

RESOLUTION NO. 2020- ____

**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 2020-2021 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. 2020-____ adopted _____, 2020, 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 _____ 2209, 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:



City Attorney

5/12/20

Date

Exhibit A
ABEYANCE SCHEDULE

ABEYANCE SCHEDULE - Exhibit "A"

1.) Glenhaven Park - Fund 109			
Fiscal Year 2019/2020 Annual Budget	\$3,792		
Foreseeable Capital Replacement	\$18,844	\$72,200 x 26.1%; shared costs with Fund 136	
Incomplete Capital	\$0	split costs w/Fund 136	
Recommended Reserve-Per Policy	\$22,636		
Recommended Abeyance	\$15,168	80%	
Beginning Reserve Balance	\$39,305		
Abeyance Year 1	3,033.60	\$36,271.40	
Abeyance Year 2	3,033.60	\$33,237.80	
Abeyance Year 3	3,033.60	\$30,204.20	
Abeyance Year 4	3,033.60	\$27,170.60	
Abeyance Year 5	3,033.60	\$24,137.00	Reserve After Abeyance
2.) Quail Run - Fund 118			
Fiscal Year 2019/2020 Annual Budget	\$10,435		
Foreseeable Capital Replacement	\$65,700		
Incomplete Capital	\$0		
Recommended Reserve-Per Policy	\$76,135		
Recommended Abeyance	\$21,758	41.71%	
Beginning Reserve Balance	\$97,893.00		
Abeyance Year 1	4,352.00	\$93,541.00	
Abeyance Year 2	4,352.00	\$89,189.00	
Abeyance Year 3	4,352.00	\$84,837.00	
Abeyance Year 4	4,352.00	\$80,485.00	
Abeyance Year 5	4,350.00	\$76,135.00	Reserve After Abeyance

ABEYANCE SCHEDULE - Exhibit "A"

3.) Sequoia Hill - Fund 144			
Fiscal Year 2019/2020 Annual Budget	\$11,767		
Foreseeable Capital Replacement	\$10,108	\$72,200 x 14%; shared costs with Funds 121 & 173	
Landscape Capital Replacement	\$45,000		
Incomplete Capital	\$0		
Recommended Reserve-Per Policy	\$66,875		
Recommended Abeyance	\$11,200	19.04%	
Beginning Reserve Balance	\$78,075.00	41.71%	
Abeyance Year 1	2,240.00	\$75,835.00	
Abeyance Year 2	2,240.00	\$73,595.00	
Abeyance Year 3	2,240.00	\$71,355.00	
Abeyance Year 4	2,240.00	\$69,115.00	
Abeyance Year 5	2,240.00	\$66,875.00	Reserve After Abeyance
4.) Sky Moss - Fund 145			
Fiscal Year 2019/2020 Annual Budget	\$11,107		
Foreseeable Capital Replacement	\$27,608	\$53,400 x 51.7% shared costs with Fund 111	
Landscape Capital Replacement	\$20,000		
Incomplete Capital	\$0		
Recommended Reserve-Per Policy	\$58,715		
Recommended Abeyance	\$10,701	19.27%	
Beginning Reserve Balance	\$69,416.00		
Abeyance Year 1	2,140.00	\$67,276.00	
Abeyance Year 2	2,140.00	\$65,136.00	
Abeyance Year 3	2,140.00	\$62,996.00	
Abeyance Year 4	2,140.00	\$60,856.00	
Abeyance Year 5	2,140.00	\$58,716.00	Reserve After Abeyance