

MINUTES

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

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

August 2, 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 6:04 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

Windsor Fire Chief Ron Collier led the Pledge of Allegiance.

4. PRESENTATION(S)/ PROCLAMATION(S)

Note: Item 4.2 (Proclamation for Bell's Ambulance) was heard in advance of Item 4.1 (Introduction of new Windsor Police Officer).

4.2 Proclamation Acknowledging Bell's Ambulance 50 Years of Service

Mayor Salmon presented **Pamela Bell-Simmons** with a proclamation acknowledging Bell's Ambulance 50 years of service in the Windsor community.

4.1 Introduction of New Windsor Police Officer Carlos Chavez

Windsor Police Chief Freitas introduced new Windsor Police Officer Carlos Chavez and remarked on his qualifications.

Proclamation Acknowledging Travis Wilson

Councilmember Allen read the proclamation, congratulating Travis Wilson on becoming an Eagle Scout.

5. ANNOUNCEMENTS

Councilmembers announced various upcoming events.

6. CONFLICT OF INTEREST DECLARATION - NONE.

7. CHANGES TO THE AGENDA

Mayor Salmon asked that Item 11.1 (Highway 101 Status Report) be considered immediately after the approval of the Consent Calendar items.

8. CITIZEN PUBLIC APPEARANCES

There were no public appearances.

9. CONSENT CALENDAR

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

9.1 Check Register No. 349

5/0 vote. By motion, approved disbursements in the amount of \$941,134.94.

9.2 Amendment Nine to Town's Law Enforcement Services Agreement

5/0 vote. Adopted Resolution No. 1930-06 approving Amendment #9 to the Agreement for Law Enforcement Services, and authorized the Town Manager to execute it on behalf of the Town.

9.3 2005-07 Budget Update

5/0 vote.

- a) Received budget update for the first 12 months of the 2005-07 biennium; and
- b) Adopted Resolution No. 1931-06 amending the 2005-07 budget.

Item 11.1 was considered at this time.

11.1 Highway 101 Status Report

Town Engineer and Public Works Director Burt explained that the presentation would address Highway 101 improvements affecting the Town of Windsor. He introduced Suzanne Wilford, Executive Director and Guy Preston, Deputy Director of the SCTA.

Ms. Wilford discussed the new funding opportunities for the 101 Highway segment.

Guy Preston, Deputy Director of Projects and Programming, discussed the project scope, features, schedule and funding for the Steele Lane to Windsor River Road project in the northern area.

Jeff Myer, Windsor resident, asked where the sound walls would be located.

Mr. Preston outlined the locations of future sound walls.

10. PUBLIC HEARING

10.1 Merit Presentation Status

Councilmember Fudge disclosed that the North Bay Journal had published an article indicating that she had identified two projects that ranked at the top of the Council's list. She explained that the information that was published in this paper was an inaccurate representation of what she had stated.

Assistant Town Attorney Gogna, with regard to this item, informed Council that a number of years ago, as a private practice attorney, he had been approached by Allen Thomas (development applicant) for counsel on an unrelated issue. He assured Council that this prior association would not influence any advice he is asked to provide on this item.

Planning Director Chamberlin briefly introduced the item, following which Senior Planner Jones discussed the background of the proposed projects, noting that both the Planning Commission and Town Council participated in establishing the criteria for rating these projects. He explained the purpose of this item is to reach consensus on a shortlist of projects that will be allowed further consideration. He clarified that making the shortlist is not a commitment to a particular design solution and/or a particular number of units or a development agreement.

At this time, Councilmembers disclosed phone conversations they had with applicants of the proposed developments.

Presentations by the Applicants:

Windsor Gateway

Michael Telfer, owner of Windsor Fuel Co., briefly discussed the project concept and the incorporation of the key elements of smart growth, green building, sustainable construction, traffic calming and transient-oriented design.

Town Green Village No. 6

Orrin Thiessen, Town Green Village, described the components of the proposed Town Green Village project and discussed the need for the completion of all projects in the Downtown area.

Windsor Creekside Commons and Windsor-Shiloh Village

Rick Deringer, Odyssey Development Corporation, expanded on the reasons why his projects have exceptional merit and why they should be considered for Growth Control Allocations.

Village at Windsor (Conde Village)

Edward Rubenstein, Principal Developer, stated that the proposed mixed-use project located in the Downtown area is one of the smallest projects on the current Merit Presentation list, as they are only asking for 16 residential units.

Hembree Village (Schellinger)

Scott Schellinger, representing Schellinger Brothers, noted that the design and proposal remain the same as the initial presentation. He expressed his belief that the Town has the opportunity to honor its previous commitment to Schellinger Brothers as it transitions from old policies to new. Therefore, Schellinger Brothers requested growth allocations for the proposed development commencing in 2007.

Shiloh Sustainable Village

Shawn Rodrigues, real estate developer, briefly discussed the concept of the proposed development, explaining the 40% affordable component.

Windsor Live-Work

Misha Weidman, Pegasus Ventures, handed out a summary of the Windsor Live-Work project. (Copies of this summary are on file in the Town Clerk's office and Planning Department). Mr. Weidman described the new components of his project, noting that the new project has received the support of the neighborhood. Mr. Weidman asked that this project be reconsidered for allocations under the 2006 Pilot Program for small mixed-use developments.

American Way Lofts (Luzaich and Heaton)

No one addressed the Council on this item.

Mayor Salmon opened the public hearing.

Deb Gatches, Executive Director of Housing and Land Trust of Sonoma County, spoke in support of the Shiloh Sustainable Village project, noting that this project will provide affordable homes to families in the Windsor community.

Marie Coakley, Windsor resident, submitted a petition containing signatures of 8 residents requesting that the Town address concerns associated with the development of the Windsor Commons project related to the drainage creek, preservation of existing oak trees, hydrology of the creek, privacy conditions, and the availability of review of all cross-section drawings of structures, gradings and elevations. (The petition is on file in the Planning Department and Town Clerk's Office.)

Mayor Salmon closed the public hearing.

Assistant Town Attorney Gogna clarified the process for taking action, with respect to the Pilot Program. He said that as the item is currently agendaized, the Council could only provide direction to staff through some form of straw vote or consensus; beyond that it would not be appropriate to take formal action with respect to 2006 allocations.

Mayor Salmon asked for a straw vote of those Councilmembers concurring to pull the Windsor Live-Work project from the list for consideration of allocations under the 2006 Pilot Program and to revisit the matter later in the meeting.

Following discussion, Council consensus was to have the Windsor Live-Work project return to Council at a future meeting for consideration of 2006 allocations under the Pilot Program.

Further discussion ensued during which, Council considered the following projects to have exceptional merit for further consideration within the Town's Growth Control Ordinance to the year 2010:

1. Windsor Gateway (Telfer/File 06-26) – 152 residential units.
2. Town Green Village #6 (Richardson – Thiessen/File 06-19) – 140 residential units.
3. Village at Windsor (Conde Village LLC/File 05-45) – 16 residential units.
4. Hembree Village (Schellinger/File 05-28) – 200 residential units.
5. Shiloh Sustainable Village (Shami – Rodrigues/File 05-41) – 107 residential units.

Discussion followed regarding additional discussion topics identified in the agenda report. It was the consensus of the Council to provide the following direction to staff regarding the November annual review of the Growth Control Ordinance:

1. Deadline for application submittal: Applicants on the Project Merit List who have not yet done so are required to submit a development application by no later than October 15 to be eligible for further consideration for 2007 allocations. The Council further requested staff to look into possible refunds for projects which will not be moving forward following the November meeting.
2. Multiple Year Allocation Commitments: Development Agreements should be reserved for unique circumstances or projects of exceptional public benefit. Staff is requested to bring back a limited scope agreement, or "Allocation Agreement", specific to the purpose of guaranteeing multiple year commitments of allocations.
3. Development Agreements and Staff Resources: Staff is directed to not work on possible development agreement requests until a project, at a minimum, has allocations "reserved" and the Council has expressed interest in further consideration of a development agreement (versus an "Allocation Agreement" or other tool).

Councilmember Morehouse moved to adopt Resolution 1932-06 establishing a list of projects for future consideration of growth control allocations. Councilmember Fudge seconded the motion. The motion passed by a 5/0 vote.

11. REGULAR CALENDAR

11.1 Highway 101 Status Report

This item was considered after the Consent Calendar items.

11.2 Discussion: Designation of Voting Delegate and Alternate for 2006 League Annual Conference- September 6-9, San Diego

Council concurred that Mayor Salmon will serve as the voting delegate and Councilmember Fudge as the alternate for the 2006 League Annual Conference to be held September 6 through September 9, 2006 in San Diego.

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

12.1 League of California Cities

- Priority Focus Publication (Issue Nos. 28 & 29) - Update/Discussion

Councilmember Morehouse requested information on AB 2987 (Cable and Video Service) and Proposition 90 (Government Acquisition, Regulation of Private Property).

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

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports

The Mayor and Councilmembers made announcements and reported on items of interest to the Council.

13.2 Reports on Meetings/Conferences

No reports were made.

14. TOWN MANAGER'S REPORT

Town Manager Mullan reported that due to a lack of quorum, the September 6, 2006 Town Council meeting has been cancelled.

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

Mayor Salmon announced the following Closed Session topic and Council adjourned to a Closed Session in Conference Room A at 9:27 p.m.

15.1 Performance Review- Town Manager

Consideration of Town Manager's Performance Evaluation Review Pursuant to Government Code Section 54957.

Direction to Labor Negotiator, Mayor Sam Salmon, on terms of employment for Town Manager, an unrepresented employee, pursuant to Government Code Section 54957.6.

16. REPORT OUT OF CLOSED SESSION

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

17. ADJOURNMENT

The meeting adjourned at 10:15 p.m. to the regular Town Council Meeting scheduled for Wednesday, August 16, 2006, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 20th day of September 2006.

Maria De La O, Town Clerk