

MINUTES
JOINT TOWN COUNCIL,
REDEVELOPMENT AGENCY, AND
WINDSOR WATER DISTRICT MEETING

Civic Center Council Chambers
9291 Old Redwood Highway, Building 400
Windsor, CA 95492

Wednesday, March 19, 2008
Regular Session - 6:00 p.m.

1. CALL TO ORDER

Mayor Fudge called to order a meeting of the Town Council, also serving as the Board of Directors of the Windsor Redevelopment Agency and Town of Windsor Water District at 6:03 p.m.

2. COUNCIL ROLL CALL

Present at Roll Call were Councilmembers Allen, Goble, Parker, Salmon and Mayor Fudge.

3. PLEDGE OF ALLEGIANCE

Tim Sanderson led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Proclamation declaring the Month of April 2008 “Sexual Assault Awareness Month” in the Town of Windsor

A proclamation was presented to Chris Castillo, Executive Director, United Against Sexual Assault declaring the month of April 2008 “Sexual Assault Awareness Month” in the Town of Windsor.

Mayor’s Certificate of Special Recognition for Associate Planner

Pauletta Cangson

Mayor Fudge presented Associate Planner Pauletta Cangson with a Mayor’s Certificate of Special Recognition for her dedication and hard work on the Sanderson-Ford Project.

Tim Sanderson, Sanderson-Ford, commended Ms. Cangson for her efforts and dedication on the Sanderson-Ford project.

5. ANNOUNCEMENTS

Mayor and Councilmembers announced various upcoming events.

Planning Director Chamberlin announced that the American Institute of Architects accepted the Town's application to revamp the Old Redwood Highway Corridor.

Carrie Andrade, Health Department's Tobacco Program, announced an upcoming Forum that will be held on Thursday, March 20, 2008 on the effects of drifting second-hand smoke in multi-unit housing.

- a) One Cool Green Thing:
Mayor Fudge reported on biodegradable and compostable garbage bags to help reduce the amount of plastic in landfills.

Councilmember Salmon reported that sinks with one arm faucets can be kept on the cold setting to save energy and water.

6. CONFLICT OF INTEREST DECLARATION – None.

7. CHANGES TO THE AGENDA – None.

8. CITIZEN PUBLIC COMMENT – None.

9. CONSENT CALENDAR

Councilmember Parker moved to adopt the Consent Calendar items as follows:
Councilmember Allen seconded the motion. The motion passed by a 5/0 vote on all items.

9.1 Check Register No. 381

5/0 vote. By motion, approved disbursements in the amount of \$1,409,683.83.

9.2 Approval of Minutes

5/0 vote. By motion, approved the minutes of the regular Town Council meeting of March 5, 2008, as corrected.

9.3 Approve the Audited Financial Statements and the Management Report for the Fiscal Year ended June 30, 2007

Approved the following by a 5/0 vote.

- a) By motion, approved the fiscal year 2006-07 audited financial statements based on an audit of the financial statements performed in accordance with *Government Auditing Standards*.
- b) By motion, approved the Management Report submitted by Mann, Urrutia, Nelson CPAs & Associates LLP dated October 19, 2007.

9.4 Receive and file the Treasurer's Quarterly Investment Report for the quarter ended December 31, 2007

5/0 vote. By motion, received and filed the Treasurer's Quarterly Investment Report for the quarter ended December 31, 2007.

9.5 Budget Amendment for Mitchell Shiloh Conde Assessment District Project

5/0 vote. Adopted Resolution No. 2240-08 amending the FY 2007-08 budget to restore total funding in the amount of \$389,639 for the Mitchell Shiloh Conde Assessment District Project to the amounts reflected in the Town's adopted FY 2007-2012 Capital Improvement Program and FY 2007-09 Budget.

9.6 Windsor Road Pedestrian Enhancements Project

5/0 vote. Adopted Resolution No. 2241-08 approving a Professional Services Agreement and authorizing the Town Manager to execute on behalf of the Town with Coastland Civil Engineering for construction management services for the Windsor Road Pedestrian Enhancements Project in an amount not to exceed \$38,234.00.

9.7 Adopt a Resolution authorizing Examination of Sales and Use Tax Records

5/0 vote. Adopted Resolution No. 2242-08 authorizing the Assistant Town Manager and the Senior Management Analyst/Economic Development to examine the Town's sales and use tax records.

9.8 Amendment to the 2007-08 Budget to Administer the Town's Mobile Home Rent Stabilization Ordinance

5/0 vote. Adopted Resolution No. 2243-08 approving budget amendment 20-08 to appropriate funds to administer the Town's Mobile Home Rent Stabilization Ordinance.

10. PUBLIC HEARING

10.1 Adoption of Windsorland Mobile Home Park Conversion Impact Report

Senior Planner Thompson reported on this item.

Planning Director Chamberlin acknowledged receipt of a letter from Brian Grasser dated March 17, 2008 that explained the notification process related to the approval of the Conversion Impact Report. (Copies of the letter are on file in the Town Clerk's Office and the Planning Department.)

Mayor Fudge opened the public hearing.

Margaret Nanda, Applicant's Attorney, discussed the relocation process of the residents of the Windsorland Mobile Home Park.

Jeff Myer, Project Applicant, noted that this project will be beneficial to Windsor community, as it will provide affordable units.

Mayor Fudge closed the public hearing.

Gordon Waltenspiel discussed the reasons why this proposal will benefit the Town.

Councilmember Parker moved to adopt Resolution No. 2244-08 adopting the Windsorland Mobile Home Park Conversion Impact Report (CIR). Councilmember Salmon seconded the motion. The motion passed by a 5/0 vote.

10.2 Establishment of Time Limit Parking Zones, Curb Markings and other Traffic Controls

Town Engineer and Public Works Director Burt reported on this item. Mr. Burt acknowledged receipt of a letter from Town Green Village Association dated March 19, 2008 regarding their request to postpone the public hearing on the establishment of time limit parking zones, curb markings and other traffic controls. (Copies of the letter are on file in the Town Clerk's Office and Public Works Department.)

Mayor Fudge opened the public hearing.

Hal Beck, Executive Director of Chamber of Commerce, explained the reasons why he believes that implementing a parking ordinance will be difficult and requested that this item be continued to allow for public input.

Carra Clampitt, representing Eugene Burger Management Corporation, discussed her belief that these restrictions will negatively impact the Windsor community. Therefore, she requested that this item be continued to a future date to allow the Association to notice the commercial and residential owners within Town Green of the proposed action.

There being no further public testimony, Mayor Fudge closed the public hearing.

Vice Mayor Goble made a motion to continue the public hearing to the regular Town Council meeting of June 18, 2008 to allow staff to respond to questions regarding how this ordinance will be implemented. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

11. REGULAR CALENDAR

11.1 RDA Low/Moderate Funding Request for Affordable Rental Units above Windsor Bowl

Senior Planner Thompson reported on this item.

Mayor Fudge called for comments from the audience.

Ken LaFranchi, Architect and Property Owner, discussed the history of the project and explained that the purpose of this project was to consider affordable units. He also discussed various components of a second project that is currently before the Planning Commission and sought Council direction.

Mayor Fudge indicated that they can only deliberate on the matter that is currently before them tonight. She said that any discussion on additional items will need to be agendized on a future agenda.

There being no further public testimony, Mayor Fudge closed the public testimony period.

Based on Council discussion, Councilmember Salmon moved to adopt Resolution No. 2245-08 approving an agreement with Ken LaFranchi to record an affordable housing agreement on eight (8) studio apartments located at 8801 Conde Lane (Windsor Bowl), authorized a Redevelopment funded subsidy for affordable housing not to exceed \$70,000, and authorized the Town Manager to execute on behalf of the Redevelopment Agency. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

11.2 Report back from Public Opinion Consultant

Administrative Services Director McAdler briefly reported on this item.

Barry Barnes, Terris, Barnes, Walters and Boigon Public Finance Strategies (TBWB), discussed the process that was used to conduct the survey to determine the feasibility of what Windsor voters would support to increase the Transient Occupancy Tax (TOT).

Tom Patras, Vice President of EMC Research, discussed the results of the telephone survey conducted in Windsor, the project objectives, and key findings. He said that overall, Windsor voters are satisfied with Town services that are being provided and would support a ballot measure to increase the TOT.

Mayor Fudge called for comments from the audience. None were forthcoming.

By consensus, Council received public opinion consultant's report, and directed staff to plan and carry out voter education efforts based on the consultant's recommendations.

11.3 Formation of Town of Windsor 1982 Act Benefit Assessment District for the Shiloh Oaks Subdivision for Maintenance of Airport Creek

Associate Engineer Hayre briefly reported on this item.

John Wanger, Coastland Engineer, discussed the process for the formation of the Town of Windsor 1982 Act Benefit Assessment District to maintain the Airport Creek.

Mayor Fudge called for comments from the audience. None were forthcoming.

Councilmember Allen moved to adopt Resolution No. 2246-08 approving the formation of the Town of Windsor 1982 Act Benefit Assessment District, appointing Coastland Civil Engineering as Engineer of Work, and directing the preparation and filing of an Engineer's Report in accordance with provisions of the Benefit Assessment Act of 1982. Vice Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

Council recessed from 8:10 p.m. until 8:30 p.m. and reconvened with all members present.

At this point, the agenda was reorganized to consider Item 11.7 prior to Item 11.4.

11.7 Introduce Ordinances related to the Prohibition of Smoking

Community Services Director Legge reported on this item.

Dr. Brad Drexler gave a presentation on smoke free parks. He noted that local ordinances limiting exposure to secondhand smoke are the most direct and effective ways to improve health.

Mayor Fudge called for comments from the audience.

The following speakers spoke in support of the ordinances prohibiting smoking:

Pam Granger, American Lung Association of California, noted that their mission is to prevent lung disease and to promote lung health. She reviewed a document titled "Sonoma County Cities 2007 Smokefree Laws Report Card" that was presented to the Council during which she explained the Town's overall grade and that this grade was based on the number of these service areas where smoking is prohibited.

Laura Moss, American Cancer Society, supports the work that is being conducted and thanked Council for their support.

There were no further comments from the public.

After discussion, Councilmember Parker moved to take the following actions:

- a) Introduced, by title only, an ordinance repealing existing Title 3, Chapter 11, "Regulating the Sale of Tobacco and Smoking" in its entirety and adding a new Title 3, Chapter 11, "Regulating the Sale of Tobacco Products and Paraphernalia," to the Municipal Code.
- b) Introduced, by title only, an ordinance repealing existing Title 3, Chapter 20, "Prohibition of Smoking" in its entirety and adding a new Title 3, Chapter 20, "Prohibition of Smoking," to the Municipal Code.

Councilmember Salmon seconded the motion. Following a roll call vote, the motion passed by a 5/0 vote.

11.4 Discussion of Issues and Considerations for a possible Windsor Creek Underpass Trail

Public Works Director and Town Engineer Burt reported on this item.

Tom Jones, Brelje and Race Engineers, discussed the options for a pedestrian and bicycle path along Windsor Creek and under the 101 Highway to provide an east-west connection to the Town Green.

Mayor Fudge called for comments from the audience.

Paul Andronicka, Senior Vice President with Basin Street Properties, Hampton Inn, spoke regarding time constraints associated with the opening of the Hampton Inn and expressed his support for the knuckle design as proposed by Town staff.

There were no further comments from the audience.

Discussion followed during which Council supported the Los Amigos Road knuckle design as a permanent solution to replace the proposed Los Amigos Bridge. A pedestrian/bicycle bridge over Windsor Creek along the east side of Los Amigos Road is also proposed as part of the revised design. In the event that staff is unable to approve the knuckle design solution as a permanent solution, Council directed staff to return at a future meeting with the amended terms of the Hampton Inn Occupancy and Los Amigos Road Improvement Agreement for consideration.

11.5 Approve Commemorative Park and Memorial Street Sign Programs

Community Services Director Legge reported on this item.

Mayor Fudge called for comments from the audience. None were forthcoming.

Councilmember Salmon moved to adopt the following resolutions:

- a) Resolution No. 2247-08 rescinding Resolution No. 860-99 and amending the established Commemorative Park Amenity Program.
- b) Resolution No. 2248-08 establishing a Memorial Street Sign Program.

Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

11.6 Discuss Participation in the Windsor Day Parade

Council discussed its participation in the Windsor Day Parade on May 3, 2008.

11.7 Introduce Ordinances related to the Prohibition of Smoking

This item was considered after Item 11.3.

11.8 Town Council Rules of Conduct of Meetings

Councilmember Allen moved to adopt Resolution No. 2249-08, as modified and rescinding Resolution No. 1352-03, and amending the rules for the conduct of Town Council meetings. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

12. DISCUSSION AND/OR ACTION ON PENDING STATE OR FEDERAL LEGISLATION AND ACTIVITIES

12.1 League of California Cities

12.2 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Discussion of San Francisco Mayor Newsom's Request to Participate in a Regional Purchasing Program for Plug-In Hybrid Vehicles

Mayor Fudge briefly reported on this item.

Council indicated its support for a Bay Area regional purchase order for plug-in hybrid vehicles.

13.2 Individual Councilmember Reports and Comments

Councilmember Parker asked staff to distribute on the dais (prior to commencement of the meeting) for informational purposes a copy of the City of Santa Rosa position on funding of CEQA documentation for The Santa Rosa Plain Conservation Strategy and Implementation Plan Memorandum of Agreement dated March 18, 2008.

13.3 Reports on Meetings/Conferences

Councilmembers briefly reported on meetings they attended and were of interest to Council.

13.4 Requests for Future Council Agenda Items

No requests were made.

14. TOWN MANAGER'S REPORT (NO WRITTEN REPORT)

No reports were made.

15. ANNOUNCEMENT OF CLOSED SESSION TOPICS/ADJOURNMENT TO CLOSED SESSION

Mayor Fudge announced the following Closed Session topic and Council adjourned to a Closed Session in the Wild Oak Conference Room at 11:40 p.m.

15.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: 8612, 8606 and 8594 Windsor Road (Assessor's Parcel Numbers 164-030-037, 164-030-049 and 164-030-050) and 444 Windsor River Road (Assessor's Parcel Number 066-081-077).

Agency Negotiator: Town Manager or designee

Negotiating Party: Windsor Fire District

Under Negotiation: Price and terms

- 15.2 Public Employment: Town Manager's Performance Evaluation** Consideration of Town Manager's Performance Review pursuant to Government Code Section 54957.

This matter was postponed to the Council's Special Meeting (Closed Session) on March 20, 2008.

16. REPORT OUT OF CLOSED SESSION

The Closed Session (Item 15.1) adjourned and the regular meeting reconvened with all members present. No action was taken during Closed Session.

17. ADJOURNMENT

The meeting adjourned at 11:50 p.m. to a Special Town Council meeting (Closed Session) scheduled for Thursday, March 20, 2008 at 4:30 p.m. in the Wild Oak Room located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 16th day of April 2008.

Maria De La O, CMC
Town Clerk