

**RESOLUTION NO. 3080-14**

**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 FISCAL YEAR 2014-15 FOR THE WINDSOR LANDSCAPING AND  
LIGHTING ASSESSMENT DISTRICT NO. 2 (LLAD-2) AND SET THE TIMES AND  
DATES OF THE PUBLIC INFORMATION MEETING AND 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 2014-15. 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 2014-15 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

Zone 107; Berry Lane (East). A parcel street component including the operation and maintenance of street lighting located in public rights of way on the easterly side of Berry Lane and a park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in LLAD-1; and

**WHEREAS**, on March 5, 2014, the Town Council adopted Resolution No. 3060-14 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 2014-15; 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**, Parcel Maps 13-11 and 13-12 are slated for annexation into a new Zone 107 and Parcel Map 13-17 is proposed for annexation into existing Zone 102; and

**WHEREAS**, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, the new Zone 107 shall include an allowance for an annual increase to the estimated maximum annual assessment in accordance with the CPI. The 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**, for Fiscal Year 2014-15, the annual acreage street component assessment for Zone 101 is proposed to be \$619.86 per acre or portion thereof plus \$56.78 per Equivalent Single-Family Dwelling (ESD) for the park component; the park component annual assessment for Zone 102 is proposed as \$56.78 per ESD; the annual parcel street component assessment for Zone 103 is proposed to be \$2,209.20 per parcel plus \$56.78 per ESD for the park component; the annual parcel street component assessment for Zone 104 is proposed to be \$166.38 per parcel plus \$56.78 per ESD for the park component; the annual parcel street component assessment for Zone 105 is proposed to be \$1,102.90 per parcel plus \$56.78 per ESD for the park component, the annual parcel street component assessment for Zone 107 is proposed to be \$276.05 per parcel plus \$56.78 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 2013 annual Consumer Price Index (CPI) of +2.2%, or established 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):	\$ 619.86	-	\$ 218.80
Zone 101 - Shiloh Oaks at Build Out:	\$ 2,218.64	-	\$ 218.80
Zone 102 - Miscellaneous Supplemental Parks:	-		\$ 218.80
Zone 103 - Windsor Redwoods	-	\$ 6,005.77	\$ 218.80
Zone 104 - Manzanita Subdivision	-	\$ 221.48	\$ 218.80
Zone 105- G&C Auto Body	-	\$ 1,873.80	\$ 218.80
Zone 107 – Berry Lane (East) at Build Out		\$ 244.07	\$ 218.80
Zone 107 – Berry Lane (East) until Build Out		\$ 276.05	\$ 218.80

**WHEREAS**, to ensure that sufficient funds are available in each of the zones within this assessment district to cover unanticipated costs and funding delays over the course of any given year, a reserve fund policy to maintain between 50% and 60% of the annual non-parks portion of the budget for each zone needs to be established by the Town Council.

**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, 105 and 107, 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 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 in order to ensure sufficient funds are available, the Town Council approves the reserve fund policy to build and maintain a 50% and 60% reserve of the annual non-parks portion of the budget; and

**BE IT FURTHER RESOLVED** that an informal public information meeting regarding this Assessment District will be held by Town staff on June 23, 2014 at 5:00 pm in Building 400 of the Windsor Civic Center, 9291 Old Redwood Highway in Windsor, and a public protest hearing will be held by the Town Council on Wednesday, July 16, 2014 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 annexation of new

parcels, establishment of a minimum reserve policy, changes to the assessment amounts and authorization to levy and collect assessments for Fiscal Year 2014-15; 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 7th day of May, 2014 by the following vote:**

**AYES: COUNCILMEMBERS ALLEN, FUDGE, GOBLE, SALMON AND  
MAYOR OKREPKE**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

  
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**BRUCE OKREPKE, MAYOR**

**ATTEST:**

  
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**MARIA DE LA O, TOWN CLERK**