 property benefited by the Improvements and is described on the map entitled "City of
16 Oceanside Hi Hope Ranch Open Space Maintenance District Diagram/Boundary
17 Map," on file with the City Clerk. The City Council hereby declares and finds the
18 land within the boundaries of the District to be specially benefited by the
19 Improvements and/or the maintenance thereof.

20 SECTION 4. The purpose of District is to fund the maintenance and
21 monitoring of the open space within the Conservation Area located within the Hi
22 Hope Ranch development All improvements and work to be funded by the District
23 shall be done in accordance with the Engineer's Report on file in the office of the
24 City Clerk and which is hereby referred to and by this reference incorporated herein
25 and made a part hereof. The Engineer's Report and its exhibits contain a full and
26 detailed description of the Improvements and the maintenance thereof which may be
27 funded by the District, the boundaries of the District and the proposed assessments
28 upon the assessable properties in the District.

1 SECTION 5. As set forth in the Engineer's Report, each year the maximum
2 annual maintenance assessment will be increased for cost of living according to the
3 change in Consumer Price Index (CPI) for the San Diego County areaThe actual
4 assessment to be levied each year will be as determined by the City Council, not to
5 exceed the maximum annual assessment rate period. If approved, the assessment
6 will be levied beginning in FY 2013-14.

7 SECTION 6. The City Council appoints August 7, 2013 at 5:00 p.m. in the
8 Council Chambers, 300 North Coast Highway, Oceanside, California, or as soon
9 thereafter as the matter may be heard, as the time and place for hearing protests to
10 the proposed levy of assessments, the amount of the individual assessments, and
11 related matters as set forth in the Engineer's Report, and any interested person may
12 appear and object to the Improvements, or to the extent of the District or to said
13 proposed assessments.

14 SECTION 7. The City Clerk is hereby directed to give notice of such hearing
15 by mailing notices thereof, together with assessment ballots, in the time, form and
16 manner provided by Section 53753 of the California Government Code, and upon
17 the completion of the mailing of said notices and assessment ballots, the City Clerk
18 is hereby directed to file with the City Council an affidavit setting forth the time and
19 manner of the compliance with the requirements of law for mailing said notices and
20 assessment ballots. The City Clerk shall cause notice of the public hearing to be
21 given by mailing, postage prepaid, in the United States mail, and such notice shall
22 be deemed to have been given when deposited in such mail. The notice shall be
23 mailed not less than forty-five (45) days prior to the date of the public hearing upon
the proposed assessment.

24 SECTION 8. This resolution shall take effect immediately.

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1 SECTION 9. The City Clerk shall certify to the passage and adoption of this
2 resolution; shall cause the same to be entered in the book of resolutions of the City,
3 and shall make a minute of the passage and adoption thereof in the records of the
4 proceedings of the City Council of the City in the minutes of the meeting at which the
5 same is presented.

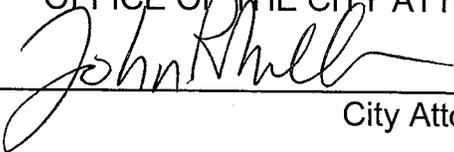
6 PASSED AND ADOPTED by the City Council of the City of Oceanside,
7 California, this _____ day of _____, 2013, by the following vote:

8 AYES:
9 NAYS:
10 ABSENT:
11 ABSTAIN:

Mayor of the City of Oceanside

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

14 ATTEST:



City Attorney

15 _____
16 City Clerk

17 Resolution approving an Engineer's Report and declaring
18 its intention to order the formation of the Hi-Hope Ranch
19 Landscape Maintenance District, Assessment District No. _____
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Engineer's Report

for

High Hope Ranch Open Space Maintenance District No. 1

For the

**City of Oceanside
San Diego County, California**

May 30, 2013

ENGINEER'S REPORT
CITY OF OCEANSIDE
OPEN SPACE MAINTENANCE DISTRICT NO. 1

The undersigned respectfully submits the enclosed report as directed by the City Council. The undersigned certifies that she is a Professional Engineer, registered in the State of California.

