

RESOLUTION NO. 2870-12

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
ELECTING TO SERVE AS THE SUCCESSOR HOUSING AGENCY AND
RETAIN THE HOUSING ASSETS AND FUNCTIONS OF THE TOWN OF
WINDSOR REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND
SAFETY CODE SECTION 34176(a)**

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”); and

WHEREAS, jurisdiction of the Project Area was transferred from the County of Sonoma Community Development Commission to the Town of Windsor Redevelopment Agency (“Agency”) by a Transfer Agreement effective July 1, 1993; and

WHEREAS, the Town Council of the Town of Windsor (“Town”) has amended the Redevelopment Plan five times, and the Redevelopment Plan, as amended, covers certain properties within the Town (“Project Area”), pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) (the “CRL”); and

WHEREAS, the Agency is a redevelopment agency engaged in activities to execute and implement the Redevelopment Plan pursuant to the CRL; and

WHEREAS, the California Legislature adopted, the Governor signed, and the California Supreme Court, in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, has upheld ABX1 26, legislation that amends the CRL; provides that the Agency will be dissolved effective as of February 1, 2012; and further provides that the Town may elect to retain the responsibility for performing housing functions previously performed by the Agency, in which event all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the Agency, excluding any amounts in the Agency’s Low and Moderate Income Housing Fund, shall be transferred to the Town in accordance with the provisions of Health and Safety Code Section 34176(a); and

WHEREAS, the Town Council of the Town of Windsor believes that it is in the best interest of the community for the Town to retain the housing assets and functions previously performed by the Agency.

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

Section 1. All of the recitals above are true and correct and incorporated herein.

Section 2. Based on the foregoing recitals and the information provided to the Town Council by Town staff, the Town Council hereby declares that the Town of Windsor elects to serve as the Successor Housing Agency and retain the housing assets and functions previously performed by the Town of Windsor Redevelopment Agency and to assume the transfer thereof in accordance with Health and Safety Code Section 34176(a) and other applicable law.

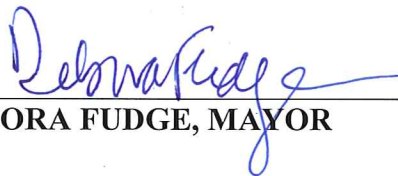
Section 3. The Town Manager is hereby authorized to take all action necessary to effectuate this Resolution.

Section 4. This Resolution is effective on the day of its adoption.

Section 5. If any provision, 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 11th day of January 2012, by the following vote:

AYES: COUNCILMEMBERS ALLEN, SALMON AND MAYOR FUDGE
NOES: NONE
ABSTAIN: NONE
ABSENT: VICE MAYOR GOBLE AND COUNCILMEMBER SCHOLAR



DEBORA FUDGE, MAYOR

ATTEST:




MARIA DE LA O, TOWN CLERK