

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.



AGENDA
OXNARD CITY COUNCIL
PUBLIC WORKS AND TRANSPORTATION COMMITTEE
Council Chambers, 305 West Third Street
February 25, 2025
Regular Meeting - 6:45 to 8:15 PM

Zoom details to call-in for public comment during a meeting:

1. Dial Phone Number: (888) 475-4499
2. Enter Meeting ID: 831 6973 6458
3. Passcode: 288107

If you wish to speak during public comments or a particular item on the agenda, please sign-on by following the zoom call-in steps listed above. Once the presiding officer calls for public speakers, press *9 to raise your hand to inform the City Clerk you would like to speak during the public speaking section for that particular item on the agenda, while in the zoom waiting room. Press *6 when asked to unmute. Listen to the instructions provided virtually on the phone while on hold in the zoom waiting room. Please note that there is a slight time delay when viewing the meeting via television.

IN ACCORDANCE WITH ASSEMBLY BILL 2449, MEMBERS OF THE LEGISLATIVE BODY MAY MEET IN-PERSON OR REMOTELY. TO PARTICIPATE REMOTELY VISIT WWW.OXNARD.ORG.

To find out how you may provide public comment, please refer to the instructions below or at [www.https://www.oxnard.org/city-meetings/](https://www.oxnard.org/city-meetings/).

The public may view the meeting from home on Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings of the meeting are typically available online following the meeting at the City's website at www.oxnard.org/city-meetings.

*Please see the link for the Measure M pre-recorded presentation video for each item listed on this agenda.

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. ATTEND THE MEETING AT THE LOCATION LISTED ABOVE: Submit a speaker card to the City Clerk.
2. EMAIL COMMENTS OR SIGN UP TO SPEAK REMOTELY BEFORE THE MEETING
 - a. Submit a request to speak remotely by no later than 3 p.m. on the day of the meeting by using the form available at www.oxnard.org/citymeetings.
 - b. Submit an email to cityclerk@oxnard.org no later than 3 p.m. on the day of the meeting (indicate the agenda item number in the subject line). All email correspondence will be forwarded to the legislative body prior to the start of the meeting and made part of the legislative record.
 - c. Contact the City Clerk's Office at (805) 385-7803 to submit your request.
3. PROVIDING PUBLIC COMMENTS REMOTELY DURING THE MEETING

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item Time Estimates include: (Minutes for Presentation + Council Discussion + Public Comment)

- a. To provide public comment during the meeting dial (888) 475-4499 and enter the Meeting ID and Passcode listed above as the Zoom details for this meeting. When the presiding officer announces the particular item on the agenda you want to speak on, press *9 to raise your hand while in the zoom waiting room. Once called on, press *6 to unmute your phone.
- b. Public comments on agenda items will be taken following the announcement of the item. After the item is announced, members of the public may register or otherwise be recognized for the purpose of providing public comment.

Please review the Zoom instructions on the registration page to help ensure there are no technical difficulties during your comments and help you understand public comment procedures using Zoom. Detailed participation instructions can be found at www.oxnard.org/city-meetings.

In the event of a disruption which prevents a legislative body of the City of Oxnard from broadcasting a meeting using a call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comment using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on a meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. However, if any of the broadcast options are disrupted, but any of the other broadcast options is still available to the public, the legislative body may take further action on items appearing on a meeting agenda without waiting for the disrupted broadcast option(s) to be restored.

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

Consideration of Teleconference Participation pursuant to Assembly Bill 2449.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker requests shall be submitted as set forth on the first page of this agenda. Speakers are limited to three minutes. After 30 minutes, if all speakers have not had the opportunity to speak, the remaining speakers will be given an opportunity to speak prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

C. CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Public Works and Transportation Committee approve the minutes of the February 11, 2025 regular meeting as presented.

Contact: Luly Lopez, (805) 385-7805

D. REPORTS

1. Public Works Department

SUBJECT: Maintenance and Funding Policy Workshop for Landscape Maintenance Districts. (30 minutes)

RECOMMENDATION: The Public Works and Transportation Committee:

1. Discuss key elements for a potential Maintenance and Funding Policy for Landscape Maintenance Districts; and
2. Recommend staff develop a Maintenance and Funding Policy for Landscape Maintenance Districts to be presented to the City Council for consideration.

Please click the following link to view the required Measure M pre-recorded presentation video:

<https://youtu.be/SZ-z7e2f9uE>

Contact: Michael Wolfe, (805) 385-8055

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT



**PUBLIC WORKS AND TRANSPORTATION COMMITTEE
AGENDA REPORT**

**CONSENT AGENDA
AGENDA ITEM NO. C.1**

DATE: February 25, 2025
TO: Public Works and Transportation Committee
FROM: Luly Lopez, City Clerk, (805) 385-7805, luly.lopez@oxnard.org
SUBJECT: Approval of Minutes.

RECOMMENDATION

That the Public Works and Transportation Committee approve the minutes of the February 11, 2025 regular meeting as presented.

BACKGROUND

Approval of minutes.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the five strategic priorities adopted by City Council on March 16, 2021.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Luly Lopez, City Clerk

ATTACHMENTS

1. Minutes of the Public Works and Transportation Committee for February 11, 2025

MINUTES
OXNARD CITY COUNCIL
PUBLIC WORKS AND TRANSPORTATION COMMITTEE
February 11, 2025

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 6:50 p.m., Chair Luis Mc Arthur called to order the regular meeting of the Oxnard City Council Public Works and Transportation Committee in the City Hall Council Chambers at 305 West Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Chair Luis Mc Arthur, Member Gabriela Basua and Member Gabe Teran were present.

Member Teran led the flag salute.

Staff members present were Alexander Nguyen, City Manager; Michelle McCarron, Assistant City Attorney; Michael Wolfe, Public Works Director; Tim Beaman, Assistant Public Works Director; Morgan Kessler, City Engineer; and Lourdes A. López, City Clerk.

Consideration of Teleconference Participation pursuant to Assembly Bill 2449.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

No public comments were received.

C. CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Public Works & Transportation Committee approve the minutes of the January 28, 2025 regular meeting as presented.

No public comments were received.

It was moved by Member Teran, seconded by Member Basua, to approve the Information/Consent item as presented. VOTE: Teran, Basua, and Mc Arthur voted in favor; the motion passed 3-0.

D. REPORTS

1. Public Works Department

SUBJECT: Agreement 32500401 with Blackpointe Group Construction & Management, Inc. for Catch Basin Cleaning Services. (10 minutes)

RECOMMENDATION: That the Public Works and Transportation Committee recommend that the City Council approve and authorize the Mayor to execute an Agreement with Blackpointe Group Construction & Management, Inc. (Blackpointe) for an initial term of one year from March 5, 2025, to March 4, 2026, with the option for four consecutive one-year period extensions ending March 4, 2030, for a total contract amount not to exceed \$1,750,000 for catch basin cleaning services.

Tim Beaman, Assistant Public Works Director presented and answered the Committee's questions. No public comments were received.

It was moved by Member Teran, seconded by Member Basua, to approve the recommended action as presented. VOTE: Teran, Basua, and Mc Arthur voted in favor, the motion carried 3-0.

2. Public Works Department

SUBJECT: Annual Enterprise Pavement Impact Cost Reimbursement Study. (10 minutes)

RECOMMENDATION: That the Public Works and Transportation Committee recommend that the Annual Enterprise Pavement Impact Cost Reimbursement Study be forwarded to the City Council as a receive and file item.

Michael Wolfe, Public Works Director and Erik Helgeson, consultant with Bartle Wells Associates presented and answered the Committee's questions. No public comments were received.

It was moved by Member Basua, seconded by Member Teran, to approve the recommended action as presented. VOTE: Basua, Teran, and Mc Arthur voted in favor, the motion carried 3-0.

E. ITEMS FOR FUTURE AGENDAS

No requests were made.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair Mc Arthur adjourned the meeting at 7:21 p.m.

LOURDES A. LÓPEZ
City Clerk

LUIS MC ARTHUR
Mayor



PUBLIC WORKS AND TRANSPORTATION COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.1

DATE: February 25, 2025

TO: Public Works and Transportation Committee

FROM: Michael Wolfe, Public Works Director, (805) 385-8055, michael.wolfe@oxnard.org

SUBJECT: Maintenance and Funding Policy Workshop for Landscape Maintenance Districts. (30 minutes)

RECOMMENDATION

The Public Works and Transportation Committee:

1. Discuss key elements for a potential Maintenance and Funding Policy for Landscape Maintenance Districts; and
2. Recommend staff develop a Maintenance and Funding Policy for Landscape Maintenance Districts to be presented to the City Council for consideration.

Please click the following link to view the required Measure M pre-recorded presentation video:
<https://youtu.be/SZ-z7e2f9uE>

BACKGROUND

The Special Districts Division, within the Public Works Department, is responsible for the management of the City's bonded assessment districts, landscape maintenance districts ("LMDs"), community facilities districts ("CFDs"), maintenance assessment districts ("MADs"), and waterways assessment districts ("WADs"). Each of these districts function under different provisions of the State Constitution, which enables their respective formation, the purposes for which they can be formed, basic administrative requirements, and the processes by which their assessments and special taxes can be levied. Out of these various assessment districts, the LMDs were formed under the provisions of the Landscape and Lighting Act of 1972 (Streets and Highways Code Sections 22500–22679) and carry specific requirements for management that differ from other types of assessment districts.

The formation of LMDs began in the City in the 1980s for the purpose of funding specific improvements and the perpetual maintenance of these improvements within each new development. These are funded via special assessments that are defined in each district's governing documents ("Formation Documents"). However, during the past thirty years, there have been various legislative and judicial changes that have impacted the way California cities can manage these LMDs.

To address the changes in the legal aspects and improve procedures related to maintaining LMDs, the City of Oxnard embarked on a process in 2015 that focused on the manner in which these assessment districts are managed. Through the creation of a new Special Districts Division, within the Public Works Department, the City reduced the total number of LMDs from 60 to 36 in Fiscal Year 2017/2018 and also created a Maintenance Assessment District Administration and Operational Manual to guide future staff in the management of these remaining LMDs. This Manual specifically included a "Statement of Goals and Policies for the use of

Maintenance Assessment Districts” (Statement) which lays out many of the concepts that staff is bringing to the Council for discussion. However, it is unclear if this Statement of Goals and Policies was ever adopted as official City policy by the City Council. Additionally, in regard to the management of LMDs, it is overly broad as it addresses a variety of district types, focuses largely on the formation of new districts without taking into account the variances between the different types of assessment districts, and does not provide specific direction for how the existing LMDs should be managed if they become insolvent or are in danger of becoming insolvent.

Therefore, staff is now requesting direction on key elements for a future policy document that will focus solely on the LMDs, provides direction on issues that are common to LMDs, and defines a policy for future use by staff.

DISCUSSION

Regardless of someone’s opinion of LMDs, the essence of a LMD is to be self-sufficient (with the exception of the required general benefit contribution) by providing funds to maintain specific improvements as outlined in the annual Engineer’s Report consistent with the Streets and Highway Code. LMDs that may have been set up many decades ago, and usually prior to legislative and legal changes, and without an annual cost inflator, often find themselves in a common situation of being overcome by inflation. Assuming the costs for maintenance services, that were fixed decades ago, would still be able to be fund the same level of service, is not reasonable. As such, LMDs can find themselves in a situation where their maximum annual assessment is not sufficient to provide the services originally contemplated when created, and therefore become underfunded.

Staff is seeking input for key elements of a policy that governs the City’s procedures regarding LMDs, especially in regard to the position the City will take when faced with underfunded or deficient districts that cannot afford to maintain their improvements. Decisions on these topics are necessary for at least 10 of the City’s LMDs that do not contain authorized inflationary adjustments for their assessments. Other topics that this policy can address include the frequencies of routine services such as landscaping, the prioritization of district and City funds, and the responsibility for funding the costs for administrative items such as balloting and capital projects. Therefore, staff is requesting discussion and direction on the following topics:

1. What position will the City take for underfunded districts that cannot afford to maintain their improvements?
2. What is the process for addressing a district with a negative fund balance?
3. Should LMDs be required to meet a specific reserve fund balance target?
4. Who can request a district to be balloted?
5. What is the internal city-process for approving new rates and who pays for the process?
6. Should district subsidies be allowed or restricted? If subsidies are allowed, should there be requirements for a district to meet prior to receiving them?
7. What happens if a district is polled and chooses not to ballot themselves?

