

RESOLUTION NO. 2831-11 RDA

**A RESOLUTION OF THE TOWN OF WINDSOR REDEVELOPMENT AGENCY
ADOPTING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT
TO HEALTH AND SAFETY CODE SECTION 34169**

WHEREAS, the Town of Windsor Redevelopment Agency (“**Agency**”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* (“**CRL**”); and

WHEREAS, pursuant to subdivision (g) of Section 34169(g) of the CRL (enacted pursuant to Assembly Bill x1 26), the Agency is required to adopt an Enforceable Obligation Payment Schedule (“**EOPS**”) that lists all of the obligations that are “enforceable obligations” within the meaning of subdivision (d) of Section 34167 of the CRL and which includes the following information about each such obligation:

- (A) The project name associated with the obligation.
- (B) The payee.
- (C) A short description of the nature of the work, product, service, facility, or other thing of value for which payment is to be made.
- (D) The amount of payments obligated to be made, by month, through December 2011; and

WHEREAS, on August 11, 2011 and August 17, 2011, in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, the California Supreme Court (“**Court**”) issued Orders staying portions of Assembly Bill x1 26 and Assembly Bill x1 27; and

WHEREAS, the Court declined to stay CRL Section 34169; and

WHEREAS, the Agency has enforceable obligations, other than and/or in addition to obligations with respect to bonded indebtedness, for which payments are required; and

WHEREAS, an EOPS, a copy of which is attached, has been presented to the Agency, the Agency is familiar with the contents thereof, and the Executive Director has recommended approval of said EOPS subject to the contingencies and reservation of rights set forth in this Resolution; and

WHEREAS, *California Redevelopment Association, et al. v. Ana Matosantos, et al.* is an action that has been filed on behalf of cities, counties and redevelopment agencies to challenge the constitutionality of Assembly Bill x1 26 and Assembly Bill x1 27; and

WHEREAS, the Agency reserves the right to challenge the legality of Assembly Bill x1 26 and Assembly Bill x1 27; and

WHEREAS, the Agency reserves the right to amend the EOPS; and

WHEREAS, in adopting the EOPS, the Agency does not intend to waive, nor shall the Agency be deemed to have waived, any rights the Agency or its successor may have pursuant to or in connection with any obligation listed on such EOPS, including without limitation, the right to modify, amend, terminate or challenge any obligation listed on such EOPS.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WINDSOR REDEVELOPMENT AGENCY THAT IT HEREBY:

1. Finds that the Recitals set forth above are true and correct, and are incorporated herein by reference.
2. Adopts the Enforceable Obligation Payment Schedule attached hereto as Exhibit "A", subject to all reservations of rights and contingencies set forth above.
3. Authorizes the Agency Executive Director or designee to take all actions necessary or appropriate to implement this Resolution, including without limitation, the posting of this Resolution and the Enforceable Obligation Payment Schedule on the Agency's website, and the provision of notice of adoption of this Resolution and such Schedule to the County Auditor-Controller, the State Controller and the State Department of Finance.
4. Declares that if any provision, sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such finding shall affect only such provision, sentence, clause, section or part, and shall not affect or impair any of the remaining parts.

PASSED, APPROVED AND ADOPTED this 25th day of August 2011 by the following vote:

AYES: MEMBERS FUDGE, GOBLE, AND CHAIR ALLEN
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBERS SALMON AND SCHOLAR

APPROVED:



STEVE ALLEN, CHAIR

ATTEST:



MARIA DE LA O, AGENCY SECRETARY

Attachment:
Exhibit "A" - Enforceable Obligation Payment Schedule

Name of Redevelopment Agency: Redevelopment Agency of the Town of Windsor
 Project Area(s): All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					Total
					Aug**	Sept	Oct	Nov	Dec	
1) 1989 Tax Allocation Bonds	U.S. Bank	Bond issue to construct Town Green	1,581,065.00	216,757.50	190,138.75					\$ 190,138.75
2) 2004C Wastewater Refunding Bonds	Union Bank	Bond issue to fund public capital improvements	439,902.50	221,247.50		217,592.50				\$ 217,592.50
3) 2004 Tax Allocation Bonds	U.S. Bank	Bond issue to fund redevelopment activities	5,059,351.25	384,752.50	281,488.75					\$ 281,488.75
4) 2008 Fire Station Agreement	Town of Windsor	Base Rental Payments for Fire Station	9,637,320.71	989,521.26	813,710.63					\$ 813,710.63
5) Cal HFA Help Loan	Cal HFA	Residential Development Loan Program	1,300,000.00	0.00						\$ -
6) Cal HFA RDLP Loan (Up to \$4.6M)	Cal HFA	Residential Development Loan Program	1,874,541.68	1,874,541.68						\$ -
7) Windsor Redwoods Project	Burbank Housing	Pre-development loan - Windsor Redwoods	900,000.00	900,000.00						\$ -
8) Windsor Redwoods Project	Burbank Housing	Gap financing commitment	1,000,000.00	1,000,000.00						\$ -
9) Manzanita Self Help Project	Burbank Housing	Funding commitment - Manzanita Self Help	750,000.00	750,000.00						\$ -
10) Advance due to General Fund	Town of Windsor	Advance for General Fund (Jun 2002)	400,000.00	400,000.00						\$ -
11) Advance due to Water Reclamation Fund	Town of Windsor	Advance for Water Reclamation Fund (Jun 2003)	913,000.00	913,000.00						\$ -
12) Staffing & Administrative Expenses	Town employees/vendors	Staffing & Administrative Expenses - Capital	1,587,120.00	777,360.00	64,780.00	64,780.00	64,780.00	64,780.00	64,780.00	\$ 323,900.00
13) Staffing & Administrative Expenses	Town employees/vendors	Staffing & Administrative Expenses - Housing	792,137.00	365,281.00	30,438.42	30,438.42	30,438.42	30,438.42	30,438.42	\$ 152,192.10
14) Fiscal Agent Fees	U.S. Bank/Wildan Finl	Fiscal Agent Fees paid	19,850.00	9,800.00	1,575.00					\$ 880.00
15) Electronic Monument Sign Project	Various Vendors	Electronic Monument Sign Project	70,000.00	70,000.00	14,000.00	14,000.00	14,000.00	14,000.00	14,000.00	\$ 70,000.00
16) Economic Development / RDA Projects	Economic Planning Systems	On call services for emerging opportunities	13,931.25	13,931.25	2,786.25	2,786.25	2,786.25	2,786.25	2,786.25	\$ 13,931.25
17) Financial Management Projects	Management Partners	Financial optimization strategies	7,500.00	7,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	\$ 7,500.00
18)										\$ -
19)										\$ -
20)										\$ -
21)										\$ -
22)										\$ -
23)										\$ -
24)										\$ -
25)										\$ -
26)										\$ -
27)										\$ -
28)										\$ -
29)								14,000.00	14,000.00	\$ 28,000.00
30)										\$ -
Totals - This Page			\$ 25,049,977.71	\$ 8,853,672.69	\$ 1,410,417.80	\$ 331,097.17	\$ 127,504.67	\$ 128,384.67	\$ 2,110,908.98	\$ 2,110,908.98
Totals - Page 2			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Page 3			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Page 4			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals - Other Obligations			\$ 13,829,324.00	\$ 2,392,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000.00
Grand total - All Pages			\$ 42,679,301.71	\$ 11,246,272.69	\$ 1,410,417.80	\$ 331,097.17	\$ 127,504.67	\$ 128,384.67	\$ 2,310,908.98	\$ 2,310,908.98

* This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11). If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.

Name of Redevelopment Agency: Redevelopment Agency of the Town of Windsor
 Project Area(s) All

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					Total
					Aug**	Sept	Oct	Nov	Dec	
1) Cooperative Agreement	Town of Windsor	Public infrastructure projects	8,950,000.00	150,000.00						\$
2) AB 1290 Pass Throughs	County of Sonoma	AB 1290 Pass Throughs	2,086,224.00	200,000.00					200,000.00	\$ 200,000.00
3) Pueblo Viejo Park Improvements	Various Vendors	Pueblo Viejo Park Improvements	145,000.00	145,000.00						\$
4) Sutton Park Improvements	Various Vendors	Sutton Park Improvements	154,500.00	39,500.00						\$
5) Streetscape Improvement Program	Various Vendors	Streetscape Improvement Program	25,000.00	12,500.00						\$
6) Town Green Loop Mixed Use Project	Various Vendors	Town Green Loop Mixed Use Project	75,000.00	0.00						\$
7) Wayfinding Signage	Various Vendors	Wayfinding Signage	100,000.00	50,000.00						\$
8) Windsor River Road Development Proj	Various Vendors	Windsor River Road Development Proj	450,000.00	400,000.00						\$
9) ORH Improvement Project Bell Village	Various Vendors	ORH Improvement Project Bell Village	485,000.00	485,000.00						\$
10) ORH @ Lakewood Bicycle & Ped Impr	Various Vendors	ORH @ Lakewood Bicycle & Ped Impr	151,600.00	103,600.00						\$
11) North ORH Water Main Extension	Various Vendors	North ORH Water Main Extension	477,000.00	477,000.00						\$
12) New Library Project	Various Vendors	New Library Project	25,000.00	0.00						\$
13) New Police Department Building Project	Various Vendors	New Police Department Building Project	25,000.00	0.00						\$
14) East Shiloh Land Assembly Project	Various Vendors	East Shiloh Land Assembly Project	500,000.00	250,000.00						\$
15) Tenant Improvement Loans	Various Vendors	Tenant Improvement Loans	200,000.00	100,000.00						\$
16)										\$
17)										\$
18)										\$
19)										\$
20)										\$
21)										\$
22)										\$
23)										\$
24)										\$
25)										\$
26)										\$
27)										\$
28)										\$
Totals - Other Obligations			\$ 13,829,324.00	\$ 2,392,600.00	\$	\$	\$	\$	\$	\$ 200,000.00

* This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)
 ** Include only payments to be made after the adoption of the EOPS.
 *** All payment amounts are estimates.