

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

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

**September 19, 2007**  
**Regular Session- 6:00 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 6:06 p.m.

**2. COUNCIL ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

Chris Vander Heuvel, Principal at Cali Calmecac, led the Pledge of Allegiance.

**4. PRESENTATION(S)/PROCLAMATION(S)**

**4.1 Proclamation of the Town Council of the Town of Windsor proclaiming October 1, 2007 as ¡Hola Day!**

Mayor Parker presented Chris Vander Heuvel, Principal at Cali Calmecac, Kindergarten Teacher Socorro Nelson, and Resource Specialist Jennifer Martinez, with a proclamation declaring October 1, 2007 as ¡Hola Day!

**4.2 Proclamation of the Town Council of the Town of Windsor declaring September 22, 2007 as Russian River Cleanup Day.**

Mayor Parker read a proclamation declaring September 22, 2007 as Russian River Cleanup Day.

**4.3 Mayor's Certificate of Special Recognition for Administrative Services Director Jim McAdler**

Administrative Services Director Jim McAdler received a Mayor's Certificate of Special Recognition for his work on the recently completed employment agreements for Town employees.

**4.4 Acknowledgment of Greg Wilde’s Services on the Parks and Recreation Commission.**

David Khan, Member of the Parks and Recreation Commission, accepted a gift on behalf of Greg Wilde for his services on the Parks and Recreation Commission.

**4.5 Report on current gang activity in Sonoma County.**

Police Chief Freitas introduced the item.

Sergeant Carlos Basurto, Sonoma County Sheriff’s Department, reported on current gang activity in Sonoma County.

**5. ANNOUNCEMENTS**

Mayor and Councilmembers announced various upcoming events.

**6. CONFLICT OF INTEREST DECLARATION**

None.

**7. CHANGES TO THE AGENDA**

None.

**8. CITIZEN PUBLIC COMMENT**

None.

**9. CONSENT CALENDAR**

Councilmember Salmon stated for the record that he does not support the scope of work for the Keiser Park Master Plan EIR (Item 9.11 – Amendment to the Professional Services Agreement with Royston Hanamoto Alley and Abbey (RHAA) for Keiser Park Master Plan Environmental Document Preparation). However, he noted that because there are only three Councilmembers present, he will move the Consent Calendar items forward.

Councilmember Salmon moved to adopt the Consent Calendar items. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Goble were absent).

**9.1 Check Register No. 370**

**3/0/2 vote (Councilmembers Allen and Goble were absent)** By motion, approved disbursements in the amount of \$3,056,411.83.

**9.2 Approval of Minutes**

**3/0/2 vote (Councilmembers Allen and Goble were absent)** By motion, approved the minutes of the regularly scheduled Town Council meeting of August 15, 2007.

**9.3 Treasurer’s Quarterly Investment Report**

**3/0/2 vote (Councilmembers Allen and Goble were absent)** Received and filed the Treasurer’s Quarterly Investment Report for the quarter ended June 30, 2007.

- 9.4 Supplemental Law Enforcement Services Fund Grant, also known as COPS (Citizens' Option for Public Safety Program)**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2130-07 appropriating \$100,000 in the Town of Windsor Police Department operating budget for FY 2007/08 through Citizens' Option for Public Safety Program (State COPS) funding.
- 9.5 Mitchell/Shiloh/Conde Assessment District Property Acquisition**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2131-07 to appropriate an additional \$242,259 for the acquisition of property at 930 Shiloh Road (APN 059-271-014) needed for the Mitchell/Shiloh/Conde assessment District.
- 9.6 Authorize Professional Services Agreement with RMC Water and Environment for Engineering Services to Prepare the Sanitary Sewer Management Plan**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2132-07 authorizing the Town Manager to execute a professional services agreement with RMC Water and Environment for Engineering Services to prepare the Sewer System Management Plan (SSMP).
- 9.7 Acceptance of Public Improvements, and Approval of Final Map for Conde Lane Business Park – 7455 Conde Lane (00-15)**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
a) Adopted Resolution No. 2133-07 approving and accepting the Final Map for Conde Lane Business Park; and accepting certain offers of dedication; and authorizing the Town Manager to sign a Subdivision Improvement Agreement for grading of lot 5 and a Lighting and Landscape Assessment District Agreement.  
b) Adopted Resolution No. 2134-07 accepting public improvements for the subdivision known as Conde Lane Business Park, including the acceptance of a portion of American Way.  
c) Designated the intersection of American Way and Conde Lane as a one leg stop-controlled intersection and authorizing the installation of a stop sign at this location.
- 9.8 Purchase of Budgeted Computer Hardware and Software**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2135-07 authorizing the Town Manager to execute purchase orders totaling \$97,251.78 to Computer Discount Warehouse-Government (CDW-G) for the purchase of budgeted hardware and software for use at the Town (\$61,392.03) and at the EOC (\$35,859.75).
- 9.9 Adopt Animal Control Service Fees**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2136-07 adopting increases for Animal Control Service Fees for adoption, testing, microchipping, boarding, impound, owner surrender, animal pickup, rabies quarantine, and licensing.

- 9.10 Notice of Completion for the Hiram Lewis Bathrooms and Related Site Improvements**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2137-07 to:
- a) Accept all contract work for the Town of Windsor Hiram Lewis Bathrooms and Related Site Improvements.
  - b) Direct the Town Clerk to record a Notice of Completion for said contract.
  - c) Authorize the Town Manager to release any contract retention upon the expiration of thirty-five (35) days of recordation of Notice of Completion.
- 9.11 Approve Amendment to Professional Services Agreement with Royston Hanamoto Alley & Abbey (RHAA) for Keiser Park Master Plan Environmental Document Preparation**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2138-07 authorizing the Town Manager to execute Amendment No. 1 to the Professional Services Agreement with RHAA for the Keiser Park Master Plan, environmental document preparation, for an amount not to exceed \$106,658.
- 9.12 Authorizing an Amendment to the Professional Services Agreement with RMC Water and Environment for Project Management Assistance for Ponds S and T**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**
- a) Adopted Resolution No. 2139-07 authorizing the Town Manager to amend the Professional Services Agreement with RMC Water and Environment for Project Management Assistance for Ponds S and T (renamed Eastside Road Storage Project), in an amount not to exceed \$143,000.00; and
  - b) Adopted Resolution No. 2140-07 amending the FY 2007/08 budget to appropriate additional funds in the amount of \$143,000.00 to the Eastside Road Storage Project from the unappropriated funds in the Water Reclamation Capital Fund.
- 9.13 Resolution establishing New Recommended Bail amounts for violations of the Windsor Town Code.**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2141-07 establishing new recommended bail amounts for violations of the Windsor Town Code to conform to the Superior Court's new computer system.
- 9.14 Contract for Annual Traffic Engineering Services**  
**3/0/2 vote (Councilmembers Allen and Goble were absent)**  
Adopted Resolution No. 2142-07 authorizing the Town Manager to execute a Professional Services Agreement with Whitlock & Weinberger Transportation, Inc. (W-Trans), in the amount of \$140,000, for annual traffic engineering services for the Fiscal Year 2007/2008.

**9.15 Award Contract for the Civic Center Americans with Disabilities Act (ADA) Improvement Project**

**3/0/2 vote (Councilmembers Allen and Goble were absent)**

- a) Adopted Resolution No. 2143-07 authorizing the Town Manager to execute a Professional Services Agreement accepting the bid from JB Bostick Company in the amount of \$91,795 and award a contract to JB Bostick Company for the Civic Center ADA Improvement Project in accordance with the plans and specifications on file with the Town of Windsor Building Inspection Division.
- b) Adopted Resolution No. 2144-07 amending the 2007-08 budget to appropriate additional funds for the Civic Center ADA Improvement Project.

**9.16 Approve Budget Amendment for KJZY Jazz Event**

**3/0/2 vote (Councilmembers Allen and Goble were absent)**

Adopted Resolution No. 2145-07 accepting a \$3,000 contribution from the Old Downtown Windsor Business Improvement District and amending the Fiscal Year 2007-08 Town Budget appropriating \$3,000 towards the KJZY Jazz event on the Town Green.

**10. PUBLIC HEARING**

**10.1 Sanderson Ford Automobile Dealership and Associated Entitlements**

Associate Planner Cangson gave a Powerpoint presentation during which she discussed the entitlements for the proposed Sanderson Ford Automobile Dealership.

Planning Director Chamberlin discussed the annexation process with LAFCO for the proposed project and the agreement between the Town and Marjorie and Frank Smith. Mr. Chamberlin also acknowledged receipt of a letter from the Sonoma County Permit and Resource Management Department requesting the addition of a condition to the Sanderson Ford use permit requiring that any new or modified signage visible from Highway 101 be subject to review and comment by the County of Sonoma to address visual impacts to the Highway 101 Scenic Corridor.

Mayor Parker opened the public hearing.

Del Starrett, Project Architect, introduced Tim Sanderson and family members, Planning Consultant Bruce Aspinall, and Tom Jones from Brelje and Race Engineers and said they were available to answer questions. Mr. Starrett discussed the history and desire of Sanderson Ford to locate in Windsor.

Priscilla Campbell, Windsor resident, spoke in support of the Sanderson Ford project and commended the applicant for his honesty and commitment to the Windsor community.

Marjorie Smith, Windsor resident, read the contents of a letter that was distributed to the Council during the public comment period of the meeting requesting that Council adopt a resolution authorizing the Town Manager to negotiate and execute an agreement with her and Frank Smith addressing their concerns regarding the Sanderson's' application for the annexation of the Smith, Jones and Sanderson parcels.

Mayor Parker closed the public hearing.

Council discussion ensued, during which Councilmembers stated their reasons for supporting the location of the Sanderson Ford Dealership, including the annexation and the Sphere-of-Influence amendment.

Mayor Pro Tem Fudge moved to adopt the following resolutions:

- a) Adopted Resolution No. 2146-07 certifying the Environmental Impact Report; and
- b) Introduced, by title only, Ordinance No. 2007-222 Pre-Zoning the Sanderson, Jones, and Smith-North Parcels; and
- c) Adopted Resolution No. 2147-07 initiating annexation; and
- d) Adopted Resolution No. 2148-07 initiating a Sphere-of-Influence Amendment; and
- e) Adopted Resolution No. 2149-07 approving the Use Permit for Sanderson Ford, subject to conditions, and, as modified.
- f) Adopted Resolution No. 2150-07 authorizing the Town Manager to negotiate and execute an agreement with Frank and Marjorie Smith that addresses their concerns and the concerns of the Town for annexation of the Smith property, as modified.

Councilmember Salmon seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Goble were absent).

## **11. REGULAR CALENDAR**

### **11.1 Initiate Zoning Ordinance Amendments Regulating Accessory Structures**

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

Mayor Parker called for public comments at this time.

During the public testimony period, public input was received from Jim Florence, Karlin Riebich, John Riebich, Karen Rodriguez, Raul Garcia, and Jose Garcia. These residents raised concerns related to the initiation of an amendment that would regulate the size of accessory structures. Some of these speakers also stated that they would support reasonable regulations.

Other members of the public raised concerns associated with possible violations related to the size of accessory structures and the compatibility of these structures with existing homes.

There were no further comments from the audience.

Mayor Pro Tem Fudge discussed the reasons why she initiated the zoning amendment that would regulate accessory structures. She said that the intent of the amendment is to require that these projects go through the Planning review process.

Council provided the Planning Department with interim guidelines to process requests for accessory structures larger than 840 square feet. Staff was also directed to return at a future meeting with criteria for processing Minor Use Permits as well as information to commence an amendment to the Zoning Ordinance that would address the following:

1. Limit the size of the accessory structures to 840 square feet and subject larger structures to the Minor Use Permit process.
2. Limit the number of detached accessory structures that require a building permit and subject additional accessory structures that require a building permit to the Minor Use Permit process.
3. Require accessory structures that require a building permit to be architecturally compatible with the primary structure (colors, siding, roof, windows, doors, etc.).
4. Clarify structures that would be exempt from the requirements. Suggested exemptions could be detached open-sided/open air patio covers, gazebos, trellises, and similar structures that are open-sided and do not have a solid roof structure.
5. Provide an alternative that would consider lot coverage when considering accessory structures.

#### **11.2 Approval of the Old Downtown Windsor Business Improvement District (BID) Fiscal Year 2007-2008 Annual Report and Resolution of Intention**

Senior Management Analyst Kelley summarized the contents of the staff report.

Mayor Parker called for public comments. There were none forthcoming.

Councilmember Salmon moved to adopt the following actions:

- a) Approved, by motion, the Old Downtown Windsor Business Improvement District (BID) Fiscal Year (FY) 2007-2008 Annual Report as filed or modified.
- b) Adopted Resolution No. 2151-07 of Intention to levy an annual assessment for Fiscal year 2007-2008, and to hold a public hearing on October 17, 2007.

Mayor Pro Tem Fudge seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Goble were absent).

At this time, Mayor Parker read into the record an e-mail message from Councilmember Allen which was distributed to Councilmembers at the commencement of the meeting regarding the Sanderson Ford project.

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

### **12.1 League of California Cities**

- a) Mayor Parker reported on his attendance at the September 5-8, 2007 League of California Cities (LOCC) Annual Conference. He also reported that Councilmembers Goble and Salmon and Town Manager Mullan were in attendance as well.
- b) Mayor Parker reported on his attendance at the League of California Cities (LOCC) General Membership Meeting and Installation Luncheon – Friday, September 7, 2007.

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

## **13. MAYOR'S & COUNCILMEMBERS' REPORTS**

### **13.1 Individual Councilmember Reports and Comments**

Councilmembers briefly reported on items of interest to the Council.

### **13.2 Reports on Meetings/Conferences**

Mayor Parker reported on the upcoming SMART Growth Conference to be held in Washington, D.C. in February of 2008. He encouraged Councilmembers to attend.

### **13.3 Requests for Future Council Agenda Items**

Following a brief Council discussion, staff was directed to agendize the following items on future agendas:

- Term Limits for Councilmembers
- Campaign Expense Reform
- Discussion on Councilmembers' comments submitted when absent from a Town Council Meeting

## **14. TOWN MANAGER'S REPORT (No written report.)**

After a brief discussion, Council concurred to hold a Joint Town Council and Planning Commission meeting on Tuesday, November 13, 2007 at 6:00 p.m.

Acting Town Manager Johnson reported on the need for Town Councilmember Representation on the Sonoma County Water Agency Lobbying trip to Washington, D.C. scheduled for October 28-31, 2007. She said that this is the first time since the Town became a water contractor, that the SCWA has invited Windsor to participate. She noted that Mayor Pro Tem Fudge is the Town's current representative on the SCWA Water Advisory Committee ("WAC") and Councilmember Allen is the WAC alternate. The Council can designate a representative tonight or direct staff to bring this matter back at a future meeting.



Following a brief Council discussion, staff was directed to place the subject matter on the October 3, 2007 Council Agenda for further discussion and action.

**15. ADJOURNMENT**

The meeting adjourned at 9:55 p.m. to a Regular Town Council meeting scheduled for Wednesday, October 3, 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 17<sup>th</sup> day of October 2007.

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Maria De La O, Town Clerk, CMC  
Town Clerk