These topics are commonly faced by cities throughout the State when managing LMDs and there are a number of different ways to approach them. For example, some cities follow a specific set of guidelines which governs the process for changing assessment levels, polling residents, and raising or lowering maintenance frequencies. Other cities subsidize their pre-proposition 218 Landscape, Lighting, and Park Districts with the General Fund. Due to the variety of options available, staff is seeking input and direction for the creation of a Maintenance and Funding Policy for Landscape Maintenance Districts within the City of Oxnard to be presented to the City Council for consideration.

Please note that during the Public Works and Transportation Committee Meeting, staff will bring forward the above topics for the Committee Members to discuss. Additionally, draft sections for the policy have been

prepared by staff and are attached to this staff report to assist with the discussion and consideration by the Committee.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to preserve and improve our roads, utilities, parks, trees, water supply and natural resources through effective planning, prioritization, and an equitable and efficient use of available funding.

FINANCIAL IMPACT

There is no direct financial impact associated with this action.

Prepared by: Anthony Miller, Special Districts Manager

ATTACHMENTS

1. Sample Policy Text Responses
2. Draft Frequency & Manner of Service
3. Draft Funding Section
4. Draft Polling & Balloting Section
5. Presentation

Attachment 1. - Sample Policy Text Responses

1. What position will the City take for underfunded districts that cannot afford to maintain their improvements?

Examples of policy concepts:

The cost to provide services exceeds the maximum rate:

- Reserves may be used to fund the shortfall
- Reduce routine services
- Reduce expenses
- A maximum levy may be applied
- Conduct outreach to determine interest in pursuing a Proposition 218 ballot
- Eliminating improvements; or
- Other City Council direction.

2. What is the process for addressing a district with a negative fund balance?

Examples of policy concepts:

A. District incurs a negative fund balance (cash flow):

- Council can choose to allow this through approving an engineers report showing the insufficient reserve balance as the negative balance will be temporary until assessments are received
- Staff can be required reduce expenses to a level that prevents a negative balance

B. District incurs a negative fund balance (end of year):

- Staff can be required reduce expenses
- A maximum levy may be applied
- General fund subsidy/loan

3. Should LMDs be required to meet a specific reserve fund balance target?

Examples of policy concepts:

Streets and Highways Code allows a reserve but does not require it.

- Require a 47.4% reserve fund balance (not including any CIP/Project reserve)
- Endeavor to meet a 47.4% reserve fund balance (not including any CIP/Project reserve)
- Max assess to meet reserve fund balance
- In-lieu of max assessing reduce services to meet reserve fund balance

4. Who can request a district to be balloted?

Examples of policy concepts:

Affected Property Owners: The owners of parcels of real property that will be assessed or taxed in connection with a landscape maintenance district. With respect to an increase of a special tax that must be approved by the vote of registered voters, the Affected Property Owners are the registered voters who would comprise the electorate at the election on such increase.

5. What is the internal city-process for approving new rates and who pays for the process?

Examples of policy concepts:

If a district is a candidate for adjusted assessment rates

- Notification is provided to district property owners
- Property owners may advocate for advocating adjusted assessments
- A baseline level of interest should be established prior to balloting
- If interest exists at XX% among district property owners, then balloting may occur
- If the ballot succeeds, the district may incur the costs of that ballot
- If the ballot fails, the city may incur the cost of the ballot, but services must be reduced to meet district financial capacity. Future ballots may not be considered by the City Council for a period of time unless unforeseen circumstances are observed.

6. Should district subsidies be allowed or restricted? If subsidies are allowed, should there be requirements for a district to meet prior to receiving them?

Examples of policy concepts:

A. District cannot fund its maintenance requirements:

- Staff can be required reduce expenses
- A maximum levy may be applied
- Remove district improvements
- General fund subsidy/loan

B. If a district has capped utility costs in its formation documents:

- Council can continue to allow this through approving an engineers report identifying the utility subsidy
- Staff may be required to pursue methods to reduce utility usage prior to a subsidy being approved

7. What happens if a district is surveyed and chooses not to ballot themselves?

Examples of policy concepts:

- Staff can be required reduce expenses
- A maximum levy may be applied
- Remove district improvements
- General fund subsidy/loan

Attachment 2. - Draft Frequency & Manner of Service

Frequency and Manner of Service

- Maintenance frequency and the manner in which District improvements and assets are maintained shall be determined by each District's ability to fund those costs.
- To provide services at the most competitive rates possible, staff will use all available procurement methods relevant to the size, scope, and nature of those maintenance activities.
- The City will seek to maintain improvements in each district in a manner that keeps them as similar to their original character [MM1] as possible, within the constraints of funding availability, changes to the boundaries of the landscape maintenance district, changes to the physical condition of the improvements or the surrounding territory, State and local legal requirements and legislation, and material availability.
- The manner and frequency of service of District improvements may be altered to address unexpected changes in funding availability as a result of, changes in service costs due to changes in contracted service providers, physical changes to the District boundaries and/or landscape, state and local requirements and legislation, emergencies which require work to address imminent threats to the health and safety of the public, material availability or other factors.
- Service Levels will be generally indicated by the frequency of scheduled service visits. However, Service Levels do not indicate the total number of times a district will be visited for various services within a year. Maintenance activities, inspections, individual service requests, projects, and other tasks that occur at irregular or less than annual intervals, will be performed on an as-needed basis, provided sufficient district funds and labor resources are available. Service Levels for landscape maintenance will be generally defined as follows:

Level 1 – Intensive services - scheduled services provided more frequently than weekly

Level 2 – 52 service visits annually - weekly scheduled service

Level 3 – 26 Visits annually - every other week scheduled service

Level 4 – 12 Visits annually - once a month scheduled service

Level 5 – 6 Visits annually - once every other month scheduled service

Level 6 – 4 Visits annually - once a quarter scheduled service

Attachment 3. - Draft Funding Section

Funding

- It is the intention of the City of Oxnard to ensure that its Landscape Maintenance Districts operate sustainably and independently of other City Funds (such as the General Fund). Districts should be self sufficient to the extent possible and should not be designed to require long-term financial support from other City funds.
- Property owners within landscape maintenance districts shall fund the ongoing maintenance through Required Payments collected on their property tax bill. To the extent allowed by state law, a Required Payment may also be collected prior to the installation of improvements to support the creation of district reserve funds so long as these funds are properly identified in a resolution or other documentation required by state law. Any required payment shall be levied in accordance with applicable law, including, but not limited to, Proposition 218. Required Payments that cannot be or are not collected on the property tax roll may be collected by any other means legally available to the City.
- In order to ensure that landscape maintenance districts have funds available between the beginning of each fiscal year and the that date on which the County begins transmitting Required Payment funds to the City, City staff shall endeavor to ensure that each landscape maintenance district maintain Operating Reserves approximately equal to 47.4% of its annual budget. Staff shall annually evaluate the capacity of each landscape maintenance district to reach this Operating Reserve funding level.
- Districts that are found to be unable to fund all budgeted expenses and Operating Reserves within a fiscal year shall be classified as Underfunded.
- Districts that are unable to fund all budgeted expenses at a minimal service level, their calculated Operating Reserve Requirement, and are found to have a projected negative cash balance position within a fiscal year shall be classified as Deficient.
- Aside from contributions to fund general benefits, routine and temporary transfers/allowance of negative balances for cash flow purposes, and contributions for the payment of utilities above and beyond specific utility maximums as defined within a district's Governing Documents, the general subsidy of district expenses by the City is prohibited. The City shall not subsidize any landscape maintenance district from any City funding source that has not been specifically set aside for such purpose by the City Council. Any exception to this policy must be set forth in a resolution of the City Council and shall follow the process established within SHC Section 22657.

- In the event that the projected end of year fund balance of a landscape maintenance district shows a deficit within a specific fiscal year, the reduction of services and the levy and collection of the Required Payment at the maximum legally allowable rate shall be prioritized before the City Council is asked to approve a subsidy. In the event that a negative fund balance is still anticipated within a district after these actions are taken, the City Council may approve a loan to the District in question as described in Section F.
- In the event that a district's utility expenses are projected to exceed the maximum amount able to be charged as governed by that district's Governing Documents, the City Council may choose during the annual budget process to fund the expected subsidy amount via a transfer from any fund it chooses.
- Levy credits (where reserves are used to offset the required levy amount for the upcoming fiscal year), shall only be available to districts which are not classified as Underfunded or Deficient.
- Establishment or replenishment of Assigned Reserves shall be scheduled so as to take no more than 5 years and can be accomplished through savings from the prior year's budget, reduction in expenditures, increasing the Required Payment up to the maximum rate, or any combination of these options.
- Unassigned Reserves can be used to fund any other project which may enhance each District's authorized services and improvements or may be applied as a levy credit if not allocated for use during the creation of the fiscal year budget.
- Each year the City will evaluate the total anticipated costs of providing the services for the upcoming fiscal year. This evaluation will take projected increases in costs as well as cost savings into consideration. Examples of these costs may include, but shall not be limited to, routine maintenance contracts, equipment repair (e.g., electric pedestals, irrigation pumps, etc.), irrigation parts and controllers, weed abatement, tree pruning, radios and electronic devices, water, electricity, fertilizer, vehicles and vehicle maintenance, other administrative costs to operate the district, and funding Assigned Reserves. An annual budget shall be developed using these costs. Subject to the requirements of the applicable Governing Documents and applicable state law, the total costs shall be divided among the parcels in each area proportionally.
- Where the cost to provide the services and fund the operating reserves is less than the amount that can be raised by the application of the maximum rate, the available capacity may be applied to establish or reestablish Assigned Reserves, increase the service levels (for routine and additional work services), provide one-time professional services or infrastructure re-investments, or any combination thereof.

- Where the cost to provide services exceeds the rate as requested by district residents or the maximum rate, reserves may be used to fund the shortfall or services may be reduced so that costs do not exceed the maximum rate, except for in a landscape maintenance district that is Underfunded or Deficient. If a district is Underfunded or Deficient, then the following methods, in no specific order of preference, may be taken to bridge the shortfall:
 - i. Reduce expenses and services specific to the district in question (expenses shared by all districts shall not be considered an appropriate source of reductions);
 - ii. Use Unassigned Reserves;
 - iii. Apply a maximum levy;
 - iv. Notify the Affected Property Owners to determine if there's a significant interest in conducting a ballot proceeding to increase the services (e.g., increase the maximum rate) and if such interest exists, conduct such mail ballot proceeding/special election of the Affected Property Owners.
 - v. Remove maintenance responsibility of specified improvements from the district by either eliminating district funding or via Council approved agreement, subsidizing their maintenance through an outside funding source;
 - vi. Eliminating maintenance services; or
 - vii. Other City Council direction.

Attachment 4. - Draft Polling & Balloting Section

Polling and Balloting

In the event that a landscape maintenance district is projected to be underfunded or deficient within the next fiscal year, a Proposition 218 ballot procedure may be necessary. A property owner led poll may be initiated to establish the presence of Significant Interest in conducting a Proposition 218 ballot proceeding. The following procedure shall be followed to initiate a Proposition 218 ballot proceeding.

- i. Staff will notify owners of property within the district with a written letter or through other means as determined within a community outreach plan.
- ii. Staff will conduct a community meeting, encourage property owners to develop a poll, and identify a lead petitioner from within the district to conduct the poll. The cost of any materials necessary to conduct the poll will be borne solely by the district or its affected property owners.
 - a. If no lead petitioner is identified and no further interest in polling is conveyed to staff, no polling will be pursued and reductions in maintenance or removal of improvements from the district will be initiated.
- iii. When a lead petitioner is identified, affected property owners within the district will be polled, the results of which will be submitted to City staff no more than 30 days from the date the poll is opened.
- iv. After the poll is closed, staff will validate signatures of the affected property owners and determine if the results indicate the establishment of Significant Interest (66%+1 of the total poll responses.)
 - a. If Significant Interest is not established, no ballot proceeding will be pursued and reductions in maintenance or removal of improvements from the district will be initiated.
 - b. If Significant Interest is established, the City Council will initiate Proposition 218 proceedings for the affected district.
- v. In the event that a Proposition 218 ballot is pursued, the procedures below will be followed.
 - a. If the ballot proceeding fails and assessments are not changed, the City will assume the cost of the proceedings and reductions in maintenance or removal of improvements from the district will be initiated. Future Proposition 218 polling and balloting may not be pursued for three years unless unanticipated increases in assessment need are identified.
 - b. If the ballot proceeding succeeds, the assessment will be changed to the identified rate and the total cost of the proceeding will be borne by the district.



Maintenance and Funding Policy Workshop for Landscape Maintenance Districts

February 25, 2025

ANTHONY MILLER
SPECIAL DISTRICTS MANAGER

Recommendation

That the Public Works and Transportation Committee:

1

Discuss key elements for a potential Maintenance and Funding Policy for Landscape Maintenance Districts.

2

Recommend staff develop a Maintenance and Funding Policy for Landscape Maintenance Districts to be presented to the City Council for consideration.

Background



Community
Facilities
Districts



**Landscape
Maintenance Districts**

- Landscape and Lighting Act of 1972 (Streets and Highways Code Sections 22500-22679)
- First used by the City in the 1980s
- They fund the maintenance of specific improvements, defined in an LMDs "Formation Documents"



Maintenance
Assessment
Districts



Waterways
Assessment
Districts

Background



Legislative & Judicial Changes

1980s - Now: various rules have changed, impacting the way the City can manage LMDs



City Actions Taken

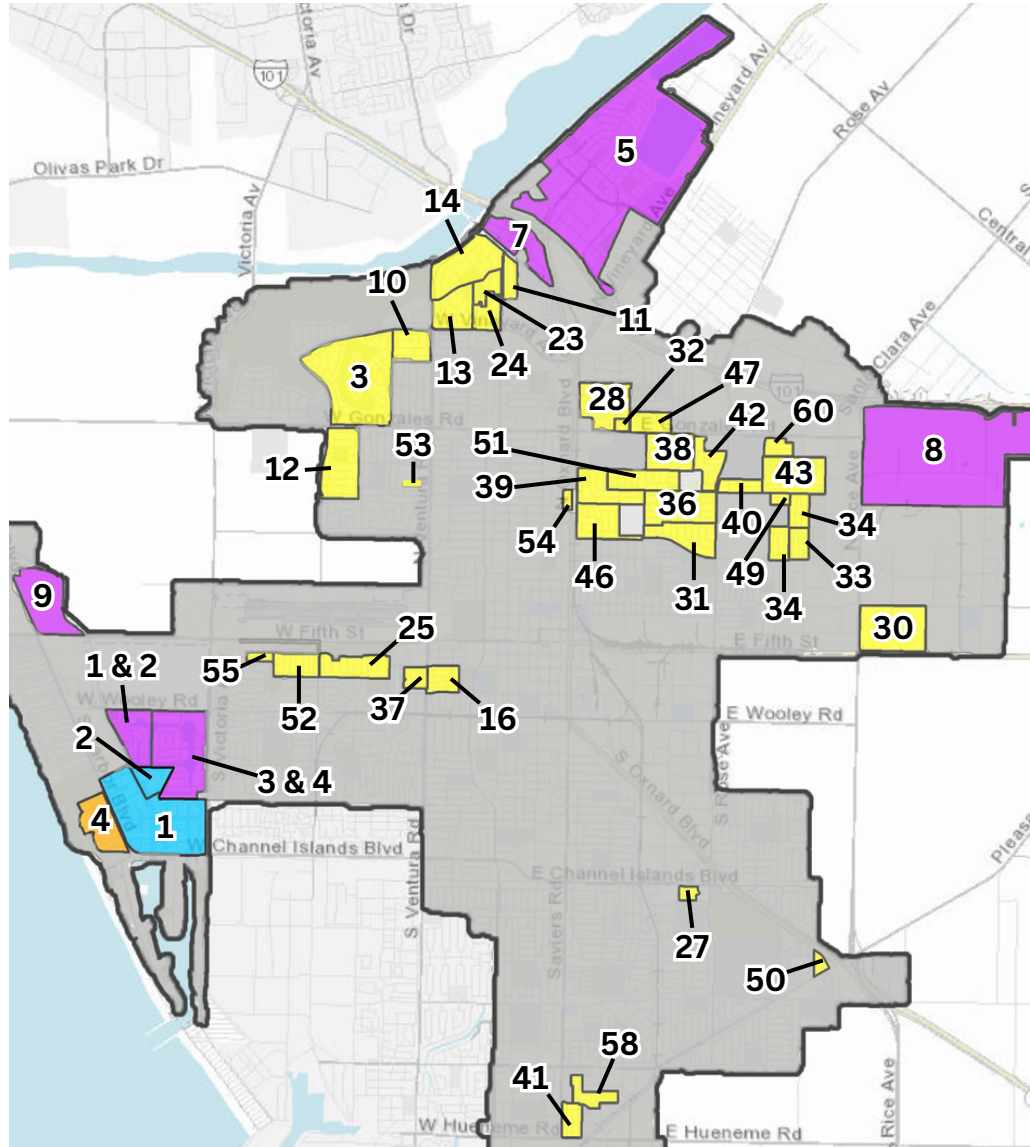
FY 2015-16:

- City reviewed its LMDs, WADs, and MADs
- Created the Special Districts Division

FY 2016-17:

- Created broad guidelines for managing LMDs
- Reduced the number of LMDs to 36

Background



CITY OF OXNARD SPECIAL DISTRICTS

-  Maintenance Assessment District (District No.)
-  Waterway Assessment District (Zone No.)
-  Community Facilities District (District No.)
-  **Landscape Maintenance District (District No.)**
-  City Boundary

Background

Staff Seeks Direction



Some existing LMDs
will face insolvency



Council direction on key
LMD elements can
prevent future problems



Policy solely focused on
LMDs can address their
requirements specifically

Discussion



The purpose of
Landscape
Maintenance Districts

Provide enough funds to
maintain specific
improvements



Older LMDs may not have
included cost adjustment
mechanisms

Original estimates eventually
overcome by inflation



Assuming maintenance
costs won't change is not
reasonable

LMDs can find themselves
unable to care for their
improvements

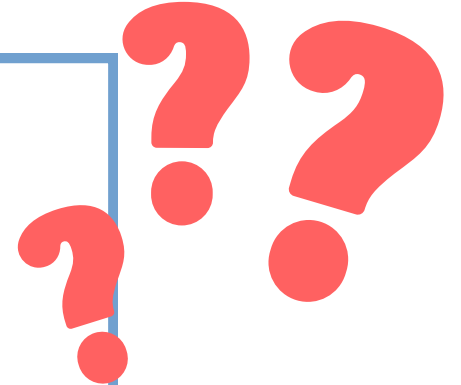
Discussion

What position will the City take for underfunded districts that cannot afford to maintain their improvements?

What is the process for addressing a district with a negative fund balance?

Should LMDs be required to meet a specific reserve fund balance target?

Who can request a district to be balloted?

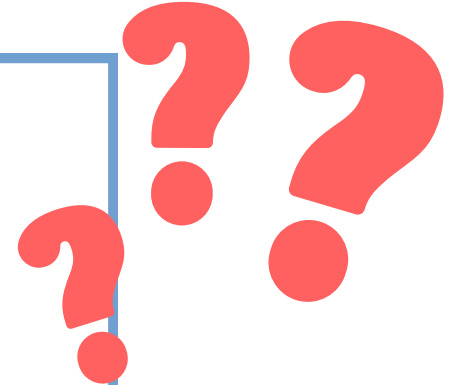


Discussion

What is the internal city-process for approving new rates and who pays for the process?

Should district subsidies be allowed or restricted? If subsidies are allowed, should there be requirements for a district to meet prior to receiving them?

What happens if a district is polled and chooses not to ballot themselves?



Discussion

Statewide Issue, multiple solutions



Some cities follow set guidelines for polling residents, changing maintenance frequencies, and changing assessments



Some cities subsidize their pre-proposition 218 districts with General Fund

Due to the variety of options, staff seeks input and direction for the creation of a Maintenance and Funding Policy for Landscape Maintenance Districts within the City of Oxnard. Draft policy examples are provided as attachments to this staff report.

Financial Impact

There is no financial impact associated with this action.