

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

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

Wednesday, May 7, 2008
Regular Session - 6:00 p.m.

1. CALL TO ORDER

Mayor Fudge 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, Parker, Salmon, Vice Mayor Goble and Mayor Fudge.

3. PLEDGE OF ALLEGIANCE

Amy O’Gorman led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Proclamation declaring May 18-24, 2008, as National Public Works Week

The following Public Works Supervisors received a proclamation declaring May 18-24, 2008, as National Public Works week:

Craig Scott, Engineering Department
Mary Coburn, Maintenance Supervisor
Matt Froneberger, Wastewater Systems Supervisor
Mike Cave, Water Systems Supervisor
Todd Ceruti, Street Maintenance

4.2 Proclamation declaring May 18, 2008, as Joe Cool Snoopy Day in Windsor

Glenda Castelli received a proclamation declaring May 18, 2008, as Joe Cool Snoopy Day in Windsor.

4.3 Proclamation declaring May 11-17, 2008, as Affordable Housing Week

Councilmember Salmon read a proclamation declaring May 11-17, 2008 as Affordable Housing Week.

- 4.4 Proclamation declaring May 11-17, 2008, as National Women's Health Week**
Dr. Richard Mucci received a proclamation declaring May 11-17, 2008 as National Women's Health Week.

At this time, Mayor Fudge reported on One Cool Green Thing: 1) Using tin water bottles rather than plastic bottles.

- 4.5 Presentation by the Sonoma County Transit for Windsor Shuttle**
Bryan Albee, Sonoma County Transit, discussed the improved routes servicing Windsor and local services provided.

5. ANNOUNCEMENTS

Mayor and Councilmembers announced various upcoming events.

- 6. CONFLICT OF INTEREST DECLARATION – None.**

- 7. CHANGES TO THE AGENDA – None.**

8. CITIZEN PUBLIC COMMENT

Amy O'Gorman, Regional Public Affairs Manager with the League of California Cities, spoke regarding Item 9.3 related to the two propositions that are on the June 3, 2008 ballot regarding Eminent Domain.

9. CONSENT CALENDAR

Councilmember Parker moved to adopt the Consent Calendar items as follows.
Vice Mayor Goble seconded the motion.

9.1 Approve Check Register No. 384

5/0 vote. By motion, approved disbursements in the amount of \$1,457,354.98.

9.2 Approval of Minutes

5/0 vote. By motion, approved the minutes of the regular meeting of April 16, 2008.

9.3 Resolutions Regarding Town Council positions on Ballot initiatives related to Eminent Domain: Opposing Proposition 98 and Supporting Proposition 99

5/0 vote. Adopted the following Resolutions.

- a) Resolution No. 2266-08 opposing Proposition 98.
- b) Resolution No. 2267-08 supporting Proposition 99.

9.4 Treasurer's Quarterly Investment Report

5/0 vote. By motion, Council received and filed the Treasurer's Quarterly Investment Report for the quarter ended March 31, 2008.

- 9.5 Acceptance of Public Improvements for DenBeste Warehouse II, (820 DenBeste Court)**
5/0 vote. Adopted Resolution No. 2268-08 accepting the public improvements for DenBeste Warehouse II located at 820 DenBeste Court.
- 9.6 Establish a No Parking Zone on Shiloh Road within the public right-of-way from Hembree Lane**
5/0 vote. Adopted Resolution No. 2269-08 establishing a No Parking Zone on Shiloh Road within the public right-of-way from Hembree Lane to a point 560 feet easterly of Hembree Lane.
- 9.7 Adopt Ordinance Amendment to Chapter 19, Civil Defense and Disaster**
5/0 vote. Adopted, by title only, Ordinance No. 2008-234 amending Chapter 19, Civil Defense and Disaster.
- 9.8 Budget Amendment for Shakespeare on the Green and Tuesday Night Kid's Movies**
5/0 vote. Adopted Resolution No. 2270-08 amending the 2007-08 Budget (Amendment 23-08), appropriating \$2,028 for Shakespeare on the Green and \$810 for the Tuesday Night Kid's Movies events, totaling \$2,838.
- 9.9 Campaign to Save Tax Funds by Ending Discrimination by Bond Rating Agencies in the Grading of Municipal Bonds**
5/0 vote. Adopted Resolution No. 2271-08 calling on the municipal bond rating agencies to end discrimination in the rating of municipal bonds.

10. PUBLIC HEARING

- 10.1 Introduction of Ordinance regarding Floodplain Management**
Building Official Pantazes reported on this item.

Councilmember Salmon left the meeting at 6:50 p.m.

Mayor Fudge opened the public hearing. There being no public testimony, Mayor Fudge closed the public hearing.

Councilmember Allen introduced, by title only, an Ordinance repealing ordinance 92-22, and replacing Title IX, Flood Damage, Flood Control, Drainage; with an amended Floodplain Management Ordinance in compliance with the National Flood Insurance Program (NFIP). Councilmember Parker seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Salmon was absent).

11. REGULAR CALENDAR

11.1 Formation Proceedings for Windsor Landscaping and Lighting Assessment District No. 2, Fiscal Year 2008-09

Assistant Town Engineer Daida reported on this item.

Otto Bertolero, Coastland Engineering, discussed the purpose of the formation of the new Assessment District.

Mayor Fudge called for comments from the audience. None were forthcoming.

Councilmember Allen moved to adopt the following Resolutions:

- a) Adopted Resolution No. 2272-08 initiating the formation of the new Windsor Landscaping and Lighting Assessment District No. 2, appointing Coastland Civil Engineering as Engineer of Work and directing the preparation and filing of the Initial Engineers Report.
- b) Adopted Resolution of Intention No. 2273-08 to form the new Windsor Landscaping and Lighting Assessment District No. 2, levy and collect assessments, preliminarily approve the Initial Engineer's Report, and set the times and dates for the public information meeting and public protest hearing, all in accordance with provisions of the Landscaping and Lighting Act of 1972.

Vice Mayor Goble seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Salmon was absent).

11.2 Approve a Power Purchase Agreement and Lease Agreement with World Water and Solar Technologies-Windsor, LLC and Amendment No. 1 to the Professional Services Agreement with RMC Water and Environment for the Solar Power Project at the Water Reclamation Treatment Plant Site

Senior Engineer Scott reported on this item and introduced the following consultants: Dave Richardson from RMC and Tim Holmes from Kenwood Energy.

Dave Richardson, RMC, reviewed the two system configurations (Options 2 and 3) for Council's consideration.

Tim Holmes, Kenwood Energy, Energy Management Consulting, gave Council a brief background of the Solar project and reviewed the components of the Solar Power Purchase Agreement (PPA). He introduced Maya Jones, Sales Manager and Jim Brown, Vice President of Finance.

Mayor Fudge called for comments from the audience. None were forthcoming.

Following its deliberation, Council supported Option No. 3, the larger 663 kWAC system.

Councilmember Allen moved to adopt the following Resolutions, seconded by Councilmember Parker. The motion passed by a 4/0/1 vote (Councilmember Salmon was absent):

- a) Adopted Resolution No. 2274-08 approving and authorizing the Town Manager to finalize and execute a Power Purchase Agreement and Lease Agreement with World Water and Solar Technologies-Windsor, LLC, a Delaware limited liability company to install, operate, and maintain a solar power system at the Water Reclamation Treatment Plant site and to sell power to the Town.
- b) Adopted Resolution No. 2275-08 authorizing the Town Manager to amend the Professional Services Agreement with RMC Water and Environment for Engineering Services for the Solar Power Project at the Water Reclamation Treatment Plant Site to provide additional Project Management services, for an additional amount not to exceed \$85,000, increasing the total authorization for said agreement to an amount not to exceed \$205,000.
- c) Adopted Resolution No. 2276-08 amending the FY 2007/08 budget to appropriate additional funds in the amount of \$125,000 to the Solar Power Project at the Water Reclamation Treatment Plant Site from unappropriated funds in the Water Reclamation Capital Fund.

11.3 Caltrans Status Report on the Highway 101 High Occupancy Vehicle Lane Widening Project

Public Works Director/Town Engineer Burt reported on this item and noted that Caltrans will sponsor a meeting in the Council Chambers from 6:30 p.m. to 8:30 p.m. on May 15, 2008 for the purpose of receiving comments from the public regarding the Highway 101 High Occupancy Vehicle Lane Widening project.

John Maitland, Sonoma County Transportation Authority (SCTA), Deputy Director of Projects and Programming, introduced members and representatives of the SCTA and Caltrans that were in attendance this evening. Mr. Maitland gave Council a status report on the aspects of the Highway 101 High Occupancy Vehicle Lane Widening Project from Steele Lane in Santa Rosa to the Central Windsor off-ramp.

Representatives from SCTA and Caltrans responded to questions related to the removal of trees that will result from the widening of the freeway and the graffiti removal process for areas that have been tagged.

Mayor Fudge called for comments from the audience. None were forthcoming.

Following discussion, Councilmembers forwarded to Caltrans and SCTA concerns associated with the Highway 101 HOV Lane Widening and Improvement related to Caltrans proposal to install soundwalls on a major stretch of Highway 101 from north of Shiloh Road to Downtown Windsor and tree removal resulting from the freeway widening.

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

12.1 League of California Cities

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

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports and Comments
Councilmembers briefly reported on items of interest to the Council.

13.2 Reports on Meetings/Conferences
Councilmembers reported on meetings they attended and are of interest to them.

13.3 Requests for Future Council Agenda Items – None.

14. TOWN MANAGER'S REPORT (NO WRITTEN REPORT) -
Town Manager Mullan announced that Friday, May 9, 2008, the Town's new website will be launched.

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

This matter was postponed to the May 21, 2008 Town Council meeting.

15.1 Public Employment: Town Manager's Performance Evaluation Consideration of Town Manager's Performance Review pursuant to Government Code Section 54957.

16. REPORT OUT OF CLOSED SESSION

No report was made.

17. ADJOURNMENT

The meeting adjourned at 8:51 p.m. to a regular Town Council meeting scheduled for Wednesday, May 21, 2008 at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 21st day of May 2008.

Maria De La O, CMC
Town Clerk