

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING
JUNE 14, 2018
ITEM 9.a.**

PUBLIC HEARING

RESOLUTION (2018-05) OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT, CONFIRMING THE ASSESSMENT AND ORDERING THE LEVY FOR THE KENSINGTON PARK ASSESSMENT DISTRICT FOR FISCAL YEAR 2018/19

BACKGROUND

The Kensington Police Protection and Community Services District is required to annually approve resolutions prepared by NBS that initiate the process of collecting the park tax assessment. This is pursuant to the Landscaping and Lighting Act of 1972 that established the Kensington Park Assessment District.

To initiate the process, the following three resolutions, were adopted at the May 24, 2018 Board Meeting:

1. Resolution 2018-01: approval of the Annual Report for the Kensington Park Assessment District for Fiscal-Year 2018/2019.
2. Resolution 2018-02: The approval of the Annual Report for the Kensington Park Assessment District for the Fiscal-Year 2018/2019
3. Resolution 2018-03: The Board's declaring its intention to levy and collect assessments for the Kensington Park Assessment District for Fiscal-Year 2018/2019 and to set the public hearing for Thursday, May 24, 2018, at 7:30 P.M.

Resolution 2018-03 is required to be published in a local newspaper at least 10 days prior to the June 14, 2018 public hearing. The resolution was published in the East Bay Times on May 29, 2018.

The total assessment to most dwelling units is \$17.24, which is an increase from \$16.65 last year, with a total of 2.188 parcels to be assessed. The total balance to levy will be \$38,841.40. This revenue may be used only for maintenance of the "New Park."

The final step in the process will be the holding of a public hearing and the approval of Resolution 2018-05.

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing; and
3. Adopt Resolution 2018-05

FISCAL IMPACT: Anticipated revenue of \$38,841.40

ATTACHMENTS: Resolution 2018-05 & Resolution 2018-03

SUBMITTED BY: Anthony Constantouros, General Manager

RESOLUTION NO. 2018-05

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT,
CONFIRMING THE ASSESSMENT AND ORDERING THE LEVY FOR
THE KENSINGTON PARK ASSESSMENT DISTRICT
FOR FISCAL YEAR 2018/19**

The Board of Directors of the Kensington Police Protection and Community Services District (hereafter referred to as the "Board of Directors") does resolve as follows:

WHEREAS, the Board of Directors previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") to establish the Kensington Park Assessment District (the "Assessment District"); and

WHEREAS, the Board of Directors has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and the preparation and filing of an Annual Report; and

WHEREAS, the Board of Directors has, by previous resolution, declared its intention to hold a Public Hearing concerning the levy and collection of assessments within the Assessment District; and

WHEREAS, a Public Hearing has been held and concluded and notice thereof was duly given in accordance with Section 22626 of the Act; and

WHEREAS, at the time and place specified in the Resolution of Intention the Board of Directors conducted such hearing and considered all objections to the assessment.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS, AS FOLLOWS:

- 1. Confirmation of Assessment and Diagram:** The Board of Directors hereby confirms the assessment and the diagram as is described in full detail in the Annual Report on file with the Secretary.
- 2. Levy of Assessment:** Pursuant to Section 22631 of the Act, the adoption of this resolution shall constitute the levy of an assessment for the fiscal year commencing July 1, 2018 and ending June 30, 2019.
- 3. Ordering of the Levy:** The Board of Directors hereby orders NBS to prepare and submit the levy of assessments to Contra Costa County for placement on the Fiscal Year 2018/19 secured property tax roll.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on _____, the ____ day of _____, 2018, by the following vote to wit:

AYES:

Rachelle Sherris-Watt, President

NOES:

Eileen Nottoli, Vice President

ABSENT:

Len Welsh, Director

Sylvia Hacaj, Director

Christopher Deppe, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on _____, the ____ day of _____, 2018.

District General Manager

RESOLUTION NO. 2018-03

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT,
DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR
THE KENSINGTON PARK ASSESSMENT DISTRICT
FOR FISCAL YEAR 2018/19**

The Board of Directors of the Kensington Police Protection and Community Services District (hereafter referred to as the "Board of Directors") does resolve as follows:

WHEREAS, the Board of Directors previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") to establish the Kensington Park Assessment District (the "Assessment District"); and

WHEREAS, the Board of Directors has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and the preparation and filing of an Annual Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS, AS FOLLOWS:

- 1. Intention:** The Board of Directors hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the Improvements for the fiscal year commencing July 1, 2018 and ending June 30, 2019. The Board of Directors finds that the public's best interest requires such action.
- 2. Improvements:** The improvements within the District include, but are not limited to: the operating, maintaining and servicing of all public landscaping improvements, consisting of landscaping and grass. Operating, maintaining and servicing include, but are not limited to: personnel, materials, electrical energy and water. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.
- 3. Assessment District Boundaries:** The boundaries of the Assessment District are as shown by the assessment diagram filed in the offices of the Secretary, which map is made a part hereof by reference.
- 4. Annual Report:** Reference is made to the Annual Report prepared by NBS, on file with the Secretary, for a full and detailed description of the improvements, the boundaries of the Assessment District and the zones therein, and the proposed assessments upon assessable lots and parcels of land within the Assessment District.
- 5. Notice of Public Hearing:** The Board of Directors hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with Section 22629 of the Act. All objections to the assessment, if any, will be considered by the Board of Directors. The Public Hearing will be held on **Thursday, June 7, 2018 at 7:00 pm** or as soon thereafter as is feasible in the meeting place of the Board of Directors located at 59 Arlington Avenue, Kensington, CA. The Board of Directors further orders the Secretary to publish notice of this resolution in accordance with Section 22626 of the Act.
- 6. Increase of Assessment:** The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in Section 54954.6 of the Government Code).

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT, DECLARING
ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR
THE KENSINGTON PARK ASSESSMENT DISTRICT
FOR FISCAL YEAR 2018/19

The Board of Directors of the Kensington Police Protection and Community Services District (hereafter referred to as the "Board of Directors") does resolve as follows:

WHEREAS, the Board of Directors previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") to establish the Kensington Park Assessment District (the "Assessment District"); and

WHEREAS, the Board of Directors has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and the preparation and filing of an Annual Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS, AS FOLLOWS:

- 1. Intention:** The Board of Directors hereby declares its intention to levy and collect assessments within the Assessment District to pay the cosB of the Improvements for the fiscal year commencing July 1, 2018 and ending June 30, 2019. The Board of Directors finds that the public's best interest requires such action.
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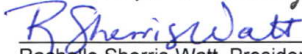
Board of Directors located at 59 Arlington Avenue, Kensington, CA. The Board Of Directors further orders the Secretary to publish notice Of this resolution in accordance with Section 22626 of the Act.

6. Increase Of Assessment: The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in Section 54954.6 of the Government Code).

RESOLUTION NO. 2018-03

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on _____, the 24 day of may, 2018, by the following vote to wit:

AYES: 4



Rachelle Sherris-Watt, President

NOES: 0



Eileen Nottoli, Vice President

ABSENT: 1

Len Welsh, Director



Sylvia Hacaj, Director



Christopher Deppe, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on _____, the 24 day of may, 2018.



District General Manager