

**RESOLUTION NO. 3107-14**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE  
ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS, AND  
AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL  
YEAR 2014-15 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 FY 2014-15, 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 5, 2014, 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 2014-15; 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 May 7, 2014, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2014-15, preliminarily approved the annual Engineer's Report for FY 2014-15 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 2014-15, the total annual assessment for each Zone is proposed as follows:

Zone 101 (Shiloh Oaks)	\$27,518.56
Zone 102 (Miscellaneous Supplemental Parks)	\$369.07
Zone 103 (Windsor Redwoods)	\$5,899.90
Zone 104 (Manzanita Subdivision)	\$4,909.52
Zone 105 (G&C Auto Body)	\$1,216.46
Zone 107 (Berry Lane (East))	\$665.66

**WHEREAS**, in order to keep up with inflation, the maximum annual assessments at build out for Zones 101, 102, 103, 104 and 105 are proposed to be increased by the 2013 Consumer Price

Index (CPI) of +2.20%, 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 is one annexation into existing Zone 102 (Miscellaneous Supplemental Parks) proposed; and

**WHEREAS**, a new Zone 107 (Berry Lane (East)) is proposed with two annexations; and

**WHEREAS**, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zone 107 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 Proposition 218, notices and ballots were mailed out to those property owners whose properties are proposed for annexation into LLAD-2; and

**WHEREAS**, on June 23, 2014, Town staff held the required public information meeting; and

**WHEREAS**, on July 16, 2014, 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 for inclusion of Zone 107; however ballots representing a majority written protest have been made by the Kittyhawk Development for annexation into Zone 102; and

**WHEREAS**, as in previous years, publicly owned property will not be assessed during FY 2014-15 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.

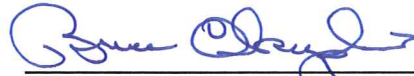
**NOW THEREFORE BE IT RESOLVED** that the Town Council of the Town of Windsor hereby:

1. Approves the FY 2014-15 Annual Engineer's Report for the Windsor Landscaping and Lighting Assessment District No. 2 as prepared and filed
2. Authorizes the creation of new Zone 107 with allowed annual CPI increases to the maximum annual assessments in order to keep up with inflation
3. Authorizes the annexation of property into Zone 107 of the Windsor Landscaping and Lighting Assessment District No. 2 as specified in the Engineer's Report

4. Authorizes the establishment of a minimum reserve policy of 50% to 60% as specified in the Engineer's Report
5. Confirms the assessment diagram, 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 2014-15 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)
6. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

**PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of July 2014, by the following vote:**

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



**BRUCE OKREPKE, MAYOR**

**ATTEST:**

  
**MARIA DE LA O, TOWN CLERK**