



Legislation Details (With Text)

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Type:	Public Hearing Item	Status:		Passed	
File created:	6/7/2017	In control:	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency		
On agenda:	6/19/2017	Final action:	6/19/2017		

Title: SUBJECT: Public Hearing Assessment Ballot Proceeding - Pleasanton Park, Olivewood, Mansionette, and Hansen Park Maintenance Districts

REPORT IN BRIEF

Consider conducting a public hearing to allow for public testimony regarding the proposed increase in annual assessments and accept ballot results.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting assessment ballot proceeding results for the Pleasanton Park, Olivewood, Mansionette, and Hansen Park Maintenance Districts; and,

B. Approving annual increase in assessment levy to successful District(s); and, or;

C. Approving no increase in annual assessment levy to unsuccessful District(s), with the previous year's annual assessment remaining in effect.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Budget Summary Report - Assessment Ballot Proceeding.pdf, 2. Pleasanton Park MD April 2017.pdf, 3. Olivewood MD April 2017.pdf, 4. Mansionette April 2017 (004).pdf, 5. Hansen Park MD April 2017.pdf

Date	Ver.	Action By	Action	Result
6/19/2017	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

Report Prepared by: Ken Elwin, Director of Public Works

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ALTERNATIVES

- 1. Conduct a Public Hearing to consider public testimony and accept ballot results; and,
- 2. If the ballot majority vote is in favor of the increase, adopt resolution approving, confirming, and adopting Engineer's Report increasing annual assessments; and,
- 3. If the ballot majority vote is against the increase, the previous year's levy will remain in effect.

AUTHORITY

Chapter 26 of Part 3 of Division 7 of State of California Streets and Highways Code provides the applicable general law for Maintenance Districts; and,

Article I (alternative method for the levy of benefit assessments) of Title 13, Division VIII, of the Merced Municipal Code dealing with Maintenance Districts, provides for subsequent modification to existing Maintenance Districts; and,

Initiative Measure (Proposition 218, Sections 2,3,4,5, and 6) approved at the November 5, 1996 election, and also known as the "Right to Vote on Taxes Act" provides for assessment ballot proceedings.

DISCUSSION

The Public Works Department determined the Pleasanton Park, Olivewood, Hansen Park, and Mansionette Maintenance Districts require a special ballot proceeding prior to Council's approval of these particular budgets. Property owner approval is required in advance of any increase in annual levy (Please see Attachment 1).

Listed below is a summary of the current annual assessment levy per unit and the proposed for Fiscal Year 2017/2018:

<u>DISTRICT NAME</u>	<u>CURRENT ASSESSMENT</u>	<u>PROPOSED ASSESSMENT</u>
Pleasanton Park	\$59.06	\$141.84
Olivewood	\$57.24	\$188.17
Hansen Park	\$57.22	\$242.70
Mansionette	\$1.14	\$66.35

The associated boundary maps are attached for your reference (Please see Attachment 2).

The City Council authorized assessment ballot hearings for Pleasanton Park, Olivewood, and Hansen Park on September 15, 2008, and Mansionette December 5, 2016, that the property owners voted not to approve.

Since that time, the Public Works staff continues to be proactive in maximizing available revenue by turning off irrigation systems during non-summer months, suspending the monthly landscape maintenance services contract, reducing employee maintenance labor hours at each Districts' storm pump station, working with volunteer service groups when available.

Although these austerity measures were adopted, an assessment ballot proceeding is necessary at this time to sustain existing landscaped areas and cover storm drain pump maintenance and operation expenses.

Voting is determined by the proportionate share of each ballot cast based on a property's assessed value of public improvement and services. Law prohibits opening or tallying of the ballots prior to the close of the Public hearing.

If ballots are successful, Council will adopt a resolution approving, confirming, and adopting the Engineer's Reports for that particular District, and the approved levy will appear on the property owners' tax bill.

If ballots are unsuccessful, there would be insufficient funds to cover costs associated with the operation of the District and the current level of service would have to be reduced to match existing revenue with the current annual levy remaining in effect.

IMPACT ON CITY RESOURCES

Ballot administrative processing and mailing expenses are recovered from the assessment increase from the District's operating Fund, if successful. Conversely, if unsuccessful the General Fund will cover the expense.

ATTACHMENTS

1. Budget Summary Report
2. District Boundary Maps