

RESOLUTION NO. 2697-10

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF WINDSOR INDICATING INTENTION TO LEVY AND COLLECT
ANNUAL ASSESSMENTS, PRELIMINARILY APPROVE THE ENGINEER'S REPORT
FOR FISCAL YEAR 2010-11 FOR THE WINDSOR 1982 ACT BENEFIT ASSESSMENT
DISTRICT (82-AAD) AND SET THE DATES OF THE PUBLIC INFORMATION
MEETING AND THE PUBLIC 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 (Assessment District-82A) 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 17, 2010 the Town Council approved Resolution No.2614-10 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 Assessment District-82A; and

WHEREAS, Windsor Redwoods is slated for annexation as a new Zone 103 and Manzanita Subdivision is slated for annexation as a new Zone 104 into Assessment District-82A; and

WHEREAS, the new 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 103: Windsor Redwoods. Storm water quality features (tree pod units) and swale maintenance associated with the Windsor Redwoods Subdivision improvements

Zone 104: Manzanita Subdivision. Storm water quality features (tree pod units) associated with the Manzanita Subdivision improvements; 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 Assessment District-82A for Fiscal Year 2010-11; and

WHEREAS, for Fiscal Year 2010-11, the annual assessment for Zone 103 as identified in the Engineer's Report is proposed as \$3,793.90 per Parcel Unit and the estimated maximum annual assessment as \$4,145.90 per Parcel Unit; and

WHEREAS, for Fiscal Year 2010-11, the annual assessment for Zone 104 as identified in the Engineer's Report is proposed as \$9,839.50 per Parcel Unit and the estimated maximum annual assessment at build out (22 parcels) as \$467.45 per Parcel Unit; and

WHEREAS, in order to take inflation into account, Zones 103 and 104 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 103 and 104 of Assessment District-82A as described in the Fiscal Year 2010-11 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.

BE IT FURTHER RESOLVED that an informal public information meeting regarding this Assessment District will be held by Town staff on Monday, June 7, 2010 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 7, 2010 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.

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 19th day of May 2010, by the following vote:

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



SAM SALMON, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK