

**RESOLUTION NO. 2287-08**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
MAKING FINDINGS REQUIRED BY HEALTH AND SAFETY CODE  
SECTION 33445 FOR THE FUNDING OF THE KEISER PARK- PHASE 1  
BY THE REDEVELOPMENT AGENCY OF THE TOWN OF WINDSOR  
IN THE AMOUNT OF \$650,000**

**WHEREAS**, the Windsor Redevelopment Agency Board of Directors adopted Resolution 2070-07 on June 6, 2007, which adopted the budget and work plans for the Redevelopment Agency for Fiscal Years (FY) 2007-08 and 2008-09; and

**WHEREAS**, the Redevelopment Agency's work plan describes the redevelopment activities, projects and programs planned to be undertaken by the Agency during FY 2007-08 and 2008-09; and

**WHEREAS**, the Redevelopment Agency's work plan for FY 2007-08 and 2008-09 identified additional capital improvement projects that were necessary to include in the Implementation Plan; and

**WHEREAS**, on November 7, 2007, the Windsor Redevelopment Agency conducted a public hearing and adopted Resolution 2170-07 which approved the amended and restated Windsor Redevelopment Agency's Five-Year Implementation Plan to include among other projects and programs the Keiser Park Phase 1 Project on the Agency's list of proposed programs and expenditures; and

**WHEREAS**, the Windsor Redevelopment Agency allocates funding for certain redevelopment projects in the 2007-2012 Capital Improvement Program (CIP) including the Keiser Park Phase 1 Project; and

**WHEREAS**, the Windsor Redevelopment Agency proposes to partially fund the Keiser Park Phase 1 Project by contributing a total of \$650,000 to the Project from the Redevelopment Capital (non-housing) project fund for the front entry improvements that are part of the Phase 1 project including an improved entrance to Keiser Park from the Project Area, picnic and play facilities, and trail and pedestrian improvements; and

**WHEREAS**, Section 33445 of the California Health and Safety Code requires that the local legislative body shall make certain finding that the use of Redevelopment Agency funds for public improvements benefits the Project Area, assists in the elimination of blighting conditions and that no other reasonable means exist to finance the improvements; and

**WHEREAS**, the Windsor Redevelopment Agency's Five-Year Implementation Plan contains the following redevelopment goals and objectives regarding Windsor's downtown, residential neighborhoods in the Redevelopment Project Area adjacent to Keiser Park and the Keiser Park Phase 1 Project:

### Redevelopment Goals

- 1) Revitalize Windsor's historic downtown so that it may become an efficient and attractive center for commercial, residential, tourist, and office activity to serve a growing community.
- 2) Strengthen existing residential neighborhoods and expand the stock of affordable housing within the Project Area.

### Redevelopment Objectives

- 1) Improve vehicular and pedestrian accessibility to the historic downtown area from both within and outside the Project Area so that the downtown area may be redeveloped for modern commercial, civic, and related uses in accordance with the Town of Windsor's General Plan.
- 2) Provide public parks, open space, civic and community facilities in a manner that will create a focus of civic and economic activity facilitating overall development of the Project Area.
- 3) Assist in correcting public infrastructure and public open space deficiencies.;  
and

**WHEREAS**, pursuant to Health and Safety Code Section 33445, the Agency is authorized, with the consent of the Town Council, to pay part or all of the cost of construction of buildings and facilities that are publicly owned upon making the findings pursuant to Health and Safety Code Section 33445; and

**WHEREAS**, the findings required by Health and Safety Code Section 33445 is incorporated herein as a part of this resolution; and

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Windsor as follows:

1. The Town Council hereby finds and determines pursuant to Health and Safety Code Section 33445:
  - (a) That the Keiser Park Phase 1 Project is of primary benefit to the Redevelopment Project Area or the immediate area in which the Redevelopment Project is located. The Keiser Park Phase 1 Project will improve the entrance to Keiser Park from the Project Area, provide picnic and play facilities, and provide trail and pedestrian improvements. The main entrance to Keiser Park is located on Windsor River Road which is in the Redevelopment Project Area and is approximately 0.25 miles (1,000 feet) from the heart of Windsor's historic downtown. The Keiser Park Phase 1 Project includes access improvements that will improve vehicle and pedestrian accessibility to and from Keiser Park and the Redevelopment Project Area including the historic downtown. The Keiser Park

Phase 1 Project will continue to support Redevelopment Plan and Implementation Plan goals and objectives by providing an attractive center for commercial, residential, tourist and office activity that will facilitate overall development of the Project Area and strengthen existing residential neighborhoods by correcting public infrastructure and public open space deficiencies.

- (b) That no other reasonable means of financing the construction of the Keiser Park Phase 1 Project is available to the community. The current cost estimate for the Keiser Park Phase 1 project dated May 21, 2008 identifies a cost of approximately \$5.2 Million of which \$650,000 will be funded by the Windsor Redevelopment Agency. The Town of Windsor lacks the necessary financial resources including general fund revenue and or special assessments to fully fund the construction of the Keiser Park Phase 1 Project. Due to lack of sufficient general fund revenue, the major funding source identified for the Keiser Park Phase 1 Project is development impact fees. Due to an insufficient amount of development impact fee revenue to pay for identified park improvements, no other means of financing is available to pay for the Keiser Park Phase 1 project. None of the redevelopment funds used to construct the Keiser Park Phase 1 Project will be used to pay for employee or contractual services of any local government agency except for services directly relating to the construction of the Keiser Park Phase 1 Project; and
- (c) That the payment of funds for the Keiser Park Phase 1 Project will assist in the elimination of one or more blighting conditions inside the Redevelopment Project Area and is consistent with the Agency's Implementation Plan for the Redevelopment Project adopted pursuant to Health and Safety Code Section 33490. Keiser Park is a public Community Park that includes a seasonal creek and habitat restoration area that provides open space. The Keiser Park Phase 1 Project includes the following elements:
- i) Improved entrance to Keiser Park from Windsor River Road - this improvement will realign the entrance way to the Park is intended to improve vehicular and pedestrian accessibility to and from Old Downtown Windsor and Windsor River Road which is located in the Redevelopment Project Area; and
  - ii) Picnic and Play facilities - this improvement is intended to address the lack of neighborhood park facilities in the residential portion of the Redevelopment Project Area located west of downtown Windsor; and
  - iii) Trail and Pedestrian Improvements - this improvement is intended to enhance pedestrian access to the Park and from the project area and downtown Windsor.

Improvement of parks and open space was identified as a redevelopment objective necessary for the elimination of blight in the project area.

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of May 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