

RESOLUTION NO. 2469-09

**A RESOLUTION OF INTENTION BY THE TOWN COUNCIL
OF THE TOWN OF WINDSOR INDICATING INTENTION TO LEVY AND COLLECT
ANNUAL ASSESSMENTS, PRELIMINARILY APPROVE THE ANNUAL ENGINEER'S
REPORT FOR THE WINDSOR LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT No. 2 FOR FISCAL YEAR 2009-10 AND SET THE TIMES AND DATES OF
THE PUBLIC INFORMATION MEETING AND THE PUBLIC 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 (LLAD-2) during the Fiscal Year 2009-10. 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, the boundaries of the assessment district, any zones therein and the proposed assessments upon assessable lots and parcels within the assessment district; and

WHEREAS, the operation and maintenance to be made to the improvements for the upcoming fiscal year 2009-10 in LLAD-2 are generally described as follows:

Zone 101: A street component including the operation and maintenance of street landscaping, irrigation and street lighting located in public street rights of way in the Shiloh Oaks area, and a park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in the Town of Windsor Landscaping and Lighting Special Assessment District (LLAD-1); and

Zone 102: A park component including the landscaping and irrigation within existing Zone 1 (Parks) as identified in LLAD-1; and

WHEREAS, on March 18, 2009 the Town Council adopted a resolution 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 2009-10; 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 that Preliminary Engineer's Report for a full and detailed description of the improvements, the boundary of the Zones within the Assessment District and the proposed assessments upon assessable lots and parcels of land within the Assessment District for Fiscal Year 2009-10; and

WHEREAS, for Fiscal Year 2009-10, the annual street component assessment for Zone 101 (Shiloh Oaks) is proposed as \$502.00 per acre or portion thereof plus \$36.54 per Equivalent Single-Family Dwelling (ESD) per parcel for the park component; and the park component

annual assessment for Zone 102 (Miscellaneous Supplemental parks) is proposed as \$36.54 per ESD; and

WHEREAS, in order to keep up with inflation, the street component maximum annual assessment at build out of Zone 101 (Shiloh Oaks) is proposed to be increased by the 2008 Consumer Price Index (CPI) of +3.10% from \$1,957.00 per acre or portion thereof to \$2,017.67 per acre or portion thereof; plus the park component maximum annual assessment of \$193.00 is proposed to be increased by the same 2008 CPI from \$193.00 to \$198.98; and

WHEREAS, the estimated park component maximum annual assessment for Zone 102 (Miscellaneous Supplemental Parks) is proposed to be set at \$198.98; and

WHEREAS, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zone 102 shall include an allowance for an annual increase to the estimated maximum annual assessments in accordance with the annual CPI. 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, this Resolution is adopted pursuant to Section 22620 et al of the California Streets and Highways Code;

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, Zone 102 and Zone 1, in connection with Assessment District-2 as described in the Engineer's Report as prepared and filed with the Town Clerk; and

BE IT FURTHER RESOLVED that an annual CPI increase to the maximum annual assessment at build out shall be allowed in order to keep up with inflation; and

BE IT FURTHER RESOLVED that an informal public information meeting regarding this Assessment District will be held by Town staff on June 8, 2009 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, July 15, 2009 at 6:00 p.m. or as soon thereafter as the matter may be heard at Windsor Civic Center, 9291 Old Redwood Highway, Windsor. At the public protest hearing, the Town Council will consider authorization to levy and collect assessments for Fiscal Year 2009-10; 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.

PASSED, APPROVED AND ADOPTED this 20th day of May 2009, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON, SCHOLAR AND
MAYOR GOBLE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



ROBIN R. GOBLE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK