

# 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 20, 2006**  
**Regular Session- 6:00 p.m.**

**1. CALL TO ORDER**

Mayor Salmon 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 6:09 p.m.

**2. COUNCIL ROLL CALL**

Present at Roll Call were Councilmembers Allen, Fudge, Morehouse, Mayor Pro Tem Parker and Mayor Salmon.

**3. PLEDGE OF ALLEGIANCE**

Mayor Salmon led the Pledge of Allegiance.

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

The proclamations were read in the following order:

**4.5. Proclamation: Boys & Girls Clubs Day for Kids- September 16, 2006**

Councilmember Morehouse read a proclamation proclaiming the third Saturday in September of each year "Boys and Girls Clubs Day for Kids." The proclamation was received by Doug Caldwell, Executive Director of the Boys and Girls Club.

**4.4 Russian River Cleanup Day- September 23, 2006**

Councilmember Fudge read and accepted the proclamation declaring September 23, 2006 Russian River Cleanup Day.

**4.3 Proclamation: National Alcohol & Drug Addiction Recovery Month**

Mayor Pro Tem Parker read a proclamation declaring the month of September 2006 "National Alcohol and Drug Addiction Recovery Month." The proclamation was received by Marcy Orosco of Sonoma County Recovery Happens Coalition and North Bay Veterans Resource Center.

**4.2 Proclamation: Colon Cancer Awareness**

Councilmember Allen read a proclamation declaring the Town of Windsor a “Colon Cancer Free Zone.” Sheryl Khoo, Nurse and volunteer for the American Cancer Society received the proclamation. Ms. Khoo introduced Laura Moss, Community Director of the American Cancer Society. Mayor Salmon was presented with a certificate declaring the Town an official American Cancer Society “Colon Cancer Free Zone.”

**4.1 Proclamation: Art Ibleto “The Pasta King” Day- October 1, 2006**

Mayor Salmon read a proclamation honoring Arturo “Art” Ibleto in celebration of his 80<sup>th</sup> birthday and declaring October 1, 2006, as “Pasta King Day.” The proclamation was received by Jim Leddy, District Director of Senator Wesley Chesbro’s office.

**5. ANNOUNCEMENTS**

Councilmembers announced upcoming events.

**6. CONFLICT OF INTEREST DECLARATION**

Councilmember Morehouse declared she would abstain from voting on Item 9.3 (Acceptance of Improvements to Mitchell Lane and Conde Lane) because her husband’s family owns Pedroncelli Winery, a member of a cooperative that is part of the Mitchell/Shiloh/Conde Assessment District. She also declared that she would abstain from voting on Item 9.8 (Acceptance of Work for the Brooks Road Sidewalk Improvement Project), as she resides within 500 feet of the project.

**7. CHANGES TO THE AGENDA**

Mayor Salmon asked and Council concurred to reorganize the Agenda to consider Item 11.1 (Approval of MOU with Windsor Fire Protection District) after the adoption of the Consent Calendar items.

**8. CITIZEN PUBLIC APPEARANCES - None.**

**9. CONSENT CALENDAR**

Mayor Pro Tem Parker moved to adopt the Consent Calendar items. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

**9.1 Check Register No. 351**

**5/0 vote.** By motion, approved disbursements in the amount of \$2,049,779.21.

**9.2 Approval of Minutes**

**5/0 vote.** By motion, approved the minutes of the meetings of July 19, 2006, August 2, 2006 and August 16, 2006.

**9.3 Acceptance of Improvements to Mitchell Lane and Conde Lane**

**4/0/1 vote.** Adopted Resolution No. 1947-06 accepting the contract work completed by Ghillotti Brothers, Inc. under the Mitchell/Shiloh/Conde Assessment District Project contract for work on Mitchell Lane and Conde Lane.

- 9.4 Certificate of Acceptance for Lands Dedicated by Burbank Housing Development Corporation**  
**5/0 vote.** Adopted Resolution No. 1948-06 approving and accepting the dedication of certain property from Burbank Housing Development Corporation and authorizing the Town Manager to sign certain agreements and documents to accept the offer of dedication and maintain the park improvements.
- 9.5 All-way Stop Signs at Intersection of Mitchell Lane and 9<sup>th</sup> Hole-Rafanelli Drives**  
**5/0 vote.** Adopted Resolution No.1949-06 authorizing the permanent installation of stop signs on all approaches to the intersection of Mitchell Lane and 9<sup>th</sup> Hole-Rafanelli Drives.
- 9.6 Budget Amendment to Provide \$5,500 to the Old Downtown Windsor Business Improvement District Contingent Upon the Contribution of \$5,500 in Matching Funds by Town Green Village, L.P. and the Successful Renewal of the Business Improvement District by the Town Council and Affected Business Owners.**  
**5/0 vote.** Acting as the Board of Directors of the Redevelopment Agency of the Town of Windsor, adopted Resolution No. 1950-06 amending the 2005-07 Budget (Amendment 24-07) to appropriate funds in the amount of \$5,500 for partially funding an Old Downtown Windsor Business Improvement District Executive Director Position.
- 9.7 Approval of Parcel Map 05-56 on Bell Road**  
**5/0 vote.**
- a. Adopted Resolution No. 1951-06 approving and accepting Parcel Map 05-56; and
  - b. Authorize the Town Manager to sign a Lighting and Landscape Assessment District Agreement; and
  - c. Authorize the Town Manager to sign a Subdivision Improvement Agreement in accordance with the Subdivision Map Act and the Town of Windsor Subdivision Ordinance.
- 9.8 Acceptance of Work for the Brooks Road Sidewalk Improvement Project**  
**4/0/1 vote (Councilmember Morehouse abstained).** Approved Resolution No. 1952-06 accepting the contract work performed by Sonoma Engineering Inc., for construction of the Brooks Road Sidewalk Improvement Project and direct the Town Clerk to record a Notice of Completion.
- 9.9 Stop Sign at Yale Street Approach to Wilson Lane**  
**5/0 vote.** Adopted Resolution No. 1953-06 authorizing the permanent installation of a stop sign on the Yale Street approach to the intersection of Yale Street and Wilson Lane.
- 9.10 Budget Amendment for KJZY Jazz Event**  
**5/0 vote.** Adopted Resolution No. 1954-06 amending the Fiscal Year 2005-07 Budget (Amendment 25-07) to appropriate funds for the KJZY jazz event on the Town Green in the amount of \$5,000.

**9.11 Sutton Park Sidewalk Rehabilitation Project**

**5/0 vote.**

- a. Adopted Resolution No. 1955-06 awarding a contract to Schlich Construction for the construction of the Sutton Park Sidewalk Rehabilitation Project in the amount of \$115,250 and authorizing the Town Manager to execute the contract and any required construction change orders up to the authorized project budget.
- b. Adopted Resolution No. 1956-06 determining that the reconstruction of sidewalks, driveways, curb and gutter on Gemini Drive and Venus Drive, which are part of the Sutton Park Sidewalk Rehabilitation Project, benefit the Redevelopment Area.
- c. Acting as the Board of Directors of the Redevelopment Agency, Adopted Resolution No. 1957-06 determining that the reconstruction of sidewalks, driveways, curb and gutter on Gemini Drive and Venus Drive, which are part of the Sutton Park Sidewalk Rehabilitation Project, benefit the Redevelopment Project Area.
- d. Adopted Resolution No. 1958-06 amending the FY 2005-07 budget to deappropriate funding from the General Fund for the portion of the Sutton Park Sidewalk Rehabilitation Project within the Redevelopment Area in the amount of \$155,000 from the Redevelopment Agency Capital Projects Fund.

**9.12 Supplemental Law Enforcement Services Fund Grant, also know as COPS (Citizens' Option for Public Safety Program)**

**5/0 vote.** Adopted Resolution No. 1959-06 appropriating \$100,000 in the Town's Police Department operating budget for FY 2005-2007 through Citizens' Option for Public Safety Program (State COPS) funding. No local match is required.

Item 11.1 was considered at this time.

