

RESOLUTION NO. 26 - 2018

A RESOLUTION CONFIRMING ASSESSMENTS FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS WITHIN THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2018-19.

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, by adoption of Resolution No. 14-2018 on May 15, 2018, the Clayton City Council approved the Engineer's Report on the proposed assessment levy for maintaining various improvements within the Diablo Estates at Clayton Benefit Assessment District during fiscal year 2018-19, and set a public hearing thereon for June 19, 2018, to be held at the regular meeting place of the Clayton City Council; and

WHEREAS, notice of said hearing and the adoption of Resolution No. 14-2018 was duly given as required by Section 54954.6 of the Government Code; and

WHEREAS, on June 19, 2018, the City Council held the noticed public hearing on the proposed assessment for the fiscal year 2018-19 and heard and considered all oral statements and written communications made and filed thereon by interested persons;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Clayton as follows:

1. The City Council hereby orders the levy of an assessment in the amount of \$3,565.94 on each lot within the Diablo Estates at Clayton Benefit Assessment District and this Resolution shall constitute the levy and confirmation of such assessment for fiscal year 2018-19.

2. The City Clerk shall immediately file a certified copy of this resolution, together with any required diagrams and a list of lots so assessed, with both the Tax Collector and the Auditor of Contra Costa County, with the Assessment to thereafter be collected in the same manner as the property taxes are collected.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular public meeting thereof held on June 19, 2018 by the following vote:

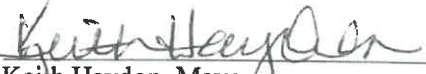
AYES: Mayor Haydon, Councilmembers Catalano, Diaz and Pierce.

NOES: None.

ABSENT: Vice Mayor Shuey.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA


Keith Haydon, Mayor

ATTEST:


Janet Brown, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular public meeting held on June 19, 2018.


Janet Brown, City Clerk

Diablo Estates at Clayton Benefit Assessment District

NOTICE TO PROPERTY OWNERS FOR LEVY OF ASSESSMENT

Reason for Assessment

At the request of the original project developer, Toll Bros., Inc., the City of Clayton City Council ("Council") approved Resolution No. 04-2012 on February 7, 2012, forming the Diablo Estates at Clayton Benefit Assessment District ("District") to fund and to pay for the oversight and maintenance of certain facilities solely benefiting land owners in the District, such as the stormwater treatment facilities, storm drain collection system, common area landscape and irrigation, private street lighting and weed abatement of natural slope areas, all as described in the original Engineer's Report approved by the Council on March 20, 2012.

NOTICE

This notice informs you, as a real property owner within the Diablo Estates at Clayton Benefit Assessment District that on May 15, 2018, the Clayton City Council adopted Resolution No. 14-2018 approving the Engineer's Report for FY 2018-19, declaring its intent to levy assessments for fiscal year 2018-19 and setting a public hearing on the issue of the proposed assessments:

PUBLIC HEARING:

Hoyer Hall (Library Meeting Room)

7:00 p.m. June 19, 2018

6125 Clayton Road

Assessment Information

1. Total District Assessment for the fiscal year beginning on July 1, 2018 and ending June 30, 2019: \$85,582.54
2. Proposed assessment per parcel: The assessment for each parcel is proposed to be \$3,565.94 which includes a 3.22% increase in the existing assessment of \$3,454.70 per year in accordance with the annual increase in the applicable Consumer Price Index (Apr. 2017 – Apr. 2018; San Francisco-Oakland- Hayward, CA MSA – All Urban Consumers), as allowed by property owner balloting in 2012.
3. Duration of assessment: The assessment will be levied annually at the above proposed rate and collected via one's real property tax bill in fiscal year 2018-19. The assessment may only be increased (other than the authorized allowable annual CPI-U increase described above) in the future by approval of a majority of the property owners.
4. Protests: Only one protest per property is allowed. The levying of the underlying assessment may not be protested; however, the proposed annual CPI increase may be protested. If written protests are received at City Hall prior to or at the public hearing from a majority of the properties (13 of 24), the proposed increase in the assessments will not be assessed.
5. Engineer's Report: Attached is a copy of the approved Engineer's Report for fiscal year 2018-19.

Questions

If any questions arise regarding the proposed real property assessments for fiscal year 2018-19, please contact Clayton City Engineer Scott Alman. He may be contacted on (925) 969-8181 and at cityengineer@ci.clayton.ca.us.