

**RESOLUTION NO. 3222-15**

**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 2015-16 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 2015-16, 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 February 18, 2015, 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 2015-16; 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 15, 2015, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2015-16, preliminarily approved the annual Engineer's Report for FY 2015-16 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 Zone 109 the Fiscal Year 2015-16 annual street component assessment has been revised from the submitted Engineer's Report to \$3,742.75 per parcel unit; and

**WHEREAS**, for Zone 109 the current maximum annual street component assessment has been revised from the submitted Engineer's Report to \$9,757.50 per parcel unit at buildout; and

**WHEREAS**, for FY 2015-16, the total annual assessment for each Zone is proposed as follows:

Zone 101 (Shiloh Oaks)	\$27,915.86
Zone 102 (Miscellaneous Supplemental Parks)	\$317.57
Zone 103 (Windsor Redwoods)	\$3,753.10
Zone 104 (Manzanita Subdivision)	\$1,270.28

Zone 105 (G&C Auto Body)	\$1,151.18
Zone 107 (Berry Lane (East))	\$650.54
Zone 108 (Bell Village Commercial)	\$18,382.92
Zone 109 (Bell Village Residential)	\$3,771.62
Zone 110 (Holiday Inn)	\$1,335.57
Zone 111 (Evans/Drew Industrial Phase 2)	\$2,334.87

**WHEREAS**, in order to keep up with inflation, the maximum annual assessments at build out for Zones 101, 102, 103, 104, 105 and 107 are proposed to be increased by the 2014 Consumer Price Index (CPI) of +2.80%, 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 four new zones proposed, each with a single parcel annexation as follows:

- Zone 108 - Bell Village Commercial
- Zone 109 - Bell Village Residential
- Zone 110 - Holiday Inn
- Zone 111 - Evans/Drew Industrial Subdivision Phase 2; and

**WHEREAS**, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zones 108, 109, 110 and 111 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 May 18, 2015, Town staff held the required public information meeting; and

**WHEREAS**, on June 17, 2015, the Town Council opened a public hearing and continued it to July 15, 2015; and

**WHEREAS**, on July 15, 2015, the Town Council opened a public hearing and continued it to August 5, 2015; and

**WHEREAS**, on August 5, 2015, 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 2015-16 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 2015-16 Annual Engineer's Report for the Windsor Landscaping and Lighting Assessment District No. 2 as prepared, filed and revised here.
2. Authorizes the creation of four new zones, Zones 108, 109, 110 and 111 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 108, 109, 110 and 111 of the Windsor Landscaping and Lighting Assessment District No. 2 as specified in the Engineer's Report.
4. 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 as revised here and authorizes the levy and collection of assessments as set forth in said report for FY 2015-16 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 - Bell Village Residential
  - Zone 110 - Holiday Inn
  - Zone 111 - Evans/Drew Industrial Subdivision Phase 2
5. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

**PASSED, APPROVED AND ADOPTED this 5th day of August 2015, by the following vote:**

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

  
**BRUCE OKREPKIE, MAYOR**

**ATTEST:**

  
**MARIA DE LA O, TOWN CLERK**