

MINUTES
TOWN COUNCIL, REDEVELOPMENT AGENCY AND
WINDSOR WATER DISTRICT MEETING

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

April 5, 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

Councilmember Fudge led the Pledge of Allegiance.

4. PRESENTATION

4.1 Energy Vulnerability Summit Presentation

Ellen Bichler discussed the purpose of the Energy Vulnerability Summit, noting that this summit will provide a forum for North Bay elected and appointed officials to explore the local implications of rising energy costs. She announced that the Energy Vulnerability Summit will be held on Friday, May 19th. The event is scheduled from 9:00 a.m. to 3:30 p.m.

5. ANNOUNCEMENTS

The following announcements were made:

- The PTA will be sponsoring a walkathon on Saturday, April 8, 2006.
- The Windsor Family Night with the Giants event will be held on Monday, June 19, 2006 at 7:15 p.m. This fundraiser will benefit the Windsor Unified School District Music Programs.
- Opening day for Windsor Little League is Saturday, April 22, 2006 at Mattie Washburn Elementary School.
- A joint Town Council and Planning Commission Meeting will be held on Saturday, April 8, 2006. The meeting will begin at 9:00 a.m. and project presentations will continue until 3:00 p.m.

- A preview showing of the HBO documentary on global warming entitled “Too Hot Not To Handle” will be played in the Council Chambers on Thursday, April 13, 2006 at 6:30 p.m.
- An Earth Day celebration will be held on Saturday, April 22, 2006. Volunteers are needed to assist with the rehabilitation of Jack London State Park.

6. CONFLICT OF INTEREST DECLARATION

Councilmember Morehouse declared that she will abstain on Items 9.6 (Amendment to Professional Services Agreement with Lim & Nascimento Engineering for Mitchell/Shiloh/Conde Assessment District Project Construction Management) and 9.10 (Amendment to Consultant Services Agreement with the Coastland Civil Engineering for Mitchell/Shiloh/Conde Assessment District) because her husband’s family owns Pedroncelli Winery, a member of a cooperative that is part of the assessment district.

7. CHANGES TO THE AGENDA – NONE.

8. CITIZEN PUBLIC APPEARANCES

Mayor Salmon invited members of the public interested in speaking on items listed on the Consent Calendar to come forward.

Marc LaMantia, Good Neighbors Group of Sonoma County, asked that the agenda be reorganized to consider Item 11.1 at the beginning of the agenda.

Mayor Salmon noted that Item 11.1 was the first item listed under the Regular Calendar and would be considered first.

David Poulsen, Santa Rosa, spoke regarding Item 9.8, noting that his father recently purchased the “old” Victorian property on Old Redwood Highway that is being considered as part of the palm tree landmark designation. He raised concerns regarding the affect this designation will have on this property. Therefore, he requested that action on this item be continued to a future Council meeting to allow him to research the impacts of the subject designation.

Mayor Salmon asked that Item 9.8 be pulled from the Consent Calendar for discussion after Regular Calendar Item 11.1, as a result of a request from a member of the public.

9. CONSENT CALENDAR

Councilmember Allen moved to adopt the Consent Calendar items, with the exception of Item 9.8. Mayor Pro Tem Parker seconded the motion. The motion passed on a 5/0 vote. Items 9.6 and 9.10 were adopted by a 4/0/1 vote, as Councilmember Morehouse abstained.

9.1 Check Register No. 343

5/0 vote. By motion, approved disbursements in the amount of \$1,554,643.31.

- 9.2 Approval of Minutes**
5/0 vote. By motion, approved the minutes of the regular meetings of March 1, 2006 and March 15, 2006.
- 9.3 Annual Review of Development Agreements**
5/0 vote. By motion, accepted a report regarding annual review of the Town's currently active development agreements.
- 9.4 Professional Service Contract for Supervisory Control and Data Acquisition (SCADA) Improvements or Replacement**
5/0 vote. Adopted Resolution No. 1873-06 authorizing the Town Manager to execute a Contractual Services Agreement with RMC Water and Environment to provide engineering services for Windsor's SCADA systems evaluation and improvement plan.
- 9.5 Professional Service Agreement for Biosolids Removal**
5/0 vote. Adopted Resolution No. 1874-06 authorizing the Town Manager to enter into a Professional Services Agreement with Brelje and Race Consulting Civil Engineers to provide engineering services for the biosolids removal contract.
- 9.6 Amendment to Professional Services Agreement with Lim & Nascimento Engineering for Mitchell/Shiloh/Conde Assessment District Project Construction Management**
4/0/1 vote (Councilmember Morehouse abstained). Adopted Resolution No. 1875-06 approving Amendment No. 1 to the Professional Services Agreement for Mitchell/Shiloh/Conde Assessment District Project Construction Management with Lim and Nascimento Engineering Corporation.
- 9.7 Santa Rosa Plain Conservation Strategy Planning Agreement Amendment No. 1**
5/0 vote. Adopted Resolution No. 1876-06 authorizing Amendment No. 1 to the Santa Rosa Plain Conservation Strategy Planning Agreement.
- 9.8 Old Redwood Highway Palm Tree Landmark Designation**
This item was pulled off the Consent Calendar and considered after Item 11.1.
(No action was taken on this item.)
- 9.9 Approval of Final Map for Ultimo Subdivision**
5/0 vote. Adopted Resolution No. 1878-06 approving and accepting the Final Map for Ultimo Subdivision and authorizing the Town Manager to sign certain agreements and documents, and accepting certain offers of dedication and making findings in accordance with the Subdivision Map Act.

- 9.10 Amendment to Consultant Services Agreement with Coastland Civil Engineering for Mitchell/Shiloh/Conde Assessment District**
4/0/1 vote (Councilmember Morehouse abstained). Adopted Resolution No. 1879-06 authorizing the Town Manager to execute Amendment No. 4 to the existing Consultant Services Agreement with Coastland Civil Engineering for final design, environmental review and assessment engineering services for the Mitchell/Shiloh/Conde Assessment District Project.
- 9.11 Agreement with the Sonoma County Community Development Commission (CDC) for Mobile Home Rent Stabilization**
5/0 vote. Adopted Resolution No. 1880-06 authorizing the Town Manager to execute an agreement between the Town of Windsor and the Sonoma County Community Development Commission for administration of the Windsor Mobile Home Rent Stabilization Program and Hold Harmless, Indemnification and Defense Agreement.

10. PUBLIC HEARING – NONE.

11. REGULAR CALENDAR

11.1 Sonoma County General Plan 2020 and General Plan Update Draft Environmental Impact Report

Planning Director Chamberlin reviewed the contents of the staff report and responded to Council questions and comments. Mr. Chamberlin referenced information received from the Good Neighbors Group and noted that copies had been distributed to Council.

At this time, Mayor Salmon called forward members of the public interested in commenting on this matter.

Marc LaMantia, Good Neighbors Group of Sonoma County, referenced information that was submitted to staff regarding concerns associated with the operations of the Sonoma County Airport.

David Deakan, Windsor resident, expressed his pleasure with the Council's involvement with the airport expansion. He thanked Town staff for the research that was conducted on the airport operations since this expansion will seriously affect the Windsor community.

Allen James, Petaluma resident, briefly discussed the contents of information he submitted regarding the changes that are being made to the Airport Facilities Plan and the Airport Master Plan. He stated that, for protection of the community, the following issues should be addressed: 1) aviation forecasts; 2) local control within the Air Transportation Element; 3) Bay Area Airspace Capacity; 4) Federal Preemption; and 5) Noise Abatement.

Copies of information submitted by the previous speaker are on file in the Town Clerk's office and Planning Department.

Sandy LaMantia, Good Neighbors Group, voiced concern that noise abatement procedures and guidelines have not been adopted for the airport. Ms. LaMantia also submitted information regarding the Air Transportation Element.

Jeanne McMullen, Windsor resident, voiced concern regarding the eminent domain process for property acquisition adjacent to airport.

Marc LaMantia, Windsor resident, noted that in July 2004, the previous Town Manager had sent a letter to Airport Facilities Manager Jon Stout, requesting the inclusion of noise abatement measures as part of the process to address noise concerns related to low-flying aircraft.

Council reviewed and provided additional supplemental comments to staff on the Draft Environmental Impact Report for the Sonoma County General Plan and the General Plan Update on the Air Transportation Elements regarding the adoption of a noise abatement ordinance and the preparation of a noise abatement brochure by Sonoma County for the Sonoma County Airport. Council also directed staff to submit an additional letter to the Board of Supervisors regarding the airport, requesting a response to the following issues:

- 1) Adoption of a noise abatement ordinance and the preparation of a noise abatement brochure by Sonoma County for the Sonoma County Airport.
- 2) Federal preemption levels.
- 3) Eminent domain proceedings for acquisition of property adjacent to the airport.

Councilmember Fudge moved to authorize staff to modify the letter to Sonoma County to include additional Council comments as listed above. In addition, staff was directed to prepare an additional letter to Sonoma County Board of Supervisors requesting a response to concerns raised, as noted above. The motion passed by a 5/0 vote.

Item 9.8 was considered at this time.

9.8 Old Redwood Highway Palm Tree Landmark Designation

Planning Director Chamberlin reported on this item and responded to Council's questions regarding the tree removal process.

Council raised concerns regarding the restrictions that will be imposed on private property owners.

Planning Director Chamberlin responded to Councilmembers' questions, explaining that the restrictions imposed would be similar in nature to the restrictions currently in place for removal of oak trees.

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

David Poulsen, Santa Rosa, said that his father recently purchased the Victorian property on Old Redwood Highway and that he prefers that this property be left out of the landmark designation.

There were no further comments from the audience.

A brief Council discussion ensued during which Council expressed interest in considering a heritage designation for the oak tree at Esposti Park.

During the Council discussion, which followed, staff was directed to modify the resolution as follows:

- 1) The protected palm trees will require the issuance of a Tree Removal Permit by the Town for removal of any of the palm trees under the landmark designation.
- 2) The Town should consider relocation of the palm trees as opposed to future removal.
- 3) Staff was directed to address relocation of the palm trees when considering future permit requests for removal.

Further discussion ensued regarding the need to provide the affected property owner the opportunity to research the impacts of the designation.

Due to concerns raised associated with the landmark designation of palm trees on private property; no action was taken on this item. Council directed staff to return at the May 3, 2006 Town Council meeting with a modified resolution addressing the concerns raised at this meeting for action at that meeting.

Council recessed from 7:45 p.m. until 8:00 p.m. and reconvened with all members present.

At this time, Mayor Salmon reorganized the agenda to consider Items 11.5 and 11.6 in advance of Item 11.2

11.5 Town Green Use Policy Agreement

Acting Economic Development and Community Services Director Kelley discussed the contents of the staff report and responded to Council's questions regarding placement of banners during permitted events by non-profit organizations on the Town Green.

Councilmember Parker raised concern regarding the offensiveness of smoking during the Town Green events. Therefore, he asked staff to agendize a future discussion to consider banning smoking on the Town Green, Town facilities and all public parks.

At this time, Mayor Salmon called forward members of the public interested in commenting on this matter.

Chris Messina, Business Improvement District (BID), Promotions Committee Chair, discussed the need to bring in co-sponsors to assist with the funding of these events. He said that the idea would be to allow co-sponsors the ability to advertise on the Town Green by using banners. He suggested there be a uniform type, size, design and location for the banners that would be utilized for advertisement by the non-profit organizations.

Michael Brook concurred with comments made by the previous speaker. He also discussed the importance of allowing the co-sponsors of these events to advertise by using banners on the Town Green. He urged Council to approve the amendments to the Town Green Use and Reservation Policy.

There were no further comments from the audience.

Staff acknowledged the importance of establishing uniform design guidelines and developing a bracket system that would facilitate the hanging of these banners. However, it was also recognized that the various non-profit organizations will have different types and sizes of banners that will require accommodation.

Mayor Pro Tem Parker moved to adopt Resolution No. 1881-06 approving amendments to the Town Green Use and Reservation Policy. Councilmember Allen seconded the motion. The motion passed on a 5/0 vote.

11.6 Facility Rental Fee Adjustments

Acting Economic Development and Community Services Director Kelley explained that the adoption of the proposed fee schedule would result in increased revenue for cost recovery efforts and future equipment replacement and improvements to the facilities. This would also place the Town of Windsor facilities within the competitive market rate in the county and adjust the cost to consumers, based on market rates and facility improvements.

Patricia Morandi, Community Services Manager, gave a Powerpoint presentation of the fee analysis that was conducted for Huerta Gymnasium, Community Center and Senior Center.

Council discussed concerns associated with increasing the rental fees for the Huerta gymnasium for private residents.

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

Town Manager Mullan explained that the rate discussion is tied to cost recovery which is a Council policy. He said that staff is bringing forward a proposal that is consistent with Town policy. He suggested that Council continue discussion of this matter to their next budget discussions and discuss as part of the Council's overall goals. At this time, Council could adopt the interim measures, as suggested by staff.

Following a brief discussion, Council concurred to increase the rental fees of the Huerta Gymnasium for private-residents by \$10, for a total of \$68, commencing in the year 2007, and to continue its discussion of additional rental fee increases at the time of budget discussions.

Councilmember Morehouse moved to adopt Resolution No. 1882-06 approving adjustments to the rental fees for the Huerta Gymnasium, Community Center, and Senior Center, as noted above. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

11.2 Solid Waste/Central Landfill Status Report

Assistant Town Manager Johnson reviewed the contents of the staff report and responded to Council questions and comments.

Mayor Salmon invited members of the public interested in speaking to come forward. No members of the public responded.

Council directed staff to send a separate letter, to be signed by the Mayor, to the Sonoma County Board of Supervisors signed by the Mayor regarding concerns with environmental impacts regarding long-term outhaul and associated costs, including traffic impacts, increased greenhouse gas emissions and added fuel consumption when considering a long-term solution and location for disposal of the county's solid waste. Also, Council supported the County Integrated Waste Management Plan to set forth a long-term goal of 70% diversion. Prior to sending the letter to the Board of Supervisors, Council will have the opportunity to review and/or make additional modifications.

11.3 Water Advisory Committee Letter of Interests

Public Works Director and Town Engineer Burt reported on this item

Mayor Salmon invited members of the public interested in speaking to come forward. No members of the public responded.

There were concerns raised associated with the language contained in the letter on the third paragraph, first sentence regarding the use of the words "we believe the highest priority". It was noted that as the sentence is currently written, it implies that it is a priority to begin consideration of a transmission system that can eventually lead to a water treatment plant.

Town Manager Mullan clarified that the usage of the term "the highest priority" relates to the water supply and transmission project; it is not the alternative of piping directly out of the river. The highest priority urges the completion of the water supply transmission and supply project EIR.

Discussion ensued, during which Council directed staff to modify the letter to delete the word "believe" contained in the third paragraph, fourth sentence, noting that the purpose of this letter was to request that the alternative delivery system be included in the EIR and thereby authorizing the Water Advisory Committee (WAC) Chairman to send a letter to the Sonoma County Water Agency Board of Directors regarding WAC's interests.

11.4 Water Reclamation Action Plan

Town Engineer and Public Works Director Burt reported that staff would be proceeding with the Recycled Water Forum for purposes of discussing with stakeholders and/or interested parties possible solutions to water reclamation needs. Mr. Burt discussed the need to hire a professional facilitator to conduct the forum. He also asked Council to authorize staff to proceed with the RFP and consultant selection. Mr. Burt explained that the RFP is being structured with provisions for termination of the contract at various stages. He also said that Council will be considering the award of the contract at a future meeting.

Mayor Salmon invited members of the public interested in speaking on this item to come forward. No members of the public responded.

Discussion followed, during which, Council gave staff the following direction:

1. The use of a professional facilitator was supported.
2. Proceed with the RFP and move forward with the evaluation process with Consultants.
3. Mail additional invitations to the Sonoma County Land Trust and Open space District to attend the forum.

12. MAYOR'S & COUNCILMEMBERS' REPORTS

12.1 Individual Councilmember Reports

Councilmember Morehouse noted submittal of a written report on her recent attendance at a Local Government Commission conference titled "Building Livable, Sustainable Communities, Multiplying the Benefits of Smart Growth" that was held March 16-19, 2006. (The report is on file in the Town Clerk's Office).

Council held a discussion regarding the use of a banner for the Windsor Day Parade. Council consensus was to walk in the parade with a banner identifying themselves as the Windsor Town Council.

Mayor Pro Tem Parker asked staff to research banning smoking in all public parks, playfields and the Town Green, and to bring the issue back to Council as a discussion item on a future agenda.

Councilmember Allen briefly discussed the Russian River Watershed Association composition letter regarding opposition to SB 729.

Councilmember Fudge reported on her recent attendance at a LAFCO and SMART Real Estate Board meetings. She highlighted items of interest for the group.

Mayor Salmon briefly reported on his participation in the Cesar Chavez demonstration (march) that was conducted by the Windsor High School students throughout the Town.

12.2 League of California Cities

- **Priority Focus Publication (Issue Nos. 10, 11 & 12)- Update/Discussion**
- **Discussion of Possible Action regarding Proposed State Legislation Action:**
 - **Letter of Opposition to SB1206 and AB 2197 regarding Redevelopment Law**
 - **Letter of Opposition to SB729 regarding Water Quality Reform**

Following a brief discussion, Council directed staff to send letters of opposition to SB 1206, AB 2197 and SB 729.

12.3 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update

No reports were made.

12.4 Reports on Meetings/Conferences

Councilmember Morehouse noted submittal of a written report on her recent attendance at a Local Government Commission conference titled "Building Livable, Sustainable Communities, Multiplying the Benefits of Smart Growth" that was held March 16-19, 2006. (The report is on file in the Town Clerks Office).

13. TOWN MANAGER'S REPORT

Town Manager Mullan acknowledged the efforts of Police Chief Steve Freitas and the Windsor Police in their handling of the crowds in the downtown area during the recent demonstration (march) by Windsor High School students in opposition to immigration laws.

Council, by consensus, cancelled the Town Council meeting of April 19, 2006.

14. ADJOURNMENT

The meeting adjourned at 10:35 p.m. to a special joint Town Council and Planning Commission meeting scheduled for Saturday, April 8, 2006, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 17th day of May 2006.

Bobette Benn, Deputy Town Clerk