

**RESOLUTION NO. 2718-10**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE  
ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS, AND  
AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL  
YEAR 2010-11 FOR THE WINDSOR LANDSCAPING AND LIGHTING ASSESSMENT  
DISTRICT No. 2 (LLAD-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 2010-11, 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 17, 2010, the Town Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work for the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2), directing the preparation and filing of the annual Engineer's Report and describing the potential changes for FY 2010-11; 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 19, 2010, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2010-11, preliminarily approved the annual Engineer's Report for FY 2010-11 as filed and set the times and dates of the public information meeting and public hearing pursuant to section 22624 of the Streets and Highways Code; and

**WHEREAS**, for Zone 101 for FY 2010-11, the annual Acreage Street Component assessment to levy and collect is to go down slightly, and the Park Component assessment for Zones 101 and 102 to levy and collect are to go up; and

**WHEREAS**, in order to keep up with inflation, the maximum annual assessments at build out for Zones 101 and 102 are proposed to be increased by the 2009 CPI of +0.70%; and

**WHEREAS**, for FY 2010-11 there is one annexation into existing Zone 102 (Miscellaneous Supplemental Parks) proposed; and

**WHEREAS**, for FY 2010-11 a new Zone 103 (Windsor Redwoods), a new Zone 104 (Manzanita Subdivision), and a new Zone 105 (G & C Auto Body) are proposed for the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2) with one annexation each; and

**WHEREAS**, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zones 103, 104 and 105 shall include an allowance for an annual increase to the estimated maximum annual assessments in accordance with the annual Consumer Price Index (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**, notice of the public protest hearing was given by publication and by mailing in accordance to the Landscaping and Lighting Act of 1972; and

**WHEREAS**, pursuant to Proposition 218, notices and ballots were also mailed out to those property owners whose properties are proposed for annexation into the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2); and

**WHEREAS**, on June 7, 2010, Town staff held the required public information meeting; and

**WHEREAS**, on July 7, 2010, 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**, 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 2010-11 since it has been determined these properties receive no special benefit from the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2).

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

1. Approves the FY 2010-11 Annual Engineer's Report for the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2) as prepared and filed.
2. Authorizes the creation of new Zones 103, 104 and 105 with allowed annual CPI increases to the maximum annual assessments in order to keep up with inflation.
3. Authorizes the annexation of properties into Zones 103, 104 and 105 of the Windsor Landscaping and Lighting Assessment District No. 2 (LLAD-2) as specified in the Engineer's Report.
4. Confirms the assessment diagram, 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 2010-11 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

5. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

**PASSED, APPROVED AND ADOPTED** this 7th day of July 2010, by the following vote:

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


**NOES:** NONE

**ABSTAIN:** NONE

**ABSENT:** NONE

  
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SAM SALMON, MAYOR

**ATTEST:**

  
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BRIGITTE GRAHAM, DEPUTY TOWN CLERK