

**RESOLUTION NO. 2716-10**

**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF WINDSOR APPROVING THE WINDSOR 1982 ACT  
BENEFIT ASSESSMENT DISTRICT ENGINEER'S REPORT, CONFIRMING  
THE ASSESSMENT DIAGRAM AND THE ASSESSMENT AMOUNTS AND  
AUTHORIZING THE ANNUAL LEVY AND COLLECTION OF  
ASSESSMENTS (82-AAD)**

(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; and

**WHEREAS**, on February 17, 2010, the Town Council approved Resolution No. 2614-10 appointing the Engineer of Work of the Windsor 1982 Act Benefit Assessment District (82-AAD), pursuant to the Benefit Assessment Act of 1982, and directed the preparation of an Engineer's Report for the annexation of new zones into the Windsor 1982 Act Benefit Assessment District (82-AAD) pursuant to Government Code Section 54716; 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 the Windsor 1982 Act Benefit Assessment District (82-AAD); 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 the Windsor 1982 Act Benefit Assessment District (82-AAD); and

**WHEREAS**, for Fiscal Year 2010-11, the annual assessment for Zone 101 as identified in the Engineer's Report is proposed to stay the same as FY 2009-10 with future year assessments up to the established maximum annual assessment plus allowed annual Consumer Price Index (CPI) increases; and

**WHEREAS**, for Fiscal Year 2010-11, the annual assessment for Zone 103 as identified in the Engineer's Report is proposed as \$1,680.80 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 \$4,420.90 per Parcel Unit and the estimated maximum annual assessment as \$8,160.00 per Parcel Unit, or \$370.91 per Parcel Unit at build-out of 22 parcels; and

**WHEREAS**, in order to take inflation into account, this assessment district, including new Zones 103 and 104, shall include an allowance for an annual increase or decrease to the estimated annual assessments by the annual CPI; and

**WHEREAS**, publicly owned property will not be assessed since it has been determined these properties receive no special benefit from the Assessment District; and

**WHEREAS**, notice of the public protest hearing was given by publication in accordance to the Benefit Assessment Act of 1982; and

**WHEREAS**, pursuant to Proposition 218, notices and ballots were also mailed out to those property owners whose properties are within the new Assessment District boundaries; 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 new assessments and the 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 annexations and annual assessments as specified in the Engineer's Report have not been made by the impacted property owners representing the land to be assessed; 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:

1. Approves the FY 2010-11 Engineer's Report for the Windsor 1982 Act Benefit Assessment District (82-AAD) as prepared and filed.
2. Authorizes the creation of new Zones 103 and 104 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 and 104 as specified in the Engineer's Report.
4. Confirms the assessment diagram, 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 each of the Zones:
  - a. Zone 101 – Shiloh Oaks
  - b. Zone 103 – Windsor Redwoods
  - c. Zone 104 – Manzanita Subdivision
5. Authorizes annual increases or decreases to annual assessments in proportion to the previous year's annual increase/decrease of the All Urban Consumers (San Francisco Area) CPI from the U. S. Department of Labor, Bureau of Labor Statistics, in order to keep up with inflation.
6. Adopts this resolution pursuant to Section 54716 of the California Government Code

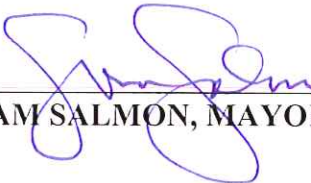
PASSED, APPROVED AND ADOPTED this 7th day of July, 2010 by the following vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



---

SAM SALMON, MAYOR

ATTEST:



---

BRIGITTE GRAHAM, DEPUTY TOWN CLERK