

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 2/25/19

AGENDA ITEM:	
Resolution to pay LID assessment	
PREPARED BY:	DIRECTOR APPROVAL:
Jon Walker	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	

A very small (871 sq. ft.), landlocked parcel that cannot be developed was assessed a benefit charge for LID 71. The parcel has an assessed value of \$100.00 and Snohomish County does not assess property taxes when a parcel has such a low value. The owner has not paid the assessment and city staff has not been able to locate her. The assessment is \$49.00. The City is obligated to the bondholders to ensure that all assessments are paid. If the City pays the \$49.00 from the local improvement guaranty fund, it would extinguish any potential claims that might arise from foreclosing on the parcel.

RECOMMENDED ACTION: Staff recommends the Council consider approving the resolution to pay the assessment from the local improvement guaranty fund. Recommended motion language: I move to approve resolution no. _____.

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, PAYING A DELINQUENT ASSESSMENT IN LOCAL
IMPROVEMENT DISTRICT NO. 71.**

WHEREAS, the assessment roll for Local Improvement District No. 71 was approved by Ordinance No. 2954; and

WHEREAS, Lot 155 was assessed \$49.00; and

WHEREAS, installments on this assessment have never been paid and payment of this assessment is delinquent and subject to foreclosure; and

WHEREAS, Lot 155 is a small (approximately 871 square feet) landlocked parcel, zoned light industrial, without utility service; and

WHEREAS, the community development department confirmed that the parcel cannot be developed; and

WHEREAS, the final assessment roll placed the special benefit from the LID improvements at 11 cents per square foot for this parcel, which is higher than some much larger parcels; and

WHEREAS, Lot 155 has an assessed value of \$100.00 and Snohomish County does not assess property taxes when a parcel has such a low value; and

WHEREAS, given the character of the parcel and the level of special benefit assessed to the parcel, the owner may have a claim; and

WHEREAS, the owner of Lot 155 is listed as Monica Baker; and

WHEREAS, city staff have been unable to locate Monica Baker; and

WHEREAS, Ordinance No. 2957 obligated the City to pay the bonds issued for LID No. 71 and the \$49.00 must be paid to satisfy the bonded amount for the LID; and

WHEREAS, Ordinance No. 2957 obligated the City to diligently commence and pursue the collection of delinquent assessments which ultimately requires the City to foreclose on the parcel to collect the assessment; and

WHEREAS, a local improvement guaranty fund was created by section 3.16.010 of the municipal code in conformance with chapter 35.54 RCW; and

WHEREAS, sufficient funds are in the local improvement guaranty fund to pay the \$49.00; and

WHEREAS, paying the \$49.00 from the local improvement guaranty fund would extinguish any potential claims that might arise from foreclosing on the parcel; and

WHEREAS, it is in the public interest to pay the assessment from the local improvement guaranty fund to fulfill the City's obligation to the bondholders and to avoid any potential claims against the City that might arise in a foreclosure action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE that \$49.00 from the local improvement guaranty fund be used to satisfy the assessment for Lot 71-155.

ADOPTED by the City Council at an open public meeting this _____ day of _____, 2019.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
TINA BROCK, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY