



Legislation Text

File #: 18-073, **Version:** 1

Report Prepared by: Ken Elwin, PE, Director of Public Works

SUBJECT: Public Hearing Assessment Ballot Proceeding - Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts

REPORT IN BRIEF

Conducts a public hearing to allow public testimony regarding proposed assessment increases, and continues the item to allow staff sufficient time to tally returned ballots and report the results at the April 2, 2018 City Council meeting.

RECOMMENDATION

City Council -

A. Conduct a Public Hearing for the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts to allow for public testimony on proposed assessment increases; and,

B. Adopt a motion continuing the item to allow staff sufficient time to tally the ballots and report the results at the April 2, 2018, City Council Meeting.

ALTERNATIVES

1. Approve as recommended by the Director of Public Works; or,
2. Return to staff with specific direction; or,
3. Deny.

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.

DISCUSSION

It has been determined the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts do not have sufficient Fund balances to cover necessary operation and maintenance service costs to their respective District.

In order to increase levies an assessment ballot proceeding must be held to obtain property owner approval in advance of any increase in annual levy.

On Tuesday, January 16, 2018, Council adopted Resolution #2018-04, authorizing an assessment ballot proceeding for the Northwood Village, East College Homes, Moss Landing, and Ridgeview Meadows Maintenance Districts.

A summary of the current and proposed assessment amounts required for service are listed below:

District Name	Current Assessment	Proposed Assessment
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

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 start of the Public Hearing.

As a result of this law and due to the large number of anticipated ballots, after the Public Hearing is closed, it is requested this item be continued so that staff may tally the ballots and report the results at the scheduled City Council meeting on Monday, April 2, 2018. The City Clerk's Office will count the ballots in the Sam Pipes Room, located on the first floor of the Civic Center, 678 W. 18th Street, Merced, Ca. The count will be open to the public.

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.

If the ballots are unsuccessful, there would be insufficient funds to cover the anticipated costs associated with the operation of the District and current level of service would have to be reduced to match existing revenues.

ATTACHMENTS

1. Budget Summaries
2. Proposed FY 18/19 Engineer's Reports
3. District Boundary Maps