

**RESOLUTION NO. \_\_\_\_\_ (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE DECLARING THE INTENTION TO ORDER THE FORMATION OF THE VISTA MONTAÑA NO.2 LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT, APPROVING THE PRELIMINARY ENGINEER'S REPORT, PROVIDING NOTICE OF PUBLIC HEARING, AND DIRECTING THE MAILING OF ASSESSMENT BALLOTS**

**WHEREAS**, by Resolution No. 47-24, approved on March 26, 2024, the City Council ordered the initiation of proceedings for the formation of Vista Montaña No. 2 Landscape and Lighting Assessment District pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Streets and Highways Code (commencing with § 22500 thereof) (“Act”); and

**WHEREAS**, Proposition 218 was adopted on November 6, 1996, adding Articles XIII C and XIII D to the California Constitution, which impose certain procedural and substantive requirements relating to assessments (as defined).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. This action does not meet CEQA’s definition of a “project”, because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.
2. The above Recitals are in all respects true and correct.
3. Reference to Initiation. In accordance with direction from the City Council, SCI Consulting Group, (“Engineer of Work”), prepared an Engineer’s Report (“Report”) pursuant to the Act and Article XIII D of the California Constitution. The Report has been prepared, filed with the City Clerk, reviewed, and duly considered by the City Council and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer’s Report for all subsequent proceedings under and pursuant to this Resolution.

4. Description of the Improvements: The purpose of the Assessment District shall be for the installation, maintenance, and servicing of improvements. Within the District, the existing and proposed improvements (“Improvements”) are generally described as but not limited to regular maintenance and repair of all facilities within the agricultural buffer area on Bridge Street, including the landscaping, perimeter wall, and erosion control plantings within or adjacent to the detention basins and drainage swale; power for the street lighting within the District; regular maintenance, and repair of the parkway strip and street trees; operation, maintenance, and repair of the storm drain detention basins, drainage channel, drainage facilities, and erosion control measures within the agricultural buffer, including the storm drain culvert crossing Highway 152 and the inlet structure on the west side of Highway 152; regular maintenance and repair of the landscaping and perimeter walls; and administrative services to operate the District. “Services” include, but are not limited to personnel; electrical energy; utilities such as water; materials; contractual services; grading; clearing; removal of debris; installation or construction of walls, irrigation, drainage, hardscapes, trees, furnishings such as pots, bollards, tree grates, and appurtenant facilities as required to provide an aesthetically pleasing environment throughout the District; and other items necessary for the maintenance or servicing or both. “Maintenance” means the furnishing of services and materials for the ordinary and usual operations, maintenance and servicing of the landscaping, public park facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public park or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; and the removal of trimmings, rubbish, debris and other solid waste. “Servicing” means the furnishing of

water for the irrigation of the landscaping, and recreational facilities or appurtenant facilities.

5. Reference to Engineer's Report: The Report is hereby incorporated by reference. Reference is hereby made to the Report for a full and detailed description of the Improvements, the boundaries of the Assessment District, and the proposed assessments upon assessable lots and parcels of land within the Assessment District. Reference is also hereby made to the Report for an estimate of the costs of the Improvements proposed to be financed from the proceeds of the proposed assessment.

6. Report of the Assessment Engineer: The Report is available for public review at the City of Watsonville, located at the City Clerk's Office, 275 Main Street, 4th Floor Watsonville, CA 95076. The Engineer's Report includes:

- A. A description of the Improvements to be funded with assessment proceeds, services, and incidental costs; and
- B. An estimate of the annual cost of such Improvements; and
- C. A description of the assessable parcels of land within the District and proposed to be subject to the assessment; and
- D. A description of the proportionate special and general benefits conferred on property by the proposed assessment; and
- E. A description of the boundaries of the proposed Assessment District; and
- F. A specification of the amount to be assessed upon various types of assessable land to fund the cost of the Improvements; and
- G. The proposed method and formula of assessing the costs and expenses of the Improvements to the properties which will specially benefit from the Improvements.

7. Description of Assessment District: The Assessment District consists of the lots and parcels shown on the boundary map of the Assessment District on file with the City Clerk, and reference is hereby made to such map for further particulars.

8. Proposed Assessment Rate: It is the intention of this City Council to levy and collect assessments within the Assessment District. The estimated Fiscal Year 2024-25 cost of providing the Improvements is \$198,777. Said estimated cost results in a proposed Single-Family Equivalent (“SFE”) assessment rate of THREE HUNDRED FORTY-TWO DOLLARS AND SEVENTY-THREE CENTS (\$342.73) for Zone A and THREE HUNDRED NINETY-EIGHT DOLLARS AND THIRTY-EIGHT CENTS (\$398.38) for Zone B for Fiscal Year 2024-25. That equates to property assessment rates of \$718.88 per SFE. However, the City is committing to implement the new assessment gradually over a five-year period with assessments equaling 30% the first year, 55% the second year, 80% the third year, 90% the fourth year, and 100% the fifth year. It is the further intention of the City to have the assessment collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes.

9. Public Hearing: Notice is hereby given that the Public Hearing on the proposed assessment shall be held before the City Council of the City of Watsonville in the City Council Chambers, 275 Main Street, Top Floor, Watsonville, CA 95076 on Tuesday, July 9, 2024, at the hour of 4:30 P.M., or soon thereafter as the matter may be heard, for the purpose of this City Council’s determination of whether the Public interest, convenience, and necessity require the improvements and this City Council’s final action upon the report and the assessments therein. All interested persons shall be afforded the opportunity to hear and be heard. Any interested person may file a written protest with

the City Clerk, or, having previously filed a protest, may file a written withdrawal of that protest, prior to the conclusion of the public input portion of the public hearing. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by the signer thereof. The City Council shall consider all oral statements and all written protests made or filed by any interested person.

10. Notice and Ballot: The City Clerk hereby is authorized and directed to cause Notice of the hearing ordered under Section 8 hereof to be given in accordance with law by United States Mail, and such Notice shall be deemed to have been given when so deposited in the United States Mail. The envelope or cover of the mailing shall include the name of the City. The mailed Notice shall be given to all property owners of assessable parcels within the Assessment District by such mailing by name to those persons whose names and addresses appear on the last equalized secured property tax assessment roll of Santa Cruz County, or in the case of any public entity, the representative of such public entity at the address thereof known to the City Clerk. The Notice shall include, but not be limited to, the total amount of assessment proposed to be levied in the Assessment District for Fiscal Year 2024-25, the assessment proposed for the owner's particular parcel(s) and the duration thereof and the reason for the assessment. Each Notice shall also contain the proposed assessment and the basis upon which the amount of the assessment was calculated. Each Notice shall also contain an assessment ballot, a summary of the procedures applicable to the completion, return and tabulation of assessment ballots, the date, time, and location of the public hearing and a statement that the existence of a majority protest will result in the assessment not

being imposed. The Notice herein provided shall be mailed not less than forty-five (45) days before the date of the public hearing.

11. Additional Information: To obtain additional information about the proposed assessments, the Assessment District or the proposed Improvements, contact: Nick Calubaquib, Parks & Community Services Director, 231 Union Street, Watsonville, CA 95076, telephone number (831) 768-3240. The Engineer's Report and other written material about the Assessment District may also be reviewed at the Office of the City Clerk during regular business hours.

12. Annual Assessments: The assessments are proposed to be levied annually. If the proposed assessments are approved and confirmed by the City Council, the assessments will increase in future years by an amount up to the change in the San Francisco Bay Area Consumer Price Index ("CPI") without a further vote or balloting process. In the event that the actual assessment rate for any given year is not increased by an amount equal to the CPI change, any such deferred assessment increase may be added to the total amount assessed in any subsequent year. In such event, the maximum authorized assessment amount shall be equal to the base year assessment as adjusted by the increase to the CPI, plus any and all CPI adjustments deferred in any and all prior years. In each subsequent year in which the assessments will be levied, an updated Engineer's Report, including a proposed budget and assessment rate, shall be prepared. The updated Engineer's Report shall be considered by the City Council at a noticed public hearing. The updated Engineer's Report shall serve as the basis for the continuation of the assessments.

13. The City Clerk shall certify to the adoption of this Resolution.

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