

RESOLUTION NO. 2246-08

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
APPOINTING THE ENGINEER OF WORK AND DIRECTING PREPARATION AND
FILING OF AN ENGINEER'S REPORT FOR THE TOWN OF WINDSOR 1982 ACT
BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2008/2009
(PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982)**

WHEREAS, the Shiloh Oaks Subdivision has recently received subdivision and use permit approvals for several large heavy industrial parcels south of Shiloh Road; and

WHEREAS, the Shiloh Oaks Subdivision includes improvements of a portion of Airport Creek for drainage and flood control purposes, specifically benefiting the Shiloh Oaks subdivided lands; and

WHEREAS, upon completion of the flood control improvements, ownership and maintenance responsibility will be transferred to the Town; and

WHEREAS, a funding mechanism for the maintenance of these flood control facilities, reflecting the special benefits they provide to the properties of the associated development, is required; and

WHEREAS, the formation of a benefit assessment district pursuant to the provision of the Benefit Assessment Act of 1982 (Government Code Sections 54703-54720) would provide such a mechanism; and

WHEREAS, the Town and the Developer wish to form the benefit assessment district to finance the maintenance of said flood control facilities; and

WHEREAS, in accordance with Government Code Section 54716 a written report must be prepared by the Engineer of Work and filed with the Town describing the services proposed, the parcels that will be included within the benefit assessment district, the amount of the proposed assessment on each lot and the basis and schedule of the assessments; and

WHEREAS, Coastland Civil Engineering has served as Engineer of Work for preparation and filing of Engineer's Reports for several assessment districts for the Town of Windsor; and

WHEREAS, in said previous service Coastland Civil Engineering has demonstrated its expertise in assessment district proceedings; and

WHEREAS, the appointment of an Engineer of Work is required to undertake proceedings for said 1982 Act Benefit Assessment District and preparation of the associated Engineer's Report;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor hereby approves the formation of an assessment district pursuant to the Benefit Assessment Act of 1982 to finance the maintenance of flood control facilities within the Shiloh Oaks Development; and

BE IT FUTHER RESOLVED that the 1982 Act Benefit Assessment District will be subject to the future addition of other developments to this district; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Windsor appoints Coastland Civil Engineering as Engineer of Work and directs the preparation and filing of the Engineer's Report for the initial fiscal year 2008/2009 for this proposed assessment district, pursuant to Section 54716 of the California Government Code.

PASSED, APPROVED AND ADOPTED this 19th day of March 2008 by the following vote:

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


DEBORA FUDGE, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK