

RESOLUTION NO. 2265-08

**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 2008-09 FOR THE WINDSOR 1982 ACT BENEFIT ASSESSMENT
DISTRICT AND SET THE DATES OF THE PUBLIC INFORMATION MEETING AND
THE PUBLIC HEARING**

(Pursuant to the Benefit Assessment Act of 1982)

WHEREAS, on March 19, 2008 the Town Council approved Resolution No.2246-08 appointing the Engineer of Work, authorized the formation of an assessment district to fund the operation and maintenance of flood control improvements associated with the Shiloh Oaks Subdivision, pursuant to the Benefit Assessment Act of 1982 (Government Code Sections 54703-54719), and directed the preparation of an Engineer's Report for the formation of this district; and

WHEREAS, the assessments are for the operation, maintenance and other incidental costs associated with the flood control improvements associated with the Shiloh Oaks Subdivision (identified as Zone 101 in the Engineer's Report); 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 the Zone and the proposed assessments upon assessable lots and parcels of land within the Assessment District for Fiscal Year 2008-09; and

WHEREAS, for Fiscal Year 2008-09, the annual assessment for Zone 101 as identified in the Engineer's Report is proposed at \$935.77 per acre and the estimated build-out maximum assessment is \$1,228.95 per acre; and

WHEREAS, in order to take inflation into account, Zone 101 shall include an allowance for an annual increase to the estimated build-out maximum assessment 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 Zone 101 of the Assessment District as described in the Fiscal Year 2008-09 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 an informal public information meeting regarding this Assessment District will be held by Town staff on April 28, 2008 at 5:30 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 18, 2008 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 this assessment district and authorization to levy and collect assessments for Fiscal Year 2008-09; 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 16th day of April, 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