**11.1 Consider Approval of MOU with Windsor Fire Protection District to Fund, Construct and Purchase Certain Capital Facilities and Equipment Contingent on the Successful Passage of a Special Tax in November 2006 to Fund Increased District Operations**

Town Manager Mullan summarized the main provisions in the MOU with the Windsor Fire Protection District (WFPD).

Mayor Salmon provided members of the audience an opportunity to comment at this time.

Pat McDowell, representative of the Windsor Fire Protection District, expressed his support for approval of the MOU between the Town and the WFPD and the District's Special Tax measure on the November 2006 ballot to increase funding for staffing and operations.

No further comments from the audience were made.

Following discussion, Councilmember Allen moved to adopt Resolution No. 1964-06 approving a Memorandum of Understanding with the Windsor Fire Protection District in which the Town agrees to fund and construct a new Fire Station No.2 adjacent to the Town's Corporation Yard, assist in the purchase of a new "Quint" Ladder Truck and purchase the former Fire Station No. 2 property at fair market value. Mayor Pro Tem Parker seconded the motion. The motion passed by a 5/0 vote.

Nick Esposti, Windsor resident and representative of Measure K, thanked Council for its cooperation and approval of the MOU with the Windsor Fire Protection District.

## **10. PUBLIC HEARING**

### **10.1 Shiloh Oaks Master Plan and Federal Express Use Permit**

Senior Planner Jones summarized the contents of the staff report and explained that the Sonoma Country Day School had requested modification to certain conditions in the Master Plan.

Bruce Aspinall, Planning Consultant, Santa Rosa, described the design features of the Shiloh Oaks Master Plan.

Parker Smith, Landscape Architect, discussed the landscape plan for the Shiloh Oaks project.

Del Starrett, Project Architect, gave Council an overview of the elements of the site plan for the Federal Express project.

John Caletti, representing Shiloh Oaks, explained the reasons for the development of a Master Plan for the Shiloh Oaks project and asked Council to approve the project.

Mayor Salmon opened the public hearing.

Scott Lummer, Chair of the Board of Trustees for the Sonoma Country Day School, spoke in support of the Shiloh Oaks Master Plan, thanking Mr. Caletti for addressing their concerns related to noise, screening of traffic and security protections.

Andy Gustafson, Member of the Board of Trustees, discussed his concerns associated with the suggested language prepared by staff modifying the text in the Master Plan associated with the construction of the wall along the south property line of the Shiloh Oaks project.

Discussion followed, during which staff explained the reasons for the recommended language in the ordinance.

There being no further public testimony, Mayor Salmon closed the public hearing.

Based on its discussion, Council directed the following modifications to the ordinance:

1. Section III-C(2)(g) (Plan Implementation, Area 3) 5 of 12 – new section added requiring a masonry wall along the southern boundary Area 3 upon future development.
2. Section III-E (Requirements within All Areas) Page 6 of 12 – Add #4 to read: “Parkway strips shall be provided with continuous linear root barriers installed at back of curb and front (street side) edge of sidewalk subject to Town approved design specifications.”
3. Section IV-B (3)(b) (“101 Interface Area”) Page 9 of 12 -- Revised second sentence to read: “The side(s) of the building facing U.S. 101 should contain the primary building entry, but, in any event, shall “front on” to U.S. 101 by the use of doors, glazing, signage, wall articulation and fenestration, and of other architectural elements.”
4. Section IV-B (3)(f) (“101 Interface Area”) Page 9 of 12 -- Revised paragraph to read: “Outdoor storage and display is generally prohibited within the “101 Interface Zone” in favor of building architecture for this southern gateway to Town. Where considered, it must be justified architecturally and tie into building design, and requires approval of a conditional use permit.”

Following discussion, Councilmember Fudge moved to take the following actions:

1. Adopt Resolution No. 1960-06 adopting the Mitigated Negative Declaration for the Shiloh Oaks Master Plan and for the Federal Express Subdivision and Use Permit.
2. Introduce, by title only, an ordinance approving an amendment to the Zoning Code for the Shiloh Oaks Master Plan, subject to conditions as modified by the Town Council.
3. Adopt Resolution No 1961-06, as modified, approving the Tentative Map for the Federal Express Ground Distribution facility as requested by John Caletti.
4. Adopt Resolution 1962-06 approving a Use Permit, including Final Site Plan and Design Review, for a Federal Express Ground Distribution facility.

Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

Council recessed the meeting at 8:05 p.m. and reconvened at 8:17 p.m. with all members present.

## **10.2 Adjustment of Solid Waste, Recyclables and Green Waste Service Fees and Subscriber Rates**

Assistant Town Manager Johnson reviewed the contents of the staff report.

Mayor Salmon opened the public hearing. As there were no comments, Mayor Salmon closed the public hearing.

Mayor Pro Tem Parker moved to adopt Resolution No. 1963-06 approving an increase in service fees and subscriber rates for residential and commercial solid waste, recyclables and green waste services within the Town of Windsor effective November 1, 2006. Councilmember Morehouse seconded the motion. The motion passed by a 5/0 vote.

## **11. REGULAR CALENDAR**

### **11.1 Consider Approval of MOU with Windsor Fire Protection District to Fund, Construct and Purchase Certain Capital Facilities and Equipment Contingent on the Successful Passage of a Special Tax in November 2006 to Fund Increased District Operations**

This item was considered after the adoption of the Consent Calendar items.

### **11.2 Town Green Stage Proposal**

Councilmember Morehouse disclosed her involvement as a Board Member of the Shakespeare on the Green. However, she felt she had no conflict of interest and would participate in the discussion.

Acting Community Services Director Kelley reported on this item and responded to Council questions.

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

The following individuals addressed the Council in support of the proposal for a permanent stage on the Town Green:

Steven David Martin, Executive Artistic Director  
Unidentified Windsor Resident  
Michael Brook, Board Member of Shakespeare on the Green  
Rosalie DeMayo, Board Member of Shakespeare on the Green

There were no further comments made.

Following is a summary of Council's direction based on their discussion:

Council directed staff to obtain a proposal from the design firm Wallace Roberts and Todd (WRT) for a permanent stage on the Town Green. The proposal will include design alternatives that will include the following elements: 1) stage size; 2) materials; 3) enhancements to the electrical and sound systems; and, 4) a location for restrooms. This proposal will also include a meeting with the Town Council.

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

**12.1 League of California Cities: Update/Discussion**

Council concurred to make a contribution in the amount of \$500 from its benevolent fund to the “No” on Prop 90 Campaign.

**12.2 Sonoma County Mayors’ and Councilmembers’ Association Legislative Committee Update – None.**

**13. MAYOR’S & COUNCILMEMBERS’ REPORTS**

**13.1 Individual Councilmember Reports**

Mayor Parker advised that a Santa Rosa Plain Conservation Strategy Implementation Committee meeting will be held on Wednesday, October 18<sup>th</sup> at 6:00 p.m., and the need for a Town representative to attend.

Councilmembers also reported that they attended various meetings that are of interest to Council.

**13.2 Reports on Meetings/Conferences**

Report submitted on the attendance of Mayor Salmon, Councilmember Fudge and Assistant Town Manager Johnson at the Mayors’ and Councilmembers’ Association meeting on Thursday, September 14, 2006.

Report submitted for the recent attendance of Mayor Pro Tem Parker at the League of California Cities' 2006 Annual Conference and Exposition in San Diego during September 6-9, 2006. Also in attendance were Councilmember Fudge and Mayor Salmon.

**14. TOWN MANAGER’S REPORT**

Town Manager Mullan announced that new Community Services Director Donna Legge will be starting employment with the Town on Monday, September 25, 2006.

Town Manager Mullan acknowledged Acting Community Services Director David Kelley’s hard work and excellent performance of the duties of the Community Services Director position.

Town Manager Mullan also congratulated Town Clerk Maria De La O upon receiving her Municipal Clerk Certification.



**15. ADJOURNMENT**

The meeting adjourned at 9:40 p.m. to the a Regular Town Council Meeting scheduled for Wednesday, October 4, 2006, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 1st day of November 2006.

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Maria De La O, Town Clerk