

RESOLUTION NO. 2418-09

**A RESOLUTION OF THE TOWN COUCIL OF THE TOWN OF WINDSOR
AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT
WITH THE LYTTON RANCHERIA OF CALIFORNIA
FOR THE KEISER PARK MASTER PLAN PROJECT**

WHEREAS, the Town of Windsor adopted a Master Plan to expand Keiser Park, which is an existing community park located on a 27-acre site at 700 Windsor River Road in Windsor, California; and

WHEREAS, as part of the Keiser Park Master Plan project ("Project"), the Town prepared an Environmental Impact Report ("EIR"), which the Town Council certified via Resolution No. 2284-08 on May 21, 2008; and

WHEREAS, concurrently with the preparation of the EIR, the Town consulted with the Lytton Rancheria of California (Lytton) pursuant to SB 18; and

WHEREAS, Lytton has identified itself as having cultural ties to the land on which the Project is located; and

WHEREAS, as a result of the consultation with Lytton, the Town agreed to conduct a below-surface archeological investigation of cultural resources at the Project site; and

WHEREAS, in September of 2008, a Cultural Resources Study was completed, which included soil borings in various locations throughout the Project site; and

WHEREAS, Lytton received a copy of the Cultural Resources Study and, based upon its review of the Study, agrees that the Study did not reveal any prehistoric or historic period cultural resources within a half-mile radius of the Project site; and

WHEREAS, notwithstanding the findings of the Cultural Resources Study, the Parties recognize that the Project site may contain undetected cultural resources and/or Native American human remains and associated funerary objects; and

WHEREAS, as an implementation tool for Mitigation Measures of the Project EIR, the Town agreed to enter into a treatment plan to address the proper handling of any cultural resources discovered at the Project site and to provide for an agreement regarding monitoring of below-surface work; and

NOW, THEREFORE BE IT RESOLVED that the Town Council authorizes the Town Manager to execute a treatment agreement with Lytton that sets forth the process if cultural resources are discovered during construction for the Keiser Park Master Plan Project.

PASSED, APPROVED AND ADOPTED this 21ST day of January 2009, by the following vote:

AYES: COUNCILMEMBERS, ALLEN, FUDGE, SCHOLAR
AND MAYOR GOBLE

NOES: NONE

ABSTAIN: NONE

ABSENT: VICE MAYOR SALMON



ROBIN R. GOBLE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK