



## Legislation Details (With Text)

<b>File #:</b>	18-128	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Report Item	<b>Status:</b>		Passed	
<b>File created:</b>	3/6/2018	<b>In control:</b>	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency		
<b>On agenda:</b>	4/2/2018	<b>Final action:</b>	4/2/2018		

**Title:** SUBJECT: Acceptance of Ballot Proceeding Voting Results for the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts; Approval of Annual Increase in Assessment Levy to the Moss Landing Maintenance District and Approval of No Increases to the Northwood Village, East College Homes and Ridgeview Meadows Maintenance Districts

### REPORT IN BRIEF

Acceptance of ballot results on the proposed increase in annual assessment levy to property owners in the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts. Approves an annual increase in assessment levy to the Moss Landing Maintenance District; subject to annual Consumer Price Index adjustments and approves no increase in annual assessment levies to Northwood Village, East College Homes, and Ridgeview Meadows Maintenance Districts with the previous year's annual assessment remaining in effect.

### RECOMMENDATION

City Council - Adopt a motion:

A. Accepting assessment ballot proceeding results for the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts; and,

B. Approving annual increase in assessment levy to the Moss Landing Maintenance District; subject to annual Consumer Price Index adjustments; and,

C. Approving no increase in annual assessment levies to Northwood Village, East College Homes, and Ridgeview Meadows Maintenance Districts with the previous year's annual assessment remaining in effect.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Budget Summaries 3-20-18.pdf, 2. Northwood Village 3-20-18.pdf, 3. East College Homes 3-20-18.pdf, 4. Moss Landing 3-20-18.pdf, 5. Ridgeview Meadows 3-20-18.pdf

Date	Ver.	Action By	Action	Result
4/2/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Michael Miller, Public Works Manager - Tax Services*

**SUBJECT:** Acceptance of Ballot Proceeding Voting Results for the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts; Approval of Annual Increase in Assessment Levy to the Moss Landing Maintenance District and Approval of

## No Increases to the Northwood Village, East College Homes and Ridgeview Meadows Maintenance Districts

### **REPORT IN BRIEF**

Acceptance of ballot results on the proposed increase in annual assessment levy to property owners in the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts. Approves an annual increase in assessment levy to the Moss Landing Maintenance District; subject to annual Consumer Price Index adjustments and approves no increase in annual assessment levies to Northwood Village, East College Homes, and Ridgeview Meadows Maintenance Districts with the previous year's annual assessment remaining in effect.

### **RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Accepting assessment ballot proceeding results for the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts; and,
- B. Approving annual increase in assessment levy to the Moss Landing Maintenance District; subject to annual Consumer Price Index adjustments; and,
- C. Approving no increase in annual assessment levies to Northwood Village, East College Homes, and Ridgeview Meadows Maintenance Districts with the previous year's annual assessment remaining in effect.

### **ALTERNATIVES**

- 1. Accept ballot results, approving annual increase in levy to Moss Landing; and no increased assessments to Northwood Village, East College Homes, and Ridgeview Meadows Maintenance Districts; or,
- 2. Authorize another assessment ballot proceeding for the unsuccessful Districts; or,
- 3. Refer back to staff with specific direction.

### **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.

### **CITY COUNCIL PRIORITIES**

Addresses FY 17/18 City Administration Priority for Maintenance District Funding.

### **BACKGROUND**

The Public Works Department determined the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts do not have sufficient Fund balances to cover operation and maintenance service costs necessary to maintain the District.

A summary of the current and proposed assessment amounts required to maintain the current level of service are listed below:

<b><u>DISTRICT NAME</u></b>	<b><u>CURRENT ASSESSMENT</u></b>	<b><u>PROPOSED ASSESSMENT</u></b>
Northwood Village	\$39.46	\$79.15
East College Homes	\$27.64	\$82.97
Moss Landing (residential)	\$18.38	\$42.49
Moss Landing (school)	\$1,074	\$2,482
Ridgeview Meadows	\$32.48	\$65.01

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

In order to increase levies an assessment ballot proceeding must be held to obtain property owner approval in advance of any increase in annual assessment levy. Accordingly, on January 16, 2018, the City Council adopted Resolution # 2018-04, which authorized an assessment ballot proceeding for the above identified Districts.

Thereafter, at its March 19, 2018, meeting the City Council opened and concluded the Public Hearing and authorized staff to tabulate the ballots and report the results at the April 2, 2018, City Council meeting.

## **DISCUSSION**

On March 22, 2018, the City Clerk's office tallied the ballots in the Sam Pipes Room of the Merced Civic Center. The public was invited to observe this process. The results of the ballot proceeding are as follows:

<b><u>DISTRICT NAME</u></b>	<b><u>BALLOT RESULTS</u></b>	<b><u>APPROVED</u></b>	<b><u>OPPOSED</u></b>
Northwood Village	FAILED	6.4%	93.6%
East College Homes	FAILED	34%	66.0%
Moss Landing	PASSED	51.4%	48.6%
Ridgeview Meadows	FAILED	15.8%	84.2%

Due to its passage, the Fiscal Year 2018/2019 Moss Landing annual budget will increase to \$8,047, as approved by the property owners of the District. In addition, the ballot noticing expenses in the amount of \$532.88, for this District are reimbursable since the ballot proceeding was successful.

In contrast, because the Northwood Village, East College Homes, and Ridgeview Meadows Districts ballot proceedings failed, their respective annual budgets will remain at their current approved amounts for Fiscal Year 2018/2019, and ballot costs for the election are not reimbursable to the General Fund.

Maintenance service levels will continue to match existing revenues resulting in possible minimum pesticide application, storm pump inspections, repairs, and upgrades.

### **IMPACT ON CITY RESOURCES**

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

### **ATTACHMENTS**

1. Budget Summary Report
2. District Boundary Maps