

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 21, 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

Brigitte Graham led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Presentation of the Town's New Website

Assistant Town Manager Johnson reported on the new features of the Town of Windsor's new website.

5. ANNOUNCEMENTS

a. Mayor and Councilmembers announced various upcoming events.

b. One Cool Green Thing:

- A statewide program for returning compact fluorescent lights to stores is in progress, in the meantime, citizens must save these compact fluorescent lights until the program begins, or can take the compact fluorescent lights to household hazardous waste sites such as offered in Windsor twice/year.
- Water Conservation Rebates will be posted on the Town of Windsor website in the very near future.

6. CONFLICT OF INTEREST DECLARATION – None.

7. CHANGES TO THE AGENDA –

The agenda was reorganized to consider Item 10.3 (Windsor Landscaping and Lighting Special Assessment District Annual Engineer's Report for FY 2008-09) in advance of Item 10.1 (Introduction of Ordinance Amendment – Neighborhood Markets).

8. CITIZEN PUBLIC COMMENT

Dennis Prior, Windsor resident, summarized his safety concerns which are contained in a letter to the Council dated May 21, 2008, and which was distributed at the meeting. Some of the concerns raised related to backyard burnings and the need for fines associated with these types of violations. (A copy of the letter is on file in the Town Clerk's Office).

Lana Eiserman, Windsor resident, also raised concerns and cited incidents with backyard burnings.

Lupe Chavarria, Windsor resident, discussed the need for fines for fire hazards in relation to backyard burnings.

9. CONSENT CALENDAR

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

9.1 Approve Check Register No. 385

5/0 vote. By motion, approved disbursements in the amount of \$1,202,654.26.

9.2 Approval of Minutes

5/0 vote. By motion, approved the minutes of the regular meeting of May 7, 2008.

9.3 Adoption of an Ordinance regarding Floodplain Management

5/0 vote. Adopted, by title only, Ordinance No. 2008-235 repealing Ordinance No. 92-22, and replacing Title IX, Flood Damage, Flood Control, and Drainage; with an amended Floodplain Management in compliance with the National Flood Insurance Program (NFIP).

9.4 Partial Acceptance of Public Improvements for the Hampton Inn & Suites Subdivision located at 9150 Brooks Road South

5/0 vote. Adopted Resolution No. 2278-08 for a partial acceptance of public improvements for the subdivision know as Hampton Inn & Suites Subdivision located at 9150 Brooks Road South.

9.5 Adoption of a Resolution authorizing the Allocation of Proposition 1B Funds

5/0 vote. Adopted Resolution No. 2279-08 authorizing the allocation of year 2007-08 Proposition 1B funds (\$425,140.72) to the Shiloh Road improvements as part of the Mitchell/Shiloh/Conde Assessment District, Project No. 0168.

9.6 Approval of a Professional Services Agreement for the Hembree Lane/ Conde Lane Pavement Rehabilitation

5/0 vote. Adopted Resolution No. 2280-08 authorizing the Town Manager to execute a Professional Services Agreement with Pavement Engineering Inc. (PEI) for design, construction management, inspection and materials testing services for the Hembree Lane/ Conde Lane Pavement Rehabilitation Project in an amount not to exceed \$82,620.00.

9.7 Approve Agreement with Sonoma County Water Agency (SCWA) for funding of Town Water Conservation Measures in Fiscal Year 2007/2008.

5/0 vote. Adopted Resolution No. 2281-08 approving an agreement with SCWA for funding water conservation measures.

10. PUBLIC HEARING

At this time, Item 10.3 was considered.

10.3 Windsor Landscaping and Lighting Special Assessment District Annual Engineer's Report for FY 2008-09

Assistant Town Engineer Daida and Otto Bertolero, Coastland Engineer, reported on this item.

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

Mayor Fudge commented that she would like to see the same study conducted next year to assist with the notification of our residents on how to save energy.

Mayor Fudge announced that the ballots would be counted and staff would report back the ballot count.

10.1 Introduction of Ordinance Amendment – Neighborhood Markets

Planning Director Chamberlin reported on this item

Mayor Fudge called for comments from the audience.

Mark Gladden, Applicant's lawyer, spoke in support of the liquor license request and the amendment to the ordinance. He also shared with Council, various ordinances pertaining to this matter, that have been adopted by other cities.

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

After deliberation, Vice Mayor Goble moved to introduce, by title only, an ordinance amending Section 27.34.130 of the zoning code and permitting sale of distilled spirits within Neighborhood Markets. Councilmember Allen seconded the motion. The motion passed by a 4/1 vote (Councilmember Parker opposing).