DATED: May 30, 2013

BY: Alison Bouley
Assessment Engineer
R.C.E. No. 61383

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll and Assessment Diagram thereto attached was filed with me on the ____ day of _____, 2013.

City Clerk, City of Oceanside
County of San Diego, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached was approved and confirmed by the City Council of the City of Oceanside, California, on the ____ day of _____, 2013.

City Clerk, City of Oceanside
County of San Diego, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached was filed with the County Auditor of the County of San Diego, on the ____ day of _____, 2013.

City Clerk, City of Oceanside
County of San Diego, California

By: _____

City of Oceanside
Open Space Maintenance District No. 1
Engineer's Report

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CITY OF LAKE ELSINORE

ENGINEER'S REPORT

Prepared Pursuant to the Provisions of the Landscaping and Lighting Act of 1972 (California Streets and Highways Code Section 22500 through 22679), Article XIID of The California Constitution, and The Proposition 218 Omnibus Implementation Act (California Government Code Section 53750 Et Seq.)

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, Article XIID of the California Constitution, the Proposition 218 Omnibus Implementation Act and in accordance with the Resolution of Initiation adopted by the Council of the City of Oceanside, State of California, in connection with the proceedings for:

**CITY OF OCEANSIDE
OPEN SPACE MAINTENANCE DISTRICT NO. 1**

hereinafter referred to as the "Assessment District" or "District", I, Alison Bouley , P.E., the authorized representative of Harris & Associates, the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

PART A - PLANS AND SPECIFICATIONS

Plans and specifications for the improvements showing and describing the general nature, location and extent of the improvements.

PART B – ESTIMATE OF COST

An estimate of the cost of the proposed improvements for FY 2013-14, including incidental costs and expenses in connection therewith.

PART C – ASSESSMENT ROLL

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.

PART D – METHOD OF APPORTIONMENT OF ASSESSMENT

The method of apportionment of assessments, indicating the proposed assessment of the total amount of the costs and expenses of the improvements upon the lots and parcels of land within the Assessment District, in proportion to the estimated benefits to be received by such lots and parcels.

PART E – ASSESSMENT DISTRICT BOUNDARIES

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District and the lines and dimensions of each lot or parcel of land within the Assessment District.

PART A - PLANS AND SPECIFICATIONS

The District is being established to provide for the continued maintenance and monitoring of the open space within the Conservation Area on the Hi Hope Ranch Project site which provides special benefit to parcels and properties within the Hi Hope Ranch Project.

As generally defined in the 1972 Act, maintenance and monitoring of the Hi Hope Conservation Area improvements may include the following tasks:

- 1) Removal of non-native invasive plants.
- 2) Removal of trash.
- 3) Control of unauthorized access to the conservation area including sign replacement.
- 4) Completion of an annual biological survey to document the condition of the conservation area and provide direction on the maintenance tasks.
- 5) Oversight for the enforcement of covenants, terms, conditions and restrictions of the conservation easement.
- 6) Preparation of an annual letter report that summarizes the enforcement and compliance monitoring, survey observations and a summary of the tasks completed.

In addition, incidental expenses associated with the maintenance and monitoring of the Hi Hope Conservation Area improvements include, but are not limited to:

- 1) The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- 2) The costs of printing, advertising, and the publishing, posting and mailing of notices;
- 3) Compensation payable to the County for collection of assessments;
- 4) Compensation of any engineer or attorney employed to render services;
- 5) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
- 6) Costs associated with any elections held for the approval of a new or increased assessment.

LEVEL OF MAINTENANCE SERVICES PROVIDED

The required annual maintenance and monitoring tasks for the 8-acre Hi Hope Ranch Conservation Area are described in detail in the "Hi Hope Ranch Project Long-Term Management and Monitoring Plan" which is included in Appendix A.

The location, boundaries and general description of the improvements to be maintained within the District are described below. The detailed specifications and location of the improvements are on plans and maps on file with the Public Works department and by reference are made part of this Report

PART B - ESTIMATE OF COST

The estimated cost of the maintenance and monitoring of the Hi Hope Conservation area for Fiscal Year 2013-14 if all of the improvements had been completed and accepted, as described in Part A, are summarized herein and described below.

	Frequency	Estimated Hours	Materials Cost	Estimated Hourly Rate	Total Cost
Annual Monitoring Tasks					
Enforcement and Compliance	annually	6		\$175	\$1,050
Biological Survey	annually	8		\$175	\$1,400
Reporting	annually	10		\$175	\$1,750
Legal Assistance	annually	1		\$250	\$250
Annual Maintenance Tasks					
Weed Removal	annually	32		\$75	\$2,400
Trash Removal	annually	10		\$75	\$750
Sign Maintenance	ongoing	6	\$100	\$75	\$550
City Administration					
Oversight and coordination	annually				\$20,000
District Administration	annually				\$5,000
Reserve (10%)					\$3,150
Maximum Allowable Assessment for Fiscal Year 13/14					\$36,465
Proposed Assessment for Fiscal Year 13/14					\$0.00

Since the improvements have not been completed and accepted by the City, the developer shall be responsible for the annual monitoring and maintenance tasks for Fiscal Year 13/14 and no assessment is proposed for the coming fiscal year.

It is expected in future years that the City will prepare the annual estimate of costs for the maintenance and monitoring of the High Hope Conservation Area prior to March 1st of each succeeding year and advise the High Hope Homeowners Association (HOA) of the annual budget requirements. The HOA shall deposit the required funds with the City prior to April 1st for the coming year. If the HOA does not deposit the required funds prior to April 1st, the Engineer's Report for the next fiscal year shall be prepared to show the levy of an assessment on each parcel not exempt from assessment. If funds equal to the estimated budget for the next fiscal year are deposited prior to April 1st, those funds shall be shown as a contribution to the district and no assessment shall be levied on parcels for the next year.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purpose as stated herein. Any balance or deficit remaining on July 1st must be carried over to the next fiscal year.

PART C - ASSESSMENT ROLL

The total proposed assessment for Fiscal Year 2013-14 and the amount of the total proposed assessment apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the San Diego County Assessor's Office, are contained in the Assessment Roll in Appendix B.

The description of each lot or parcel is part of the San Diego County assessment roll and this roll is, by reference, made part of this Report.

PART D - METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of maintenance and monitoring of open space. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to Article XIID Section 4:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable and an agency shall separate the general benefits from the special benefits conferred on a parcel."

This Engineer's Report is consistent with the requirements of Article XIID of the California Constitution and with recent legal rulings including:

- Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority
- Dahms v. Downtown Pomona Property
- Bonander v. Town of Tiburon
- Beutz v. County of Riverside

Each of the improvements have been carefully reviewed and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements.

General Benefits — the improvements are a direct result of property development and would otherwise not be required or necessary. The conservation easement is required by the U.S. Fish and Wildlife Service and California Department of Fish and Game as a condition of the development. The Conservation easement will prohibit all activities that may harm or significantly disturb wildlife, or detrimentally impact habitat within the Conservation Area, except activities intended to maintain habitat values. Without establishment and maintenance of this conservation easement, the Hi Hope Ranch Subdivision would not have been allowed to develop.

Although the Conservation Area (by virtue of their location), may be visible to surrounding properties or to the public at large, the area is not accessible to the public is not directly adjacent only to the Hi Hope Ranch Development. Therefore, it has been determined that the conservation improvements and the ongoing maintenance and monitoring of those improvements are clearly a direct and special benefit to properties within the District and there is no general benefit. These improvements would not have been deemed necessary as the land would have stayed in its natural native state without the development of the Hi Hope Ranch subdivision. These improvements provide no measurable general benefit to properties outside the District or to the public at large.

Special Benefits — The method of apportionment (assessment methodology) is based on the premise that each of the assessed parcels within the District receives benefit from the improvements maintained and financed by annual assessments. Specifically, the assessments are for the maintenance and monitoring of the conservation area. Each year the City will cause to be prepared a budget for the estimated maintenance and monitoring cost for the coming year, including the cost for the preparation of the Engineer’s Report. The property owners have indicated their desire to have the Hi Hope Ranch Home Owner’s Association (HOA) make a contribution to the District equal to the estimated budget for the coming year. The payment will be made by March 1st of each year.

Non-Assessable Properties — Within the boundaries of the District, there are two open space parcels that are considered to receive no special benefit from the District improvements and are therefore not assessed. In addition, there are three lettered lots that receive no benefits from the improvements and will also not be assessed.

ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the maintenance and monitoring of the Conservation Area, as described in Part B of this report, will be apportioned on a residential lot basis. The table below provides the assessment apportionment for the district.

SFR Lots	Max. Maint. Asmt per Lot (FY 2013-14)	Actual Asmt per Lot (FY 2013-14)	Total Asmt for District
93	\$392.10	\$0.00	\$0.00

* The maximum annual maintenance assessments shall be increased for cost of living each year according to the change in Consumer Price Index (CPI) for the San Diego County area. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase.

PART E - ASSESSMENT DISTRICT BOUNDARIES

Diagrams showing the exterior boundaries of the District and the lines and dimensions of each lot or parcel of land within the District are located in Appendix C.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Assessor of the County of San Diego for Fiscal Year 2013-14. The Assessor's maps and records are incorporated by reference herein and made part of this report.

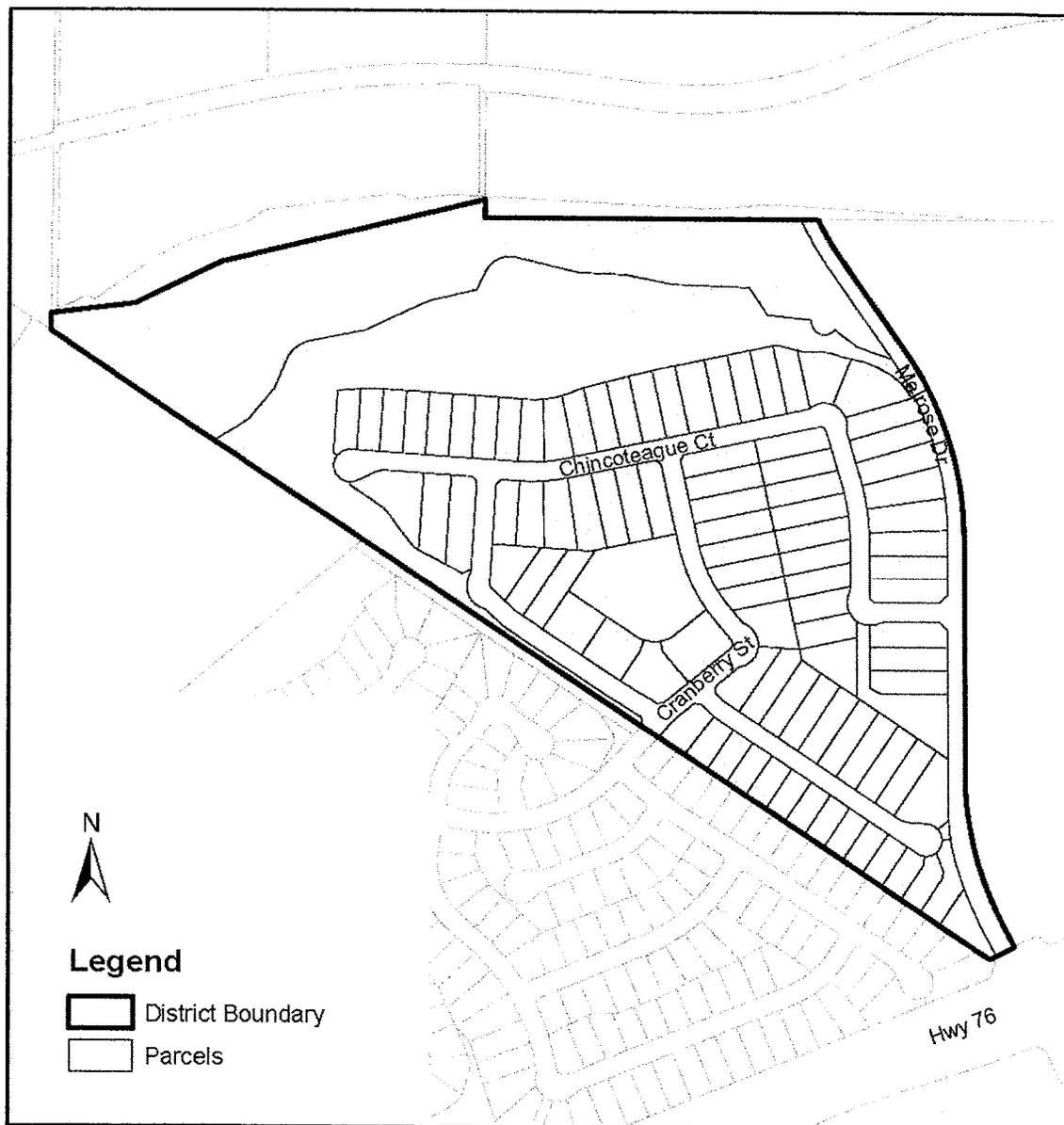
APPENDIX A
Open Space Maintenance District No. 1
Long-Term Management and Monitoring Plan

