

**RESOLUTION NO. 2017- \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
APPROVING, CONFIRMING AND ADOPTING  
ENGINEER'S REPORTS ON GLENHAVEN PARK,  
QUAIL RUN, SEQUOIA HILL AND SKY MOSS  
MAINTENANCE DISTRICTS, INCLUDING THE  
ADOPTION OF TEMPORARY PARTIAL  
ABEYANCE OF ASSESSMENTS FOR EACH  
DISTRICT**

WHEREAS, Pursuant to the provisions of the Merced Municipal Code (Chapter 13.62), the City Engineer caused to be prepared and filed with the City Clerk a report, in writing, for fiscal year 2017-2018 which provides the basis for the levy of benefit assessments for the cost of maintenance and operation on all lots or parcels of property within Glenhaven Park, Quail Run, Sequoia Hill and Sky Moss Maintenance Districts; and,

WHEREAS, The City Clerk, in accordance with Resolution No. 2017-\_\_\_\_ adopted \_\_\_\_\_, 2017, has caused notice of hearings on said City Engineer's reports to be given in accordance with Section 13.62.190 of the Merced Municipal Code and state law; and,

WHEREAS, The City Council has determined that a temporary abeyance of a portion of the annual assessment for each of these districts as described in Exhibit A attached hereto and incorporated herein by this reference is appropriate given the existing annual budget, foreseeable capital replacement costs, recommended reserves per policy and the current reserves for each maintenance district; and

WHEREAS, The City Council finds and declares that said abeyances for lots or parcels of property within Glenhaven Park, Quail Run, Sequoia Hill and Sky Moss Maintenance Districts shall not be deemed to permanently reduce the allowable annual assessments for purposes of Proposition 218 or any other state regulation, constitutional provision and/or statutory provision, but represent a temporary reduction for five years of the annual assessments so that the reserves will – at the end of the five year period – be at a level consistent with recommended City policy; and

WHEREAS, The City Council finds and declares that it would not have ordered the temporary abeyance for the Glenhaven Park, Quail Run, Sequoia Hill and Sky Moss Maintenance Districts if the temporary abeyance was deemed to permanently reduce the allowable annual assessments for purposes of Proposition 218 or any other state regulation, constitutional provisions and/or statutory provision, and

WHEREAS, The Council has held two hearings and heard all objections, protests or other communications from any person interested in the real property within said districts, has taken and received oral and documentary evidence pertaining to the matters contained in said reports and has remedied and corrected any errors or informalities in the reports and revised and corrected any of the acts or determinations of the various City officials as contained therein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The above findings of this Resolution are incorporated into the operative provisions of this Resolution.

SECTION 2. The City Council does hereby overrule any and all protests to said City Engineer's reports.

SECTION 3. The City Engineer's reports, and each of the assessments therein as duly revised and corrected, are approved, confirmed and adopted, as specified in Exhibit B attached hereto and incorporated herein by this reference.

SECTION 3. The Engineer's reports together with the certificate of the City Clerk as to the fact and date of approval by this Council, shall forthwith be delivered to the Finance Officer who shall thereafter deliver said reports to the officer of the County of Merced designated by law to extend city taxes upon the tax roll, and the proper county officer shall cause to be posted on the tax rolls, in the column provided therefore, the amount of each of the assessments proposed to be levied and collected for said fiscal year heretofore set forth.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2017, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:  
STEVE CARRIGAN, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kelly Fincher      4/5/17  
City Attorney      Date

Exhibit A  
ABEYANCE SCHEDULE

**2017/2018 ENGINEER'S REPORT AND BUDGET  
GLEN HAVEN STORM DRAINAGE  
MAINTENANCE DISTRICT  
BUDGET ACCOUNT NO. 109**

ITEM	AMOUNT
PERSONNEL SERVICES	\$0.00
MATERIALS, SUPPLIES & SERVICES	\$3,792.00
REPLACEMENT EXPENSE	\$0.00
TOTAL BUDGET	\$3,792.00
LESS CITY CONTRIBUTION	\$0.00
PRIOR YEAR ADJUSTMENT (Reserves)	\$0.00
DISTRICT ASSESSMENT	\$3,792.00
LESS ABEYANCE	3,033.60
<b>DISTRICT ASSESSMENT AFTER ABEYANCE</b>	<b>758.40</b>
TOTAL ASSESSABLE UNITS	103
ASSESSMENT PER UNIT	\$7.36

Annual Operating Budget	\$3,792	
Future Capital Project	\$18,844	
Incomplete Capital Project	0.00	
<b>Recommended Reserve Balance:</b>	<b>\$22,636</b>	
		\$72,200 x 26.1% shared costs w/Fund 136
<b>Recommended Abeyance Amount:</b>	<b>\$15,168.00</b>	
5-year abeyance period	80%	
<b>Estimated Beginning Reserve/Balance</b>	<b>\$34,291</b>	
Abeyance Year 1	\$3,033.60	\$31,257
Abeyance Year 2	\$3,033.60	\$28,224
Abeyance Year 3	\$3,033.60	\$25,190
Abeyance Year 4	\$3,033.60	\$22,157
Abeyance Year 5	\$3,033.60	<u>\$19,123</u>

**EXHIBIT A**

**2017/2018 ENGINEER'S REPORT AND BUDGET  
QUAIL RUN STORM DRAINAGE  
MAINTENANCE DISTRICT  
BUDGET ACCOUNT NO. 118**

ITEM	AMOUNT		
PERSONNEL SERVICES	\$0.00		
MATERIALS, SUPPLIES & SERVICES	\$10,435.00		
REPLACEMENT EXPENSE	\$0.00		
TOTAL BUDGET	\$10,435.00		
PRIOR YEAR ADJUSTMENT (Reserves)	\$0.00		
DISTRICT ASSESSMENT	\$10,435.00		
LESS ABEYANCE	4,352.00		
ASSESSMENT AFTER ABEYANCE	41.71%	\$6,083.00	
NONRESIDENTIAL ACREAGE	4.00	=	3.981%
RESIDENTIAL ACREAGE	114.31	=	96.619%
TOTAL ASSESSABLE ACREAGE	118.31	=	100%
ASSESSMENT TO CHURCH	\$205.66		
ASSESSMENT TO RESIDENTIAL ACRES	\$5,877.34		
TOTAL ASSESSABLE RESIDENTIAL UNITS	467		
ASSESSMENT PER RESIDENTIAL UNIT	\$12.59		
CPI-AUC/W as of 12/31/16	249.516		
CPI-AUC/W as of 2/1/08	163.20		
Original Maximum Assessment	\$34.92		
Calculation #1:	\$53.38		
Current Maximum Assessment:	\$53.38		
Calculation #2:	0.2357		
% of current maximum assessment:	23.57		

Annual Operating Budget	\$10,435
Future Capital Project:	\$65,700
Incomplete Capital Project:	\$0
<b>Recommended Reserve Balance:</b>	<b>\$76,135</b>

**Recommended Abeyance Amount: \$21,758.00**

**5-year Abeyance Period 41.71%**

<b>Estimated Beginning Reserve/Balance</b>	<b>\$90,999</b>		
Abeyance Year 1	\$ 4,352	\$86,647	
Abeyance Year 2	\$ 4,352	\$82,295	
Abeyance Year 3	\$ 4,352	\$77,943	
Abeyance Year 4	\$ 4,352	\$73,591	
Abeyance Year 5	\$ 4,350	\$69,241	

**2017/2018 ENGINEER'S REPORT AND BUDGET  
SEQUOIA HILL  
MAINTENANCE DISTRICT  
BUDGET ACCOUNT NO. 144**

ITEM	AMOUNT
PERSONNEL SERVICES	\$0.00
MATERIALS, SUPPLIES & SERVICES	\$11,767.00
REPLACEMENT EXPENSE	\$0.00
TOTAL BUDGET	\$11,767.00
LESS CITY CONTRIBUTION	\$0.00
PRIOR YEAR ADJUSTMENT (Reserves)	\$0.00
DISTRICT ASSESSMENT	\$11,767.00
LESS ABEYANCE 19.04%	\$2,240.00
ASSESSMENT AFTER ABEYANCE	9,527.00
TOTAL ASSESSABLE UNITS	77
ASSESSMENT PER UNIT	\$123.73
CPI-AUC/W as of 12/31/16	249.516
CPI-AUC/W as of 8/1/02	173.40
Original Maximum Assessment	\$250.00
Calculation #1:	\$359.74
Current Maximum Assessment:	\$359.74
Calculation #2:	0.3439
% of current maximum assessment:	34.39

Debt Service Allocation Is \$394, for Siemens Energy Project

Annual Operating Budget	\$11,767	
Foreseeable Capital Replacement	\$10,108	
Incomplete Capital Project	\$0	\$72,200 x 14%
Landscape CIP	\$45,000	split w/Funds
<b>Recommended Reserve Balance:</b>	<b>\$66,875</b>	

**Recommended Abeyance Amount: \$11,200**

5-Year Abeyance period 19.04%

<b>Estimated Beginning Reserve/Balance</b>	<b>\$77,382</b>	
Abeyance Year 1	\$2,240	\$75,142
Abeyance Year 2	\$2,240	\$72,902
Abeyance Year 3	\$2,240	\$70,662
Abeyance Year 4	\$2,240	\$68,422
Abeyance Year 5	\$2,240	<b>\$66,182</b>

**2017/2018 ENGINEER'S REPORT AND BUDGET**

**SKYMOSS  
MAINTENANCE DISTRICT  
BUDGET ACCOUNT NO. 145**

ITEM	Budget Amount Total	Budget Amount Zone 1 Storm	Budget Amount Zone 2 Storm/Landscape
PERSONNEL SERVICES	\$0.00	\$0.00	\$0.00
MATERIALS, SUPPLIES, & SERVICES	\$10,207.00	\$3,375.00	\$6,832.00
REPLACEMENT EXPENSE	\$900.00	\$450.00	\$450.00
TOTAL BUDGET	\$11,107.00	\$3,825.00	\$7,282.00
LESS CITY CONTRIBUTION	\$0.00	\$0.00	\$0.00
PRIOR YEAR ADJUSTMENT (Reserves)	\$0.00	\$0.00	\$0.00
DISTRICT ASSESSMENT	\$11,107.00	\$3,825.00	\$7,282.00
LESS ABEYANCE	\$2,140.00	\$738.97	1,403.03
ASSESSMENT AFTER ABEYANCE	\$8,967.00	\$3,086.03	\$5,878.97
TOTAL ASSESSABLE ACRES/UNITS		19.64	33
ASSESSMENT PER ACRE/UNIT		\$157.23	\$178.15
CPI-AUC/W as of 12/31/16		249.516	249.516
CPI-AUC/W as of 9/1/03		189.60	189.60
Original Maximum Assessment		\$686.92	\$390.40
Calculation #1:		\$877.68	\$513.77
Current Maximum Assessment:		\$877.68	\$513.77
Calculation #2:		0.1791	0.3468
% of current maximum assessment:		17.91	34.68

Annual Operating Budget	\$11,107	
Foreseeable Capital Replacement	\$27,608	
Incomplete Capital Project	\$0	\$53,400 x 51.7% shared costs
Landscape CIP	\$20,000	W/Fund 111
<b>Recommended Reserve Balance:</b>	<b>\$58,715</b>	
<b>Recommended Abeyance Amount:</b>	<b>\$10,701</b>	
<b>5-Year Abeyance Period</b>	<b>19.27%</b>	
<b>Estimated Beginning Reserve/Balance</b>	<b>\$68,726</b>	
Abeyance Year 1	\$2,140	\$66,586
Abeyance Year 2	\$2,140	\$64,446
Abeyance Year 3	\$2,140	\$62,306
Abeyance Year 4	\$2,140	\$60,166
Abeyance Year 5	\$2,140	<u>\$58,026</u>