

RESOLUTION NO. 2561-09 RDA

**A RESOLUTION OF THE TOWN OF WINDSOR REDEVELOPMENT AGENCY
ACCEPTING THE PRELIMINARY PLAN FOR THE AREA PROPOSED TO BE ADDED TO
THE WINDSOR REDEVELOPMENT PROJECT BY THE PROPOSED FIFTH AMENDMENT
TO THE REDEVELOPMENT PLAN FOR THE WINDSOR REDEVELOPMENT PROJECT,
AND AUTHORIZING THE PREPARATION OF THE PRELIMINARY REPORT TO
AFFECTED TAXING ENTITIES**

WHEREAS, the Sonoma County Board of Supervisors adopted Ordinance No. 3378 on November 27, 1984, approving and adopting the Redevelopment Plan for the Windsor Redevelopment Project (“Redevelopment Plan” or “Plan”); and

WHEREAS, jurisdiction of the Windsor Redevelopment Project Area (“Project Area”) was transferred from the County of Sonoma Community Development Commission to the Town of Windsor Redevelopment Agency (“Agency”) by a Transfer Agreement dated February 24, 1993, and effective July 1, 1993, prepared pursuant to Health and Safety Code Section 33215; and

WHEREAS, the Agency, a public body corporate and politic is a redevelopment agency duly organized pursuant to Community Redevelopment Law [(CRL)] (California Health and Safety Code Section 33000 et seq.) and pursuant thereto has responsibility to carry out the Redevelopment Plan for the Project Area and to formulate a redevelopment project or projects within the Town of Windsor; and

WHEREAS, the Redevelopment Plan has been amended four times (as amended, the “Existing Plan”) to, among other things, conform the limits as required by Assembly Bill 1290, increase the financial limits, extend eminent domain and add public improvements, extend Plan effectiveness and debt repayment/receipt of tax increment per Senate Bill 1045 by one year for payments made to the Education Revenue Augmentation Fund (ERAF) in fiscal year 2003/04, and to extend Plan effectiveness and debt repayment/receipt of tax increment per Senate Bill 1096 for two years for payments made to the ERAF in fiscal years 2004/05 and 2005/06; and

WHEREAS, the Agency again desires to amend the Existing Plan (“Fifth Amendment” or “Amendment”) to: 1) extend plan effectiveness by 10 years; 2) extend the time period for collection of tax increment/ repayment of debt by 10 years; 3) increase the tax increment limit; 4) increase the bond debt limit; 5) repeal the debt establishment limit; 6) re-establish eminent domain over non-residential uses; 7) add certain public improvements and facilities of the list to eligible projects the Agency may undertake; 8) add territory; and 9) make certain technical corrections to the Redevelopment Plan; and

WHEREAS, on August 25, 2009, the Planning Commission of the Town of Windsor (“Planning Commission”), by Resolution No.573-09, selected and designated the boundaries of the area proposed to be included within the Project Area (“Fifth Amendment Added Area” or “Added Area”), approved a Preliminary Plan including a map and legal description of the Fifth Amendment Added Area as an exhibit thereto, and has submitted said Preliminary Plan to the Agency; and

WHEREAS, pursuant to Sections 33327 and 33328 of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*; “CRL”), following receipt of the Preliminary Plan, the Agency is required to transmit certain information to the county taxing officials, to the governing body of the entities that receive property taxes from the Fifth Amendment Added Area, and to the State Board of Equalization (SBE); and

WHEREAS, pursuant to Sections 33344.5, 33354.6(b) and 33451.5 of the CRL, the Agency is required to prepare a Preliminary Report to affected taxing entities that, among other things, assesses existing physical and economic blighting conditions within the Fifth Amendment Added Area and significant remaining blight within the Project Area.

NOW, THEREFORE BE IT RESOLVED:

Section 1: The Preliminary Plan for the proposed Fifth Amendment Added Area, as formulated and approved by the Planning Commission and on file with the Town Clerk, is hereby approved and accepted by the Agency.

Section 2: The Executive Director of the Agency is hereby authorized and directed to file, or cause to be filed, the information required by Sections 33327 and 33328 of the CRL with the appropriate County of Sonoma officials, affected taxing entity officials, and the SBE.

Section 3: The Agency hereby authorizes the preparation of the Preliminary Report.

Section 4: The Agency hereby designates the 2009/10 last equalized assessment roll as the base year assessment roll to be used for the allocation of taxes from the proposed Fifth Amendment Added Area.

PASSED, APPROVED AND ADOPTED this 21st day of October 2009, by the following vote:

AYES: MEMBERS ALLEN, FUDGE, SALMON, SCHOLAR AND
CHAIR GOBLE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



ROBIN R. GOBLE, CHAIR

ATTEST:



MARIA DE LA O, SECRETARY