

RESOLUTION NO. 3281-16

**A RESOLUTION OF INTENTION BY THE TOWN COUNCIL OF THE TOWN OF WINDSOR INDICATING INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS, PRELIMINARILY APPROVE THE FISCAL YEAR 2016-17 ANNUAL ENGINEER'S REPORT 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 PROTEST 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 2016-17. 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, on March 2, 2016, the Town Council adopted Resolution No. 3259-16 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 2016-17; 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, the operation and maintenance to be made to the improvements for the upcoming Fiscal Year 2016-17 in LLAD-2 are generally described as follows:

Zone 101: Shiloh Oaks - including the operation and maintenance of street landscaping, irrigation and street lighting located in public street rights of way in the Shiloh Oaks area, as well as park maintenance 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 - including park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 103: Windsor Redwoods – including the operation and maintenance of street lighting located in public rights of way within Windsor Redwoods, along with park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 104: Manzanita Subdivision - including the operation and maintenance of street lighting located in public rights of way within Manzanita Subdivision, along with park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 105: G&C Auto Body - including the operation and maintenance of street lighting located in public rights of way within the G&C Auto Body development, along with park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 107: Berry Lane (East) - including the operation and maintenance of street lighting located in public rights of way on the easterly side of Berry Lane, along with park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 108: Bell Village Commercial - including the operation and maintenance of street landscaping, irrigation and street lighting located in public street rights of way in the proposed commercial portion of Bell Village Commercial Center Phase 1, Town file No. MJS 09-17, as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 109: Vintage Oaks on the Town Green (previously Bell Village Residential) - including the operation and maintenance of street landscaping, irrigation and street lighting located in public rights of way of the proposed residential portion of Bell Village Commercial Center Phase 1, Town file No. MJS 09-17, as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 110: Holiday Inn - including the operation and maintenance of street lighting located in public rights of way of the Holiday Inn development as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 111: Evans/Drew Industrial Phase 2 - including the operation and maintenance of street lighting located in public rights of way of Evans/Drew Industrial Subdivision Phase 2 as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 112: Esposti Park Place - including the operation and maintenance of street lighting located in public rights of way of Esposti Park Place, Town file No. DRR 12-28, as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 113: Victoria Oaks - including the operation and maintenance of street landscaping, irrigation and street lighting located in public rights of way of the Victoria Oaks subdivision, Town File No. MJS 05-28, as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

Zone 114: Overlook - including the operation and maintenance of street lighting located in public rights of way of the Overlook Subdivision, Town file No. MJS 98-42, as well as park maintenance within existing Zone 1 (Parks) as identified in LLAD-1; and

WHEREAS, 1200 American Way is proposed for annexation into existing Zone 102; Esposti Park Place is proposed for annexation into new Zone 112; Victoria Oaks is proposed for annexation into new Zone 113; Overlook is proposed for annexation into new Zone 114; and

WHEREAS, landscape maintenance is being added to existing Zone 109, causing the maximum annual assessment to be increased beyond the annual allowed cost of living increase; and

WHEREAS, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, new Zones 112, 113 and 114 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 2016-17, the annual revenue from each zone is proposed to be as follows:

- Zone 101 - \$29,022.01;
- Zone 102 - \$230.78;
- Zone 103 - \$3,830.45;
- Zone 104 - \$4,359.30;
- Zone 105 - \$1,294.76;
- Zone 107 - \$893.92;
- Zone 108 - \$18,033.46;
- Zone 109 - \$10,968.70;
- Zone 110 - \$1,599.17;
- Zone 111 - \$1,265.47;
- Zone 112 - \$3,858.17;
- Zone 113 - \$29,337.87;
- Zone 114 - \$2,387.23 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 2015 annual Consumer Price Index (CPI) of +2.60%, revised or established as follows:

<u>Zone</u>	Maximum Acreage Street Component Assessment	Maximum Parcel Street Component Assessment Current	Maximum Assessment at Buildout if Different	Maximum Park Component Assessment (per ESD)
Zone 101 - Shiloh Oaks (PM 05-24):	\$653.79	-	\$2,340.06	\$230.78
Zone 102 - Misc. Supplemental Parks:	-	-		\$230.78
Zone 103 - Windsor Redwoods	-	\$6,334.45		\$230.78
Zone 104 - Manzanita Subdivision	-	\$233.60		\$230.78
Zone 105- G&C Auto Body	-	\$1,976.35		\$230.78

Zone 107 - Berry Ln (East)	-	\$291.16	\$257.42	\$230.78
Zone 108 - Bell Village Commercial	-	\$18,090.74	\$5,413.18	\$230.78
Zone 109 - Vintage Oaks on the Town Green	-	\$19,261.00		\$230.78
Zone 110 - Holiday Inn	-	\$2,842.02		\$230.78
Zone 111 - Evans/Drew Indust. Ph 2	-	\$2,365.96	\$609.44	\$230.78
Zone 112 - Esposti Park Place	-	\$6,133.00		\$230.78
Zone 113 - Victoria Oaks	-	\$12,960.48	\$467.87	\$230.78
Zone 114 - Overlook	-	\$2,328.30	\$275.30	\$230.78

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, 107, 108, 109, 110, 111, 112, 113 and 114 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 an informal public information meeting regarding this Assessment District will be held by Town staff on May 23, 2016 at 5:00 p.m. 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, June 15, 2016 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, revision of maximum assessments, changes to the assessment amounts and authorization to levy and collect assessments for Fiscal Year 2016-17; 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; and

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 20th day of April 2016, by the following vote:

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



MARK MILLAN, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK