

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

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

January 17, 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 Goble, Salmon, Mayor Pro Tem Fudge and Mayor Parker. Councilmember Allen was absent due to illness.

3. PLEDGE OF ALLEGIANCE

Town Employee Jeannie Mitchell led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Presentation: Town of Windsor Employees of the Quarter Mary Coburn and Rick Jones

Mayor Parker presented plaques to Mary Coburn and Rick Jones, Town of Windsor Employees of the Quarter.

5. ANNOUNCEMENTS

Councilmembers announced upcoming events.

6. CONFLICT OF INTEREST DECLARATION- NONE.

7. CHANGES TO THE AGENDA

Councilmember Salmon asked that Item Nos. 9.3 (Professional Services Agreement with John Meserve/Horticultural Associates) and 9.4 (Options for Implementation of the Santa Rosa Plain Conservation Strategy) be pulled from the Consent Calendar for discussion purposes 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 Consent Calendar items. Councilmember Salmon seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent). Items 9.3 and 9.4 were removed for discussion after Regular Calendar Item 11.3.

9.1 Check Register No. 357

4/0/1 vote (Councilmember Allen was absent). By motion, approved disbursements in the amount of \$1,935,273.52.

9.2 Approval of Minutes

4/0/1 vote (Councilmember Allen was absent).

By motion, approve the minutes of the Town Council meetings of December 6, 2006, December 13, 2006 (Special Meeting) and January 3, 2007.

(Clerk's Note: See discussion on Item Nos. 9.3 and 9.4 after consideration of Item 11.3)

9.3 Professional Services Agreement - John Meserve/Horticultural Associates

9.4 Options for Implementation of the Santa Rosa Plain Conservation Strategy

9.5 Agreement for Animal Shelter Services

4/0/1 vote (Councilmember Allen was absent).

- a) Authorized the Town Manager to execute a new agreement with the County of Sonoma for the provision of animal regulation and sheltering services; and
- b) Introduced, by title only, an ordinance amending Title III, Chapter 4, Article 120, Repealing Title III, Chapter 4, Article 10, Section 1090 and amending Title III, Chapter 4, Article 13, Section 1300 to the Code of the Town of Windsor; and
- c) Adopted Resolution No. 2012-07 adopting fees for Animal Control.

9.6 All-Way Stop Signs at the Intersection of Mitchell Lane and Conde Lane

4/0/1 vote (Councilmember Allen was absent). Adopted Resolution No. 2013-07 authorizing the installation of stop signs at the intersection of Mitchell Lane and Conde Lane.

9.7 2005-07 Budget Update

4/0/1 vote (Councilmember Allen was absent). Received a budget update for the first eighteen months of the 2005-07 biennium.

9.8 Old Redwood Highway Pavement Rehabilitation Project

4/0/1 vote (Councilmember Allen was absent). Adopted Resolution No. 2014-07 authorizing the Town Manager to execute a professional services agreement with Pavement Engineering, Inc., to provide engineering design, construction management, inspection and materials testing services for the Old Redwood Highway Pavement Rehabilitation Project in an amount not to exceed \$73,815.

9.9 Windsor Road Pedestrian Enhancements Project

4/0/1 vote (Councilmember Allen was absent).

- a) Adopted Resolution No. 2015-07 authorizing the Town Manager to execute a professional services agreement with Coastland Civil Engineering for engineering design services for the Windsor Road Pedestrian Enhancements Project in an amount not to exceed \$72,974.
- b) Acting as the Board of Directors of the Redevelopment Agency, adopted Resolution No. 2016-07 determining that the pedestrian enhancements and traffic calming improvements on Windsor Road between McClelland Drive and Howard Drive benefit the Redevelopment Project Area.
- c) Adopted Resolution No. 2017-07 amending the FY 2005-07 budget to appropriate funds in the amount of \$320,000 from the Redevelopment Agency Capital Fund and to transfer \$30,000 from the Gas Tax Fund from the unexpended appropriation for Traffic Safety Improvements to the Windsor Road Pedestrian Enhancements Project.

10. PUBLIC HEARING

10.1 Tree Mitigation Ordinance

Assistant Planner Cangson reported on this item.

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

Councilmember Salmon moved to introduce, by title only, an ordinance amendment to provide tree mitigation requirements for removal of protected trees. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

11. REGULAR CALENDAR

11.1 Preliminary Discussion of Financial Plans and Rate Studies for Water and Water Reclamation Funds

Administrative Services Director McAdler reported on this item.

Bob Reed, The Reed Group, discussed the project scope, approach and the next steps to developing financial plans and updated customer charges and usage rates for water and water reclamation funds.

Mayor Parker called for public comments at this time. No comments were made.

During Council discussion the following comments, suggestions, or issues were raised:

- Provide incentives for water conservation.
- Need to educate the public regarding energy use and climate protection for water conservation purposes.
- Encourage the use of recycled water for watering lawns.
- Support agricultural users who use recycled water.
- Look at possible solar arrays for the Public Works Treatment Plant.
- Look at rates for senior citizens.

11.2 Highway 101 HOV Lane Widening and Improvement Project

Town Engineer and Public Works Director Burtt reported on this item.

Mayor Parker called for public comments at this time. No comments were made.

Council discussion ensued, during which Councilmembers were supportive of staff's comments on the Highway 101 HOV Lane Widening and Improvement. Council then addressed the following issues and gave direction as indicated:

- Expressed interest in having a presentation on soundwalls.
- Does not support the use of a soundwall along the 101 Highway frontage of Hembree Lane and Conde Lane. Explore alternatives to soundwall.
- Need to require noise regulations for large vehicles and trucks on Highway 101. Councilmember Fudge suggested, and Council concurred, that a letter be sent to the legislators with the signatures of the full Council.

11.3 Community Development Block Grant (CDBG) Proposal

Senior Management Analyst Kelley reported on this item.

Mayor Parker called for public comments at this time. No comments were made.

Councilmember Salmon moved to adopt Resolution No. 2018-07 prioritizing applications for Community Development Block Grant (CDBG) funds and authorizing the submittal of an application for the Town of Windsor Civic Center Americans with Disabilities Act (ADA) Improvement Project and the Housing Rehabilitation Grant Program to the Sonoma County Community Development Commission (CDC) for Fiscal Year (FY) 2007-08. Councilmember Goble seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

At this item, Item 9.3 was considered.

9.3 Professional Services Agreement - John Meserve/Horticultural Associates

Mayor Salmon explained that he asked that this item be pulled from the Consent Calendar because he is concerned that the above-referenced agreement is not representative of the Town Council's commitment to oak tree preservation and he would not vote in support of the agreement.

Councilmember Goble moved to adopt Resolution No. 2011-07 approving a professional services agreement with John Meserve/Horticultural Associates, in the not to exceed amount of \$53,610 to provide four year monitoring, tree removal and tree replacement services for seven oak trees on the south side of Mitchell Lane, within The Greens subdivision. Mayor Pro Tem Fudge seconded the motion. The motion passed by a 3/1/1 vote (Councilmember Allen was absent and Councilmember Salmon opposed).

9.4 Options for Implementation of the Santa Rosa Plain Conservation Strategy

Mayor Salmon explained that he asked that this item be pulled from the Consent Calendar because the differences between Options 1 and 5 are unclear.

Mayor opened the meeting for public testimony.

John Herrick, Conservation Co-Chair, California Native Plant Society, asked Council to consider the implications of selecting one option over the other options. He requested that the resolution include that the staff member assigned to the Implementation Committee look at issues related to funding availability and the examination of the legal exposure of one option over the other option.

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

Council provided direction to the Mayor for implementing biological conservation strategies for the Santa Rosa Plain and supported staff's recommendation of Option 1, Memorandum of Understanding for development, ministerial projects and agricultural activities for the implementation of the Santa Rosa Plain Conservation Strategy

Council recessed from 8:14 p.m. to 8:20 p.m. and reconvened with four members present, as Councilmember Allen was absent.

11.4 Approval of Request for Proposals for Solid Waste, Green Waste, and Recycling Collection Services

Assistant Town Manager Johnson reported on this item.

Steve Harriman, R3 Consulting Group, provided analysis of the construction and debris (C&D) container issue. He recommended that staff proceed with Council's recommendation to issue the request for proposals (RFP) without an exclusive C&D container component. However, R3 also recommended the RFP include an option for proposing an exclusive C&D container system.

Mayor Parker called for public comments at this time.

During the public comment period input was received from Gary Lutz (representing Industrial Carting), Ernie Carpenter (Industrial Carting), David Turkon, Jim Crandall, Mr. Gardner, and Curtis Michelini. Concerns and suggestions raised by the previous speakers included: 1) excluding C&D containers from the exclusive disposal

franchise; 2) setting up a semi-exclusive franchise system for C&D container collection and processing; 3) supporting open-market competition for debris box services; 4) promoting the recycling of C&D container materials; and, 5) disagreeing with the 9-11% estimated price increase if debris box revenue is removed from the franchise agreement.

Richard Johnson, West Sonoma County Disposal Service (WSCDS), discussed the rate impacts associated with removal of the exclusive C&D containers component of the franchise agreement.

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

In the discussion that followed, Councilmembers explained their positions on the proposed RFP. Following is a summary of their direction to staff.

- Confirmed bidding both ways: mandatory/subscription.
- Confirmed staff recommendation regarding bidding on non-exclusive system for all temporary debris boxes with an option to state increase/decrease to rates if system is exclusive.
- Require customers to pay for a second green cart.
- Make sure carts are retained by Town at the end of the franchise.
- Bring back costs associated with administration of separate debris box franchise agreements.

11.5 Appointments by the City Selection Committee and Board of Directors of the Mayors' and Councilmembers' Association on January 18, 2007

Discussion ensued, during which Council directed the Mayor to support, at the January 18th Mayors' and Councilmembers' Association Board of Directors meeting, the following appointments:

City Selection Committee Appointments:

Airport Land Use Commission – No interest was expressed.

Bay Area Air Quality Management Board – City of Petaluma Councilmember Pamela Torliatt.

Golden Gate Bridge, Highway and Transportation District – City of Santa Rosa Councilmember Mike Martini.

Metropolitan Transportation Commission – City of Santa Rosa Councilmember Bob Blanchard.

Remote Access Network (RAN) Board – No interest was expressed.

Mayors' & Councilmembers Association Appointments:

ABAG Executive Board – No interest was expressed.

ABAG – Hazardous Waste Management Facility - City of Rohnert Park Councilmember Tim Smith.

Allocation Committee (formerly titled Bay Area Hazardous Waste Management, Capacity Allocation Committee) - City of Rohnert Park Councilmember Tim Smith.

Agricultural and Open Space (2 Vacancies) - Cotati Councilmember Janet Orchard and City of Healdsburg Mike McGuire.

County Child Care Planning Council – No interest was expressed.

North Bay Division, LOCC (2 Vacancies) – Cotati Councilmember Pat Gilardi.

Smart II Commission Board of Directors/SCTA – Cloverdale Councilmember Bob Jehn and Rohnert Park Councilmember Jake Mackenzie.

Legislative Subcommittee - Mayor Warin Parker is serving as the Town's representative.

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

12.1 League of California Cities

Mayor Parker reported that he and newly elected Councilmember Goble attended an LOCC conference for new Mayors and Councilmembers. He summarized the highlights of the conference.

12.2 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update- None.

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports and Comments

Councilmembers reported on their attendance at various meetings that are of interest to Council.

13.2 Reports on Meetings/Conferences

None.

- 14. TOWN MANAGER’S REPORT** (No written report.)
Town Manager Mullan noted that Council will be adjourning to its Special Meeting (Closed Session) scheduled for Friday, February 2, 2007 at 5:30 p.m.

Town Manager Mullan also reminded the Council that there will be a Special Meeting on Saturday, February 3, 2007 at 8:00 a.m. An agenda will be prepared for that meeting.

- 15. ANNOUNCEMENT OF CLOSED SESSION TOPIC/ ADJOURNMENT TO CLOSED SESSION**

The Closed Session was removed from the agenda.

- 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 – NONE.**

- 17. ADJOURNMENT**

The meeting adjourned at 10:02 p.m. to a Special Town Council (Closed Session) meeting scheduled for Friday, February 2, 2007 at 5:30 p.m., in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 21st day of February 2007.

Maria De La O, Town Clerk