

RESOLUTION NO. 3527-19

**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 2019-20 FOR THE WINDSOR LANDSCAPING AND LIGHTING
SPECIAL ASSESSMENT DISTRICT
(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 Special Assessment District (LLAD-1) during FY 2019-20, 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 20, 2019, the Town Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work for LLAD-1, directing the preparation and filing of the annual Engineer's Report and describing the potential changes for FY 2019-20; 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 1, 2019, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2019-20, preliminarily approved the annual Engineer's Report for FY 2019-20 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 2019-20 the annual assessments to levy and collect in Zones 1, 2, 3, 4 and 6 are proposed to stay the same as levied and collected during FY 2019-19; and

WHEREAS, for FY 2019-20 the annual assessment to levy and collect in Zone 5 is proposed to be reduced from the assessment levied and collected during FY 2019-19; and

WHEREAS, for Fiscal Year 2019-20, the annual assessment to be levied for Zone 1 (Parks) is proposed at \$50.00 per Equivalent Single-Family Dwelling ("ESD") and the proposed full assessment is \$115.08 per ESD, the annual assessment for Zone 2 (Street Lights) is proposed at \$21.18 per ESD, the annual assessment for Zone 3 (Street Landscaping) is proposed at \$34.34 per ESD, the annual assessment for Zone 4 (Bluebird/Starr View Area Lights) is proposed at \$0.00 per ESD, the annual assessment for Zone 5 (Shadetree Drive Oak Tree) is proposed at \$1.78 per ESD and the annual assessment for Zone 6 (Senior Center) is proposed at \$200.00 per ESD; and

WHEREAS, in order to keep up with inflation, the current maximum annual assessment in Zone 6 is proposed to be increased by the 2018 Bay Area Consumer Price Index (CPI) of +4.5% to \$227.28; and

WHEREAS, for FY 2019-20 no annexations are proposed to LLAD-1; and

WHEREAS, notice of the public protest hearing was given by publication in accordance with the Landscaping and Lighting Act of 1972; and

WHEREAS, on June 19, 2019, 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 protest; and

WHEREAS, as in previous years, publicly owned property will not be assessed during FY 2019-20, and any benefit received by these properties is paid for by the General Fund Contribution; and

WHEREAS, this resolution is adopted in accordance with Section 22631 of the Street and Highways Code.

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

1. Approves the annual FY 2019-20 Engineer's Report as prepared and filed.
2. Confirms the assessment diagrams and the annual assessments 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 2019-20 for each of the following Zones:
 - Zone 1 – Parks
 - Zone 2 – Street Lights
 - Zone 3 – Street Landscaping
 - Zone 4 – Bluebird & Starr View Street Lights
 - Zone 5 - Shadetree Drive Park
 - Zone 6 – Senior Center
3. Approves the allowance for an annual increase to the maximum assessment in Zone 6 in accordance with 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;
4. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

PASSED, APPROVED AND ADOPTED this 19th day of June 2019, by the following vote:

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



DOMINIC FOPPOLI, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK