

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 15,711

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, CONFIRMING DIAGRAMS AND ASSESSMENTS FOR FISCAL YEAR 2023-24 IN CONNECTION WITH THE CITY'S LANDSCAPE MAINTENANCE DISTRICT NO. 13 (LE VILLAGE)

WHEREAS, the City Council of the City of Oxnard has, by prior resolutions, established a number of Landscape Maintenance Districts (collectively the "Assessment Districts" and each an "Assessment District") pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, the Assessment District is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, in connection with the Assessment District, the City levies an annual assessment against real property to fund landscape maintenance that specially benefits the parcels located in that Assessment District; and

WHEREAS, the City has engaged NBS (the "Assessment Engineer") to provide assessment engineering services in connection with the Assessment Districts; and

WHEREAS, by its Resolution No. 15,697 adopted on June 6, 2023, the City Council ordered the Engineer to prepare and file reports pursuant to Section 22565 *et seq.* of the Act with respect to the FY 2023-24 levy of assessments in connection with each of the Assessment Districts; and

WHEREAS, by its Resolution No. 15,698 adopted on June 6, 2023, the City Council approved as filed a consolidated report of the Assessment Engineer entitled "City of Oxnard Fiscal Year 2023-24 Consolidated Engineer's Report for Landscape Maintenance Districts" (the "Report"), which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, by its Resolution No. 15,692 adopted on June 6, 2023 (the "Resolution of Intention"), the City Council declared its intention to levy and collect the assessments set forth in the Report for FY 2023-24 in connection within each of the Assessment Districts (the "Proposed Assessments"); and

WHEREAS, in no case do the rates of the Proposed Assessment in connection with Assessment District No. 13 exceed the maximum assessment rate previously approved for the Assessment District, as adjusted by any previously approved CPI adjustment; and

WHEREAS, the Resolution of Intention scheduled a public hearing (the “Public Hearing”) for June 20, 2023 at 6:00 p.m. or as soon thereafter as practical, in the City Council Chambers, at 305 West Third Street, Oxnard, California with respect to the Proposed Assessment; and

WHEREAS, notice of the Public Hearing was published in the manner set forth in Section 22626(a) of the Act; and

WHEREAS, at the appointed time and place, the City Council held the Public Hearing and all interested persons were afforded the opportunity to hear and be heard; and

WHEREAS, having considered all oral statements and all written protests and statements made or filed at the Public Hearing, the City Council desires to levy the Proposed Assessment for FY 2023-24.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by this reference.
2. No Majority Protest. The City Council finds that no majority protest exists with respect to Assessment District No. 13 that would require the abandonment of all or any portion of any of the Proposed Assessment.
3. Assessment. The diagrams and assessments as set forth in the Report for District No. 13 are hereby confirmed. This action constitutes the levy of the Proposed Assessment for FY 2023-24 for District No. 13. Staff is directed to file the diagrams and assessments with the Ventura County Auditor and to cause the assessments to be collected at the same time and in the same manner as county taxes are collected.
4. Installments Authorized. In accordance with Streets and Highways Code Section 22660(a), the City Council hereby determines that the estimated cost of certain proposed improvements are greater than can conveniently be raised from a single assessment and orders that such estimated cost be collected in installments. General descriptions of these improvements, as well as the estimated costs thereof, the number of annual installments and years during which they are to be collected, and the maximum amount of each annual installment, are described in the Exhibit B attached hereto and incorporated herein by reference as though fully set forth. Moneys collected from the annual installments shall be accumulated in the improvement fund until there are sufficient moneys to pay all or part of the cost of the improvements.
5. Severability. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.



- 6. Effective Date. This Resolution shall be effective immediately upon adoption.
- 7. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

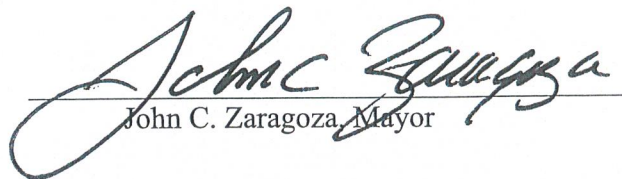
PASSED, APPROVED AND ADOPTED on this 20th day of June, 2023 by the following vote:

AYES: Councilmembers Basua, MacDonald, Madrigal, Teran, Valenzuela Zavala and Zaragoza

NOES: None.

ABSENT: None.

ABSTAIN: Councilmember Perello (RECUSED)

  
John C. Zaragoza, Mayor

ATTEST:

  
Rose Chaparro, City Clerk

APPROVED AS TO FORM:

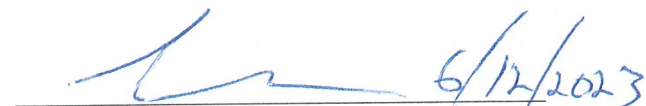
  
Stephen M. Fischer, City Attorney

EXHIBIT A

CITY OF OXNARD  
LANDSCAPE MAINTENANCE DISTRICT LISTING

<b>District Name</b>	<b>Formation Date<sup>(1)</sup></b>	<b>Formation Resolution No.<sup>(1)</sup></b>
Landscape Maintenance District No. 13 (Le Village)	March 20, 1990	9894

1. Source: City of Oxnard Fiscal Year 2022-2023 Resolutions

EXHIBIT B

CITY OF OXNARD  
LANDSCAPE MAINTENANCE DISTRICT PROJECTS

Account Code	District	Project Name	Annual Installments	FY 23/24 Project Total	FY 24/25 Project Total	FY 25/26 Project Total	FY 26/27 Project Total	FY 27/28 Project Total	5-Year Estimated Total Expense
21303801	LMD No. 13 (LeVillage)	District-wide tree trimming	\$788.33	\$2,380.00			\$2,380.00		\$26,395.84
		Irrigation repair and replacement	\$2,124.66	\$4,125.94	\$4,249.72		\$4,377.21		
		Landscaping replantings	\$2,188.91			\$4,509.15			
<b>Project Subtotal</b>				\$6,505.94	\$4,249.72	\$4,377.82	\$6,889.15	\$4,377.21	\$26,395.84
<b>Annual Installment Totals</b>				\$2,188.91	\$5,107.10	\$5,172.77	\$5,236.52	\$5,236.52	\$20,752.90

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 15,692

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA, DECLARING ITS INTENTION TO LEVY ASSESSMENTS AGAINST REAL PROPERTY FOR FISCAL YEAR 2023-24 IN CONNECTION WITH THE CITY'S LANDSCAPE MAINTENANCE DISTRICTS

WHEREAS, the City Council of the City of Oxnard has, by prior resolutions, established a number of Landscape Maintenance Districts (collectively the "Assessment Districts" and each an "Assessment District") pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, a complete list of the Assessment Districts is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, in connection with each of the Assessment Districts, the City levies an annual assessment against real property to fund landscape maintenance that specially benefits the parcels located in that Assessment District; and

WHEREAS, the City has engaged NBS (the "Assessment Engineer") to provide assessment engineering services in connection with the Assessment Districts; and

WHEREAS, by prior resolution the City Council ordered the Engineer to prepare and file reports pursuant to Section 22565 *et seq.* of the Act with respect to the FY 2023-24 levy of assessments in connection with each of the Assessment Districts; and

WHEREAS, by prior resolution the City Council approved as filed a consolidated report of the Assessment Engineer entitled "City of Oxnard Fiscal Year 2023-24 Consolidated Engineer's Report for Landscape Maintenance Districts" (the "Report"), which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the City Council desires to declare its intention to levy the assessments for FY 2023-24 as described in the Report.

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

1. Recitals. The above recitals are all true and correct.
2. Declaration of Intent. The City Council hereby declares its intention to levy and collect assessments for FY 2023-24 within each Assessment District.
3. Name and Location of Assessment Districts. The name of each Assessment District is set forth in Exhibit A. The locations of each Assessment District are generally described in the name of the Assessment District and more specifically described in the Report.



4. Description of Improvements. Each Assessment District will fund landscape improvements. No substantial change to the improvements is proposed to be made for FY 2023-24.
6. Reference to Report. Reference is made to the Report for a full and detailed description of (i) the landscape improvements; (ii) the boundaries of the Assessment Districts; and (iii) the proposed assessments upon assessable lots and parcels of land within the Assessment Districts. The Report describes, among other things, each affected parcel of real property and the amount of the assessment for each such affected parcel for FY 2023-24.
7. Inflation Adjustment. As set forth in more detail in the Report, the assessments in connection with most of the Assessment Districts will be higher than in FY 2022-23. In no case will the rates for a Assessment District be higher than the maximum assessment rate previously approved for the Assessment District, as adjusted by a previously approved CPI adjustment.
8. Public Hearing. On June 20, 2023 at 6:00 p.m. or as soon thereafter as practical, in the City Council Chambers, at 305 West Third Street, Oxnard, California, the City Council will hold a full and fair public hearing on the question of the levy of the proposed assessments for FY 2023-24 (the "Hearing"). At the Hearing, the City Council will also hear and consider any objections or protests to the Report.
9. Notice. Notice of the Hearing shall be given in the manner set forth in Section 22626(a) of the Act.
10. Protest. Pursuant to Section 22628 of the Act, any interested person may, prior to the conclusion of the Hearing, file a written protest with the City Clerk of the City of Oxnard or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by the property owner.
11. Severability. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
12. Effective Date. This Resolution shall be effective immediately upon adoption.
13. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

PASSED, APPROVED AND ADOPTED on this 6th day of JUNE, 2023 by the following vote:


AYES: Councilmembers Basua, MacDonald, Madrigal, Perello, Teran, Valenzuela and Zaragoza

NOES: None.

