

RESOLUTION NO. 2776 -11 TC/RDA

A JOINT RESOLUTION OF THE TOWN COUNCIL AND THE BOARD OF DIRECTORS OF THE WINDSOR REDEVELOPMENT AGENCY OF THE TOWN OF WINDSOR AUTHORIZING THE USE OF TAX INCREMENT FUNDS IN THE AMOUNT OF \$145,000 FOR PUBLIC IMPROVEMENT OF BENEFIT TO THE WINDSOR REDEVELOPMENT PROJECT AREA, MAKING FINDINGS REQUIRED BY HEALTH AND SAFETY CODE SECTION 33445 AND AUTHORIZING THE TOWN MANAGER/EXECUTIVE DIRECTOR OF THE WINDSOR REDEVELOPMENT AGENCY TO EXECUTE THE PURCHASE AND SALE AGREEMENTS OF PERMANENT EASEMENTS FOR ROADWAY AND UTILITIES AND TEMPORARY CONSTRUCTION EASEMENTS ASSOCIATED WITH THE WALL STREET FRONTAGE IMPROVEMENT PROJECT.

WHEREAS, the Town of Windsor Redevelopment Agency (the “Agency”) is responsible for carrying out redevelopment of the Windsor Redevelopment Project Area (the “Project Area”) in the Town of Windsor (the “Town”), in accordance with the Redevelopment Plan and California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) (the “CRL”), including the construction and installation of public improvements consistent with the Redevelopment Plan; and

WHEREAS, Town staff included a project in the Fiscal Year 2009-14 Capital Improvement Program (CIP) for improvements to Wall Street including installing new curb & gutter, sidewalk, driveway approaches, pavement conforms, storm drain facilities and utility connections; and

WHEREAS, the source of funding for the Wall Street Improvement Project (the “Project”) identified in the CIP includes Windsor Redevelopment Agency Capital (non-housing) funds and Community Development Block Grant Funds; and

WHEREAS, in order to address the need to install new curb & gutter, sidewalk, driveway approaches, pavement conforms, storm drain facilities and utility connections, Town staff prepared bid specifications for the Project; and

WHEREAS, the Town desires to utilize funds from the Redevelopment Agency Capital Project Fund for the Project; and

WHEREAS, the Agency and the Town propose to use redevelopment funds in an amount not to exceed One Hundred and Forty-Five Thousand Dollars (\$145,000.00) for the Project; and

WHEREAS, the Agency and the Town propose to use a portion of the redevelopment funds for the purchase of permanent easements for roadway and utilities and temporary construction easements associated with the Project; and

WHEREAS, CRL Section 33445 provides that a redevelopment agency may, with the consent of the legislative body, pay all or a part of the value of the land for and the cost of the installation and construction of any building, facility, structure or other improvement that is publicly owned

and located inside or contiguous to the project area if the legislative body determines all of the following:

1. That the acquisition of land or the installation or construction of the buildings, facilities, structures, or other improvements that are publicly owned are of benefit to the project area by helping to eliminate blight within the project area or providing housing for low- or moderate-income persons.
2. That no other reasonable means of financing the acquisition of the land or installation or construction of the buildings, facilities, structures, or other improvements that are publicly owned, are available to the community.
3. That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements that are publicly owned is consistent with the implementation plan adopted pursuant to Section 33490.

WHEREAS, the Project will benefit the Windsor Redevelopment Project Area (the “Project Area”) by helping to eliminate blight within the Project Area, by improving pedestrian accessibility from Wall Street to the historic downtown. Additionally, the Project will provide an accessible and safe walkway to and from the neighborhood including from Old Downtown Windsor and Keiser Park. The Project will further the redevelopment goals and objectives included in the implementation plan by providing an attractive center for commercial, residential, tourist, and office activity that will facilitate overall development of the Project Area; and

WHEREAS, the Town has no other reasonable means of financing the Project, in that there is no unrestricted general fund revenue or Transportation Impact Fee revenue available for such purposes without a reduction in other vital community services and there are not sufficient public facility impact fees revenues or other special fees to cover the proposed Project; and

WHEREAS, the payment of funds for the Project is consistent with the Town of Windsor Redevelopment Agency Implementation Plan adopted pursuant to Health and Safety Code Section 33490. The Implementation Plan contains Goals and Objectives the purpose of which are to eliminate and prevent the spread of blight and deterioration in the Town of Windsor Redevelopment Project Area. Wall Street is a public street in the Project Area that lacks physical infrastructure including an accessible sidewalk. The Project is intended to continue to improve public infrastructure within the Project Area. Improvement of public infrastructure is identified as a redevelopment objective necessary for the elimination of blight in the Project Area.

The Goals and Objectives of the Implementation Plan include the following:

1. Revitalize Windsor’s historic downtown so that it may become an efficient and attractive center for commercial, residential, tourist, and office activity to serve a growing community.

2. Enhance the efficiency, safety, and appearance of Windsor River Road and Windsor Road, so that they may serve as the main thoroughfares and focal points of a revitalized downtown.
3. Improve pedestrian accessibility to the historic downtown area from both within and outside the Project Area so that the downtown area may be redeveloped for modern commercial, civic, and related uses in accordance with the Town of Windsor's General Plan.
4. Implement the vision for Old Redwood Highway as a mixed-use corridor providing opportunities for additional housing, retail and jobs for the Town.

The Project is determined to be consistent with the above listed goals and objectives of the Town of Windsor Redevelopment Agency Implementation Plan; and

WHEREAS, the Project will promote economic development opportunities and facilitate private investment in the Project Area and thereby lead to further blight alleviation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WINDSOR REDEVELOPMENT AGENCY AND THE TOWN OF WINDSOR TOWN COUNCIL AS FOLLOWS:

Section 1. Pursuant to CRL Section 33445, the Town of Windsor Redevelopment Agency finds that: (i) the expenditure of tax increment funds to undertake the Wall Street Improvement Project will be of benefit to the Project Area by helping to eliminate blight within the Project Area; (ii) no other reasonable means of financing the public improvements is reasonably available; and (iii) the payment of redevelopment funds for the Project is consistent with the Implementation Plan adopted for the Project Area.

Section 2. The Board of Directors of the Redevelopment Agency approves the expenditure of up to One Hundred and Forty-Five Thousand Dollars (\$145,000.00) in tax increment funds for the Project.

Section 3. The Town Council of the Town of Windsor finds that: (i) the expenditure of tax increment funds to undertake the Project will be of benefit to the Project Area by helping to eliminate blight within the Project Area; (ii) no other reasonable means of financing the public improvements is reasonably available; and (iii) the payment of redevelopment funds for the Project is consistent with the Implementation Plan adopted for the Project Area.

Section 4. The Town Council of the Town of Windsor consents to the expenditure of up to One Hundred and Forty-Five Thousand Dollars (\$145,000.00) in tax increment funds for the Project as described herein.

Section 5. The Town Council of the Town of Windsor and the Board of Directors of the Windsor Redevelopment Agency accept the appraisal prepared by Geoff Hornsby with Right of Way Consulting & Acquisition Services for the purchase of Permanent Easements for Roadway

and Utilities and Temporary Construction Easements, on file in the Office of the Town Clerk, associated with the Project in the amount of \$25,830.00.

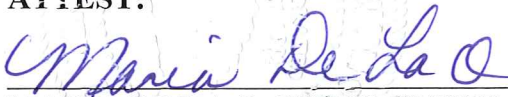
Section 6. The Town Council of the Town of Windsor and the Board of Directors of the Windsor Redevelopment Agency authorize the Town Manager to execute the Purchase and Sale Agreements of Permanent Easements for Roadway and Utilities and Temporary Construction Easements associated with the Wall Street Frontage Improvement Project and take such other actions as necessary or appropriate to complete the Project on behalf of the Town and Windsor Redevelopment Agency, and authorize the Director of Administrative Services to pay all proper claims for performance of the construction contract.

PASSED, APPROVED AND ADOPTED this 6th day of April 2011, by the following vote:

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



**DEBORA FUDGE VICE MAYOR/CHAIR,
REDEVELOPMENT AGENCY**

ATTEST:


**MARIA DE LA O, TOWN CLERK /
SECRETARY, REDEVELOPMENT AGENCY**