



City of San Leandro

Meeting Date: July 1, 2013

Staff Report

File Number: 13-288 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.D.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Uchenna Udemezue
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a Resolution Accepting the Engineer's Report for Fiscal Year 2013-14 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 and Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2013-14

SUMMARY AND RECOMMENDATIONS

The Heron Bay Maintenance Assessment District (District) provides funding for the on-going maintenance of public facilities at the Heron Bay development. The Annual Engineer's Report summarizes the expenses for the previous fiscal year and recommends assessment amounts for the upcoming fiscal year to continue funding the District. The proposed assessment for Fiscal Year (FY) 2013-14 is 96% of the maximum allowed by the District and represents an increase of about 23.54% over last year's amount.

Staff recommends adopting the resolutions accepting the Annual Engineer's Report for FY 2013-14 and levying the assessments for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3.

BACKGROUND

At its regular meeting on June 17, 1996, the City Council adopted Resolution No. 96-118 establishing the Heron Bay Maintenance Assessment District and has subsequently approved a yearly assessment and levy. This Assessment District provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development, including landscaping, storm water facilities, marshlands, and trail areas at the westerly end of Lewelling Boulevard.

Willdan Financial Services was retained as the Engineer of Work, and has prepared the Annual Engineer's Report for FY 2013-14. A copy of the Engineer's Report is attached to the resolution accepting the Engineer's Report.

Analysis

Services to the District are provided by the following: the City of San Leandro Public Works Department; the County of Alameda Public Works Agency; outside consultants; and outside contractors. In addition to the maintenance of the facilities, the marshland will be monitored to confirm its health and feral animals will be removed from the area. The total cost of these services for FY 2013-14 is estimated at \$368,991.

The District fund balance is estimated to be \$299,998 at the end of FY 2013-14. In accordance with the District rules, \$300,000 of the funds must be held as a maintenance reserve for capital improvements and unexpected or emergency repairs.

Fund Balance end of FY 2012-13 estimated	\$324,409.00
Maintenance costs FY 2013-14 estimated	(\$368,991.00)
FY 2013-14 Assessments	\$339,858.98
<u>Interest Income FY 2012-13 estimated</u>	<u>\$4,721.00</u>
Fund Balance at end of FY 2013-14 estimated	\$299,997.98

The Annual Engineer's Report includes the following:

- Description of improvements maintained by funds provided by the District
- Budget based upon estimated costs for FY 2013-14
- Table of maximum annual assessments, method of apportionment, and calculation of proposed assessment
- Reference to location of Assessment Diagram for District
- Assessment Roll showing each property to be assessed and the amount of assessment

The maximum recommended assessments and annual adjustment for FY 2013-14 are as follows:

<u>Housing Type and Number of Units</u>	FY 2012-13 Assessment Per Unit	FY 2013-14 Maximum Per Unit (not incl. reserve fund)	Proposed FY 2013-14 Assessment Per Unit
451 Single-Family Units	\$482.95	\$624.34	\$596.60
<u>178 Motor Court Units</u>	<u>\$321.94</u>	<u>\$416.20</u>	<u>\$397.71</u>
Total Assessments	\$275,115.77	\$355,660.94	\$339,858.98

The proposed assessment represents a 23.5% increase over last year's assessment. Two years ago, the assessment was reduced by 47% in order to spend down a large reserve balance. Hence, this year's increase represents the last of a two year restoration period to reach equalization between revenue and expenditure for the district.

Previous Actions

- On July 17, 1996, by Resolution No. 96-118, the City Council established the Heron Bay Maintenance Assessment District
- On July 16, 2012, by Resolution Nos. 2012-090 and 2012-091, the City Council accepted the Engineer's Report and ordered the levy and collection of the assessment for FY 2012-13

Fiscal Impacts

- The activities of this Maintenance Assessment District have no fiscal impact on the City
- All administrative and maintenance costs associated with the District are included in the proposed assessments

PREPARED BY: Austine Osakwe, Senior Engineer, Engineering and Transportation Department



City of San Leandro

Meeting Date: July 1, 2013

Resolution - Council

File Number: 13-290

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Uchenna Udemezue
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: ADOPT: Resolution Accepting the Engineer's Report for Fiscal Year 2013-14 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

WHEREAS, the City Council of the City of San Leandro, pursuant to the provisions of the San Leandro Municipal Code, Chapter 5, Title II (hereafter referred to as the "Code") did order the Engineer, Willdan Financial Services, to prepare and file a report in accordance with the Code in connection with the proposed levy and collection of assessments for the district known and designated as the Heron Bay Maintenance Assessment District (Assessment District No. 96-3) for the fiscal year commencing July 1, 2013 and ending June 30, 2014; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of San Leandro and the City Clerk has presented to the City Council such report entitled "Engineer's Report, Heron Bay Maintenance Assessment District, Assessment District No. 96-3, Fiscal Year 2013/2014" (hereafter referred to as the "Report", attached hereto and made a part hereof); and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein and finds that the levy has been assessed in accordance with the special benefits received from the improvements, operation, maintenance, and services to be performed, as set forth in said Report.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That the City Council hereby approves the Report as filed.



City of San Leandro Engineer's Report

Heron Bay Maintenance Assessment District Assessment District No. 96-3

2013/2014 Engineer's Annual Levy Report

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Annual Engineer's Report Affidavit

Heron Bay Maintenance Assessment District No. 96-3

City of San Leandro
Alameda County, State of California

Whereas, the City Engineer of the City of San Leandro ("City"), State of California, pursuant to Chapter 5, Title II of the San Leandro Municipal Code, ordered the Annual Engineer's Report for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 ("District") to be prepared;

Whereas, the City Engineer directed Willdan Financial Services to prepare and file the Annual Engineer's Report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the District for the referenced fiscal year, a diagram for the District, showing the area and properties to be assessed, and an assessment of the estimated costs of the maintenance, operations and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received;

Now therefore, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received.

SUMMARY OF ASSESSMENT

DESCRIPTION	AMOUNT
Estimated Fund Balance June 30, 2013	\$324,409.00
Estimated District Costs (Fiscal Year 2013/2014)	
Capital Improvement Project - Entryway Bay Friendly Landscaping	\$25,000.00
Maintenance	\$297,586.00
Administration	\$46,405.00
Subtotal	\$368,991.00
2013/2014 Assessments at 95.56% of Maximum	
451 Single Family Detached Lots @ \$596.60 per lot	\$269,066.60
178 Motor Court Units @ \$397.71 per unit	\$70,792.38
Subtotal	\$339,858.98
Estimated Interest Income 2013/2014	\$4,721.00
Estimated Fund Balance June 30, 2014	\$299,998.00

I, the undersigned, respectfully submit the enclosed Engineer's Report and, to the best of my knowledge, information and belief, the Engineer's Report, Assessments, and the Assessment Diagram herein have been prepared and computed in accordance with the order of the City Council of the City of San Leandro.

Dated this 5th day of June, 2013.

Willdan Financial Services
Assessment Engineer

By: Richard Kopecky

Richard Kopecky
R. C. E. # 16742



TABLE OF CONTENTS

<i>I.</i>	PLANS AND SPECIFICATIONS.....	1
	A. General Description of the Public Improvements	1
	B. Detailed Description of Improvements within the District.....	1
	C. Specific Definitions of the District Improvements.....	2
<i>II.</i>	ESTIMATE OF COSTS	4
	A. 2013/14 District Budget.....	4
	B. Mitigation and Monitoring.....	5
	C. District Reserve Fund	5
	D. Capital Improvement Projects.....	5
<i>III.</i>	ASSESSMENTS	6
	A. Method of Apportionment.....	6
	B. Annual Assessment Increases.....	6
	C. Maximum Assessments for Single Family Detached Units	6
	D. Maximum Assessments for Motor Court Units.....	7
	E. District Reserve Fund	9
	F. Calculation of Fiscal Year 2013/14 Assessments.....	9
<i>IV.</i>	ASSESSMENT DIAGRAM.....	10
<i>V.</i>	ASSESSMENT ROLL	11

I. PLANS AND SPECIFICATIONS

The District provides funding for services required to maintain public improvements, located within various public areas within the boundaries of the District.

A. General Description of the Public Improvements

The total program of improvements which are the subject of the District are briefly described as follows, and are more specifically described in Section I.B.

The operating, maintaining, servicing and replacing of the following public improvements, located in the following public areas:

- a) The Storm Water Lift Station and Detention Pond (SWLS&DP), located on Parcel "B" of Tract 6636, including accessory structures, access roads, walls, gates and fences, and drainage facilities;
- b) The Storm Water Treatment Pond, located in Development Phase 1B (Tract 5548), including accessory outfall/inlet structures, access roads, fences, gates, drainage facilities, and pedestrian pathway;
- c) The "Buffer" area and trail, exclusive of the passive park adjacent to Phase 2B (Tract 6809), including accessory improvements, fencing, signage, drainage facilities and landscaping, said facilities are located adjacent to the westerly boundaries of Phase 1B, 2B, and 3 (Tract 6810), and adjacent to the northerly boundaries of Phase 2B and 3;
- d) Tidal marsh lands (commonly known as "North Marsh", "East Marsh" and "Bunker Marsh.");
- e) Sound walls on both sides of Lewelling Boulevard, easterly from the Union Pacific railroad (UPRR) tracks to Wicks Boulevard, exclusive of that portion of the sound wall which is located on the property of the Sandev Mobile Home Park as an enclosure for a pad mounted electrical transformer;
- f) Lewelling Boulevard improvements, including curb and gutter, sidewalk and landscaping, exclusive of any decorative street pavements, said facilities are located between the Lewelling Boulevard "roundabout" and Wicks Boulevard.

B. Detailed Description of Improvements within the District

The following items are contained in the Agreement among Roberts Landing, Inc., d.b.a. Citation Homes Central, a California corporation, Santa Clara Land Title Company, and the City of San Leandro, said Agreement being dated April 15, 1996, said items to be funded by the Heron Bay Maintenance Assessment District:

- a) Design, construction, and maintenance of Water Circulation and Drainage improvements as depicted in that certain document entitled "Water Circulation and Drainage Plan" dated July 19, 1991, and prepared by ESA subject to regulatory agency amendments;
- b) Design, construction, and maintenance of the Shoreline Trail and trail extension through open space lands adjacent to and serving the Heron Bay development;
- c) Design, construction, and maintenance of existing and newly constructed shoreline levees, outfalls, tide gates, pumps, maintenance roads, bank protection, drainage facilities, and wetland habitats;
- d) Design, construction, reconstruction, and maintenance of levees separating the tidal marshlands and open space from the City's 100-acre dredged disposal area, and any remedial actions or improvements associated therewith;
- e) Design, construction, and maintenance of levees, weirs, dikes, outfalls, drainage facilities, pumps, flap gates, tide gates, and other improvements necessary to implement that certain plan entitled WESCO Mitigation Plan dated January, 1992 (currently identified as the "RMI Mitigation and Monitoring Plan dated May, 1995" for the Citation Marsh);
- f) Any other public improvements customarily financed and maintained through special assessment proceedings, including but not limited to; streets, sidewalks, public rights-of-way, sewers, waterlines, sound walls, traffic signals, signage, streetlights, drains, storm water facilities, parks, landscaping, and lift stations;
- g) The sidewalks, landscaping, and sound walls associated with the Lewelling Boulevard extension westerly of Wicks Boulevard through the roundabout westerly of the Union Pacific Railroad tracks ; and
- h) Portions of the Buffer Zone, which include the Interpretive Center.

C. Specific Definitions of the District Improvements

The following definitions shall be applied in their broadest sense when interpreting the foregoing items A through H in Section I.B, and for using the assessments collected via the Heron Bay Maintenance Assessment District:

- a) Shoreline Trail - The trail, constructed on top of various levees, extending from the southerly terminus of the bridge over Estudillo Canal to the northerly terminus of the bridge over San Lorenzo Creek, including all surface pavements, base rock, signage, striping, and the Interpretive Center and Garden.
- b) Buffer Zone - A strip of land 50 feet wide adjacent with and along the westerly boundary of Phase 1B, and a strip of land 100 feet wide adjacent with and along the northerly and westerly boundaries of Phases 2B and 3, including all habitat fencing, landscaping, and irrigation within these strips of land, exclusive of the passive park along a portion of the northerly boundary of Phase 2B and any storm drainage collection systems installed within the Buffer Zone.

- c) Tidal Marsh Lands - The lands known as North Marsh, Bunker Marsh, East Marsh, and Citation Marsh, including Roberts Landing Slough from the San Lorenzo Creek Delta to Estudillo Canal, all perimeter and interior levees, channels, mounds, and uplands, and further including all tidal control structures, weirs, culverts, gates, fences, debris screens, bridges, and all appurtenant features and facilities.
- d) Storm Water Lift Station and Detention Pond (SWLS&DP) in Phase 1A and Storm Water Treatment Pond in Phase 1B - All landscaping, drainage facilities, structures, fences, walls, gates, access roads, and pathways within the boundaries of the land upon which these facilities are situated, exclusive of the landscaped area, soundwall, and decorative fencing fronting Anchorage Drive near the SWLS&DP, and further exclusive of the landscaped area fronting the street near the Storm Water Treatment Pond.
- e) Soundwalls - The soundwalls, including any gates in the soundwalls, located within the public right-of-way of Lewelling Boulevard, westerly of Wicks Boulevard and easterly of the Union Pacific railroad tracks, exclusive of that portion of the soundwall located on the property of the Sandev Mobile Home Park that form a transformer enclosure, and further exclusive of those soundwalls north and/or south of the Lewelling Boulevard public right-of-way.

II. ESTIMATE OF COSTS

The cost of servicing, maintaining, repairing and replacing the improvements as described in the Plans and Specifications are summarized as follows:

A. 2013/14 District Budget

DESCRIPTION	ESTIMATED COST FISCAL YEAR 2013/2014
DIRECT COSTS	
Storm Water Facilities Maintenance	
Storm water lift station and detention pond	\$52,480.00
Storm water treatment pond in Phase 1B	11,520.00
Maintenance of Buffer Area and Trail	
Trail west of Phase 1B and 2B	86,818.00
Trail north of Phase 2B and 3	65,030.00
Animal Control	10,000.00
Rodent and Pest Control	1,500.00
Tidal Marshlands Monitoring and Maintenance - All Marshes	16,000.00
Maintenance of Lewelling Boulevard Improvements	
Soundwalls east of SPRR	1,400.00
Roundabout to Wicks	36,986.00
Roundabout west to SPRR	15,852.00
Capital Improvement Projects	
Entryway Bay Friendly Landscaping	25,000.00
DIRECT COSTS SUBTOTAL	\$322,586.00
ADMINISTRATION COSTS	
City, Engineering, Legal, Consultant, Insurance	\$46,405.00
ADMINISTRATION SUBTOTAL	\$46,405.00
LEVY BREAKDOWN	
Total Direct and Admin Costs	\$368,991.00
Operating Reserve Collection	0.00
TOTAL COSTS	\$368,991.00
Estimated Reserve Surplus from Previous Year	(\$24,409.00)
Estimated Reserve Interest Earnings	(4,721.00)
Reserve Replenishment	0.00
SUB TOTAL LEVY ADJUSTMENTS	(\$29,130.00)
REQUIRED ASSESSMENT*	\$339,861.00

* Alameda County requires that assessments are divisible by two, therefore the Required Assessment will vary from actual assessments applied on the county tax roll due to rounding.

B. Mitigation and Monitoring

Mitigation of the Heron Bay project was accomplished by construction of wetlands, tidal wetlands, and upland or high ground for wildlife habitat. In order to verify that the habitat is healthy and in order to identify maintenance requirements a monitoring report is prepared annually.

For Fiscal Year 2013/14 a monitoring report will be prepared by a consultant and funded by the District.

C. District Reserve Fund

A Maintenance Reserve Fund is maintained by the District in the amount of \$300,000 to fund capital improvements and unexpected or emergency repairs. There have not been any withdrawals from the reserve fund this past fiscal year and none are anticipated for the coming fiscal year.

D. Capital Improvement Projects

Levee Maintenance 2014-15

The nature of the levees that protect the Heron Bay marshland is such that they require periodic maintenance; specifically, the heavy stone rip rap that prevents erosion shifts, settles, or washes away and needs to be replaced. This work is most efficiently done by an outside contractor in large quantities. In fiscal year 2009-10 the Heron Bay Levee Maintenance account was established. Provided that there are funds available, the District will contribute to the account each year. The District has contributed \$350,000 towards the maintenance of the levee, which appears sufficient to address areas of the levee City staff has identified that need to be repaired. Any unused funds will be returned to the District.

City staff through a consultant is in the process of obtaining permits from various regulatory agencies in preparation of constructing the levee sections identified for repair. At the same time, City staff has started preparing the construction documents for the repair. Upon the issuance of the necessary permits, City staff on behalf of the District will bid and contract for the construction of the repairs. Based on past experience from the last levee repair, in the same general vicinity, and without any unforeseen delays, it is anticipated that construction window to be allowed by the permitting agencies will be sometime in late Summer into early Fall of 2014.

Entryway Landscape

The landscape at the entrance to the development along Lewelling Blvd, between Wicks Blvd and the roundabout will be scheduled for rehabilitation/replacement in Fiscal Year 2013-14, as part of the overall improvement to the Entryway to Heron Bay District. City Staff is working with Stopwaste.org to investigate the possibility of receiving grant funds to offset portions of the landscape upgrade, with the intent of utilizing Bay Friendly Landscape Guidelines.

III. ASSESSMENTS

The amount of the assessment for Fiscal Year 2013/14 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office is listed in Section 5 of this Report. The description of each lot or parcel is part of the records of the County Assessor of the County of Alameda and such records are, by reference, made part of this Report.

A. Method of Apportionment

Pursuant to the City of San Leandro Municipal Code, and Article XIII D of the Constitution of the State of California, all parcels that have special benefit conferred upon them as a result of the maintenance and operation of improvements shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entire cost of the maintenance and operation of the improvements. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received.

B. Annual Assessment Increases

As to the amount of the maximum annual assessment which may be levied in future years, it is the intent of this District that the maximum assessments for Fiscal Year 1996/97 be increased by 2% each successive year (over the rate of the previous year) to approximate increases in costs of maintenance.

C. Maximum Assessments for Single Family Detached Units

There are four hundred fifty-one (451) subdivided detached single-family parcels within the District. Each of these is deemed to receive proportional special benefit from the maintenance and operation of the improvements. When the District was formed in Fiscal Year 1996/97, a basic assessment, per lot per year was established for the single family detached lots. In addition, an annual maximum assessment was also established for each future year, which included a cost of living increase to allow for reasonable increases in maintenance costs. An additional reserve fund of \$105.32 per lot was included in the single family detached assessment per lot for each of the first five years. Beginning with the sixth year (FY 2001/02), and for each year thereafter, this "Additional Reserve Fund" will only be levied to the extent necessary to replenish the monies spent from the Reserve Fund during the previous year for maintenance costs which exceed the "annual Maximum Assessment" income.

The District Reserve Fund was fully funded as of June 30, 2001; therefore the "Additional Reserve Fund" will not be collected in Fiscal Year 2013/14.

