

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

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

**April 18, 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 6:02 p.m.
- 2. COUNCIL ROLL CALL**  
Present at Roll Call were Councilmembers Fudge, Goble, Salmon and Mayor Parker. Councilmember Allen was absent.
- 3. PLEDGE OF ALLEGIANCE**  
Sonoma County Sheriff Bill Cogbill led the Pledge of Allegiance.
- 4. PRESENTATION(S)/PROCLAMATION(S)**
  - 4.1 Introduction of new Windsor Police Officers**  
Windsor Police Chief Freitas introduced new Windsor Police Officers Adrian Mancilla, Rick Bostic and Loki (the new Police dog).
  - 4.2 Affordable Housing Week Proclamation**  
This item was moved to the meeting of May 2, 2007.
  - 4.3 Children's Memorial Day Proclamation**  
Mayor Parker read a proclamation declaring April 27, 2007 Children's Memorial Day. He presented the Proclamation to Toni Novak of MOVES (Minimizing Occurrences of Violence in Everyday Society).
  - 4.4 Presentation: Town Employee of the Quarter**  
Mayor Parker presented a plaque to Maureen Bufton, Town of Windsor Employee of the Quarter.
- 5. ANNOUNCEMENTS**  
Mayor and Councilmembers made various announcements.

**6. CONFLICT OF INTEREST DECLARATION**

**7. CHANGES TO THE AGENDA**

At the request of Town Manager Mullan, Item 10.1 (Town Green Village 7 – Revision to Conditions) was moved to the Town Council meeting of May 2, 2007 to meet proper noticing requirements.

Town Manager Mullan asked that Item 16.1 (Closed Session) be removed from the agenda.

**8. CITIZEN PUBLIC APPEARANCES**

Ed Corsey and Dennis Hart invited Council and the Windsor community to participate in the Spring Clean 2007 program that will be held on Saturday morning on April 28<sup>th</sup>.

**9. CONSENT CALENDAR**

Councilmember Salmon moved to adopt the following Consent Calendar items. Councilmember Goble seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

**9.1 Check Register No. 362**

**4/0/1 vote (Councilmember Allen was absent).** By motion, approved disbursements in the amount of \$1,536,220.29.

**9.2 Approve the Use of Town Council's Benevolent Fund for Luther Burbank Rose Parade and Festival**

**4/0/1 vote (Councilmember Allen was absent).** Approved the use of \$100 from the Town Council's Benevolent Fund as a donation to the 2007 Luther Burbank Rose Parade and Festival for the purchase of a trophy for a parade participant.

**9.3 Agreement with California Housing Finance Agency for a HELP Loan**

**4/0/1 (Councilmember Allen was absent).** Adopted Resolution No. 2045-07 authorizing the Executive Director to execute a loan agreement between the Redevelopment Agency and the California Housing Finance Agency (Cal-FHA) for a \$1,300,000 HELP Loan.

**9.4 Zoning Ordinance Amendments**

**4/0/1 vote (Councilmember Allen was absent).** Adopted, by title only, Ordinance No. 2007-214 amending Chapter 27.10, Chapter 27.32, Chapter 27.34, and Chapter 27.60 of the Zoning Ordinance.

## **10. PUBLIC HEARING**

### **10.1 Town Green Village 7- Revision to Conditions**

This item was moved to the May 2, 2007 Council meeting to allow proper noticing.

### **10.2 Medical Marijuana Dispensaries and Cultivation**

Planning Director Chamberlin reported on this item

Police Chief Freitas clarified that with regard to option #3(c) in the staff report, the Police Chief would not be issuing permits for medical marijuana dispensaries, as according to Federal Law marijuana is illegal. He explained that until uncertainties between the California Law and Federal Law are resolved, he would not be able to participate in any type of permitting or zoning process. Mr. Freitas also raised concerns with the violence that is associated with medical marijuana dispensaries.

Town Attorney Rudnansky gave a brief background of the Federal and State Law that governs medical marijuana.

Mayor Parker opened the public hearing.

Lynn Morehouse, Windsor resident, discussed the reasons why she believes Windsor does not have a need for medical marijuana dispensaries. She also expressed concern regarding the crimes that are associated with dispensaries.

Donna Frank, owner of the Medical Marijuana dispensary on Santa Rosa Avenue, spoke in support of Option C that would allow Medical Marijuana dispensaries to operate in Windsor. She said that Medical Marijuana dispensaries are well run and have very little adverse impact on the community. However, she raised safety concerns associated with medical marijuana delivery services.

Mayor Parker closed the public hearing.

At this time, Mayor Parker read into the record a memo submitted from Councilmember Allen which was presented to Councilmembers at the meeting. In his memo, Councilmember Allen states the reasons why he is opposed to allowing dispensaries within the Town limits.

The Council reviewed the four (4) options presented to them regarding the regulations of medical marijuana dispensaries and outdoor cultivation. By consensus, Council directed staff to proceed with Option No. 4, banning all Medical Marijuana Dispensaries through an Ordinance that will be brought back to the Town Council for introduction at the Council's May 16<sup>th</sup> meeting.

## **11. REGULAR CALENDAR**

### **11.1 Windsor Town Green Stage Expansion**

Community Services Director Legge briefly reported on this item.

Mayor Parker offered members of the audience an opportunity to speak at this time.

Michael Brook, Board Member of Shakespeare on the Green, thanked Town staff for all their efforts to accomplish this project. He said that Shakespeare has attempted to obtain contributions for the construction of this project. However, the bids received to construct the stage are too high.

There were no further comments from the audience at this time.

A brief discussion followed during which Councilmembers expressed concern regarding the increased costs for the construction of the Town Green stage expansion project. Because Councilmembers were not supportive of the bids that were received, they directed staff to rebid the project in the fall or winter months.

Staff advised that there will be no guarantee that the estimates will be lower.

Councilmember Salmon moved to reject all bids and authorized staff to rebid the Windsor Town Green Stage expansion project in the fall or winter months. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

### **11.2 Annual FY 2007-08 Engineer's Report Landscaping and Lighting Special Assessment District**

Associate Engineer Hayre introduced the item.

Otto Bertolero, Coastland Engineers, briefly outlined the actions that Council will need to take this evening.

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

There was Council discussion regarding the need to administer a mail-in ballot seeking voter approval to possibly increase the Landscaping and Lighting Assessment District.

Councilmember Goble moved to adopt Resolution No. 2046-07 of Intention to levy and collect annual assessments, preliminarily approved the FY 2007-08 Engineer's Report for the Town of Windsor Landscaping and Lighting Special Assessment District and set the dates for the public information meeting and public hearing. Councilmember Salmon seconded the motion. The motion passed by a 4/0/1 (Councilmember Allen was absent).

**11.3 Mandatory Green Building Program for Residential and Commercial Construction**  
Building Official Pantazes reported on this item. He acknowledged receipt of correspondence (that was distributed on the dais prior to commencement of the meeting) from Patrick Imbimbo and Orrin Thiessen regarding the mandatory Green Building program. (The letters are on file in the Town Clerk's office and the Town Building Department).

Mayor Parker opened the meeting for public testimony.

Shawn Rodrigues discussed the positive aspects of the Green Building Program.

Del Starrett, Architect, raised concerns that with commercial projects, it is very difficult to determine the Green Building Council LEED points and how to achieve them. He discussed the importance of allowing the Building Department to develop a policy for the different elements in the GreenPoint and the LEED systems.

Patrick Imbimbo, Airport Business Center, discussed the reasons why he is opposed to this ordinance and urged Council to take more time and involve the community in this process.

No further comments were made.

There were concerns raised about the ordinance's effects on costs associated with the implementation of the Green Building principles and the affordability of projects.

At this time, Mayor Parker read into the record a memo submitted from Councilmember Allen which was presented to Councilmembers at the meeting. Although, Councilmember Allen indicates his support for proceeding with the mandatory Green Building program, he raises concerns associated with the costs of implementing the Green Building principles.

Based on its discussion, Council directed staff to clarify Section 7.3.50 of the Ordinance regarding mixed-use buildings and the use of the Multi-family GreenPoint checklist for both the residential and commercial portions of the projects. In addition, staff was directed to create a Mission and Policy Statement for the Town's Mandatory Green Building Program to be adopted as part of the ordinance.

Councilmember Salmon moved to introduce by title only, an Ordinance adopting amendments to Title VII, Building and Housing, adding Article 13, Green Building Standards and Ratings for Commercial and Residential Green Buildings and, thereby establishing a Mandatory Green Building Program for all new Commercial and Residential Buildings with revisions as discussed this evening. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 4/0/1, as Councilmember Allen was absent.

**Council recessed from 9:45 p.m. to 9:57 p.m. and reconvened with four members present as Councilmember Allen was absent.**

**12. WORKSHOP**

**12.1 Review and Discussion of Proposed FY 2007-09 Town Budget and FY 2007-2012 5-Year Capital Improvement Program**

Administrative Services Director McAdler introduced the item.

Town Engineer and Public Works Director Burt discussed the steps that staff has undergone to reclassify the position of Utility Manager to Public Works Manager and asked for Council's approval to readvertise the position with the current title and a more competitive salary.

Councilmember Salmon moved to authorize staff to recruit for the Public Works Manager position based on the new job classification and current salary.

Councilmember Goble seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

Council discussed and commented on the 2007-12 Capital Improvement Program and the revised proposed budget schedules as well as the funds that are available for the discretionary programs to be included in the 2007-09 proposed budget. In order to complete its discussion, Council continued the subject matter to the regular meeting of May 2, 2007.

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

**13.1 League of California Cities**

**13.2 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update**

**13.3 Letter of Support for Senate Bill 286- Allocation of Proposition 1B Local Street and Road Funds**

Following a brief discussion, staff was directed to send a letter supporting SB 286 - Allocation of Proposition 1B Local Street and Road Funds.

**13.4 Assembly Bill 1542, Mobile Home Park Conversions**

Following a brief discussion, staff was directed to send letters supporting AB 1542 - Mobile Home Park Conversions.

**14. MAYOR'S & COUNCILMEMBERS' REPORTS**

**14.1 Individual Councilmember Reports and Comments**

Councilmembers reported on various meetings they attended.

**14.2 Reports on Meetings/Conferences**

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

The April 25, 2007 Special Town Council meeting was cancelled.

Mayor Parker announced that there will be a memorial service for Jessie Williams, the soldier who was recently killed in Iraq, tomorrow morning at the Wells Fargo Performing Arts Center and invited the community to attend.

**16. ANNOUNCEMENT OF CLOSED SESSION TOPIC/ADJOURNMENT TO CLOSED SESSION**

**16.1 Conference with Labor Negotiator pursuant to Government Code §54957.6 - Agency Negotiator: Art Hartinger - Regarding negotiations with Town of Windsor Employees' Association- AFSCME Local 3910, Town of Windsor Supervisory Employees Group and Town of Windsor Management Employees Group**

The Closed Session was cancelled.

**17. REPORT OUT OF CLOSED SESSION**

No report was made.

**18. ADJOURNMENT**

The April 25, 2007, Town Council Special Meeting has been cancelled. Council adjourned at 11:54 p.m. to the next regular Council meeting scheduled for Wednesday, May 2, 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 6th day of June 2007.

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Maria De La O, CMC  
Town Clerk