



Legislation Text

File #: 19-290, **Version:** 1

City Council Agenda

Memo to: Manteca City Council

From: Jeri Tejeda, Finance Director

Date: June 18, 2019

Subject: Levy and Collection of Annual Assessments and Approval of County Certification of Assessment

After receiving public testimony, take the following actions: 1) Adopt a resolution ordering the levy and collection of annual assessments for the City's Landscape Maintenance Districts and Benefit Assessment Districts for Fiscal Year 2019-20 as listed; and 2) Approve San Joaquin County Certification of Assessment relating to the collection and levying of special assessments for the City's Landscape Maintenance and Benefit Assessment Districts.

Background:

In accordance with the Landscape and Lighting Act of 1972 and the Benefit Assessment Act of 1982 the City Council is required to annually consider any modifications to the assessments for each Landscape and Lighting Maintenance District and Benefit Assessment District formed within the City (Special Assessment Districts).

During the June 4, 2019 City Council meeting, Council adopted resolutions (1) approving the engineer's report and (2) declaring Council's intent to levy and collect an assessment to provide financing for the maintenance of improvements in the City's landscape maintenance and benefit assessment districts. No changes were made to the preliminary engineer's report.

The attached resolution orders the levy and collection of the annual assessment for the City's special assessment districts for fiscal year 2019-20 as listed on the resolution.

The purpose of the districts is to provide revenue on an annual basis from the property owners within each subdivision to maintain the landscaping improvements and associated appurtenances or to operate and maintain the groundwater drainage systems within the district boundaries.

These improvements are more extensive than what is required through standard City requirements. Thus, this financing mechanism was established and has been utilized to pay for these enhanced improvements.

In connection with the collection of the final assessments, the City engages San Joaquin County to process the levy and collection of property taxes and other special assessments. The County's Auditor-Controller's Office requires the City to approve the attached Certification of Assessment. The

certification states that the formation of the LMD's and BAD's meets the requirements of Proposition 218. The City's special legal counsel and LMD/BAD consultant confirm this process was followed. The agreement also provides hold harmless protection by the City, should the County be challenged relating to the collection of fees for each of the LMD/BAD's.

Fiscal Impact:

The Annual Engineer's Report as approved by Council on June 4, 2019 reflects Council's action to set levies for each of the City's landscape maintenance and benefit assessment districts. The 2019-20 levies for the Special Assessment Districts are detailed on the Executive Summary of the Landscape Maintenance and Benefit Assessment District Annual Reports. This information has been summarized on Exhibit "A".

Levies have been assessed based on projected costs for maintaining the enhanced improvements in each specified area. In the absence of the levies, the General Fund would be required to provide maintenance for the improvements.

Documents Attached:

1. Attachment 1 - Exhibit "A" Executive Summary
2. Attachment 2 - Resolution Ordering the Levy
3. Attachment 3 - Certification of Assessment