The table on the following page reflects the basic assessment, annual maximum assessment including a cost of living increase, the additional reserve fund component and the total maximum assessment for single family detached lots per year through Fiscal Year 2025/26.

Single Family Detached Maximum Assessments

Fiscal Year	Annual Maximum Assessment per lot per year (Including cost-of-living increase)	Additional Reserve Fund ⁽¹⁾	Total Maximum Assessment per lot per year
1996/97	\$445.88	\$105.32	\$551.20
1997/98	\$454.80	\$105.32	\$560.12
1998/99	\$463.88	\$105.32	\$569.20
1999/00	\$473.18	\$105.32	\$578.50
2000/01	\$482.64	\$105.32	\$587.96
2001/02	\$492.28	\$105.32	\$597.60
2002/03	\$502.12	\$105.32	\$607.44
2003/04	\$512.18	\$105.32	\$617.50
2004/05	\$522.42	\$105.32	\$627.74
2005/06	\$532.86	\$105.32	\$638.18
2006/07	\$543.52	\$105.32	\$648.84
2007/08	\$554.40	\$105.32	\$659.72
2008/09	\$565.48	\$105.32	\$670.80
2009/10	\$576.80	\$105.32	\$682.12
2010/11	\$588.32	\$105.32	\$693.64
2011/12	\$600.10	\$105.32	\$705.42
2012/13	\$612.10	\$105.32	\$717.42
2013/14	\$624.34	\$105.32	\$729.66
2014/15	\$636.82	\$105.32	\$742.14
2015/16	\$649.56	\$105.32	\$754.88
2016/17	\$662.56	\$105.32	\$767.88
2017/18	\$675.80	\$105.32	\$781.12
2018/19	\$689.32	\$105.32	\$794.64
2019/20	\$703.10	\$105.32	\$808.42
2020/21	\$717.16	\$105.32	\$822.48
2021/22	\$731.50	\$105.32	\$836.82
2022/23	\$746.14	\$105.32	\$851.46
2023/24	\$761.06	\$105.32	\$866.38
2024/25	\$776.28	\$105.32	\$881.60
2025/26	\$791.80	\$105.32	\$897.12

⁽¹⁾ The additional Reserve Fund will not be collected in Fiscal Year 2013/14. The Reserve Fund has been fully funded.

D. Maximum Assessments for Motor Court Units

There are one hundred seventy-eight (178) subdivided motor court units within the District. Each of the planned motor court units is deemed to receive proportional special benefit from the maintenance and operation of the improvements. When the District was formed in Fiscal Year 1996/97, a basic assessment, per lot per year was established for the motor court units. In addition, an annual maximum assessment was also established for each future year, which included a cost of living increase to allow for reasonable increases in maintenance costs. An additional reserve fund of \$70.22 per unit will be included in the motor court assessment per unit for each of the first five years. Beginning with the sixth year (FY 2001/02), and for each year thereafter, this "Additional

Reserve Fund" will only be levied to the extent necessary to replenish the monies spent from the Reserve Fund during the previous year for maintenance costs which exceed the "annual Maximum Assessment" income.

The District Reserve Fund was fully funded as of June 30, 2001; therefore the "Additional Reserve Fund" will not be collected in Fiscal Year 2013/14.

The table below reflects the basic assessment, annual maximum assessment including a cost of living increase, the additional reserve fund component and the total maximum assessment for motor court units per year through Fiscal Year 2025/26.

Motor Court Maximum Assessments

Fiscal Year	Annual Maximum Assessment per unit per year (Including cost-of-living increase)	Additional Reserve Fund ⁽¹⁾	Total Maximum Assessment per unit per year
1996/97	\$297.24	\$70.22	\$367.46
1997/98	\$303.18	\$70.22	\$373.40
1998/99	\$309.24	\$70.22	\$379.46
1999/00	\$315.42	\$70.22	\$385.64
2000/01	\$321.74	\$70.22	\$391.96
2001/02	\$328.18	\$70.22	\$398.40
2002/03	\$334.74	\$70.22	\$404.96
2003/04	\$341.44	\$70.22	\$411.66
2004/05	\$348.26	\$70.22	\$418.48
2005/06	\$355.22	\$70.22	\$425.44
2006/07	\$362.32	\$70.22	\$432.54
2007/08	\$369.58	\$70.22	\$439.80
2008/09	\$376.98	\$70.22	\$447.20
2009/10	\$384.52	\$70.22	\$454.74
2010/11	\$392.20	\$70.22	\$462.42
2011/12	\$400.04	\$70.22	\$470.26
2012/13	\$408.04	\$70.22	\$478.26
2013/14	\$416.20	\$70.22	\$486.42
2014/15	\$424.54	\$70.22	\$494.76
2015/16	\$433.02	\$70.22	\$503.24
2016/17	\$441.68	\$70.22	\$511.90
2017/18	\$450.52	\$70.22	\$520.74
2018/19	\$459.52	\$70.22	\$529.74
2019/20	\$468.72	\$70.22	\$538.74
2020/21	\$478.10	\$70.22	\$548.32
2021/22	\$487.66	\$70.22	\$557.88
2022/23	\$497.40	\$70.22	\$567.62
2023/24	\$507.36	\$70.22	\$577.58
2024/25	\$517.50	\$70.22	\$587.72
2025/26	\$527.86	\$70.22	\$598.08

(1) The Additional Reserve Fund will not be collected in Fiscal Year 2013/14. The Reserve Fund has been fully funded.

For Fiscal Year 2026/27 and thereafter, the amount of the maximum assessment shall be increased each year using the same formula used above.

E. District Reserve Fund

An additional levy of up to \$105.32/year/single-family detached unit and \$70.22/year/motor court unit is assessed when the reserve fund needs replenishment. The Reserve Fund is fully funded and no levy will be required to replenish it this fiscal year.

F. Calculation of Fiscal Year 2013/14 Assessments

The Fiscal Year 2013/14 Assessment Rates are based on a percentage of the Maximum Allowable Assessment. The estimated annual cost of operating and maintaining the District improvements for the Fiscal Year shall be determined (Total Costs). Any surpluses or deficits from the previous Fiscal Year shall be identified and applied as a credit or debit to the district. This credit or debit along with revenues from other sources such as interest earnings or General Fund contributions shall be applied to the "Total Cost" to determine the net amount to be raised by assessment (Required Assessment). The percentage of Maximum Allowable Assessment (Percent of Maximum) is determined by dividing the Required Assessment by the Maximum Allowable Assessment (Maximum Assessment). The Maximum Assessment per Single Family Detached and Motor Court Units shall be determined by multiplying the Percentage of Maximum by their respective Maximum Assessment Rate per parcel based on Land Use to determine the cost to be assessed per lot or unit (2013/14 Assessment Rate).

The following formulas are used to calculate each property's assessment:

$$\text{Total Required Assessment} / \text{Maximum Assessment} = \text{Percentage of Maximum Levy}$$

$$\text{Percentage of Maximum Levy} \times \text{Maximum Assessment Rate} = \text{Applied Assessment Rate}$$

$$\text{Lot or Unit} \times \text{Applied Assessment Rate} = \text{Parcel Levy Amount}$$

Fiscal Year 2013/14 Applied assessments are to be levied at 95.56% of Maximum. This is a 24% increase from the Fiscal Year 2012/13 assessments.

The table below summarizes the current year maximum and applied assessments and rates:

Land Use	Lots/Units	13/14 Max	Estimated Annual Levy at Maximum	Applied Rate 2013/14	2013/14 Assessment *	Percent of Maximum
Single Family Detached	451	\$624.34	\$281,577.34	\$596.60	\$269,066.60	95.56%
Motor Court Units	178	\$416.20	74,083.60	\$397.71	70,792.38	95.56%
Totals			\$355,660.94		\$339,858.98	

* Alameda County requires that assessments placed on the tax roll be divisible by two. 2013/14 Assessment indicated here may vary due to rounding.

IV. ASSESSMENT DIAGRAM

An Assessment Diagram for the District is on file with the City Clerk in the format required under the provisions of the Municipal Code. The lines and dimensions shown on maps of the County Assessor of the County of Alameda for the current year are incorporated by reference herein and made part of this Report.

V. ASSESSMENT ROLL

The assessment roll for Fiscal Year 2013/14 for the District is listed on the following pages.



City of San Leandro

Meeting Date: July 1, 2013

Resolution - Council

File Number: 13-291

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Uchenna Udemezue
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: ADOPT: Resolution Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2013-14 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

WHEREAS, the City Council has by previous resolution approved the Annual Engineer's Report as presented or amended, which described the assessments against parcels of land within the Heron Bay Maintenance Assessment District (Assessment District No. 96-3) (hereafter referred to as the "District") for the fiscal year commencing July 1, 2013 and ending June 30, 2014; pursuant to the provisions of the San Leandro Municipal Code, Chapter 5, Title II (hereafter referred to as the "Code") to pay the costs and expenses of operating, maintaining, and servicing the improvements located within the District; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council, a Report in connection with the proposed levy and collection upon eligible parcels of land within the District, and the City Council did, by previous resolution, approve such Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2013 and ending June 30, 2014, to pay the costs and expenses of operating, maintaining, and servicing the improvements within the District; and

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are exempt from or in compliance with the provisions of Proposition 218.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

Section 1. The City Council has reviewed the Report and determined the assessments, considered all oral and written statements, protests, and communications made or filed by interested persons.

Section 2. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

i. The land within the District will receive special benefit by the operation, maintenance, and servicing of the improvements and appurtenant facilities within the boundaries of the District.

ii. The District includes all of the lands receiving such special benefit.

iii. The net amount to be assessed upon the lands within the District in accordance with the costs for the fiscal year commencing July 1, 2013 and ending June 30, 2014, is apportioned by a formula and method that fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefit to be received by each parcel from the improvements and services.

Section 3. The Report and assessment as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

Section 4. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the operating, maintaining, servicing, and replacing of public improvements including: the Storm Water Lift Station and Detention Pond; the Storm Water Treatment Pond; the "buffer" area and trail; the tidal marshlands; the sound walls on both sides of Lewelling Boulevard; Lewelling Boulevard improvements including curb, gutter, sidewalk, and landscaping; the Shoreline Trail and trail extension; the water circulation and drainage improvements, shoreline levees, outfalls, tide gates, pumps, maintenance roads, bank protection, drainage facilities, and animal control in marshland and trail area; wetland habitats; any other public improvements, including, but not limited to, streets, sidewalks, public rights-of-way, sewers, waterlines, sound walls, traffic signals, signage, streetlights, drains, storm water facilities, parks, landscaping, and lift station; the Buffer Zone and Interpretive Centers; and all appurtenances. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance of the facilities and improvements, including repair, removal or replacement of all or part of any of the improvements or appurtenant facilities, and providing for the satisfactory working condition of the improvements. Services provided include any and all necessary service, operation, administration, and maintenance required to keep the improvements in a satisfactory condition.

Section 5. The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Code, and the County Auditor of the County of Alameda shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the new amount of the levy shall be paid to the City Treasurer.

Section 6. The City Treasurer shall deposit all money representing assessments collected by the County of Alameda for the District to the credit of a fund for the Heron Bay Maintenance Assessment District No. 96-3, and such money shall be expended only for the maintenance, operation, and service of the improvements and facilities as described in Section 4.

Section 7. The adoption of this resolution constitutes the District levy for the fiscal year commencing July 1, 2013 and ending June 30, 2014.

Section 8. The City Clerk is hereby authorized and directed to file the levy, which is attached hereto and made a part hereof, with the County Auditor upon adoption of this resolution.

Section 9. A certified copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

Section 10. The City Council hereby imposes the annual assessments on the assessable parcels within the District.