RESOLUTION NO. 4028-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING THE FISCAL YEAR 2025-26 ANNUAL ENGINEER'S REPORT FOR WINDSOR 1982 ACT BENEFIT ASSESSMENT DISTRICT, CONFIRMING THE ASSESSMENT DIAGRAMS 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 19, 2025, the Town Council approved Resolution No. 4006-25 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 Annual Engineer's Report for the annexation of a new zone into the Windsor 1982 Act Benefit Assessment District (82-AAD) pursuant to Government Code Section 54716; 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 2025-26, the annual assessments for Zones 101, 103, 104, 108, 109, 110, 113, 115, 116, 117, 119, 122, 123, 124 and 125 as identified in the Annual Engineer's Report, are proposed to remain at or below the established Maximum Annual Assessments for each zone plus allowed annual Consumer Price Index (CPI) increases; and

WHEREAS, Chevron Remodel is proposed for annexation into a new Zone 126 in 82-AAD; and

WHEREAS, the new proposed Zone 126 assessments are for the operation, maintenance and other incidental costs associated with the flood control, drainage facilities and storm water quality improvements; and

WHEREAS, for FY 2025-26, the initial 3-month assessment for Zone 126 is proposed to be $3,738.66 per parcel unit, with the estimated Maximum Annual Assessment of $22,195.93; and

WHEREAS, in order to take inflation into account, Zone 126 shall include an allowance for an annual increase to the estimated Maximum Annual Assessment by the annual Consumer Price Index (CPI); and

WHEREAS, Old Redwood Highway Village is proposed for annexation into a new Zone 127 in 82-AAD; and

WHEREAS, the new proposed Zone 127 assessments are for the operation, maintenance and other incidental costs associated with the flood control, drainage facilities and storm water quality improvements; and

WHEREAS, for FY 2025-26, the initial 6-month assessment for Zone 127 is proposed to be $1,588.64 per parcel unit, with the estimated Maximum Annual Assessment for the zone at build-out being $10,455.83; and

WHEREAS, in order to take inflation into account, Zone 127 shall include an allowance for an annual increase to the Maximum Annual Assessment by the annual Consumer Price Index (CPI); and

WHEREAS, Hembree Lane Oaks is proposed for annexation into a new Zone 128 in 82-AAD; and

WHEREAS, the new proposed Zone 128 assessments are for the operation, maintenance and other incidental costs associated with the flood control, drainage facilities and storm water quality improvements; and

WHEREAS, for FY 2025-26, the initial 3-month assessment for Zone 128 is proposed to be $8,006.88 per parcel unit, with the estimated Maximum Annual Assessment of $53,126.57; and

WHEREAS, in order to take inflation into account, Zone 128 shall include an allowance for an annual increase to the estimated Maximum Annual Assessment by the annual Consumer Price Index (CPI); and

WHEREAS, Clearwater is proposed for annexation into a new Zone 129 in 82-AAD; and

WHEREAS, the new proposed Zone 129 assessments are for the operation, maintenance and other incidental costs associated with the flood control, drainage facilities and storm water quality improvements; and

WHEREAS, for FY 2025-26, the initial 3-month assessment for Zone 129 is proposed to be $3,742.36 per parcel unit, with the estimated Maximum Annual Assessment for the zone at build-out being $24,361.22; and

WHEREAS, in order to take inflation into account, Zone 129 shall include an allowance for an annual increase to the estimated Maximum Annual Assessment by the annual Consumer Price Index (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 California Constitution Article XIIID, Section 4, notices and ballots were mailed on April 18, 2025, to those property owners whose properties are within the new Assessment District boundary; and

WHEREAS, on May 5, 2025, Town staff held the required public information meeting; and

WHEREAS, on June 4, 2025, 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 annexation as specified in the Engineer's Report 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 2025-26 Annual Engineer's Report for the Windsor 1982 Act Benefit Assessment District (82-AAD) as prepared, filed and revised here.
2. Authorizes the creation of new Zones 126, 127, 128 and 129 with allowed annual CPI increases to the maximum annual assessment in order to keep up with inflation.
3. Authorizes the annexation of property into Zones 126, 127, 128 and 129 as specified in the Engineer's Report.
4. Confirms the assessment diagrams, 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
    d. Zone 108 – Bell Village Commercial
    e. Zone 109 – Vintage Oaks on the Town Green
    f. Zone 110 – Holiday Inn
    g. Zone 113 – Victoria Oaks
    h. Zone 115 – Los Amigos Subdivision
    i. Zone 116 – Windsor Veterans Village
    j. Zone 117 – 300 Arata Lane
    k. Zone 119 – Shiloh Terrace
    l. Zone 122 – Shiloh Crossing
    m. Zone 123 – Draper Estates
    n. Zone 124 – Shiloh Mixed Use
    o. Zone 125 – 6500 Old Redwood Highway
    p. Zone 126 – Chevron Remodel
    q. Zone 127 – Old Redwood Highway Villages
    r. Zone 128 – Hembree Lane Oaks
    s. Zone 129 – Clearwater

5. Authorizes annual increases to maximum annual assessments in proportion to the previous year's annual increase 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 4th day of June 2025, by the following vote:

AYES: **COUNCILMEMBERS LEEP, SALMON, WALL, VICE MAYOR POTTER AND MAYOR REYNOZA**
NOES: **NONE**
ABSTAIN: **NONE**
ABSENT: **NONE**

ROSA REYNOZA, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK