

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

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

March 21, 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 6:04 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. PRESENTATION(S)/PROCLAMATION(S)

4.1 Introduction of new Windsor Police Officer A. J. Winter

Windsor Police Chief Freitas introduced new Windsor Police Officer A.J. Winter.

4.2 Report by PG&E on Services in Windsor

Because of her employment with PG&E, Councilmember Fudge abstained from discussion on this item and left the dais at this time.

Randy De Caminada, Account Services Manager, PG&E, presented Council with information regarding the history of the three-year of outages in the Windsor area, service reliability actions planned and in progress, the vital need for a substation in the Town of Windsor. He also discussed PG&E's efforts to improve service reliability by establishing a call center review of outage information and targeted customer outreach program.

Council acknowledged the need and their support for the substation in Windsor as well as P&E's efforts to improve customer service.

Mayor Pro Tem Fudge returned to the dais and resumed participation in the meeting.

5. ANNOUNCEMENTS

Mayor and Councilmembers made various announcements.

6. CONFLICT OF INTEREST DECLARATION – NONE.

7. CHANGES TO THE AGENDA

Councilmember Salmon requested that Item Nos. 9.7 (Application for Transportation Development Act Article 3 Funds for Pedestrian Signal Upgrades) and 9.8 (Amendment No. 1 with WRT for Planning and Design of Town Green Stage) be pulled from the Consent Calendar for consideration after the Regular Calendar items.

Town Manager Mullan asked that Item 15.1 (Closed Session) be removed from the agenda.

8. CITIZEN PUBLIC APPEARANCES – NONE.

9. CONSENT CALENDAR

Councilmember Goble moved to adopt the following Consent Calendar items. Councilmember Salmon seconded the motion. The motion to adopt all items except Items 9.7 (Application for Transportation Development Act Article 3 Funds for Pedestrian Signal Upgrades) and 9.8 (Amendment No. 1 with WRT for Planning and Design of Town Green Stage) passed by a 5/0 vote. Items 9.7 and 9.8 will be considered following Regular Calendar Item 11.5.

9.1 Check Register No. 360

5/0 vote. By motion, approved disbursements in the amount of \$922,168.96.

9.2 Approval of Minutes

5/0 vote. By motion, approved the minutes of the regularly scheduled Town Council meeting of March 7, 2007, and Special Meeting of March 14, 2007.

9.3 Project Management Assistance for Shone Farm Reservoir Project

5/0 vote. Adopted Resolution No. 2032-07 authorizing the Town Manager to execute a professional services agreement with RMC Water and Environment to provide project management assistance for the Shone Farm Reservoir Project, in an amount not to exceed \$70,000.

9.4 Extension of Time for Allocation Priority Waiver – Windsor Bowl Apartments

5/0 vote. Approved a one-year extension of time for an allocation priority waiver for the Windsor Bowl Apartment project.

9.5 Application for Transportation for Clean Air Fund Grant for Bicycle Lanes on Old Redwood Highway.

5/ 0 vote. Adopted Resolution No. 2033-07 to:

- 1) Establish the Sonoma County Transportation Authority as the Program Manager for the Bay Area Air Quality Management District's Transportation for Clean Air; and

- 2) Authorize the Public Works Director to submit to the Sonoma County Transportation Authority, on behalf of the Town, requested \$78,000 in funding for bicycle lanes on Old Redwood Highway from 1000 feet south of Pleasant Avenue to Lakewood Drive.

9.6 Purchase of Three Vehicles for Public Works

5/0 vote. Authorized the Town Manager to purchase three new vehicles through the State of California Department of General Services-Procurement Division Contract for use in the Maintenance, Operations, and Engineering Division of the Public Works Department at a cost not to exceed \$75,900.00.

Items 9.7 and 9.8 were pulled off the Consent Calendar and will be considered after Item 11.5.

9.7 Application for Transportation Development Act Article 3 Funds for Pedestrian Signal Upgrades

9.8 Change Order No. 1 with WRT Planning and Design of Town Green Stage

9.9 Agreements related to Burbank Housing Development Corporation's request for a \$900,000 loan to provide funding for pre-development activities associated with the Windsor Redwoods Affordable Rental Housing Project

By a 5/0 vote:

1) Adopted Resolution No. 2036-07 amending the 2005-07 Windsor Redevelopment Agency budget to appropriate funds for the Burbank Housing Development Corporation's Windsor Redwoods Multi-Family Affordable Rental Project.

2) Adopted Resolution No. 2037-07 approving the pre-development loan agreement and affordable housing regulatory agreement between the Town of Windsor Redevelopment Agency and the Burbank Housing Development Corporation for the Windsor Redwoods Affordable Rental Housing Project; and authorizing the Executive Director to execute said documents and any other documents including any minor amendments thereto necessary for the completion of this transaction.

3) Adopted Resolution No. 2038-07 finding and determining that the use of monies from the Low and Moderate Income Housing Fund outside of the Windsor Redevelopment Project Area will be of benefit to the Windsor Redevelopment Project Area and authorizing the expenditure of such funds.

10. PUBLIC HEARING - NONE

11. REGULAR CALENDAR

11.1 Hembree House Rehabilitation Project

Community Services Director Legge reported on this item and noted that no Council action is required on this item.

Randy Figuerido, Project Architect, discussed the three phases of the Hembree House Rehabilitation project related to the preliminary design, construction drawings and bid documents, bid award and construction.

Mayor Parker called for public comments at this time.

The following people spoke in support of the Hembree House Rehabilitation project and discussed the benefits of having a museum that can be utilized for arts and cultural activities:

Steve Lehman, representing the Windsor Historical Society

John Rutigliano, Treasurer of the Windsor Arts Council

Karen Alves, Windsor resident

Barbara Ray, Windsor resident

Josephine Riebich, Windsor resident

(Clerk's Note: A letter was received today and distributed on the dais prior to the meeting from George Greott in support of the Hembree House Rehabilitation project. This information is on file in the Town Clerk's office and Community Services Department.)

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

Following discussion, Council expressed support for moving forward with the Hembree House Rehabilitation project and directed staff to include the project as part of the 2007-2009 budget approval process.

11.2 Pool Estimates for Keiser Park Master Plan – Funding and Cost Estimates

Community Services Director Legge reported on this item.

David Ross, BSA Consultant, discussed the architectural components of the plan.

David Brown, CEO, YMCA, discussed partnership opportunities with the Town.

Mayor Parker called for public comments at this time.

The following people spoke in support of a 50- meter pool versus a 25-yard pool and discussed the benefits to the Town if a 50-meter pool is built:

Craig Peoples, Windsor resident, representing the Windsor High School Swim Team
Windsor High School Students, members of the Swim Team

Terry Whittered, Master Swimmer and Sonoma County Physician

Bill Dick

Cameron Tyson, member of Santa Rosa Neptunes

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

Councilmember Salmon suggested that staff explore a 25-yard x 25-meter (high school) pool and bathhouse sited in the southwest corner of the park.

Discussion ensued, during which Council directed staff to return at a future meeting with the following information:

1. Explore two different options for the aquatic facility for the Keiser Park Master Plan:
 - a. 25-yard x 25-meter with lights and a simple bathhouse.
25-yard x 25-meter pool with lights, recreation pool and simple bathhouse.
 - b. 25-yard x 50-meter pool with lights and simple bathhouse.
25-yard x 50-meter pool with lights, recreation pool and simple bathhouse.
2. Explore solar options for both proposals.
3. Provide a base drawing scaled down of a bathhouse.
4. Master Plan Recreation Center - provide a footprint for future recreation center, including department office space.
5. Park Site - explore Phase 1 as proposed by staff.
6. Prepare a sample poll of questions outlining what the public would be willing to pay for and the type of aquatic facility they would support.
7. Explore costs associated with the projected revenue, operating costs and capital and construction funding.

Council recessed from 10:06 p.m. to 10:20 p.m. and reconvened with all members present.

11.3 2007 KJZY Concert Proposal

Community Services Director Legge briefly reported on this item.

Mayor Parker called for comments from the audience at this time. There were no comments.

Councilmember Salmon moved to support the 2007 KJZY concert proposal on the Town Green and authorized the Town Manager to enter into an agreement between the Town and KJZY representatives for the coordination of the 2007 Jazz Concert. Council supported to reimburse KJZY an amount not to exceed \$7,000, which includes \$3,000 from the Old Downtown Windsor Business Improvement District (BID). Staff was also directed to work with KJZY to select quality music. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

11.4 Advertising on the Town Green

Community Services Director Legge briefly reported on this item.

Mayor Parker called for comments from the audience at this time.

Katrina Von Moos, President of the BID, explained the process that will be utilized for obtaining donations to assist with the costs of the event.

There were no further comments from the audience.

Councilmember Salmon moved to waive the rental fees for the use of the Town Green (on a one-year trial basis) for the Tuesday Night Movie Series event, sponsor the Port-o-Let service and authorize the Old Downtown Business Improvement District (BID) to use a donation jar at the central pavilion as a method of collecting donations to offset the costs of the event. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 5/0 vote.

11.5 Council Review and Discussion of February 27, 2007 Planning Commission Meeting and Possible Action

Council discussed the need to provide clear direction to the Planning Commission on how to review projects that have exceptional merit and were considered as part of the Merit Presentation Program. By consensus, Council directed staff to continue to work with Terra Partners (Coello/Johnson) to bring back the project to the Planning Commission with the suggestion that Terra Partners (Coello/Johnson) make an attempt to respond to the Planning Commission's comments.

It was also noted that Town Attorney Rich Rudnansky suggested that in the future, Council should consider approving requests for allocations by resolution as to provide clear direction on items that the Planning Commission may consider and the items that will not be open for discussion.

At this time, Item Nos. 9.7 and 9.8 were considered.

9.7 Application for Transportation Development Act Article 3 Funds for Pedestrian Signal Upgrades

Councilmember Salmon explained that he pulled this item off the Consent Calendar to discuss his concerns associated with pedestrian safety, vehicular flow and the need to incorporate pedestrian signals at the southbound off-ramp to the freeway on Old Redwood Highway and the northbound on-ramp to Highway 101.

Following its discussion, Council directed staff to explore the use of temporary pedestrian flags at the southbound off-ramp to Highway 101 on Old Redwood Highway and the northbound on-ramp to Highway 101 as an interim measure for pedestrian safety.

Mayor Pro Tem Fudge raised concerns that bike loops at some intersections along Old Redwood Highway are not properly working.

Councilmember Allen moved to adopt Resolution No. 2034-07 authorizing the filing of an application with the Metropolitan Transportation Commission for the allocation of Fiscal Year 2007-08 Transportation Development Act Article 3 for the installation of Pedestrian Countdown and Audible Indications at eight intersections. Councilmember Goble seconded the motion. The motion passed by a 4/1 vote (Councilmember Salmon opposing).

9.8 Change Order No. 1 with WRT (Wallace, Roberts and Todd) Planning and Design of Town Green Stage

Councilmember Salmon explained that he pulled this item off the Consent Calendar to discuss his concerns associated with the additional costs for this project.

Following its discussion, Council supported the Change Order with WRT with the requirement that Shakespeare on the Green hold fundraising events to raise \$50,000 to assist the Town to offset the costs of the Town Green stage.

Councilmember Goble moved to adopt Resolution No. 2035-07 authorizing the Town Manager to execute Amendment No. 1 of the professional services agreement with Wallace, Roberts and Todd (WRT) for planning and design of the Town Green Stage expansion in the amount of \$39,002.00. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 4/1 vote (Councilmember Salmon opposing).

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

12.1 League of California Cities

**a) SB 303 (Ducheny) Local Government: Housing
Cities urged to oppose.**

Following discussion, Council directed staff to send a letter of opposition.

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

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports and Comments

No comments were made.

13.2 Reports on Meetings/Conferences

No reports were made.

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

No reports were made.

15. 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 12:13 a.m.

15.1 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 removed from the agenda.

15.2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Government Code Section 54956.9)

Town of Windsor vs. Olufs (Sonoma County Superior Court Case No. 236147)

15.3 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant Exposure to Litigation(Government Code Section 56956.9(b))

One potential case.

16. REPORT OUT OF CLOSED SESSION

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

17. ADJOURNMENT

The meeting adjourned at 12:40 a.m. to a regular Town Council meeting scheduled for Wednesday, April 4, 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 4th day of April 2007.

Maria De La O, Town Clerk