

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

Wednesday, January 18, 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 6:05 p.m.

2. COUNCIL ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Councilmember Allen led the pledge of allegiance.

4. PRESENTATION

Town Manager Mullan introduced new Assistant Town Manager Christa Johnson and remarked on her qualifications.

5. ANNOUNCEMENTS

The followings announcements were made:

- The Windsor Alliance Club will be holding a Crab and Shrimp Feed on Saturday, February 18, 2006 at the Huerta Gymnasium.

6. CONFLICT OF INTEREST

Councilmember Morehouse declared that she would abstain on Item 11.1 (Mitchell/Shiloh/Conde Assessment District) because her husband's family owns Pedroncelli Winery, which is part of a cooperative that is part of the assessment district.

7. CHANGES TO THE AGENDA - NONE

8. CITIZEN PUBLIC APPEARANCES - NONE

9. CONSENT CALENDAR

Councilmember Allen moved to adopt the Consent Calendar items. Councilmember Fudge seconded the motion. The motion passed on a 5/0 vote.

9.1 Check Register No. 338

5/0 vote. By motion, approved disbursements in the amount of \$504,558.32.

9.2 Approval of Minutes

5/0. By motion, approved the minutes of the regular meeting of January 4, 2006.

9.3 Extension of Time for Allocation Priority Waiver- Windsor Bowl Apartments

5/0 vote. Approved a one-year extension of time for allocation priority waiver for the Windsor Bowl Apartment Project.

9.4 Vehicle Maintenance and Purchase Agreement with the County of Sonoma

5/0 vote. Adopted Resolution No. 1844-06 authorizing the Town Manager to sign an agreement with the County of Sonoma to provide a vehicle maintenance program for the Public Works Department and a maintenance/purchase program for the Police Department.

9.5 Ordinance Approvals and Amendments Associated with the Windsor Mill Project

5/0 vote. Adopted, by title only, the following ordinances pertaining to the Windsor Mill Project:

- Ordinance No. 2005-202: Amendment to the Zoning Code Establishing the Neighborhood Center Overlay District and Amending the Zoning Map to correlate with the approved General Plan Amendments.
- Ordinance No. 2005-203: Approving a Development Agreement with Cal-Waii Moulding Company (also known as “Windsor Mill”).

9.6 Acceptance of Work for the Wild Oak Drive Sidewalk Improvement Project

5/0 vote. Approved Resolution No. 1845-06 accepting the contract work performed by Northwest General Engineering, for construction of the Wild Oak Drive Sidewalk Improvement Project and directed the Town Clerk to record a Notice of Completion.

9.7 Declaration of Support for Water Bond Act of 2006

5/0 vote. Adopted Resolution No. 1846-06 declaring support for enactment of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

10. PUBLIC HEARING - 6:00 P.M.

10.1 Adoption of Downtown Plan Update

Associate Planner Thompson reviewed the proposed revisions to the Downtown Plan Update as recommended by the Planning Commission. He said that the implementation of the Downtown Plan Update would require both General Plan and Zoning Ordinance Amendments. Furthermore, he noted that staff was recommending deferring all amendments to the time of submittal of development proposals. Mr. Thompson acknowledged receipt of a letter from Mr. Richard Deringer dated January 18, 2006, which was provided to Council at the commencement of this meeting regarding the Downtown Plan Update. Copies of the letter are on file in the Planning Department and Town Clerk’s office.

Mayor Salmon opened the public hearing.

Richard Deringer, Odyssey Development Company, discussed his support for the inclusion of the Windsor Water Works property (8224 Conde Lane) into the Downtown Plan. He also commented on three site planning features that the Planning Commission recommended for the Water Works property.

No other comments from the audience were forthcoming.

Discussion ensued, after which Council supported the following modifications to the Downtown Plan update:

1. Section VII of the Initial Study will read as follows:

“VII: HAZARDS AND HAZARDOUS MATERIALS

The Town currently has an emergency response and evacuation plan as a part of the Countywide Standardized Emergency Management System (SEMS). In addition, the Town is in the process of completing a localized emergency and evacuation plan exclusively for Windsor.”

