RESOLUTION NO. 3959-24

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT FOR OLD REDWOOD HIGHWAY VILLAGES SUBDIVISION AND DIRECTING ITS EXECUTION BY THE MAYOR, APPROVING THE FINAL MAP THEREFORE, ACCEPTING CERTAIN OFFERS OF DEDICATION SUBJECT TO IMPROVEMENT, AND MAKING FINDINGS IN ACCORDANCE WITH THE STATE SUBDIVISION MAP ACT AND THE TOWN OF WINDSOR SUBDIVISION ORDINANCE AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A LANDSCAPING AND LIGHTING ASSESSMENT DISTRICTS AND 1982 ACT BENEFIT ASSESSMENT DISTRICT AGREEMENT
(APN 163-172-019, 020, AND FILE NO. 21-21)

WHEREAS, a final map of that certain subdivision entitled "Old Redwood Highway Villages" has been presented to the Town Council for approval and acceptance; and

WHEREAS, Town staff has reported that said map conforms to the requirements of the State Subdivision Map Act and the Town of Windsor Subdivision Ordinance; and

WHEREAS, said map shows and names as dedicated in fee, subject to improvements, for public use Old Redwood Highway and Merner Drive, and dedicates as easements subject to improvements the Public Utility Easements and the Easement over Parcel A for the water, sewer, storm drain and Windsor Water District Facilities Easements (as shown on said map); and

WHEREAS, the project conditions of approval state that the owner shall execute a Subdivision Improvement agreement and execute an agreement to annex their property into the Landscaping and Lighting Assessment Districts and 1982 Act Benefit Assessment District; and

WHEREAS, per Resolution No. 3514-19, the Town Council adopted a Mitigated Negative Declaration and Mitigation Monitoring plan, and

WHEREAS, said final map has been duly acknowledged and executed, and is ready for approval and recordation; and

WHEREAS, the installation of the required public improvements have not been completed to the satisfaction of the Town Engineer; and

WHEREAS, the developer has provided Surety bonds in the following amounts:

Subdivision Performance Bond	$2,261,195.00
Labor and Materials Bond	$2,261,195.00
Maintenance Bond	$226,119.00
Monumentation Bond	$10,000.00

to guarantee the completion of the required improvements within the subdivision; and

WHEREAS, the owner has executed a Subdivision Improvement Agreement and a Landscaping and Lighting Assessment Districts and 1982 Act Benefit Assessment District Agreement fulfilling the condition of their project.

NOW, THEREFORE BE IT RESOLVED that said Subdivision Improvement Agreement is approved, and the Mayor is directed to execute it; and

BE IT FURTHER RESOLVED that the Landscaping and Lighting Assessment Districts and 1982 Act Benefit Assessment Agreement is hereby approved and accepted, and the Town Council authorizes the Town Manager to execute said agreement; and

BE IT FURTHER RESOLVED that the Town Council finds that the final map entitled "Old Redwood Highway Villages" is in substantial compliance with the previously approved tentative map, as conditioned, and with the provisions of the State Subdivision Map Act and the Town of Windsor Subdivision Ordinance, is hereby accepted and approved, subject to improvements; and

BE IT FURTHER RESOLVED that the Town Council finds that said map shows and names as dedicated in fee subject to improvements, for public use Old Redwood Highway and Merner Drive and dedicates as easements subject to improvements, the Public Utility Easements and the Easement over Parcel A for the water, sewer, storm drain and Windsor Water District Facilities Easements (as shown on said map); and

BE IT FURTHER RESOLVED that the Town Council directs the Town Clerk to take the necessary steps to ensure that said map and agreements are recorded with the County Recorder.

PASSED, APPROVED AND ADOPTED this 18th day of September 2024, by the following vote:

AYES:	**COUNCILMEMBERS FUDGE, SALMON, WALL, VICE MAYOR POTTER AND MAYOR REYNOZA**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

ROSA REYNOZA, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK