

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

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

February 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 6:00 p.m.

2. COUNCIL ROLL CALL

Present at Roll Call were Councilmembers Goble and Salmon and Mayor Parker. Councilmember Allen and Mayor Pro Tem Fudge were absent.

3. PLEDGE OF ALLEGIANCE

Scout Chase Kent Dawson led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Proclamation Honoring Shellie Urmini Upon Retirement

A proclamation was presented to Shellie Urmini, Administrative Specialist, in honor of her years of service to the Town and congratulating her on her retirement.

5. ANNOUNCEMENTS

Councilmembers and members of the audience made various announcements.

6. CONFLICT OF INTEREST DECLARATION – NONE.

7. CHANGES TO THE AGENDA

Town Manager Mullan asked, and Council concurred, to cancel the Special Meeting of February 28, 2007.

Councilmember Salmon requested that Item No. 9.12 (Hiram Lewis Park Restroom Construction) be continued to the meeting of March 7, 2007 for consideration by the full Council.

8. CITIZEN PUBLIC APPEARANCES

Orrin Thiessen, Town Green Village General Manager, raised safety concerns regarding speeding on Windsor River Road since the speed limit was changed from 30 mph to 35 mph.

Joella Olson, Windsor resident, announced the Windsor Family Night with the Giants event will be held on July 26, 2007.

Marie Coakley, Windsor resident, asked if there was a Town program for removal of graffiti on buildings.

Brandon Donaldson, Windsor resident, spoke regarding the need for bike lanes on both sides of Hembree Lane.

9. CONSENT CALENDAR

Councilmember Goble moved to adopt the Consent Calendar items. Councilmember Salmon seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Fudge were absent). Item No. 9.12 was continued to the March 7th Town Council meeting for consideration.

9.1 Check Register No. 358

By motion, approved disbursements in the amount of \$2,495,419.53.

9.2 Approval of Minutes

By motion, approved the minutes of the regularly scheduled Town Council meeting of January 17, 2007, and special meetings of February 2, 2007 and February 3, 2007.

9.3 Treasurer's Quarterly Investment Report

Received and filed the Treasurer's Quarterly Investment Report for the quarter ended December 31, 2006.

9.4 Public Improvements for Parcel Map 03-38

Adopted Resolution No. 2019-07 accepting the public improvements for the subdivision known as Parcel Map 03-38, located at 9921 Starr Road.

9.5 Tree Mitigation Ordinance Amendment

Adopted by title only, Ordinance No. 2007-212, amending the establishment of tree mitigation requirements for removal of protected trees.

9.6 Sutton Park Sidewalk Rehabilitation Project

Adopted Resolution No. 2020-07 accepting the contract work performed by Schalich Construction, for construction of the Sutton Park Sidewalk Rehabilitation Project and directing the Town Clerk to record a Notice of Completion.

9.7 2006 Annual Fair Share Housing Report

Adopted Resolution No. 2021-07 accepting the 2006 Annual Fair Share Housing Report.

9.8 2006 General Plan Annual Report

Adopted Resolution No. 2022-07 accepting the 2006 General Plan Annual Report.

9.9 Tank Recoating and Access Improvements Project

Adopted Resolution No. 2023-07 awarding a contract to Spiess Construction Co., Inc. for construction of the Tank Recoating and Access Improvements Project in the amount of \$359,500 and authorizing the Town Manager to execute the contract and any required construction change orders up to the authorized project budget.

9.10 Amendment No. 4 to Agreement for Legal Services with Meyers, Nave, Riback, Silver & Wilson Increasing Fees for Services

Adopted Resolution No. 2024-07 approving Amendment No. 4 to the Agreement for Legal Services with the firm of Meyers, Nave, Riback, and Silver & Wilson and authorizing the Town Manager to execute on behalf of the Town.

9.11 2005-06 Basic Financial Statements

Received and filed the Basic Financial Statements for the fiscal year ended June 30, 2006, which include the auditor's opinion and reports dated October 26, 2006.

9.12 Hiram Lewis Park Restroom Construction

This item was continued to the March 7, 2007 meeting.

(Clerk's Note: Resolution No. 2025-07 was unassigned.)

9.13 Ordinance Amending Existing Animal Control Regulations

Adopted, by title only, Ordinance No. 2007-213 amending existing Title III, Chapter 4, Article 120, Repealing Title III, Chapter 4, Article 10, Section 1090 and amending Title III, and Chapter 4, Article 13, Section 1300 to the Town of Windsor Municipal Code.

9.14 Utility Maintenance Engineering Contract with Brelje and Race

Adopted Resolution No. 2026-07 authorizing the Town Manager to enter into a Professional Services Contract with Brelje and Race Consulting Civil Engineers to provide for Utility Maintenance Engineering Services for the Public Works Department in the amount of \$287,560.

10. PUBLIC HEARING

10.1 Appeal of Planning Commission Use Permit Denial of the Family Fun Center/Video Arcade at 567 David Clayton Lane

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

Councilmember Salmon explained the basis of his appeal and why he supports the approval of the use permit.

Mayor Parker opened the public hearing.

Orrin Thiessen, Town Green Village, spoke in support of the proposed Family Fun Center/Video Arcade, stating the location is appropriate for this type of use.

The following citizens voiced concerns regarding safety, noise, and hours of operation associated with the proposed Family Fun Center/Video Arcade:

Terry Burger, Windsor resident and business owner
Ken Flynn, owner of the Flaming Wick Store
Mark Burger, owner of the Health First Pharmacy
Pat Chiapa, Windsor resident
Rebecca Draper, Windsor resident

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

Councilmember Goble and Mayor Parker explained why they would support the Planning Commission's decision to deny the proposed use permit for a video arcade, and therefore, deny the appeal.

Councilmember Goble moved to adopt a resolution denying the appeal of Councilmember Sam Salmon of the Planning Commission's decision to deny a request by Elvera Bragg for a Use Permit to operate a video arcade at 567 David Clayton Lane in Building I of the Town Green Villages. Mayor Parker seconded the motion. Following a roll call vote, the motion failed by a 2/1/2 vote (Councilmember Salmon opposed and Councilmembers Allen and Fudge were absent). (Note: in accordance with state law, in this case a majority of the full Council—i.e. three votes—is required for a motion on a planning project to pass. As a result, the Planning Commission action stands.)

11. REGULAR CALENDAR

11.1 Senior Citizens Advisory Council (SCAC) Vacancies

The Town Council acted on the following SCAC appointments:

Mayor Parker reappointed Dianne Graner as an at-large representative to the SCAC for a term expiring December 31, 2008.

Councilmember Goble reappointed Kenneth Marshall as an at-large representative to SCAC for a term expiring December 31, 2010.

Councilmember Salmon appointed Aasiya Id-Deen as an at-large representative to serve on the SCAC for a term expiring December 31, 2010.

By Council consensus, Nick Esposti was appointed to the SCAC as the Brooks Creek representative for a term expiring December 31, 2010.

It was noted that because Councilmember Allen was absent, one (1) at-large appointment by Councilmember Allen was continued to the March 7, 2007 meeting.

Councilmember Salmon moved to accept the appointments to the Senior Citizens Advisory Council. Councilmember Goble seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Fudge were absent).

11.2 Town Green Stage Design

Community Services Director Legge reported on this item.

Jim Stickley, of Wallace Roberts & Todd architectural firm, described the main features of the design for the permanent stage on the Town Green.

The following speakers supported the Town Green stage proposal; however, concerns were voiced about the loss of the view that may result from the location of the proposed trees, relocation of the Town's holiday tree, dimensions of the stage and possible skateboarding around the proposed stage area:

David Khan, Parks and Recreation Commissioner
Steven David Martin, Executive Director of Shakespeare on the Green
Michael Brook, Windsor resident
Melissa Trunick, Parks and Recreation Commissioner
Alma Christina, Windsor resident

There was discussion about moving the project forward to meet the completion deadline of July 1, 2007. It was noted that staff intends to pursue the offer made by Shakespeare on the Green to assist with funding for construction of the project.

Council supported the design proposal from Wallace Roberts and Todd for a permanent stage on the Town Green. Councilmember Salmon moved to authorize staff to prepare construction drawings for completion of the permanent stage on the Town Green. Staff will facilitate the bid process and return to Council for authorization to select a contractor to complete the project. Councilmember Goble seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Fudge were absent).

11.3 Windsor Certified Farmers Market Report

Councilmember Goble moved to accept the Windsor Certified Farmers Market 2006 Year-End Report and 2007 Forecast Report. Councilmember Salmon seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Fudge were absent).

11.4 Windsor Regional Library Report

Council heard a presentation by Sonoma County Library Director Sandy Cooper regarding the Windsor Regional Library and addressed issues of concern, including a proposal for a multi-story library, building access and Internet policies.

Council directed the Town Attorney to work with County Counsel to address building access concerns.

Councilmember Salmon moved to accept the report by Sonoma County Library Director Sandy Cooper. Councilmember Goble seconded the motion. The motion passed by a 3/0/2 vote (Councilmembers Allen and Fudge were absent).

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 Individual Councilmember Reports and Comments

Councilmembers briefly reported on various meetings attended.

Councilmember Goble requested that staff add a discussion item to a future agenda to discuss whether the Planning Commission or the Town Council will be the approving body for design review of the new Windsor Fire Station project.

13.2 Reports on Meetings/Conferences

Mayor Parker submitted a report on Councilmembers' attendance at the January 18, 2007 meeting of the Mayors' and Councilmembers' Association of Sonoma County.

Mayor Warin Parker submitted a report (distributed on the dais, prior to commencement of the meeting and on file in the Town Clerk's office) on his recent attendance at the Santa Rosa Plain Conservation meeting regarding the California Tiger Salamander.

The Council discussed a request from the Sonoma County Mayors' and Councilmembers' Association to consider five general membership meetings and five alternate-month Board of Directors meetings per year in lieu of the new quarterly scheduled that combines both meetings on the same night. Council, by consensus, gave direction to Mayor Parker to support holding five general membership meetings per year combined with the Board of Directors meetings.

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 9:26 p.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

16. REPORT OUT OF CLOSED SESSION

The Closed Session adjourned and the regular meeting reconvened with all members present with the exception of Councilmembers Allen and Fudge. No action was taken during Closed Session.

17. ADJOURNMENT

The meeting adjourned at 10:30 p.m. to a Regular Town Council meeting scheduled for Wednesday, March 7, 2007, at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor. (The Special Town Council Closed Session meeting scheduled for Wednesday, February 28, 2007 at 7:00 p.m. has been cancelled.)

Approved and adopted this 7th day of March 2007.

Maria De La O, Town Clerk