2. The project boundary recommended by the Planning Commission, including the additions of the Telfer, Windsor Water Works and Fire Station parcels was supported by Council.

3. Downtown Plan Page 52 (text amendment):

“I. Creekside Commons Area.

- a. Mixed Use or Commercial. A minimum of 1 1/2 story commercial or a two to three-story mixed-use development fronting Conde Lane would provide neighborhood-serving commercial uses, as well as housing. Potentially visible from Highway 101, these mixed-use units would have a look and feel similar to that of existing downtown development to maintain a visual connection to Downtown.
- b. A new roadway off the existing Conde Lane would be introduced to allow for internal circulation in the newly developed area. The roadway is intended to connect to Bell Road if physically feasible. If not physically feasible, the roadway would terminate at a parking area provided for the development at the southern end”.

4. Figure 20 **will be modified as shown in Exhibit 2.**

5. Page 52 (text amendment). Revise Item #I-5 to read as follows:

“Townhomes/Residential. A mixture of housing types is envisioned. The area is well suited for residential development of a medium to high density, taking advantage of the local mixed use or commercial use, adjacency to Downtown, and the community and natural amenities. High density residential is generally

encouraged on the eastern portion of site, with medium-high density residential encouraged on the remainder.”

6. Page 43 (text amendment). Revise Item #C-6 to read as follows: “Adjacent Development. In the future, the existing residential properties may be redeveloped to provide additional mixed use or residential units. Commuter serving services are viewed as an appropriate ground floor use given the proximity to the rail station and residential development.”

Councilmember Allen moved to adopt Resolution No. 1847-06 adopting the Negative Declaration for the Downtown Plan update, as modified and Resolution No. 1848-06 adopting the Downtown Plan update, as modified. Councilmember Morehouse seconded the motion. The motion passed by a 5/0 vote.

Councilmember Morehouse recused herself from the discussion on Item 11.1 and left the dais at this time.

11. REGULAR CALENDAR

11.1 Termination of Construction Contract for the Mitchell/Shiloh/Conde Assessment District Project

Town Engineer/Public Works Director Burtt briefly discussed the reasons why staff is recommending the termination of the current contract with Ghilotti Brothers, repackaging the work and re-bidding the remaining portions of the project.

Mayor Salmon called for comments from the public at this time. None were forthcoming.

Councilmember Allen moved to adopt Resolution No. 1849-06 terminating the contract with Ghilotti Brothers, Inc. for the construction of the Mitchell/Shiloh/Conde Assessment District Project. Councilmember Parker seconded the motion. The motion passed by a 4/0/1 vote, as Councilmember Morehouse abstained.

Councilmember Morehouse returned to the dais and resumed participation in the meeting.

11.2 Establishing Written Policy for Expense Reimbursement for the Town Council and Council Appointed Members of Town Commissions and Committees

Administrative Services Director McAdler summarized the contents of the staff report. He pointed out a correction to the ordinance, which relates to Section 8 of Page 7 of the proposed ordinance. He noted that Subsection 8(b) would be added as a second paragraph of Subsection 8(a).

Mayor Salmon called for comments from the public at this time. None were forthcoming.

Mayor Salmon indicated that at the commencement of the meeting, a written report was provided to Council regarding the Mayors' and Councilmembers' Association meeting that he and Councilmember Allen attended. He asked if there were any other requirements that need to be met to comply with AB 1234.

Town Attorney Rudnansky explained that AB 1234 basically indicates that when members of Town legislative bodies attend meetings that are considered Brown Act meetings (or at the Town's expense), each official is required to provide a brief written or oral report at the next available Council meeting. This report should contain a brief description of what the meeting was about and what was discussed. However, if multiple officials attend, a joint report may be made.

It was noted that Town Clerk De La O is available to assist Councilmembers with the preparation of these written reports.

