

**CITY OF CLOVERDALE**  
**CITY COUNCIL**  
**RESOLUTION NO. 32 -2019**

**A RESOLUTION OF INTENT TO LEVY AND COLLECT ANNUAL ASSESSMENTS, PRELIMINARILY APPROVE THE ENGINEER'S REPORT FOR FY 2019-20 FOR THE CITY OF CLOVERDALE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT AND SETTING THE TIME AND DATE OF THE PUBLIC HEARING FOR ZONES 3, 4, 5, 6 AND 7 (PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

**WHEREAS**, on September 9, 1997 the City Council ordered the formation of the Cloverdale Landscaping and Lighting Assessment District (Assessment District) to levy and collect assessments pursuant to the Landscaping and Lighting Act of 1972; and

**WHEREAS**, the City Council intends to levy and collect assessments within the Assessment District during FY 2019-20; and

**WHEREAS**, pursuant to the Landscaping and Lighting Act of 1972, an annual Engineer's Report is required to be prepared and filed outlining estimated costs, methods of spreading costs, a description of properties in the Assessment District and their proposed assessments in order to levy and collect assessments in any following fiscal year; and

**WHEREAS**, on February 27, 2019, the City Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work, directing the preparation and filing of the annual FY 2019-20 Engineer's Report, and describing the potential changes to the Assessment District; and

**WHEREAS**, the annual operation, maintenance and other incidental costs associated with the entire Assessment District include improvements in the following Zones 1, 2, 3, 4, 5, 6 and 7:

1. The portion of Cloverdale Creek and the pathway adjacent to the Jefferson Springs Phases 3 and 4 Subdivision.
2. The park and street landscaping adjacent to portions of Foothill Boulevard and S. Franklin Street and other related landscaping improvements within the Vintage Meadows Subdivision, Phases 1, 2 and 3.
3. The Cottages Subdivision Phases 1, 2, 3 and 4 including street landscaping along a portion of Foothill Boulevard, the landscaping areas, pathways and vegetation associated with the linear park adjacent to Muscat Creek, maintenance of the preserved wetlands area (at the corner of Elbridge Avenue and Ranch House Drive) and maintenance and weed abatement areas along a portion of the hillside area directly adjacent to Ranch House Drive, at the westerly end of Elbridge Avenue, along Hot Springs Road near the end of Laurel Court and along Hot Springs Road near the end of Pepperwood Drive.
4. The Vineyards at Cloverdale including street landscaping along a portion of Foothill Boulevard and Mount Diablo Way and maintenance of a detention basin.

5. The Ioli Ranch including street landscaping along Cloverdale Boulevard.
6. The Brookside Terrace including street landscaping along Cloverdale Boulevard and Brookside Drive and the park on Brookside Drive.
7. Sunrise Hills, Phases I and II including street landscaping along Foothill Boulevard, landscaping and maintenance at the corner of Moonlight Circle and Sunrise Drive, and maintenance of an open space and wetlands area; and

**WHEREAS**, Coastland Civil Engineering has prepared and filed with the City the annual Engineer's Report for FY 2019-20 as required by the Landscaping and Lighting Act of 1972; and

**WHEREAS**, all interested persons are referred to the Engineer's Report for a full and detailed description of the improvements, the proposed operation and maintenance costs, the boundaries of the seven Zones of the Assessment District and the proposed FY 2019-20 assessments upon assessable lots and parcels of land within the Assessment District; and

**WHEREAS**, for Zones 3, 4, 5, 6 and 7, the FY 2019-20 the maximum annual assessments will be adjusted up by the allowable 2018 CPI adjustment of +4.5%; and

**WHEREAS**, for Zone 3, the actual proposed FY 2019-20 annual assessment to levy and collect is proposed to stay the same as FY 2018-19; and

**WHEREAS**, for Zones 4, 5, 6, and 7, the previous annual assessment levels are insufficient to pay the anticipated costs for FY 2019-20; and

**WHEREAS**, for Zone 4, the actual proposed FY 2019-20 annual assessment to levy and collect is proposed to increase by \$95.50 per ESD over FY 2018-19; and

**WHEREAS**, for Zone 5, the actual proposed FY 2019-20 annual assessment to levy and collect is proposed to increase by \$6.48 per ESD over FY 2018-19; and

**WHEREAS**, for Zone 6, the actual proposed FY 2019-20 annual assessment to levy and collect is proposed to increase by \$28.32 per ESD over FY 2018-19; and

**WHEREAS**, for Zone 7, the actual proposed FY 2019-20 annual assessment to levy and collect is proposed to increase by \$100.80 per ESD over FY 2018-19; and

**WHEREAS**, for Zones 4, 5, 6 and 7, zone reserves and miscellaneous revenue allocations will be used to supplement the assessment revenue thereby minimizing the increase to the annual assessment over FY 2018-19; and

**WHEREAS**, for Zones 5 and 6 General Fund monies will be used to balance the budget; and

**WHEREAS**, for FY 2019-20 the actual annual assessments proposed to be levied and collected are: \$413.24 per ESD unit for all properties within Zone 3, \$389.12 per ESD unit for all properties within Zone 4, \$150.52 per ESD unit for all properties within Zone 5, \$657.58 per ESD unit for all properties within Zone 6, \$470.00 per ESD unit for all properties within Zone 7.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Cloverdale hereby intends to levy and collect assessments during FY 2019-20 and preliminarily approves the filed FY 2019-20 Engineer's Report with the estimate of the costs and expenses to operate and maintain the said improvements and their incidental expenses as it pertains to Zones 3, 4, 5, 6 and 7 of the Assessment District for FY 2019-20; and

**BE IT FURTHER RESOLVED** that in order to take inflation into account, the City Council approves the allowance for an annual increase to the maximum assessments in accordance with the annual Consumer Price Index (CPI), based on the All Urban Consumers (San Francisco Area) CPI from the U. S. Department of Labor, Bureau of Labor Statistics; and

**BE IT FURTHER RESOLVED** that a public protest hearing will be held on June 12, 2019 at 6:00 p.m. at the Cloverdale Performing Arts Center, 209 N. Cloverdale Boulevard, Cloverdale. At the public protest hearing, the City Council will conduct a public hearing on the question of the levy and collection of annual assessments for FY 2019-20; and

**BE IT FURTHER RESOLVED**, this Resolution is adopted pursuant to Sections 22620 et. al. of the California Streets and Highway Code; and

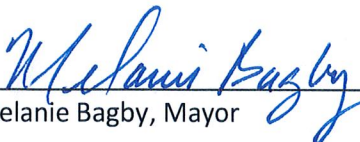
**BE IT FURTHER RESOLVED** that the City Clerk is authorized and directed to give the Notice of Hearing required by the Landscaping and Lighting Act of 1972 for said public protest hearing.

The foregoing Resolution No. 32-2019 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on this 8<sup>th</sup> day of May, 2019 by the following roll call vote:

Ayes: (4) Councilmember Brigham, Councilmember Turner, Vice Mayor Wolter and Mayor Bagby  
Noes: (0) None  
Absent: (1) Councilmember Cruz  
Abstain: (0) None

APPROVED:

ATTEST:

  
Melanie Bagby, Mayor

  
Maria McArthur, Interim City Clerk