

RESOLUTION NO. 2880-12 RDA

**A RESOLUTION OF THE TOWN OF WINDSOR REDEVELOPMENT AGENCY ADOPTING
AN AMENDED 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 of the CRL, on August 25, 2011, the Board of Directors of the Agency adopted an Enforceable Obligation Payment Schedule (“EOPS”) listing “enforceable obligations” within the meaning of subdivision (d) of Section 34167; and

WHEREAS, the Resolution adopting the EOPS reserved the right to amend the EOPS; and

WHEREAS, following adoption of the EOPS, the Agency posted the EOPS on the Town of Windsor website and provided notification of adoption to the Department of Finance, the State Controller’s Office, and the Sonoma County Auditor-Controller, in compliance with the CRL; and

WHEREAS, Section 34169 of the CRL provides that an EOPS can be amended at any public meeting of the Agency; and

WHEREAS, subsequent to the EOPS adoption and posting, Agency staff determined that two enforceable obligations consisting of March 2010 executed loan commitments to Burbank Housing for the Windsor Redwoods Project should be added to the EOPS, and accordingly the Agency Board of Directors amended the EOPS on September 21, 2011, in compliance with all posting and notification procedures pursuant to Section 34169(g) of the CRL; and

WHEREAS, On December 29, 2011, the California Supreme Court (“Court”) upheld ABx1 26 requiring dissolution of all redevelopment agencies; and

WHEREAS, AB 26 requires each Agency to readopt an EOPS by February 1, 2012 for the period from January 1 through June 30 that lists all of the obligations that are considered “enforceable obligations” of the Agency; and

WHEREAS, Agency staff reviewed the previously adopted EOPS, as amended on September 21, 2011, and updated the payment schedule to provide a more complete list of Agency enforceable obligations requiring payment through June 30 2012; and

WHEREAS, an Amended 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 Amended EOPS subject to the contingencies and reservation of rights set forth in this Resolution; and

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

WHEREAS, in adopting the Amended 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 the Amended EOPS, including without limitation, the right to modify, amend, terminate or challenge any obligation listed on the Amended 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 Amended 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 Amended Enforceable Obligation Payment Schedule on the Town of Windsor website, and the provision of notice of adoption of this Resolution and the Amended Enforceable Obligation Payment Schedule to the Sonoma 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 18th day of January 2012, by the following vote:

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

APPROVED:


DEBORA FUDGE, CHAIR

ATTEST:


MARIA DE LA O, AGENCY SECRETARY

Attachment:
Exhibit "A" -- Amended Enforceable Obligation Payment Schedule

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

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Remaining Amount Due During Fiscal Year	Payments by month												Total
					Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012							
1) Cooperative Agreement	Town of Windsor	Public Infrastructure projects	8,950,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	
2) AB 1290 Pass Throughs	County of Sonoma	AB 1290 Pass Throughs	2,086,224.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	
3) Pueblo Viejo Park Improvements	Various Vendors	Approved Budget Capital Improvement	145,000.00	145,000.00	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	24,166.67	\$	
4) Sullon Park Improvements	Various Vendors	Approved Budget Capital Improvement	154,500.00	39,500.00	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	6,583.34	\$	
5) Streetscape Improvement Program	Various Vendors	Approved Budget Capital Improvement	25,000.00	12,500.00	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	2,083.34	\$	
6) Town Green Loop Mixed Use Project	Various Vendors	Approved Budget Capital Improvement	75,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	
7) Wayfinding Signage	Various Vendors	Approved Budget Capital Improvement	100,000.00	47,780.10	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	7,963.35	\$	
8) Windsor River Road Development Proj	Various Vendors	Approved Budget Capital Improvement	450,000.00	399,205.00	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	66,544.17	\$	
9) ORH Improvement Project Bell Village	Various Vendors	Approved Budget Capital Improvement	465,000.00	465,000.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	77,500.00	\$	
10) ORH @ Lakewood Bicycle & Ped Impr	Various Vendors	Approved Budget Capital Improvement	151,600.00	103,600.00	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	17,266.67	\$	
11) North ORH Water Main Extension	Various Vendors	Approved Budget Capital Improvement	477,000.00	477,000.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	79,500.00	\$	
12) New Library Project	Various Vendors	Approved Budget Capital Improvement	25,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	
13) New Police Department Building Project	Various Vendors	Approved Budget Capital Improvement	500,000.00	230,000.00	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	41,666.67	\$	
14) East Shiloh Land Assembly Project	Various Vendors	Approved Budget Capital Improvement	200,000.00	100,000.00	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	16,666.67	\$	
15) Tenant Improvement Loans	Various Vendors	Approved Budget Capital Improvement	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	
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26)																\$	
27)																\$	
28)																\$	
Totals - Other Obligations			\$ 13,829,324.00	\$ 2,039,645.10	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 339,940.88	\$ 2,039,645.10	