

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

Windsor Civic Center, Conference Room A
9291 Old Redwood Highway, Building 400
Windsor, CA 95492

Wednesday, November 7, 2007

Closed Session- 5:30 p.m.
Regular Session - 6:00 p.m.

CLOSED SESSION- 5:30 p.m.

1. CALL TO ORDER

Mayor Parker 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 5:35 p.m.

2. COUNCIL ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Councilmember Salmon led the Pledge of Allegiance.

4. CITIZEN PUBLIC APPEARANCES – None.

5. ANNOUNCEMENT OF CLOSED SESSION TOPIC/ ADJOURNMENT TO CLOSED SESSION

Mayor Parker announced the following Closed Session topics and Council adjourned to a Closed Session in Conference Room A at 5:56 p.m.

5.1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Government Code Section 54956.9(a)) Town of Windsor vs. Olufs, et. al. (Sonoma County Superior Court Case #236147) Town of Windsor vs. Emery Land Company, et. al. (Sonoma County Superior Court Case # 238402)

6. REPORT OUT OF CLOSED SESSION

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

REGULAR SESSION – 6:00 p.m.

7. PRESENTATION(S)/PROCLAMATION(S)

7.1 A Proclamation honoring Anne Marie Murphy, Windsor Regional Library Branch Manager, for her years of service to the Windsor community

Mayor Parker read a proclamation acknowledging Anne Marie Murphy's years of service at the Windsor Regional Library Branch and the Windsor community.

7.2 Presentation: Town Employee of the Quarter Jon Davis

Mayor Parker presented a plaque to Town Employee of the Quarter Jon Davis.

8. ANNOUNCEMENTS – None.

9. CONFLICT OF INTEREST DECLARATION – None.

10. CHANGES TO THE AGENDA

Councilmember Salmon asked that Item No. 12.8 (Professional Services Agreement with RMC Water and Environment for Engineering Services for the Solar Power Project at the Water Reclamation Treatment Plant Site) be pulled from the Consent Calendar for discussion and consideration immediately after the Regular Calendar items.

11. CITIZEN PUBLIC APPEARANCES – None.

12. CONSENT CALENDAR

Councilmember Allen moved to adopt the Consent Calendar items, with the exception of Item 12.8 (Professional Services Agreement with RMC Water and Environment for Engineering Services for the Solar Power project at the Water Reclamation Treatment Plant site), which was considered following Item 14.2. Councilmember Goble seconded the motion. The motion passed by a 5/0 vote.

12.1 Check Register No. 373

5/0 vote. By motion, approved disbursements in the amount of \$2,415,704.53.

12.2 Approval of Minutes

5/0 vote. By motion, approved the minutes of the regular Town Council meeting of October 17, 2007.

12.3 Receive and file the Treasurer's Quarterly Investment Report for the quarter ended September 30, 2007

5/0 vote. By motion, received and filed the Treasurer's Quarterly Investment Report for the quarter ended September 30, 2007.

- 12.4 Approve Fee Study Consultant Agreement**
5/0 vote. Adopted Resolution No. 2167-07 approving an agreement with NBS to prepare a Town-wide fee study in the amount of up to \$59,500 and authorizing the Town Manager to execute the agreement on behalf of the Town.
- 12.5 Adoption of Ordinance Amending the Town Municipal Code to Allow Separate Licensing for Temporary Debris Box and Roll-off Container Collection Services**
5/0 vote. Adopted, by title only, Ordinance No. 2007-225 amending Chapters 1 and 2 of Title XI, Solid Waste Management, of the Town of Windsor Municipal Code to allow the Town to issue separate Non-Exclusive Licenses for Temporary Debris Box and Roll-off Container collection services.
- 12.6 Cancellation of the November 21, 2007, January 2, 2008 and February 6, 2008 Regular Town Council Meetings**
5/0 vote. By motion, canceled the regular meetings of the Town Council scheduled for November 21, 2007, January 2, 2008 and February 6, 2008.
- 12.7 Approve an Agreement for Uniform Rental Services**
5/0 vote. Adopted Resolution No. 2168-07 approving a professional services agreement with Aramark Uniform Services, for uniform services beginning January 1, 2008, for a term of three years ending December 31, 2010, at an estimated cost of \$40,000 annually, with the option to extend the term for two additional subsequent years and authorizing the Town Manager to execute the agreement on behalf of the Town.
- 12.8 Authorize Professional Services Agreement with RMC Water and Environment for Engineering Services for the Solar Power Project at the Water Reclamation Treatment Plant Site**

This item was considered after the Regular Calendar.

13. PUBLIC HEARING

- 13.1 Amended and Updated Implementation Plan for the Redevelopment Agency**
Senior Management Analyst Kelley reported on this item.

Mayor Parker opened the public hearing. There being no public testimony, Mayor Parker closed the public hearing.

Councilmember Allen moved to adopt Resolution No. 2170-07 approving the amended and restated Town of Windsor Redevelopment Agency's Five-Year Implementation Plan for 2005-2009. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 5/0 vote.

- 13.2 Annual Growth Control Report, Update Growth Control Ordinance, Adopt Policy Criteria and Procedures, and Establish 2008 Annual Allocations and Reservations for 2009/2010**

Planning Director Chamberlin and Associate Planner Cangson reported on this item.

Town Engineer/Public Works Director Burt responded to questions regarding the Town's water supply and noted that the Town will need to develop new groundwater wells to address water supply shortages by the year 2010.

Mayor Parker opened the public hearing.

Phil Richardson, Developer, requested allocations for the Overlook Subdivision project.

Bruce Shimizu, Developer, spoke in support of the moderate income exemption to the Growth Control Ordinance. He discussed the need to provide an exemption to households in the community that even with the moderate income exemption would not be able to afford a home.

Mayor Parker closed the public hearing.

Although there were concerns raised regarding the moderate income exemption due to the high number of allocations for 2008, the majority of the Council supported the inclusion of moderate income as an exemption to the Growth Control Ordinance.

Mayor Parker reopened the public hearing to allow additional public testimony.

Ken Chafli, representing the Windsor Gateway project, responded to questions from the Council related to the estimated time for construction of the project. He stated that the infrastructure improvements could commence next year. However, the project would need to go through the Planning Commission process.

Jeff Meyer, Windsor resident, expressed concern regarding the merit presentation process with regard to the reservation of allocations, as he will be coming forward with an application in the spring. He also noted that placing moderate income in the exempt category makes sense for affordable housing.

Hearing no further comments, Mayor Parker closed the public hearing.

Council discussed modifications to the Growth Control Ordinance, which included the addition of moderate income units to the affordable category. Council also directed staff to bring back for its consideration at its December 5, 2007 meeting, a resolution establishing a cap on the number of moderate income units that would be able to obtain a waiver in any one year.

Further discussion ensued regarding the setting of allocations for 2008 and reserving allocations for 2009 and 2010. Staff was directed to meet with the applicants requesting allocations and reservation of allocations, to obtain more information on the estimated time for construction of the projects. Staff was also asked to review the information obtained and adjust the requested 2008 allocations and allocation reservations to the estimated years that allocations would be needed for construction.

Based on its discussion, Council continued the following items to its regularly scheduled Town Council meeting of December 5, 2007 for consideration and action:

- a) Adoption of a resolution establishing a maximum number of moderate income units to obtain a waiver in any one year;
- b) Introduction of an ordinance setting allocations for the year 2008;
- c) Adoption of a resolution reserving allocations for 2009/1010.

