

RESOLUTION NO. 2918-12

**A RESOLUTION OF INTENTION BY THE TOWN COUNCIL
OF THE TOWN OF WINDSOR INDICATING INTENTION TO LEVY AND COLLECT
ANNUAL ASSESSMENTS, PRELIMINARILY APPROVE THE ANNUAL ENGINEER'S
REPORT FOR THE WINDSOR LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT No. 2 (LLAD-2) FOR FISCAL YEAR 2012-13 AND SET THE TIME AND
DATE OF THE PUBLIC HEARING**

(Pursuant to the Landscaping & Lighting Act of 1972)

WHEREAS, the Town Council intends to levy and collect assessments within the Windsor Landscaping and Lighting Assessment District No. 2 during the Fiscal Year 2012-13. The area of land to be assessed is located in the Town of Windsor, Sonoma County; and

WHEREAS, an annual Engineer's Report must be prepared and filed outlining the proposed budgets, the description of the proposed improvements and/or changes, the boundaries of the assessment district, any zones therein and the proposed assessments upon assessable lots and parcels within the assessment district; and

WHEREAS, the components and the operation and maintenance to be made to the improvements for the upcoming fiscal year 2012-13 in LLAD-2 are generally described as follows:

Zone 101: Shiloh Oaks. An acreage street component including the operation and maintenance of street landscaping, irrigation and street lighting located in public street rights of way in the Shiloh Oaks area, and a park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in the Town of Windsor Landscaping and Lighting Special Assessment District (LLAD-1); and

Zone 102: Miscellaneous Supplemental Parks. A park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 103: Windsor Redwoods. A parcel street component including the operation and maintenance of street lighting located in public rights of way within Windsor Redwoods and a park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 104: Manzanita Subdivision. A parcel street component including the operation and maintenance of street lighting located in public rights of way within Manzanita Subdivision and a park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 105: G&C Auto Body. A parcel street component including the operation and maintenance of street lighting located in public rights of way within the G&C Auto Body development and a park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in LLAD-1; and

WHEREAS, Zone 106: 705 Shiloh Road (Gas Station) is proposed for dissolution and the single parcel transferred into Zone 102 for park component benefit only; and

WHEREAS, any remaining funds in Zone 106, are to be transferred to the General Fund and reimbursed to the property owner; and

WHEREAS, on March 7, 2012 the Town Council adopted Resolution No. 2891-12 appointing Coastland Civil Engineering as the Engineer of Work, directing the preparation and filing of the Annual Engineer’s Report, and describing the Assessment District for Fiscal Year 2012-13; and

WHEREAS, Coastland Civil Engineering has prepared and filed with the Town Clerk the Preliminary Engineer’s Report 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 Zones of LLAD-2 and the proposed assessments upon assessable lots and parcels of land within LLAD-2; and

WHEREAS, for Fiscal Year 2012-13, the annual acreage street component assessment for Zone 101 is proposed to be \$590.57 per acre or portion thereof plus \$60.25 per Equivalent Single-Family Dwelling (ESD) for the park component; the park component annual assessment for Zone 102 is proposed as \$60.25 per ESD; the annual parcel street component assessment for Zone 103 is proposed to be \$3,882.60 per parcel plus \$60.25 per ESD for the park component; the annual parcel street component assessment for Zone 104 is for one quarter of a year and proposed to be \$40.49 per parcel plus \$60.25 per ESD for the park component; the annual parcel street component assessment for Zone 105 is proposed to be \$1,073.80 per parcel plus \$60.25 per ESD for the park component; and

WHEREAS, in order to keep up with inflation, the current maximum annual assessments and the maximum annual assessments at build out (if different) are proposed to be increased by the 2011 annual Consumer Price Index (CPI) of +2.6%. as follows:

<u>Zone</u>	Maximum Acreage Street Component Assessment (Per Acre)	Maximum Parcel Street Component Assessment (Per Parcel)	Maximum Park Component Assessment (Per ESD)
Zone 101 - Shiloh Oaks (PM 05-24):	\$ 590.57	-	\$ 208.46
Zone 101 - Shiloh Oaks at Build Out:	\$ 2,113.81	-	\$ 208.46
Zone 102 - Miscellaneous Supplemental Parks:	-	-	\$ 208.46
Zone 103 - Windsor Redwoods	-	\$ 5,722.00	\$ 208.46
Zone 104 - Manzanita Subdivision	-	\$ 211.01	\$ 208.46
Zone 105- G&C Auto Body	-	\$ 1,785.26	\$ 208.46

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor hereby notices the intention to levy and collect the annual assessments and preliminarily approves the Preliminary Engineer’s Report including the estimate of costs and expenses and the incidental expenses for operating and maintaining the said improvements in Zone 101, 102, 103,

104 and 105, in connection with LLAD-2 as described in the Engineer's Report as prepared and filed with the Town Clerk; and

BE IT FURTHER RESOLVED that in accordance with Section 22610 of the Streets and Highways code, the dissolution of Zone 106 (705 Shiloh Road) is hereby ordered and any remaining revenue is to be transferred to the General Fund; and

BE IT FURTHER RESOLVED that the Town Council authorizes reimbursement of the Zone 106 remaining revenue from the General Fund to the property owners; and

BE IT FURTHER RESOLVED that in order to take inflation into account, the Town Council approves the allowance for an annual increase to estimated 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 by the Town Council on Wednesday, June 20, 2012 at 6:00 p.m. or as soon thereafter as the matter may be heard in Building 400 of the Windsor Civic Center, 9291 Old Redwood Highway, Windsor. At the public protest hearing, the Town Council will consider the changes to the assessment amounts and authorization to levy and collect assessments for Fiscal Year 2012-13; and

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

BE IT FURTHER RESOLVED that this Resolution is adopted pursuant to Section 22610 and 22620 et al of the California Streets and Highways Code.

PASSED, APPROVED AND ADOPTED this 2nd day of May 2012, by the following vote:

AYES: COUNCILMEMBERS ALLEN, GOBLE, SALMON AND MAYOR FUDGE
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBER SCHOLAR



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK