

**MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING**

DATE: March 14, 2018
TO: Board of Directors
FROM: Rafael Payan, General Manager
SUBJECT: Approval of Resolution #2018-05, Directing Preparation of the Engineer's Report for the Parks, Open Space and Coastal Preservation Assessment District for Fiscal Year 2018-19

RECOMMENDED ACTION

It is recommended that the Board approve Resolution #2018-05 (**ATTACHMENT 1**) that would direct SCI Consulting Group (SCI) to prepare the Engineer's Report for the Parks, Open Space and Coastal Preservation District for Fiscal Year (FY) 2018-19 as the first step in levying the annual assessments for FY2018-19.

FISCAL IMPACT:

The cost for preparation of the Engineer's Report and assessment administration for FY2018-19 is estimated to be \$20,500 plus incidental expenses not to exceed \$2,000.

FUNDING SOURCE:

These services will be funded from the Assessment District, Professional Services account, #6949.

FUNDING BALANCE:

\$22,500 will be appropriated for these services in FY2018-19 budget and will be paid out in installments, likely in August 2018 and January 2019.

DISCUSSION:

In FY2004-05, the District developed a proposal for funding the acquisition, maintenance, preservation and improvement of parks, open space, recreational facilities and other similar public resources within the District. This proposed benefit assessment, the "Parks, Open Space and Coastal Preservation Assessment District", was approved by property owners in an assessment ballot proceeding conducted between May 21, 2004 and July 12, 2004. On August 2, 2004, the Board levied the first assessment after certifying that 55.37% of the weighted ballots returned were in support of the proposed assessments.

The assessments can be levied annually and can be increased by the change in the San Francisco Area Consumer Price Index, not to exceed 3% per year. To continue to levy the assessment, the Board will need to adopt the Resolution to direct SCI, the consulting engineer, to prepare an Engineer's Report for FY2018-19. This Engineer's Report will include the proposed budget for the assessments for FY2018-19, the updated proposed assessments for each parcel in the District and the proposed assessments per single family equivalent benefit unit for FY2018-19. The scope of services includes all tasks necessary to prepare the assessment and special tax levies and administer them

throughout the fiscal year. This includes calculation of assessments, preparation of the Engineer's Report and Assessment Roll, submission of the assessments and taxes, confirmation of levies to be included on tax bills, direct response to property owner inquiries on their toll free 800 phone line and administration of the assessment and tax levies throughout the fiscal year.

ATTACHMENTS:

1. Resolution #2018-05

MONTEREY PENINSULA REGIONAL PARK DISTRICT
RESOLUTION #2018-05
March 14, 2018

**A RESOLUTION OF THE MONTEREY PENINSULA REGIONAL PARK DISTRICT
DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR THE
PARKS, OPEN SPACE AND COASTAL PRESERVATION DISTRICT**

WHEREAS, on August 2, 2004, the Board of Directors (the "Board") of the Monterey Peninsula Regional Park District (the "Park District"), by Resolution No. 2004-13, ordered formation of the "Parks, Open Space and Coastal Preservation District" (the "Assessment District") pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof) (the "Act") and Article XIID of the California Constitution ("Article XIID").

WHEREAS, the purpose of the Assessment District is for the installation, maintenance and servicing of the Improvements described below.

WHEREAS, the District has been given the distinctive designation of the Parks, Open Space and Coastal Preservation District, and is primarily described as all the lands within the current boundaries of the Park District.

WHEREAS, the existing and proposed Improvements to be undertaken by the Assessment District are generally described as the acquisition, installation, maintenance and servicing of public areas and public facilities, property owned or property rights, easements and/or rights of entry, leases or dedications including, but not limited to, parks, recreation facilities, open space lands, greenbelts, playground equipment, trails, hillsides, viewsheds and watersheds, shorelines, riparian corridors, urban open space, agricultural lands, development rights, conservation easements, other property rights, wetlands, utility rights-of-way, surplus school sites, quarries, benches, signage, fencing, fire breaks, picnic areas, restrooms, lighting and foot bridges for property owned, encumbered by rights or maintained by the Monterey Peninsula Regional Park District or owned, encumbered by rights or maintained by local agencies within the boundaries of the Park District that participate with the Park District for park, recreation and open space acquisition, installation, maintenance and servicing. Improvements shall include all incidental expenses of acquisition, installation, maintenance and servicing. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste; and the cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of electric current or energy, gas or other illuminating agent for any public lighting facilities or for the operation or lighting of any improvements, and

water for irrigation of any landscaping, the operation of any fountains or the maintenance of any other improvements. Incidental expenses include all of the following: the costs of preparation of the report, including plans, specifications, estimates, diagram and assessment; the costs of printing, advertising, and the giving of published, posted, and mailed notices; compensation payable to the county for collection of assessments; compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; and any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Monterey Peninsula Regional Park District that:

SECTION 1. SCI Consulting Group is hereby designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Engineer's Report in accordance with the Act and Article XIID. Upon completion, the Engineer shall file the Engineer's Report with the Monterey Peninsula Regional Park District for submission to the Board.

SECTION 2. This Resolution is effective upon its adoption.

PASSED AND ADOPTED this 14th day of March 2018 by the following vote:

AYES: Directors

NOES: Directors

Kelly Sorenson, President
Board of Directors

Shane Anderson, Secretary/Treasurer
Board of Directors

CERTIFICATION

I, the undersigned Secretary/Treasurer of the Board of the Monterey Peninsula Regional Park District, a special district, hereby certify that I am the Secretary/Treasurer of said special district, that the foregoing is a full, true, and correct copy of the resolution duly passed by the Board at the meeting of said Board held on the day and at the place therein specified and that said resolution has never been revoked, rescinded, or set aside and is now in full force and effect.

Shane Anderson, Secretary/Treasurer
Board of Directors