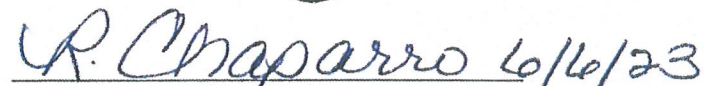
ABSENT: None.

ABSTAIN: None.

Resolution No. 15,692  
Resolution of Intent to Levy – LMDs FY23-24  
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John C. Zaragoza, Mayor

ATTEST:

  
\_\_\_\_\_  
Rose Chaparro, City Clerk

APPROVED AS TO FORM:

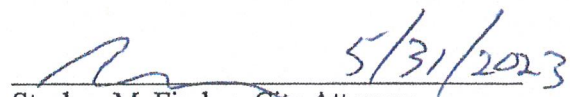
  
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Stephen M. Fischer, City Attorney



EXHIBIT A

CITY OF OXNARD  
 LANDSCAPE MAINTENANCE DISTRICTS

District Name	Formation	
	Date	Resolution No.
Landscape Maintenance District No. 3 (River Ridge)	March 18, 1986	8983
Landscape Maintenance District No. 10 (Country Club Estates)	December 13, 1988	9587
Landscape Maintenance District No. 11 (St. Tropez)	January 3, 1989	9603
Landscape Maintenance District No. 12 (Standard Pacific)	March 28, 1989	9665
Landscape Maintenance District No. 13 (Le Village)	March 20, 1990	9894
Landscape Maintenance District No. 14 (California Cove)	June 5, 1990	9972
Landscape Maintenance District No. 16 (California Lighthouse)	July 9, 1991	10206
Landscape Maintenance District No. 23 (Greystone)	June 18, 1996	11071
Landscape Maintenance District No. 24 (Vineyards)	June 18, 1996	11072
Landscape Maintenance District No. 25 (The Pointe)	June 18, 1996	11073
Landscape Maintenance District No. 27 (Rose Island)	June 24, 1997	11259
Landscape Maintenance District No. 28 (Harborside)	June 24, 1997	11260
Landscape Maintenance District No. 30 (Haas Automation)	June 24, 1997	11261
Landscape Maintenance District No. 31 (Rancho De La Rosa)	June 23, 1998	11415
Landscape Maintenance District No. 32 (Oak Park)	February 23, 1999	11505
Landscape Maintenance District No. 33 (El Paseo)	October 19, 1999	11653
Landscape Maintenance District No. 34 (Sunrise Pointe & Sunset Cove)	October 19, 1999	11654
Landscape Maintenance District No. 36 (Villa Santa Cruz & Villa Carmel)	January 25, 2000	11684
Landscape Maintenance District No. 37 (Pacific Breeze)	January 25, 2000	11685
Landscape Maintenance District No. 38 (Aldea Del Mar)	November 28, 2000	11863
Landscape Maintenance District No. 39 (Promesa/Sueno & DR Horton/Seawinds)	March 6, 2001	11905
Landscape Maintenance District No. 40 (Cantada)	January 8, 2002	12078
Landscape Maintenance District No. 41 (Pacific Cove)	January 8, 2002	12079
Landscape Maintenance District No. 42 (Cantabria & Coronado)	May 14, 2002	12144
Landscape Maintenance District No. 43 (Greenbelt)	January 7, 2003	12295
Landscape Maintenance District No. 46 (Daily Ranch)	June 24, 2003	12440
Landscape Maintenance District No. 47 (Sycamore Place)	April 22, 2003	12355
Landscape Maintenance District No. 49 (Cameron Ranch)	June 3, 2003	12394
Landscape Maintenance District No. 50 (Pleasant Valley Senior Housing)	June 10, 2003	12404

District Name	Formation	
	Date	Resolution No.
Landscape Maintenance District No. 51 (Pfeiler)	April 19, 2005	12799
Landscape Maintenance District No. 52 (Wingfield)	February 1, 2005	12768
Landscape Maintenance District No. 53 (Huff Court)	June 7, 2005	12879
Landscape Maintenance District No. 54 (Meadowcrest)	March 28, 2006	13024
Landscape Maintenance District No. 55 (Wingfield West)	March 28, 2006	13025
Landscape Maintenance District No. 58 (Westwind)	June 6, 2006	13069
Landscape Maintenance District No. 60 (Artisan)	March 3, 2009	13604

STATE OF CALIFORNIA )  
COUNTY OF VENTURA ) ss.  
CITY OF OXNARD )

**CERTIFICATION**

I, Rose Chaparro, City Clerk of the City of Oxnard, California, do hereby certify that the foregoing is a full, true, and correct copy of **Resolution 15,711** adopted by the City Council of the City of Oxnard at its regular meeting held on June 20<sup>th</sup>, 2023. The original is on file at the office of Oxnard City Clerk.

Dated this 26<sup>th</sup> day of June, 2023.

R. Chaparro  
Rose Chaparro  
City Clerk