APPENDIX B
Open Space Maintenance District No. 1
Assessment Roll

APN Number	FY 13-14 Max Assm't	FY 13-14 Assm't	APN Number	FY 13-14 Max Assm't	FY 13-14 Assm't	APN Number	FY 13-14 Max Assm't	FY 13-14 Assm't
122-620-01	\$392.10	\$0.00	122-621-08	\$392.10	\$0.00	122-623-11	\$392.10	\$0.00
122-620-02	\$392.10	\$0.00	122-621-09	\$392.10	\$0.00	122-623-12	\$392.10	\$0.00
122-620-03	\$392.10	\$0.00	122-621-10	\$392.10	\$0.00	122-623-13	\$392.10	\$0.00
122-620-04	\$392.10	\$0.00	122-621-11	\$392.10	\$0.00	122-623-14	\$392.10	\$0.00
122-620-05	\$392.10	\$0.00	122-621-12	\$392.10	\$0.00	122-623-15	\$392.10	\$0.00
122-620-06	\$392.10	\$0.00	122-621-13	\$392.10	\$0.00	122-623-16	\$392.10	\$0.00
122-620-07	\$392.10	\$0.00	122-621-14	\$392.10	\$0.00	122-623-17	\$0.00	\$0.00
122-620-08	\$392.10	\$0.00	122-621-15	\$392.10	\$0.00	122-623-18	\$0.00	\$0.00
122-620-09	\$392.10	\$0.00	122-621-16	\$392.10	\$0.00	122-624-01	\$392.10	\$0.00
122-620-10	\$392.10	\$0.00	122-621-17	\$392.10	\$0.00	122-624-02	\$392.10	\$0.00
122-620-11	\$392.10	\$0.00	122-621-18	\$392.10	\$0.00	122-624-03	\$392.10	\$0.00
122-620-12	\$392.10	\$0.00	122-622-01	\$392.10	\$0.00	122-624-04	\$392.10	\$0.00
122-620-13	\$392.10	\$0.00	122-622-02	\$392.10	\$0.00	122-624-05	\$392.10	\$0.00
122-620-14	\$392.10	\$0.00	122-622-03	\$392.10	\$0.00	122-624-06	\$392.10	\$0.00
122-620-15	\$392.10	\$0.00	122-622-04	\$392.10	\$0.00	122-624-07	\$392.10	\$0.00
122-620-16	\$392.10	\$0.00	122-622-05	\$392.10	\$0.00	122-624-08	\$392.10	\$0.00
122-620-17	\$392.10	\$0.00	122-622-06	\$392.10	\$0.00	122-624-09	\$392.10	\$0.00
122-620-18	\$392.10	\$0.00	122-622-07	\$392.10	\$0.00	122-624-10	\$392.10	\$0.00
122-620-19	\$392.10	\$0.00	122-622-08	\$392.10	\$0.00	122-624-11	\$392.10	\$0.00
122-620-20	\$392.10	\$0.00	122-622-09	\$392.10	\$0.00	122-624-12	\$392.10	\$0.00
122-620-21	\$392.10	\$0.00	122-622-10	\$392.10	\$0.00	122-624-13	\$392.10	\$0.00
122-620-22	\$392.10	\$0.00	122-622-11	\$392.10	\$0.00	122-624-14	\$392.10	\$0.00
122-620-23	\$392.10	\$0.00	122-622-12	\$392.10	\$0.00	122-624-15	\$392.10	\$0.00
122-620-24	\$0.00	\$0.00	122-623-01	\$392.10	\$0.00	122-624-16	\$392.10	\$0.00
122-620-25	\$0.00	\$0.00	122-623-02	\$392.10	\$0.00	122-624-17	\$392.10	\$0.00
122-620-26	\$0.00	\$0.00	122-623-03	\$392.10	\$0.00	122-624-18	\$392.10	\$0.00
122-621-01	\$392.10	\$0.00	122-623-04	\$392.10	\$0.00	122-624-19	\$392.10	\$0.00
122-621-02	\$392.10	\$0.00	122-623-05	\$392.10	\$0.00	122-624-20	\$392.10	\$0.00
122-621-03	\$392.10	\$0.00	122-623-06	\$392.10	\$0.00	122-624-21	\$392.10	\$0.00
122-621-04	\$392.10	\$0.00	122-623-07	\$392.10	\$0.00	122-624-22	\$392.10	\$0.00
122-621-05	\$392.10	\$0.00	122-623-08	\$392.10	\$0.00	122-624-23	\$392.10	\$0.00
122-621-06	\$392.10	\$0.00	122-623-09	\$392.10	\$0.00	122-624-24	\$392.10	\$0.00
122-621-07	\$392.10	\$0.00	122-623-10	\$392.10	\$0.00			

