

RESOLUTION NO. OSB 03-12

**RESOLUTION OF THE OVERSIGHT BOARD
IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE
FORMER WINDSOR REDEVELOPMENT AGENCY
APPROVING AN ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND
SAFETY CODE SECTION 34177(j)**

WHEREAS, on December 29, 2011, the California Supreme Court issued its final decision in the litigation of *California Redevelopment Association v. Matosantos*, upholding Assembly Bill x1 26 (codified as Health and Safety Code §§34161-34191) (“ABx1 26”) and invalidating Assembly Bill x1 27 (the legislation that would have permitted redevelopment agencies to continue operation if their sponsoring jurisdiction agreed to make certain payments for the benefit of schools and special districts); and as a result, all California redevelopment agencies were dissolved, effective February 1, 2012; and

WHEREAS, pursuant to Health and Safety Code §34173(d), on January 11, 2012, by Resolution No. 2869-12, the Town Council of the Town of Windsor elected to become the successor agency to the Redevelopment Agency of the Town of Windsor (“Agency”); and

WHEREAS, pursuant to Health and Safety Code §34176(a), on January 11, 2012, by Resolution No. 2870-12, the Town Council of the Town of Windsor elected to become the successor agency and retain housing assets and functions of the Town of Windsor Redevelopment Agency (“Agency”); and

WHEREAS, Health and Safety Code §34171 (a), (b) and §34177(j) require the Oversight Board to approve an Administrative Budget for administrative costs of the Successor Agency.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency to the former Redevelopment Agency of the Town of Windsor, hereby finds and determines:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of an Administrative Budget through this Resolution does not commit the successor agency to any action that may have a significant effect on the environment. As a result, it does not constitute a project subject to the requirements of the California Environmental Quality Act in that pursuant to CEQA Guidelines Section 15061(b)(3), it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.


Section 3. Approval of Administrative Budget. The Oversight Board hereby approves the Administrative Budget, as required by Health and Safety Code §34171 (a), (b) and §34177(j).

Section 4. Transmittal of the Administrative Budget. The Town Manager or his designee, on behalf of the Successor Agency, is hereby authorized and directed to undertake any actions as are necessary to carry out the purposes of this Resolution including, without limitation, the execution of documents and all other actions, subject to any minor conforming, technical or clarifying changes approved by legal counsel. Such actions may include, but are not limited to (1) submitting the approved Administrative Budget as part of an approved ROPS to the Sonoma County Auditor-Controller for certification by an external auditor, either the county auditor-controller or its designee; and (2) submitting the Administrative Budget as part of the approved ROPS and to the Sonoma County Auditor-Controller; and (3) submitting the Administrative Budget as part of the approved ROPS to the California State Controller and the State of California Department of Finance, and posting the approved Administrative Budget as part of the approved ROPS on the successor agency's website.


Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of May, 2012.

**AYES: MEMBERS FUDGE, LEASURE, BERGMAN, HERRINGTON,
LAWRENCE, NELSON AND ROBERTS**
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE


DEBORA FUDGE, CHAIR

ATTEST:


MARIA DE LA O
CLERK OF THE OVERSIGHT BOARD