



# STAFF REPORT

**TO:** CLAYTON CITY COUNCIL

**FROM:** Dennis Bozanich

**DATE:** April 7, 2026

**SUBJECT:** Resolution Directing the Preparation of an Engineer's Report for the Diablo Estates Benefit Assessment District

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## **RECOMMENDATION**

Adopt Resolution No. 04-2026 directing the preparation of an Engineer's Report for the Diablo Estates Benefit Assessment District.

## **BACKGROUND**

At the request of the developer of the Diablo Estates residential project, the City Council (by approval of Resolution 04-2012 on February 7, 2012) formed the Diablo Estates Benefit Assessment District ("District") in accordance with the requirements of the Landscaping & Lighting Act of 1972 and the Benefit Assessment Act of 1982. The purpose of the District is for private property owners to be assessed annually to fund the annual maintenance of the various subdivision improvements constructed as part of the residential project that are of benefit to the properties within the subdivision. The initial Engineer's Report and benefit assessment was prepared by the Engineer of Work and approved via a Proposition 218 ballot election by the property owners as required by law. The District was formed allowing the maximum annual assessment rates to increase annually based on the San Francisco Bay Area Consumer Price Index ("CPI").

Although the Benefit Assessment Act of 1982 does not require further action prior to levying the annual assessment if the assessment rates are not increased (other than any pre-authorized adjustment due to a CPI increase), the Landscaping & Lighting Act of 1972 does require the filing and approval of an annual Engineer's Report prior to levying an annual assessment.

For the purpose of continuing to levy annual assessments on the property owners, the City Council initiates the process by calling for preparation of an annual Engineer's Report. After adoption of this Resolution, the next step will be for the Engineer of Work to submit, and the City Council to review and then accept, the Engineer's Report for this District. Following that submittal and action by Council, there will be a public hearing (with property owners' advance notification) prior to formally setting next year's assessments in sufficient time to be levied and collected on the County's Fiscal Year 2026-2027 secured property tax bills.

## **ANALYSIS**

This is the first step to initiate the process for setting the annual assessments on the properties within the Diablo Estates subdivision for landscape and weed abatement services which is collected through the property taxes collected by the County.

## **CEQA**

None

## **FISCAL IMPACT**

This is the first step to initiate the process for setting the annual assessments on the properties within the Diablo Estates subdivision for landscape and weed abatement services which is collected through the property taxes collected by the County.

## **ATTACHMENTS**

[Resolution No 04-2026 Resolution of Initiation for Diablo Estates BAD.pdf](#)