

**RESOLUTION NO. 3194-15**

**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF WINDSOR INDICATING INTENTION TO LEVY AND COLLECT  
ANNUAL ASSESSMENTS, PRELIMINARILY APPROVE THE FISCAL YEAR 2015-16  
ENGINEER'S REPORT FOR THE WINDSOR 1982 ACT BENEFIT ASSESSMENT  
DISTRICT (82-AAD) AND SET THE TIME AND DATE OF THE PUBLIC  
INFORMATION MEETING AND THE PUBLIC PROTEST HEARING  
(Pursuant to the Benefit Assessment Act of 1982)**

**WHEREAS**, on August 6, 2008 by Resolution No. 2338-08 the Town Council formed the Windsor 1982 Act Benefit Assessment District (82-AAD) pursuant to the Benefit Assessment Act of 1982 (Government Code Sections 54703-54719) which consisted of one Zone, (Zone 101, Shiloh Oaks); and

**WHEREAS**, on February 18, 2015 the Town Council approved Resolution No. 3169-15 appointing the Engineer of Work of Assessment District-82A, pursuant to the Benefit Assessment Act of 1982, and directed the preparation of an Engineer's Report for the annexation of new zones into 82-AAD; and

**WHEREAS**, Bell Village Commercial Center is slated for annexation into two new zones, (Zone 108 and Zone 109), Holiday Inn is slated for annexation as a new Zone 110 and Evans/Drew Industrial Phase 2 is slated for annexation as a new Zone 111, all in 82-AAD; and

**WHEREAS**, the new proposed zone assessments are for the operation, maintenance and other incidental costs associated with the flood control, drainage facilities and storm water quality, improvements more specifically identified as follows:

Zone 108: Bell Village Commercial. Storm water quality features (tree pod and cudo units) associated with the commercial portion of the Bell Village Subdivision improvements;

Zone 109: Bell Village Residential. Storm water quality features (tree pod and cudo units) associated with the residential portion of the Bell Village Subdivision improvements;

Zone 110: Holiday Inn. Storm water quality features and flood control (tree pod units and riparian area management) associated with the Holiday Inn improvements;

Zone 111: Evans/Drew Industrial Phase 2. Drainage facilities and storm water quality and flood control features (bio-retention beds and channel maintenance) associated with the Evans/Drew Industrial Phase 2 improvements; and

**WHEREAS**, to ensure that sufficient funds are available in each of the zones within this assessment district to cover unanticipated costs and funding delays over the course of any given year, a reserve fund policy to maintain between 50% and 60% of the annual budget for each zone needs to be established by the Town Council; and

**WHEREAS**, Coastland Civil Engineering has prepared and filed with the Town the Engineer's Report as required by Section 54716 of the Government Code; and

**WHEREAS**, all interested persons are referred to that Engineer's Report for a full and detailed description of the improvements, the boundaries of all Zones and the basis and schedule of the

proposed assessments upon assessable lots and parcels of land within 82-AAD for Fiscal Year 2015-16; and

**WHEREAS**, for Fiscal Year 2015-16, the annual assessment for Zone 108 as identified in the Engineer's Report is proposed as \$18,121.60 per Parcel and the estimated maximum annual assessment at build out as \$20,688.00 for the entire parcel; and

**WHEREAS**, for Fiscal Year 2015-16, the annual assessment for Zone 109 as identified in the Engineer's Report is proposed as \$20,947.00 per Parcel Unit and the estimated maximum annual assessment at build out as \$23,969.00 per Parcel Unit; and

**WHEREAS**, for Fiscal Year 2015-16, the annual assessment for Zone 110 as identified in the Engineer's Report is proposed as \$3,352.80 per Parcel Unit and the estimated maximum annual assessment at build out as \$10,392.00 per Parcel Unit; and

**WHEREAS**, for Fiscal Year 2015-16, the annual assessment for Zone 111 as identified in the Engineer's Report is proposed as \$5,426.10 per Parcel Unit and the estimated maximum annual assessment at build out as \$6,240.00 for the entire parcel; and

**WHEREAS**, in order to take inflation into account, Zones 108, 109, 110 and 111 shall include an allowance for an annual increase to the estimated maximum assessments by the annual Consumer Price Index (CPI); and

**WHEREAS**, this Resolution is adopted pursuant to Section 54716 of the California Government Code.

**NOW, THEREFORE BE IT RESOLVED** that the Town Council of the Town of Windsor hereby notices the intention to levy and collect the stated annual assessments and preliminarily approves the Engineer's Report including the estimate of costs and expenses of operating and maintaining the said improvements and the incidental expenses in connection with Zones 108, 109, 110 and 111 of 82-AAD as described in the Fiscal Year 2015-16 Engineer's Report as filed with the Town Clerk; and

**BE IT FURTHER RESOLVED** that in order to take inflation into account, the Town Council approves the allowance for an annual increase to estimated maximum assessments in accordance with the 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; and

**BE IT FURTHER RESOLVED** that in order to ensure sufficient funds are available, the Town Council approves the reserve fund policy to build and maintain a 50% to 60% reserve of the annual budget; and

**BE IT FURTHER RESOLVED** that an informal public information meeting regarding this Assessment District will be held by Town staff on May 18, 2015 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, June 17, 2015 at 6:00 p.m. or as soon thereafter as the matter may be heard at the Windsor Civic Center, 9291 Old Redwood Highway, Windsor. At the public protest hearing, the Town Council will consider the annexations to this assessment district and authorization to levy and collect assessments; and

**BE IT FURTHER RESOLVED** that the Town Clerk is authorized and directed to give the Notice of Hearing as required by the 1982 Act Benefit Assessment District regulations as set forth in Section 6066 of the Government Code for said public hearing.

**PASSED, APPROVED AND ADOPTED** this 15th day of April 2015, by the following vote:

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



**MARK MILLAN, VICE MAYOR**

**ATTEST:**



**MARIA DE LA O, TOWN CLERK**