

RESOLUTION NO. 2819-11

**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 2011-12 FOR THE WINDSOR LANDSCAPING AND LIGHTING
SPECIAL ASSESSMENT DISTRICT (LLAD-1)
(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 2011-12, 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 16, 2011, 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 2011-12; 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 4, 2011, the Town Council adopted a Resolution of Intention to levy and collect annual assessments during FY 2011-12, preliminarily approved the annual Engineer's Report for FY 2011-12 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 FY 2011-12 the annual assessments to levy and collect in Zones 1, 2, 3, 4, 5 and 6 are proposed to stay the same as levied and collected during FY 2010-11; and

WHEREAS, for FY 2011-12 there are two annexations into existing Zone 2 (Street Lights) proposed; and

WHEREAS, pursuant to Proposition 218, notices and ballots were mailed out to those property owners whose properties are proposed for annexation into LLAD-1; and

WHEREAS, on June 6, 2011, Town staff held the required public information meeting; 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 July 6, 2011, 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 2011-12 since it has been determined these properties receive no special benefit from the Landscaping and Lighting Special Assessment District (LLAD-1).

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

1. Approves the annual FY 2011-12 Engineer's Report as prepared and filed.
2. Authorizes the annexation of properties into Zone 2 of the Windsor Landscaping and Lighting Special Assessment District (LLAD-1) as specified in the Engineer's Report.
3. Confirms the assessment diagram 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 the said report for FY 2011-12 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
4. Adopts this resolution pursuant to Section 22631 of the Street and Highways Code.

PASSED, APPROVED AND ADOPTED this 6th day of July 2011, by the following vote:

AYES: COUNCILMEMBERS FUDGE, GOBLE, SALMON, SCHOLAR AND
MAYOR ALLEN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



STEVE ALLEN, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK