



CITY COUNCIL AGENDA REPORT
PUBLIC HEARINGS (6:00 PM)
AGENDA ITEM NO. I.3.

DATE: June 18, 2019
TO: City Council
FROM: Rosemarie Gaglione, Public Works Director, (805) 385-8055, rosemarie.gaglione@oxnard.org
SUBJECT: Adoption of Resolution to Levy Waterways Maintenance District Assessments for Fiscal Year 2019-20. (5/5/5)

RECOMMENDATION

That the City Council, acting as the legislative body for the Waterways Maintenance Assessment District:

1. Hold a public hearing regarding proposed assessments for the Waterways Maintenance District for Fiscal Year 2019-2020, and
2. Adopt a resolution (Attachment 1) for Fiscal Year 2019-2020 fixing assessments for the Waterways Maintenance District.

BACKGROUND

The assessment district for the maintenance of the waterways and landscaping on public rights-of-way within Mandalay Bay was established on June 16, 1970 by Resolution No. 5,144. In contrast to the City's landscape maintenance districts formed under the 1972 Landscaping and Lighting Act, this waterways district was formed pursuant to the Improvement Act of 1911 in order to recover the City's cost of maintenance of waterways and landscaping on public rights-of-way within Mandalay Bay. Assessments are levied according to the procedures set out in section 5820 et seq. of the Streets and Highways Code (the Improvement Act of 1911). The assessments are exempt from Article XIID of the California Constitution by reason of section 5 thereof.

In Fiscal Year 2018-2019, the Waterways Maintenance Assessment District consists of two zones: Waterways Maintenance Assessment District; Zone 1 – Mandalay Bay and Zone 2 – Harbour Island.

DISCUSSION

The recommended resolution fixes the assessments to be collected for Fiscal Year 2019-2020. After City Council adopts the resolution, assessment data will be delivered to the County Auditor-Controller's Office for processing and collection of Fiscal Year 2019-2020 assessments.

The proposed rates and methodology for Fiscal Year 2019-2020 remain as they were for Fiscal Year 2018-2019 of \$441,968 for Zone 1 Mandalay Bay and \$49,867 for Zone 2 Harbour Island.

Maintenance costs for Fiscal Year 2019-2020 are projected to be apportioned as follows:

DIRECT MAINTENANCE

The City's recommended budget for direct maintenance including landscaping maintenance, utility costs and waterways debris removal services, including contingency costs for Fiscal Year 2019-2020 is \$394,570 for Zone 1 Mandalay Bay

and \$36,428 for Zone 2 Harbour Island.

OVERHEAD, CITY STAFF AND CONSULTING SERVICES

The City's recommended budget for overhead, staff costs and consulting services for Fiscal Year 2019-2020 is \$46,152 for Zone 1 Mandalay Bay and \$13,662.

COUNTY FEE

The City's recommended budget for County fees for Fiscal Year 2019-2020 is \$1,246 for Zone 1 Mandalay Bay and \$149 for Zone 2.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

FINANCIAL IMPACT

The estimated cost of maintenance in Fiscal Year 2019-2020 for the two Waterway Maintenance District funds (Fund 121 and Fund 177) is equal to the assessments of \$491,835. The amount will be assessed to the property owners in the district and will be placed on the Ventura County tax roll in Fiscal Year 2019-2020, the same as in prior years.

COMMITTEE OUTCOME

This item did not originate in Committee.

Prepared by: Jeri Cooper, Interim Special Districts Manager

ATTACHMENTS

1. Resolution Approving Levy Waterways

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2019-2020

WHEREAS, by Resolution No. 5144, adopted June 16, 1970, the City Council formed the Waterway Maintenance District (“the District”) pursuant to the maintenance district provisions of the Improvement Act of 1911 (Streets and Highways Code Section 5820 et seq.); and

WHEREAS, the District was formed with the consent of the developer owning all of the parcels subject to the assessment at the time assessments were initially imposed; and

WHEREAS, the City Council is required by Streets and Highways Code Section 5830 to estimate the costs of maintaining and operating the improvements within the District, to decide whether the costs of such maintenance and operations shall be borne wholly or partially by the District, and to fix assessments within the District sufficient to raise the money to pay for such costs; and

WHEREAS, assessments were levied in the District in Fiscal Year 2018-2019, and such assessments are not proposed to increase in Fiscal Year 2019-2020; and,

WHEREAS, the assessments are imposed exclusively to finance the capital costs and maintenance and operation expenses for the sidewalks, streets, water, flood control, drainage systems and vector control, inasmuch as the waterway serves much as a street, manages water and is part of the flood control and drainage systems in the District; the landscaping is located in or adjacent to sidewalks, streets and other public rights of way and maintenance of the landscaping involves irrigation and vector control; and the other improvements maintained with assessments, such as parking areas and fences, are located in or adjacent to sidewalks, streets and the waterways; and

WHEREAS, for the foregoing reasons, the assessments are exempt from Article XIID of the California Constitution, by reason of Section 5 thereof.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The budget for Fiscal Year 2019-2020 for the Waterway Maintenance Assessment District is hereby approved as follows:

Landscape Maintenance	\$331,998
Waterway Maintenance	99,000
Overhead, City Staff and Consulting Services	59,814
County Collection Fee	<u>1,023</u>
	\$491,835
Total Budget Requirements	\$491,835
Less Max Assessment Levy	<u>(491,835)</u>
Net	\$0
Required Surplus Fund Balance Transfer	\$0
County Assessment Roll	\$491,835

2. The cost of \$492,207 for maintaining and operating channels, parking and landscaping shall be borne by the District.
3. Assessments for the purpose of raising budgeted funds of \$492,207 for the District for the fiscal year beginning July 1, 2019, as shown in paragraph 1 of the line entitled, "Assessment Required," are hereby fixed and as set forth in the assessment roll attached hereto and made a part hereof (Exhibit A), showing the assessment for each parcel according to the benefit received by each parcel, as determined by the engineer's report approved by the City Council on May 10, 1988.
4. In accordance with Government Code section 36936.1, the City Clerk is instructed to cause this resolution to be published one time in a newspaper of general circulation within the City within 15 days after adoption.
5. In accordance with Government Code section 53901, the City Clerk is instructed to file with the Ventura County Auditor within 60 days from July 1, 2019 a certified copy of this resolution.

PASSED AND ADOPTED THIS 18th day of June, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Tim Flynn, Mayor

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney