



I. PURPOSE

To provide guidelines related to the use of a petition to gauge the interest of an increased assessment, above the maximum, for a Zone in the Landscape Maintenance District (LMD) prior to recommending the Tracy City Council initiate a formal Proposition 218 (Prop 218) ballot proceeding.

II. GUIDELINES

These guidelines are not intended to be a legal requirement nor binding. Rather, they shall serve as a necessary tool to guide property owners through a petition process to gauge the interest in re-assessment for their particular Zone.

The following shall outline the petition process:

1. A petition process shall always be undertaken prior to initiating a formal Prop 218 ballot proceeding.
2. Staff shall annually forecast, through the Engineers Report, which Zones have an existing deficit or are trending towards incurring a deficit. Zones may need to be re-assessed above the current maximum assessment to ensure maintenance service levels are not reduced. In the event Zone reserve funds are utilized to balance the Zone budget for regular routine maintenance, staff will recommend that Zone begin the petition process for re-assessment.
3. City shall request a lead petitioner. If a lead petitioner is not identified, the petition process will cease, and staff will proceed with maintenance service level reductions to ensure a balanced budget.
4. Staff and the lead petitioner shall devise an outreach plan for each Zone to gauge support of a proposed increased assessment and to properly inform property owners on the effects of a successful or unsuccessful petition / vote. The outreach process may include various options for property owners to consider and provide for a supported increase.
 - i. The plan should utilize varying community outreach methods and digital tools in order to reach property owners. This shall also include placement of easily visible signage within each Zone indicating parcels that may be potentially vacated if the petition and/or formal Prop 218 vote is unsuccessful.
 - ii. Community meetings shall be held either in-person or virtually.



CITY OF TRACY
LANDSCAPE MAINTENANCE DISTRICT (LMD)
PROPOSITION 218 PETITION GUIDELINES

- iii. An electronic survey may be used as an additional method to better understand community feedback.
 - iv. Staff shall authorize and review all material before disseminated.
5. A deadline shall be established by City staff for the lead petitioner to submit signed petitions. The deadline for submission of new signatures or request to remove signatures shall be the same. Any signed petitions or signature removal request received after the established deadline shall not be considered. Petitioners should strive to achieve more than the minimum signature threshold (50% +1). This will account for potential signature removal request impacting the final count.
6. The lead petitioner shall provide, at a minimum, weekly updates to the City regarding petition status and signatures collected.
7. Based on the findings from the community outreach method(s), staff and the lead petitioner will determine if the petition process is successful or unsuccessful.
 - i. If a petition reflects 50% +1 or more signatures of the parcels/EDU's in a Zone, it is considered successful. City staff and the lead petitioner may recommend to City Council to initiate a formal Prop 218 ballot proceeding for the Zone.
 - ii. If a petition does not reflect a minimum of 50% +1 signatures of the parcels/EDU's in a Zone, it will be considered unsuccessful. No further action will be taken and staff will immediately initiate maintenance service level reductions for the Zone to ensure a balanced budget.
8. For Zone's that have had a recent failed petition, there shall not be an immediate subsequent petition process for a minimum period of one (1) year.