APPENDIX C

Open Space Maintenance District No. 1 Assessment Diagram



ATTACHMENT C

DRAFT

_____, 2013

Dear Property Owner:

The City of Oceanside has initiated proceedings to form an assessment district to finance the ongoing maintenance and monitoring of the open space within the conservation area within and adjacent to your development.

Enclosed please find (a) the Notice to Property Owners, and (b) Property Owner Assessment Ballot. Please review the enclosed information, which will give you complete details of the proposed annual maintenance assessments, how the assessment is determined for your property, and other information.

The Assessment Ballot, which is the yellow piece of paper with your name and address on it, shows the proposed assessment amount for your property.

This assessment ballot is the most important document in this material. It must be marked and returned by mail or in person to the City Clerk ***no later than the conclusion of the Public Hearing to be counted.*** (Please see the enclosed documentation for where to return your Assessment Ballot.)

On August 7, 2013, at 5:00 p.m., the City Council will hold a public hearing to hear public comment and, following the close of the public hearing, tally the assessment ballots received. The assessment amounts, cast as “yes” and “no” votes, will determine the fate of this District. Assessment ballots that are not returned, or are returned late, will not be counted, **so please return your assessment ballot!**

If you have any questions about the proposed assessment district or this process, please contact the City of Oceanside Property Management Division (760) 435-5163, Monday through Thursday, 7:30 a.m. – 5:00 p.m., and Fridays 7:30 a.m. – 4:00 p.m

Thank you for your consideration of this issue.

Curtis M. Jackson
Property Agent

**NOTICE TO PROPERTY OWNERS AND ASSESSMENT BALLOT
FOR THE FORMATION OF THE CITY OF OCEANSIDE
OPEN SPACE MAINTENANCE DISTRICT NO. 1 (HI HOPE RANCH)**

I. Notice

This notice informs you, as record owner of property within the proposed assessment district, that on June 26, 2013, the City Council adopted Resolution No _____ in which it declared its intention to form an assessment district, entitled Open Space Maintenance District No. 1 (Hi Hope Ranch) (the "District"), and has scheduled a Public Hearing on the question of forming the District and the levy of proposed assessment within the District (the "Assessment").

The Public Hearing will be held during a regular meeting of the Oceanside City Council, in the City Council Chambers at 300 North Coast Highway, Oceanside, California on:

August 7, 2013 at 5:00 p.m.

or as soon thereafter as the matter may be heard. All interested persons are invited to attend the Public Hearing and express opinions on the formation of the District and the levy of the proposed Assessments within the District.

Property owners who wish to submit an assessment ballot should mail or personally deliver it to the City Clerk prior to the close of the scheduled Public Hearing in accordance with the directions provided on the back of the assessment ballot in "Summary of Assessment Ballot Procedures."

II. Assessment Information

1. **Name of District:** Open Space Maintenance District No. 1 (Hi Hope Ranch)
2. **The total maximum annual Assessment for the entire District for FY 2013-14:** \$392
3. **Your Proposed Maximum Annual Assessment:** The proposed maximum Assessment on your properties for FY 2013-14 is shown on the enclosed yellow ballot.
4. **Duration of the Proposed Assessment:** The proposed assessment for the maintenance and monitoring of the open space within the Conservation Area will be levied annually. The maximum annual maintenance assessment will be increased for cost of living each year according to the change in Consumer Price Index (CPI) for the San Diego County area. (Any other increases or changes to the methodology of the Assessment must be submitted for property owner approval.)
5. **Reason for the Assessment:** To pay for the continued maintenance and monitoring of the open space within the Conservation Area within the Hi Hope Ranch development.
6. **Calculation of the Assessment:** All parcels within the District that receive special benefit from the improvements will be assessed in proportion to the special benefit they receive. Please see the Engineer's Report for specific Assessment Calculation Information.
7. **Assessment Balloting Results:** If a majority of the assessment ballots returned are in support of the levy of the Assessments within the District, the City Council will have the authority to form the District and to levy the Assessment in an amount not to exceed the amount listed on the enclosed assessment ballot. If a majority of the assessment ballots returned are in opposition to the levy of the Assessments within the District, the Assessment will not be imposed. Assessment ballots are weighted proportionally by each parcel's Assessment amount.

The proposed Assessment described in this Notice is new and, if approved, will appear on your property tax bill.

III. Questions Regarding These Proceedings

If you have any questions about the proposed Assessment or this process, please contact the City of Oceanside Property Management Division at (760) 435-5163 Monday through Thursday, 7:30 a.m. – 5:00 p.m., and Fridays 7:30 a.m. – 4:00 p.m.

**OFFICIAL ASSESSMENT BALLOT
CITY OF OCEANSIDE
OPEN SPACE MAINTENANCE DISTRICT NO. 1(HI HOPE RANCH)**



Name and Address of Record Owner:	Parcel Identification:
<Owner> <Address> <City, State Zip>	Assessor's Parcel Number: <xxxx-xxx-xxx> Total EDUs: <x.xxx> Proposed Maximum Assessment (*): <\$xxx.xx>

Proposed Maximum Assessment and Cost of Living Inflator:

*Each fiscal year beginning Fiscal Year 2013/14, the maximum annual maintenance assessment will be increased for cost of living according to the change in Consumer Price Index (CPI) for the San Diego County area. The annual assessment shall not exceed the maximum assessment, unless the appropriate Proposition 218 proceedings are conducted by the City to authorize an increase beyond the maximum assessment amount.

Assessment Ballot

**Please mark one box, sign and print name below
This ballot will be void if any markings are in both boxes or if not signed**

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**

<input type="checkbox"/> Yes, I am IN FAVOR of the proposed maximum assessment for Fiscal Year 2013/14 of : \$392.10 *The amount is proposed to increase as described above beginning Fiscal Year 2014/15.	<input type="checkbox"/> No, I am OPPOSED to the proposed maximum assessment for Fiscal Year 2013/14 of : \$392.10 *The amount is proposed to increase as described above beginning Fiscal Year 2014/15.
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CERTIFICATE OF ENTITLEMENT
 The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

Signature of Property Owner	Printed Name
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Please fold and insert the completed ballot into the enclosed return envelope, seal and mail or deliver to:

CITY CLERK
 CITY OF OCEANSIDE
 300 N ORTH COAST HIGHWAY
 OCEANSIDE, CALIFORNIA 92045

Please refer to the enclosed instructions for further details. Ballot must be received prior to the conclusion of the Public Hearing on August 7, 2013.

