

RESOLUTION NO. 2763-11 TC/RDA

**A JOINT RESOLUTION OF THE TOWN COUNCIL AND
THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY
OF THE TOWN OF WINDSOR AUTHORIZING THE USE OF \$14,000 OF
TAX INCREMENT FUNDS FOR PUBLIC IMPROVEMENTS OF
BENEFIT TO THE TOWN OF WINDSOR AND MAKING FINDINGS
REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE SECTION
33445 AND AMENDING THE 2010-11 BUDGET (AMENDMENT 20-11)
TO APPROPRIATE FUNDS FOR AMENDMENT NO. 3 TO WINZLER
AND KELLY'S PROFESSIONAL SERVICES BUDGET FOR THE
PREPARATION OF THE NORTH OLD REDWOOD HIGHWAY AREA
UTILITY INFRASTRUCTURE STUDY**

WHEREAS, the Town of Windsor Redevelopment Agency (the "Agency") is responsible for carrying out redevelopment of the Windsor Redevelopment Project Area (the "Project Area") in the Town of Windsor (the "Town") in accordance with the Redevelopment Plan and California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) (the "CRL"), including the construction and installation of public improvements consistent with the Redevelopment Plan; and

WHEREAS, the Town and the Agency adopted Resolution No. 2722-10 authorizing the use of \$105,000 in tax increment funds for the preparation of the North Old Redwood Highway Area Utility Infrastructure Study; and

WHEREAS, the Town entered into a Professional Services Agreement with Winzler & Kelly to prepare the North Old Redwood Highway Area Utility Infrastructure Study; and

WHEREAS, the Town desires to appropriate additional funds in the amount of Fourteen Thousand Dollars (\$14,000) from the Redevelopment Agency Capital Project Unappropriated Fund balance for the preparation of the North Old Redwood Highway Area Utility Infrastructure Study to conduct a drainage analysis of the Sotoyome Creek watershed; and

WHEREAS, the Town proposes to use redevelopment funds in the amount of Fourteen Thousand Dollars (\$14,000) for Amendment No. 3 to Winzler & Kelly's Professional Services Agreement for the preparation of the North Old Redwood Highway Area Utility Infrastructure Study Project (the "Project"); and

WHEREAS, the Project is situated within the Project Area on Old Redwood Highway between Arata Lane Road and the northern Town Boundaries and is situated within the Old Redwood Highway Vision Plan Area; and

WHEREAS, CRL Section 33445 provides that a redevelopment agency may, with the consent of the legislative body, pay for the cost of buildings, facilities and other improvements, which are publicly owned if the legislative body determines all of the following:

1. That the acquisition of land or the installation or construction of the buildings, facilities, structures, or other improvements that are publicly owned are of benefit to the project area by helping to eliminate blight within the project area or providing housing for low- or moderate-income persons.

2. That no other reasonable means of financing the acquisition of the land or installation or construction of the buildings, facilities, structures, or other improvements that are publicly owned, are available to the community.
3. That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements that are publicly owned is consistent with the implementation plan adopted pursuant to Section 33490.

WHEREAS, Amendment No. 3 for the North Old Redwood Highway Area Utility Infrastructure Study will benefit the Project Area by providing a drainage analysis for proposed/future utility infrastructure in the Sotoyome Creek watershed within the Project Area. The additional scope will be used in the study report to provide the Town and Agency storm drainage infrastructure information for proposed future development of this portion of the Redevelopment Project Area and will provide the following guidance:

- Design criteria for utility planning for development in the study area;
- Utility information for Town-owned utility infrastructure in the study area all in one report;
- Capital improvement needs for “backbone” utilities for future development to tie into; and
- Assessment of existing utilities in terms of adequacy to support future development in the study area;

The results of the Infrastructure study will help to eliminate physical blighting conditions associated with faulty or inadequate water and sewer utilities in the Project Area; and

WHEREAS, the Town has no other reasonable means of financing Amendment No. 3 for the North Old Redwood Highway Area Utility Infrastructure Study, in that there is no unrestricted general fund revenue available for such purposes without a reduction in other vital community services and there are not sufficient traffic impact or water reclamation fees revenues or other special traffic or water fees to cover the proposed design; and

WHEREAS, the payment of funds for Amendment No. 3 for the North Old Redwood Highway Area Utility Infrastructure Study Project is consistent with the Town of Windsor Redevelopment Agency Implementation Plan adopted pursuant to Health and Safety Code Section 33490. The Implementation Plan contains Goals and Objectives the purpose of which are to eliminate and prevent the spread of blight and deterioration in the Town of Windsor Redevelopment Project Area. The Goals and Objectives of the Implementation Plan include the following:

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. Enhance the efficiency, safety, and appearance of Windsor River Road and Windsor Road, so that they may serve as the main thoroughfares and focal points of a revitalized downtown.
3. 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.
4. Implement the vision for Old Redwood Highway as a mixed-use corridor providing opportunities for additional housing, retail and jobs for the Town.

The Project is determined to be consistent with the above listed goals and objectives of the Town of Windsor Redevelopment Agency Implementation Plan; and

WHEREAS, the Project will promote economic development opportunities and facilitate private investment in the Project Area and thereby lead to further blight alleviation;

WHEREAS, in order to undertake the Project it is necessary to amend the Fiscal Year (FY) 2010-2011 budget to appropriate funding for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WINDSOR REDEVELOPMENT AGENCY AND THE TOWN COUNCIL OF THE TOWN OF WINDSOR AS FOLLOWS:

Section 1. Pursuant to CRL Section 33445, the Town of Windsor Redevelopment Agency finds that: (i) the expenditure of tax increment funds to undertake the Project will be of benefit to the Project Area by helping to eliminate blight within the Project Area; (ii) no other reasonable means of financing the public improvements is reasonably available; and (iii) completion of the Project is consistent with the Implementation Plan adopted for the Project Area.

Section 2. The Board of Directors of the Redevelopment Agency approves the expenditure of Fourteen Thousand Dollars (\$14,000) in tax increment funds for the Project.

Section 3. The Town Council of the Town of Windsor finds that: (i) the expenditure of tax increment funds to undertake the Project will be of benefit to the Project Area by helping to eliminate blight within the Project Area; (ii) no other reasonable means of financing the public improvements is reasonably available; and (iii) completion of the Project is consistent with the Implementation Plan adopted for the Project Area.

Section 4. The Town Council of the Town of Windsor consents to the expenditure of \$14,000 in tax increment funds for Amendment No. 3 to Winzler & Kelly's Professional Services Agreement for the North Old Redwood Highway Area Utility Infrastructure Study as described herein.

Section 5. The Town Manager and Executive Director of the Town of Windsor Redevelopment Agency is hereby authorized to execute Amendment No. 3 to the Professional Services Agreement with Winzler & Kelly to undertake Amendment No. 3 to the North Old Redwood Highway Area Utility Infrastructure Study and to execute such other documents and take such other actions as necessary or appropriate to complete the North Old Redwood Highway Area Utility Infrastructure study.

Section 6 The Town Council and the Board of Directors of the Redevelopment Agency of the Town of Windsor do hereby approves amending the FY 2010-11 Budget to appropriate additional funds for the North Old Redwood Highway Utility Infrastructure Study as follows:

Section I - Additions:

	FUND	DEPT	DIV	PROJ	ACTIVITY	SUBOBJ	AMOUNT
NUMBER	810	95	25	0424	4510	000	\$14,000
NAME	RDA Capital Projects				North Old Redwood Highway Area Utility Infrastructure Study Amend. No. 3		

Purpose: To appropriate funds for the North Old Redwood Highway Area Utility Infrastructure Study.

Section II - Source of Funding:

	FUND	DEPT	DIV	PROJ	ACTIVITY	SUBOBJ	AMOUNT
NUMBER	810						\$14,000
NAME	RDA Capital Project Fund Unappropriated Balance						

Impact: Reduces the fund balance.

PASSED, APPROVED AND ADOPTED this 19th day of January 2011 by the following vote:

- AYES:** COUNCILMEMBERS/MEMBERS SALMON, SCHOLAR AND MAYOR ALLEN
- NOES:** NONE
- ABSTAIN:** COUNCILMEMBER/MEMBER GOBLE
- ABSENT:** COUNCILMEMBER/MEMBER FUDGE



STEVE ALLEN, MAYOR AND CHAIR, REDEVELOPMENT AGENCY

ATTEST:



MARIA DE LA O, TOWN CLERK AND SECRETARY, REDEVELOPMENT AGENCY