In response to Council questions regarding reimbursement rates, Town Attorney Rudnansky clarified that only if the official is seeking reimbursement for a meeting (as defined in the Brown Act) that this reporting would apply. In terms of the written report, he suggested that Councilmembers submit those written reports to the Town Clerk for inclusion in the agenda packet.

Councilmember Parker moved to introduce, by title only, an ordinance establishing a written policy for expense reimbursement for the Town Council and Council-appointed members of Town commissions and committees with the inclusion of the correction to Subsection 8(b), which will be added as a second paragraph to Subsection 8(a) on Page 7 of the ordinance. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

Councilmember Allen made a motion authorizing reimbursement of expenses of Councilmembers and Planning Commissioners who will be attending the New Partners for Smart Growth Conference in Denver, Colorado in late January 2006, consistent with the contents of the ordinance adopting the expense reimbursement policy. Councilmember Fudge seconded the motion. The motion passed by a 5/0 vote.

11.3 Appointments to Council Committees

The following appointments were made by consensus:

ABAG - Mayor Salmon will serve as the member on this Association and Mayor Pro Tem Parker as the alternate.

Climate Protection Campaign – Councilmember Fudge will continue to serve as the Town's liaison and Councilmember Morehouse as the alternate.

League of California Cities Legislative Liaison - Mayor Salmon will serve as liaison and Mayor Pro Tem Parker as the alternate.

Sonoma County Transportation Authority – Mayor Pro Tem Parker will serve as the member and Mayor Salmon as the alternate. This is a two-year term.

Sonoma County Waste Management Agency – Assistant Town Manager Christa Johnson will serve as the member and Councilmember Morehouse and Town Manager Mullan as alternates.

Water Bond Coalition - Councilmembers will rotate attendance at the meetings dependent upon their availability.

Windsor Regional Library Advisory Board – Mayor Pro Tem Parker will continue to serve as the member.

Russian River Watershed Association – Councilmember Allen will serve as the Board Member, depending on his availability. Assistant Town Manager Christa Johnson and Public Works Director Richard Burt will serve as alternates.

12. MAYOR'S & COUNCILMEMBERS' REPORTS

12.1 Individual Councilmember Reports (No written report.)

Councilmember Allen reported that he and Mayor Salmon toured the sites of Pond S and Pond T.

During the discussion that ensued initiated by Councilmember Allen, Council recommended that staff explore other alternative areas for water reclamation storage and disposal. Following its discussion, Council directed staff to agendize this matter for further discussion at its February 15, 2006 meeting.

Councilmember Parker reported on his attendance at a Windsor Library Advisory Board meeting regarding the potential expansion of the Windsor library.

Mayor Salmon advised Council that he will not be attending the February 1, 2006 Town Council meeting.

Mayor Salmon briefly reported on his attendance at the Sonoma County Transportation Authority meeting.

Councilmember Fudge reported on her attendance at a Sonoma-Marin Area Rail Transit (SMART) meeting. She said that the main issue discussed was the comments on the SMART Draft Environmental Impact Report. She also reported that she attended a SMART Board of Directors meeting at which the Environmental Impact Report for the Railroad Square project was released to the public.

12.2 League of California Cities Priority Focus Publication (Issue Nos. 48, 49 & 1 (2006))- Update/Discussion

No comments were made.

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

No comments were made.

12.4 Reports on Meetings/Conferences

Mayor Salmon reported that he and Councilmember Allen attended the Mayors' and Councilmembers' Association meeting that was held on Thursday, January 12, 2006. (Note: Copies of the written report that was distributed to Council at the commencement of this meeting are on file in the Town Clerk's office).

13. TOWN MANAGER'S REPORT (No written report.)

No reports were made.

**14. 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 8:23 p.m.

14.1 Performance Review- Town Attorney

Consideration of Town Attorney's performance review pursuant to Government Code Section 54957.

15. 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.

18. ADJOURNMENT

The meeting adjourned at 8:55 p.m. to a regular Town Council meeting scheduled for Wednesday, February 1, 2006, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 15th day of February 2006.

Maria De La O, Town Clerk