(Clerk's Note: Item 10.3 was continued at this time – after counting of ballots)

10.3 Windsor Landscaping and Lighting Special Assessment District Annual Engineer's Report for FY 2008-09

Otto Bertolero, Coastland Engineering, announced the results of the ballot count as follows: Zone 3 (Landscaping District) 73 % percent of those votes cast were "yes" votes. Zone 2 (Lighting District) did not receive any votes. (No votes received allows to proceed with making the assessments). Therefore, the annual Lighting and Landscaping Assessment passed.

Following discussion, Councilmember Allen moved to adopt Resolution No. 2283-08 approving the Annual Engineer's Report, confirming the assessment diagram and annual assessments for FY 2008-09 Windsor Landscaping and Lighting Assessment District. Vice Mayor Goble seconded the motion. The motion passed by 5/0 vote.

10.2 Annual Adjustment of 10.0 Percent for Real Property Portion of Development Impact and Capacity Fees

Administrative Services Director McAdler reported on this item.

Mayor Fudge called for comments from the audience.

Brian Kenny, Windsor Resident, voiced his concern regarding the adjustment of the impact fees and asked Council to reconsider the fee adjustment.

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

Councilmember Salmon moved to adopt Resolution No. 2282-08 establishing an annual adjustment of 10.0 percent for the cost of acquiring real property interests for facilities to be paid for by drainage impact fees, water capacity fees, public facilities impact fees, park and recreation facilities impact fees, wastewater capacity fees, traffic mitigation fees, and fire facilities impact fees. Vice Mayor Goble seconded the motion. The motion passed by 5/0 vote.

10.4 Keiser Park Master Plan

Community Service Director Legge reported on this item.

Mayor Fudge called for comments from the audience.

Brian Kenny, Windsor resident, discussed his concerns associated with the costs of the project.

Andrea Kenny, Windsor resident, discussed the need to complete the Teen Center at Windsor Boys and Girls Club.

Mayor Fudge gave a background of the financial plan for the Keiser Park and provided information on the Town of Windsor recreational programs available for teens.

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

The following motions were taken on this project:

- a) Councilmember Parker moved to adopt Resolution No. 2284-08 certifying the Environmental Impact Report. Vice Mayor Goble Seconded the motion. The motion passed by 4/1 vote (Councilmember Salmon opposing).
- b) Councilmember Salmon moved to adopt Resolution No. 2285-08 amending the General Plan Land Use Map to “Parks” land use category on three parcels owned by the Town of Windsor and located at 630, 690, and 700 Windsor River Road (APNs 066-170-015, 066-180-028). Councilmember Parker seconded the motion. The motion passed by 5/0 vote.
- c) Councilmember Parker moved to introduce, by title only, an Ordinance Amendment to the zoning Map of these same properties to the “Recreation” and “Recreation/Flood Hazard Overlay” Districts as specified. Councilmember Allen seconded the motion. The motion passed by 5/0 vote.
- d) Councilmember Parker moved to adopt Resolution No. 2286-08 approving the Keiser Park Master Plan dated May 21, 2008. Vice Mayor Goble seconded the motion. The motion passed by 3/2 vote (Councilmember Salmon and Councilmember Allen opposed).
- e) Councilmember Parker moved to adopt Resolution No. 2287-08 making findings required by Health and Safety Code Section 33445 for the funding of the Keiser Park Master Plan- Phase 1 by the Redevelopment Agency of the Town of Windsor. Vice Mayor Goble seconded the motion. The motion passed by 5/0 vote.

11. REGULAR CALENDAR

11.1 Introduction of Ordinance Relating to the Provisions of Video Services by State Franchise Holders

Assistant Town Manager Johnson briefly reported on this item.

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

Councilmember Salmon moved to introduce, by title only, an ordinance relating to the provision of video services by State video franchise holders within Windsor’s Town limits in accordance with the Digital Infrastructure and Video Competition Act of 2006 (Assembly Bill 2987). Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

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

- Backyard Burnings
- Discussion of sale of alcohol behind the counter
- Mitigation bank owned by the Town

14. TOWN MANAGER'S REPORT (NO WRITTEN REPORT)

No report was made.

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

Mayor Fudge announced the following Closed Session topic and Council adjourned to a Closed Session in the Wild Oak Conference Room at 8:10 p.m.

**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

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 9:35 p.m. to a regular Town Council meeting scheduled for Wednesday, June 4, 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 18th day of June 2008.

Maria De La O, CMC
Town Clerk