

RESOLUTION NO. 3388-17

**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 2017-18 FOR THE WINDSOR LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT NO. 2**

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 2017-18, 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 15, 2017, 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 2017-18; 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 3, 2017, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2017-18, preliminarily approved the annual Engineer's Report for FY 2017-18 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 2017-18, the total annual assessment for each Zone is proposed as follows:

Zone # (Name)	Total Assessment (Revenue)
Zone 101 (Shiloh Oaks)	\$29,909.25
Zone 102 (Miscellaneous Supplemental Parks)	\$397.68
Zone 103 (Windsor Redwoods)	\$4,308.20
Zone 104 (Manzanita Subdivision)	\$2,371.60
Zone 105 (G&C Auto Body)	\$725.28
Zone 107 (Berry Lane (East))	\$880.76

Zone (Name) Continued	Assessment Revenue (continued)
Zone 108 (Bell Village Commercial)	\$17,064.14
Zone 109 (Vintage Oaks on the Town Green)	\$17,914.70
Zone 110 (Holiday Inn)	\$1,647.00
Zone 111 (Russian River Brewing Company, previously Evans/Drew Industrial Subdivision Phase 2)	\$1,500.52
Zone 112 (Esposti Park Place)	\$3,387.12
Zone 113 (Victoria Oaks)	\$27,293.14
Zone 114 (Overlook)	\$1,582.82
Zone 115 (Los Amigos)	\$1,846.56

WHEREAS, in order to keep up with inflation, the maximum annual assessments at build out for Zones 101, through Zone 114 are proposed to be increased by the 2016 Consumer Price Index (CPI) adjustment of +3.00%, 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, Zone 115, Los Amigos Subdivision, is a new zone proposed with parcel annexation; and

WHEREAS, a revised maximum annual assessment is proposed for Zone 109; and

WHEREAS, a revised maximum annual assessment is proposed for Zone 113; and

WHEREAS, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zone 115, and the revised Zone 109 and revised Zone 113 maximum annual assessments 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 California Constitution Article XIII D, notices and ballots were mailed out to those property owners whose properties are affected by these procedures and annexations into LLAD-2; and

WHEREAS, on May 22, 2017, Town staff held the required public information meeting; and

WHEREAS, on June 21, 2017, 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 2017-18 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 2017-18 Annual Engineer's Report for the Windsor Landscaping and Lighting Assessment District No. 2 as prepared and filed
2. Authorizes the creation of one new zone, Zone 115, 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 115 of the Windsor Landscaping and Lighting Assessment District No. 2 as specified in the Engineer’s Report
4. Authorizes the revised maximum annual assessment of Zones 109 and 113 with allowed annual CPI increases to the maximum annual assessments in order to keep up with inflation
5. 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 authorizes the levy and collection of assessments as set forth in said report for FY 2017-18 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 – Vintage Oaks on the Town Green
 - Zone 110 - Holiday Inn
 - Zone 111 – Russian River Brewing Company (previously Evans/Drew Industrial Subdivision Phase 2)
 - Zone 112 - Esposti Park Place
 - Zone 113 - Victoria Oaks
 - Zone 114 – Overlook
 - Zone 115 – Los Amigos Subdivision
6. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

PASSED, APPROVED AND ADOPTED this 19th day of July 2017 by the following vote:

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



DEBORA FUDGE, MAYOR

ATTEST:




MARIA DE LA O, TOWN CLERK