

RESOLUTION NO. OSB 17-14

RESOLUTION OF THE OVERSIGHT BOARD

**RESOLUTION OF THE OVERSIGHT BOARD FOR THE
WINDSOR REDEVELOPMENT SUCCESSOR AGENCY
AUTHORIZING THE DISPOSITION OF**

**SUCCESSOR AGENCY REAL PROPERTY LOCATED AT 269 WINDSOR RIVER ROAD
(HONSA AVENUE), SONOMA COUNTY ASSESSOR'S PARCEL NUMBER 164-010-044, IN
ACCORDANCE WITH
CALIFORNIA HEALTH & SAFETY CODE SECTION 34181 AND THE
SUCCESSOR AGENCY'S APPROVED LONG-RANGE PROPERTY
MANAGEMENT PLAN**

WHEREAS, on December 29, 2011, the California Supreme Court issued its final decision in *California Redevelopment Association v. Matosantos*, upholding Assembly Bill x1 26 (codified as Health and Safety Code §34161-34191) ("ABx1 26") and invalidating Assembly Bill x1 27 (the legislation that would have permitted redevelopment agencies to continue operation if their sponsoring jurisdiction agreed to make certain payments for the benefit of schools and special districts); and as a result, all California redevelopment agencies were dissolved, effective February 1, 2012; and

WHEREAS, pursuant to Health and Safety Code §34173(d), on January 11, 2012, by Resolution No. 2869-12, the Town Council of the Town of Windsor elected to become the successor agency to the Redevelopment Agency of the Town of Windsor ("Agency"); and

WHEREAS, Assembly Bill x1 26 was modified by Assembly Bill 1484, enacted on June 27, 2012; and

WHEREAS, as of February 1, 2012, the Agency was dissolved pursuant to the Dissolution Act; and

WHEREAS, pursuant to Assembly Bill 1484, enacted on June 27, 2012, on August 1, 2012, by Resolution No. 2942-12, the Town Council of the Town of Windsor acknowledged the separate legal existence of the Windsor Redevelopment Successor Agency ("Successor Agency"); and

WHEREAS, on April 25, 2013, the California Department of Finance ("DOF") sent a letter to the Successor Agency indicating that it has completed a Finding of Completion for the Successor Agency; and

WHEREAS, the DOF letter also required the Successor Agency to submit a Long-Range Property Management Plan ("LRPMP"), in accordance with Health and Safety Code §34191.5, to DOF within six months from the date of the letter; and

WHEREAS, Health and Safety Code §34191.5(b) requires the Successor Agency to prepare a LRPMP to address the disposition and use of the real property of the former Windsor Redevelopment Agency; and

WHEREAS, Health and Safety Code §34191.5(c)(1) requires the Successor Agency to include an inventory of such real property detailing each property that was owned by Windsor Redevelopment Agency when it was dissolved; and

WHEREAS, the former Windsor Redevelopment Agency owned one property when it was dissolved, and title to such property passed by operation of law to the Successor Agency; and

WHEREAS, the Successor Agency staff prepared a proposed LRPMP that included the requisite statutory information regarding such property; and

WHEREAS, the Successor Agency received, reviewed and considered the LRPMP, and considered all written and oral staff reports and all written and oral public comments relating to the LRPMP; and

WHEREAS, the Successor Agency submitted the LRPMP to the Oversight Board for approval; and

WHEREAS, on October 17, 2013, the Oversight Board adopted Resolution OSB #14-13 approving the LRPMP, and directed that it be submitted to DOF for approval in accordance with Health and Safety Code Section 34191.5(b); and

WHEREAS, the LRPMP is required to be approved by DOF before any potential real estate transaction can occur; and

WHEREAS, in a letter dated January 14, 2014, DOF approved the Successor Agency's use or disposition of the property listed on the LRPMP; and

WHEREAS, pursuant to Health and Safety Code Section 34191.3, the approved LRPMP governs and supersedes all other provisions relating to, the disposition and use of all the real property assets of the former Windsor Redevelopment Agency; and

WHEREAS, Successor Agency actions taken pursuant to a DOF approved LRPMP are subject to Oversight Board approval pursuant to Health and Safety Code Section 34181(f); and

WHEREAS, pursuant to Health and Safety Code Section 34181(f), at least ten days' notice to the public of the specific request for Oversight Board approval has been provided; and

WHEREAS, the Oversight Board has heard and considered any and all public comment on the proposed property transfer.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board for the Windsor Redevelopment Successor Agency hereby finds and determines:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the transfer of Government use property from the Windsor Redevelopment Successor Agency to the Town of Windsor through this Resolution does not commit the Town of Windsor to any action that may have a significant effect on the environment. As a result, it does not constitute a project subject to the requirements of the California Environmental Quality Act in that pursuant to CEQA Guidelines §15061(b)(3), it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the

environment; and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

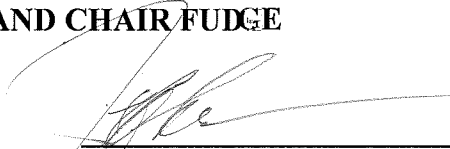
Section 3. Approval of Transfer of Property. The Oversight Board hereby approves the transfer of title of the property located at 269 Windsor River Road (Honsa Avenue), identified as Sonoma County Assessor's Parcel 164-010-044, pursuant to DOF approval already received, and directs Successor Agency staff to submit a certified copy of this Resolution to DOF.

Section 4. Ratification of Resolution and Authority for Future Acts. The Chair or her designee, on behalf of the Oversight Board, and the Executive Director or her designee, on behalf of the Successor Agency, are hereby authorized and directed to undertake any actions as are necessary to carry out the purposes of this Resolution.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 17th day of June, 2014.

AYES: MEMBERS LAWRENCE, LEASURE, NELSON, OWENS AND ROBERTS
NOES: NONE
ABSTAIN: NONE
ABSENT: MEMBER HERRINGTON AND CHAIR FUDGE



JEFF LEASURE, VICE CHAIR

ATTEST:



MARIA DE LA O, TOWN CLERK