Following discussion, Councilmember Allen moved to take the following actions:

- a) Reviewed and accepted the 2007 Annual Growth Control Report;
- b) Introduced, by title only, an ordinance updating the Growth Control Ordinance, as amended;
- c) Adopted Resolution No. 2171-07 Establishing Criteria and Procedures for Waivers for Project of Four New Residential Units or Less;
- d) Adopted Resolution No. 2172-07 Establishing Criteria and Procedures for Waivers for Priority Development Areas;
- e) Adopted Resolution No. 2173-07 Establishing a Process for Merit Presentations and Allocations Applications.

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

Council recessed from 8:33 p.m. until 8:43 p.m. and reconvened with all members present except Councilmember Allen.

It was noted for the record that Councilmember Allen, Town Manager Mullan and Town Attorney Rudnansky left the meeting at 8:43 p.m.

14. REGULAR CALENDAR

14.1 Adoption of resolution authorizing Town Manager to execute Non-Exclusive Temporary Debris Box and Roll-off Collection Service agreements beginning January 1, 2008

Assistant Town Manager Johnson reported on this item.

Mayor Parker offered members of the audience an opportunity to speak at this time. No comments were made.

Councilmember Salmon moved to adopt Resolution No. 2174-07 approving non-exclusive temporary debris box and roll-off collection service agreements with Industrial Carting; M & M Services, Inc.; and the Ratto Group of Companies beginning January 1, 2008 and authorizing the Town Manager to execute the agreements on behalf of the Town. Councilmember Goble seconded the motion. The motion passed by a 4/0/1 vote, as Councilmember Allen was absent.

14.2 Old Downtown Windsor Business Directional Sign Program Requirements Policy

Assistant Town Manager Johnson reported on this item and introduced Administrative Specialist Diane Johnson.

Mayor Parker offered members of the audience an opportunity to speak at this time. No comments were made.

Councilmember Goble moved to adopt Resolution No. 2175-07 approving the Old Downtown Windsor Business Directional Sign Program Requirements Policy and authorized the establishment of a fee schedule to install and maintain the signs. Mayor Pro Tem Fudge seconded the motion. The motion passed by 4/0/1 vote, as Councilmember Allen was absent.

At this time, Council considered Item 12.8.

12.8 Authorize Professional Services Agreement with RMC Water and Environment for Engineering Services for the Solar Power Project at the Water Reclamation Treatment Plant Site

Councilmember Salmon explained why he requested that this item be pulled from the Consent Calendar. He stated that his main concern related to the costs associated with the purchase agreement for the Solar Power project at the Water Reclamation Treatment Plant site. He expressed frustration that all projects are costing more than those of the private sector.

Senior Utility Engineer Scott discussed the elements of the solar power system that will be installed at the Water Reclamation Treatment Plant.

Following discussion, Councilmember Goble moved to adopt Resolution No. 2169-07 authorizing the Town Manager to execute a professional services agreement with RMC Water and Environment for Engineering Services for the Solar Power Project at the Water Reclamation Treatment Plant Site (Phases 1 and 2). Mayor Pro Tem Fudge seconded the motion. The motion passed by a 3/1/1 vote (Councilmember Allen was absent and Councilmember Salmon opposed).

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

15.1 League of California Cities

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

16. MAYOR'S & COUNCILMEMBERS' REPORTS

16.1 Individual Councilmember Reports and Comments

The Mayor and members of the Council made announcements and reported on items of interest to the Council.

16.2 Reports on Meetings/Conferences

Mayor Pro Tem Fudge reported on her attendance at the SCWA Lobbying Trip, as the Town's representative. She highlighted items of interest for the group.

16.3 Requests for Future Council Agenda Items – None.

17. TOWN MANAGER=S REPORT (NO WRITTEN REPORT)

Assistant Town Manager reported that the Town's contractor completed the paving of Conde Lane and was officially opened to traffic today at 1:10 p.m.

18. ADJOURNMENT

The meeting adjourned at 9:33 p.m. to a Joint Town Council and Planning Commission meeting scheduled for Tuesday, November 13, 2007, at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 5th day of December 2007.

Maria De La O, CMC
Town Clerk