

RESOLUTION NO. 3294-16

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE
ASSESSMENT DIAGRAMS AND THE ANNUAL ASSESSMENT AMOUNTS, AND
AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL
YEAR 2016-17 FOR THE WINDSOR LANDSCAPING AND
LIGHTING ASSESSMENT DISTRICT NO. 2
(Pursuant to the Landscaping and Lighting Act of 1972)**

WHEREAS, the Town Council of the Town of Windsor intends to levy and collect assessments within the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2) during Fiscal Year (FY) 2016-17, the area of land to be assessed being located in the Town of Windsor, Sonoma County; and

WHEREAS, an annual Engineer's Report must be prepared and filed outlining the proposed budgets, assessments, the proposed improvements and/or changes to the Assessment District in order to levy and collect assessments any following fiscal year; and

WHEREAS, pursuant to Section 22622 of the Streets and Highways Code, on March 2, 2016, the Town Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work for the LLAD-2, directing the preparation and filing of the annual Engineer's Report and describing the potential changes for FY 2016-17; and

WHEREAS, the Engineer of Work prepared and filed the annual Engineer's Report with the Town Clerk as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, on April 20, 2016, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2016-17, preliminarily approved the annual Engineer's Report for FY 2016-17 as filed and set the time and date of the public hearing pursuant to section 22624 of the Streets and Highways Code; and

WHEREAS, for FY 2016-17, the total annual assessment for each Zone is proposed as follows:

Zone # (Name)	Total Revenue
Zone 101 (Shiloh Oaks)	\$29,022.01
Zone 102 (Miscellaneous Supplemental Parks)	\$353.58
Zone 103 (Windsor Redwoods)	\$3,830.45
Zone 104 (Manzanita Subdivision)	\$4,359.30
Zone 105 (G&C Auto Body)	\$1,294.76
Zone 107 (Berry Lane (East))	\$893.92

Zone (Name) Continued	Revenue (continued)
Zone 108 (Bell Village Commercial)	\$18,033.46
Zone 109 (Vintage Oaks on the Town Green previously Bell Village Residential)	\$10,968.70
Zone 110 (Holiday Inn)	\$1,599.17
Zone 111 (Evans/Drew Industrial Phase 2)	\$1,265.47
Zone 112 (Esposti Park Place)	\$3,858.17
Zone 113 (Victoria Oaks)	\$12,680.55
Zone 114 (Overlook)	\$2,387.23

WHEREAS, in order to keep up with inflation, the maximum annual assessments at build out for Zones 101, 102, 103, 104, 105, 107, 108 and 110 are proposed to be increased by the 2015 Consumer Price Index (CPI) of +2.60%, the annual CPI is based on the All Urban Consumers (San Francisco Area) CPI from the U. S. Department of Labor, Bureau of Labor Statistics; and

WHEREAS, there are three new zones proposed, each with parcel annexations as follows:

- Zone 112 - Esposti Park Place
- Zone 113 - Victoria Oaks
- Zone 114 - Overlook

WHEREAS, the development known as 1200 American Way is proposed for annexation into existing Zone 102; and

WHEREAS, a revised maximum annual assessment is proposed for Zone 109; and

WHEREAS, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zones 112, 113 and 114, and the revised Zone 109 maximum annual assessment shall include an allowance for an annual increase to the estimated maximum annual assessments in accordance with the annual CPI as noted above; and

WHEREAS, notice of the public protest hearing was given by publication in accordance to the Landscaping and Lighting Act of 1972; and

WHEREAS, pursuant to California Constitution Article XIID, notices and ballots were mailed out to those property owners whose properties are affected by these procedures and annexations into LLAD-2; and

WHEREAS, on May 23, 2016, Town staff held the required public information meeting; and

WHEREAS, on June 15, 2016, the Town Council conducted a public hearing and gave every interested person an opportunity to make a protest to the annual Engineer's Report either in writing or orally, and the Town Council has considered each comment or protest; and

WHEREAS, the Town Council finds that a majority written protest against the inclusion of those subdivisions and areas as specified in the Engineer's Report for annexation into the Assessment District have not been made by the impacted property owners representing the land to be assessed; and

WHEREAS, as in previous years, publicly owned property will not be assessed during FY 2016-17 since it has been determined these properties receive no special benefit from the LLAD-2; and

WHEREAS, this Resolution is adopted pursuant to Section 22631 of the California Streets and Highways Code.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor hereby:

1. Approves the FY 2016-17 Annual Engineer's Report for the Windsor Landscaping and Lighting Assessment District No. 2 as prepared and filed
2. Authorizes the creation of three new zones, Zones 112, 113, and 114 with allowed annual CPI increases to the maximum annual assessments in order to keep up with inflation
3. Authorizes the annexation of property into Zones 112, 113, and 114 of the Windsor Landscaping and Lighting Assessment District No. 2 as specified in the Engineer's Report
4. Authorizes the annexation of property into existing Zone 102
5. Authorizes the revised maximum annual assessment of Zone 109 with allowed annual CPI increases to the maximum annual assessments in order to keep up with inflation
6. Confirms the assessment diagrams, the annual assessments, assessment maximums and CPI increases to the assessment maximums as set forth in the annual Engineer's Report and authorizes the levy and collection of assessments as set forth in said report for FY 2016-17 for each of the Zones:
 - Zone 101 – Shiloh Oaks
 - Zone 102 – Miscellaneous Supplemental Parks
 - Zone 103 – Windsor Redwoods
 - Zone 104 – Manzanita Subdivision
 - Zone 105 – G & C Auto Body
 - Zone 107 – Berry Lane (East)
 - Zone 108 - Bell Village Commercial
 - Zone 109 – Vintage Oaks on the Town Green
(previously Bell Village Residential)
 - Zone 110 - Holiday Inn
 - Zone 111 - Evans/Drew Industrial Subdivision Phase 2
 - Zone 112 - Esposti Park Place
 - Zone 113 - Victoria Oaks
 - Zone 114 - Overlook

7. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

PASSED, APPROVED AND ADOPTED this 15th day of June 2016, by the following vote:

AYES: COUNCILMEMBERS OKREPKE, SALMON,
VICE MAYOR FUDGE, AND MAYOR MILLAN
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBER FOPPOLI



MARK MILLAN, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK