

# MINUTES

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

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

**June 21, 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 6:00 p.m.

**2. COUNCIL ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Parker led the Pledge of Allegiance.

**4. PRESENTATION(S)/ PROCLAMATION(S) – NONE.**

**5. ANNOUNCEMENTS**

The following announcements were made:

- “Town Hall on the Green” in conjunction with the next “Summer Nights on the Green” concert will be held on Thursday, June 22, 2006
- Thursday, June 22, 2006 is a Spare the Air Day
- The Sonoma County Hot Air Balloon Classic will be held on July 15 and July 16, 2006
- Windsor Rotary’s Salmon Fest will be held on Saturday, July 29th in conjunction with the *Windsor Shakespeare on the Green*
- The Old Downtown Windsor Merchants and the Windsor Farmers Market will be holding its 2<sup>nd</sup> Annual “Old Time Celebration” on July 1, 2, 3, 2006

**6. CONFLICT OF INTEREST DECLARATION – NONE.**

**7. CHANGES TO THE AGENDA**

Mayor Salmon requested that Item No. 9.9, Airport Master Plan Update Community Advisory Committee (CAC), be pulled for consideration after the approval of the Consent Calendar.

Town Clerk De La O reviewed changes to the resolution calling for the General Municipal Election (Item 9.11).

**8. CITIZEN PUBLIC APPEARANCES**

Pete Mortensen announced that he would be leaving his position with the Windsor Times, as he has taken another position. He remarked on the importance of working in the Windsor community this past year.

**9. CONSENT CALENDAR**

Councilmember Allen moved to adopt the Consent Calendar items with corrections to Item 9.11(as previously referenced) and the exception of Item No. 9.9 (Airport Master Plan Update Community Advisory Committee (CAC), which will be considered after the approval of the Consent Calendar. Mayor Pro Tem Parker seconded the motion. Councilmember Morehouse was absent. The motion passed as indicated below:

**9.1 Check Register No. 347**

**4/0/1 vote.** By motion, approved disbursements in the amount of \$880,759.43.

**9.2 Approval of Minutes**

**4/0/1 vote.** By motion, approved the minutes of the meetings of May 3, 2006, May 10, 2006, May 17, 2006 and June 7, 2006.

**9.3 2006-07 Appropriations Limit**

**4/0/1 vote.** Adopted Resolution No. 1904-06 adjusting appropriations limit for fiscal year 2006-07.

**9.4 Arata Lane Interchange Phase 2A Project**

**4/0/1 vote.**

- Adopted Resolution No. 1905-06 awarding a contract to Ghilotti Brothers, Inc. for the construction of the Arata Lane Interchange Phase 2A Project in the amount of \$1,228,888.85 and authorizing the Town Manager to execute the contract and any required construction change orders up to the authorized project budget.
- Adopted Resolution No. 1906-06 authorizing the Town Manager to execute a professional services agreement with Coastland Civil Engineering to provide construction management, inspection services, materials testing and staking services for the Arata Lane Interchange Phase 2A Project in the amount not to exceed \$169,872.
- Adopted Resolution No. 1907-06 authorizing the Town Manager to amend the existing Professional Services Agreement with Boyle Engineering Corporation for an amount not to exceed \$46,470 for the Arata Lane Interchange Phase 2A Project.
- Adopted Resolution No. 1908-06 amending the FY 2005/07 budget to appropriate additional funds in the amount of \$681,580 from Gas Tax Funds for the Arata Lane Interchange Phase 2A Project.

**9.5 Statement on Investment Policy**

**4/0/1 vote.** Adopted Resolution No. 1909-06 adopting the Town of Windsor's Statement of Investment Policy and Investment Portfolio Guidelines for Fiscal Year 2006-07.

**9.6 Investment Advisory Services**

Item was provided for informational purposes. No action was taken on this item.

**9.7 Professional Services Agreement with Green Valley Consulting Engineers for Shiloh Road Village Vision Plan Infrastructure Study**

**4/0/1 vote.**

- Adopted Resolution No. 1910-06 authorizing the Town Manager to execute a professional services agreement with Green Valley Consulting Engineers (Green Valley) for Preparation of a Shiloh Village Vision Plan Infrastructure Study for an amount not to exceed \$65,210.
- Adopted Resolution No. 1911-06 amending the Town of Windsor Budget for FY 2005-2007 to provide initial funding for the Shiloh Road Village Vision Plan Infrastructure Study from the unappropriated balances of the Drainage Mitigation, Water Capital and Water Reclamation Capital Funds.

**9.8 Approval of Final Map for Pallino Subdivision**

**4/0/1 vote.**

- Adopted Resolution No. 1912-06 approving and accepting the Pallino Subdivision Final Map; authorizing the Town Manager to sign a Lighting and Landscape Assessment District agreement; and authorizing the Town Manager to sign a subdivision improvement agreement in accordance with the Subdivision Map Act and the Town of Windsor Subdivision Ordinance.

**9.9 Airport Master Plan Update Community Advisory Committee (CAC)**

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

**9.10 Change Order No. 1 with Koch Construction Company**

**4/0/1 vote.** Adopted Resolution No. 1913-06 authorizing the Town Manager to execute Change Order No. 1 with Koch Construction Company in the amount of \$47,531.

**9.11 Resolution Calling for an Election to be Held on November 7, 2006**

**4/0/1 vote.**

- Adopted Resolution No. 1914-06 calling for a General Municipal Election to be held on November 7, 2006, for the election of three members of the Town Council and requesting consolidation with the Statewide Election to be held on that date, with the corrections noted.
- Adopted Resolution No. 1915-06 establishing estimated costs for printing, handling, translating and mailing the Candidates' Statements for the November 7, 2006 election.

Council considered Item 9.9 at this time:

**9.9 Airport Master Plan Update Community Advisory Committee (CAC)**

Assistant Town Manager Johnson reported on this item.

Mayor Salmon asked applicants seeking appointment to the CAC to discuss their qualifications.

Marc LaMantia, Windsor resident, briefly explained that he is qualified to serve on the CAC, due to his interest in and research of the operations at the Sonoma County Airport.

Mark Millan, Windsor resident, introduced himself as an applicant and briefly discussed his interest in serving on the CAC and his qualifications.

Community Member Representative/Alternate

Councilmember Allen moved to appoint Mark Millan to serve as the alternate on the CAC. Mayor Pro Tem Parker seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Morehouse was absent).

Community Member Representative

Mayor Pro Tem Parker moved to appoint Marc LaMantia as the community member representative to serve on the CAC. Councilmember Fudge seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Morehouse was absent).

Town Representative

Councilmember Allen moved to appoint Mayor Salmon as the Town's representative to serve on the CAC. Mayor Pro Tem Parker seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Morehouse was absent).

**10. PUBLIC HEARING - NONE**

**10.1 Windsor Landscaping and Lighting Special Assessment District Annual Engineer's Report for FY 2006-2007**

Assistant Town Engineer Daida introduced the item. He discussed the steps taken to date related to these annual proceedings.

Otto Bertolero, Coastland Civil Engineers, explained the process to be followed at this meeting and responded to Council's questions.

Mayor Salmon opened the public hearing. Hearing no comments, Mayor Salmon closed the public hearing.

Mayor Salmon announced that the ballots would be counted in Conference Room A and staff would report back the ballot count.

**Council recessed at 6:36 p.m. to count the Assessment District ballots, following which they reconvened at 6:50 p.m. with all members present (except Councilmember Morehouse who was absent).**

Otto Bertolero announced the results of the ballot count: Lighting District (Zone 2) – 74 parcels were proposed for annexation and 98% of those votes cast were “yes” votes, Landscaping District (Zone 3) 50 parcels were proposed for annexation and 100% of those votes cast were “yes” votes. Therefore, the annual Lighting and Landscaping Assessment passed.

Following discussion, Mayor Pro Tem Parker moved to adopt Resolution No. 1916-06 approving the Annual Engineer’s Report, confirming the assessment diagram and annual assessment amounts and authorizing the levy and collection of assessments for FY 2006-07 Landscaping and Lighting Assessment District. Councilmember Fudge seconded the motion. The motion passed by a 4/0/1 vote, as Councilmember Morehouse was absent.

**These items were heard simultaneously**

**10.2 Charges for Miscellaneous Enterprise Services**

**10.3 Charges for Miscellaneous Town Services**

Accounting Manager Ippoliti discussed staff’s analysis of the miscellaneous enterprise fees and Town fees and the proposed changes.

Mayor Salmon opened public hearing. Hearing no comments, Mayor Salmon closed the public hearing.

Town Manager Mullan clarified some of the fees and discussed the process for assisting customers who are on a fixed income.

Following a brief discussion during which Council discussed the importance of providing assistance to people who are on a fixed income and who may have difficulty paying late charges, Mayor Pro Tem Parker moved, seconded by Councilmember Allen to adopt the following resolutions:

- Adopted Resolution No. 1917-06 establishing updated charges for enterprise services.
- Adopted Resolution No. 1918-06 establishing updated charges for miscellaneous Town services.

The motion passed by a 4/0/1 vote, as Councilmember Morehouse was absent.

## **11. REGULAR CALENDAR**

### **11.1 Planning Commission Vacancy**

Councilmember Allen moved to appoint Don Neece to the Planning Commission. This position is for an unexpired term ending December 31, 2006. (Councilmember Fudge opposed.)

### **11.2 Introduction of an Ordinance Amending Animal Control Regulations**

Acting Community Services Director Kelley summarized the contents of the staff report and pointed out some minor corrections to the ordinance (that had been distributed to Council on the dais) regarding the numbering of the ordinance sections. Mr. Kelley acknowledged receipt of an e-mail from Windsor resident Renell Madkin in support of the ordinance.

Town Attorney Rudnansky explained the process for adoption of an ordinance, noting that under state law whenever a city enacts an ordinance, the ordinance must be introduced for first reading at one meeting and adopted at the second meeting. The ordinance does not take effect until the thirty-first day after adoption (second reading).

At this time, Mayor Salmon called forward members of the public interested in commenting on this matter. There were no comments from the audience.

Mayor Pro Tem Parker discussed the reasons why he is supporting this ordinance and asked Council to consider directing staff to go on record with a letter to Sonoma County Animal Control in support of allowing animal control officers to carry side arms.

Discussion ensued, during which the Council supported the ordinance amending the Animal Control Regulations and directed staff to research the process for allowing animal control officers to carry side arms and bring back the information for discussion at a future meeting.

Mayor Pro Tem Parker moved to introduce, by title only, an ordinance, subject to the revisions referenced previously, amending existing Chapters 3-4-120 "Definitions," 3-4-1000 "Potentially Dangerous and Vicious Dogs," 3-4-1200 "Impoundment," and 3-4-1400 "Violations" of the Municipal Code and Adding a New Article 14 (3-43-1400), Mandatory Spay or Neutering for All Dogs Running At Large and All Pit Bulls," to the Town of Windsor Municipal Code. Councilmember Allen seconded the motion. The motion passed by a 4/0/1 vote as Councilmember Morehouse was absent.

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

**12.1 League of California Cities Priority Focus Publication (Issue Nos. 22 & 23)- Update/Discussion**

Town Manager Mullan reported that the Annual League of California Cities Conference will be held September 6<sup>th</sup> through September 9<sup>th</sup> in San Diego. He asked that anyone interested in attending contact Town Clerk Maria De La O.

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

The next Mayors' and Councilmembers' Association meeting will be held on Thursday, July 13, 2006. It was noted that the Mayors' and Councilmembers' Association will begin meeting on a quarterly basis.

**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-**

Councilmembers briefly reported on meetings they attended.

**14. TOWN MANAGER'S REPORT**

Town Manager Mullan reported that the Sonoma County Board of Supervisors approved the Restructured Water Agreement on Tuesday, June 20, 2006. Therefore, Council, at its July 19th meeting, will be appointing a Town representative and an alternate to serve on the Water Advisory Committee (WAC).

**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 7:34 p.m.

**15.1 Performance Review- Town Manager**

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

**16. REPORT OUT OF CLOSED SESSION**

The Closed Session adjourned and the regular meeting reconvened with all members (except Councilmember Morehouse) present. No action was taken during Closed Session.

**17. ADJOURNMENT**

The meeting adjourned at 8:40 p.m. to the next regular meeting scheduled for Wednesday July 19, 2006, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor. (The July 5, 2006 Town Council meeting has been cancelled.)

Approved and adopted this 19th day of July 2006.

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Maria De La O, Town Clerk