

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, June 4, 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 6:07 p.m.

2. COUNCIL ROLL CALL

Present at Roll Call were Councilmembers Allen, Parker, Salmon and Mayor Fudge. Vice Mayor Goble was absent.

3. PLEDGE OF ALLEGIANCE

Bill Carson led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Proclamation declaring June 9-15, 2008, as United States Army Week

Councilmember Parker read a proclamation declaring the week of June 9-15, 2008, as United States Army Week.

5. ANNOUNCEMENTS

a. Mayor and Councilmembers announced various upcoming events.

b. One Cool Green Thing:

Mayor Fudge reported on the following items:

- The Bicycle Coalition will be parking bikes for free during the Town's concerts to encourage residents to ride their bikes to the Town Green.
- Briefly discussed two projects that are on tonight's agenda that will reduce greenhouse gas emissions.

6. CONFLICT OF INTEREST DECLARATION – None.

7. CHANGES TO THE AGENDA

Agenda Items 9.9 (Adoption of Ordinance Amending the Town Municipal Code relating to the provisions of video services by State video franchise holders) and 11.4 (Subdivision Improvement and Occupancy Agreement for the Hampton Inn and Suites Subdivision) were pulled by staff from the agenda.

Councilmember Parker requested that Item 9.3 (Ordinance Approval – Neighborhood Markets/Distilled Spirits) be pulled from the Consent Calendar for consideration immediately after Item 11.1 (Amend Ordinance Related to the Prohibition of Smoking).

8. CITIZEN PUBLIC COMMENT

Mike Fitzpatrick, Windsor resident, requested that Item 11.4 (Subdivision Improvement and Occupancy Agreement for the Hampton Inn and Suites Subdivision) not be acted on as the action related to the proposed knuckle design was not properly noticed.

Town Attorney Rudnansky clarified that Council had given only direction on this matter at the March 19, 2008 meeting regarding the knuckle design. However, to allow staff to respond to questions raised, this matter was pulled from the Agenda.

Edward Corley, Windsor resident, noted his opposition to paying any additional taxes to help fund the proposed swimming pool.

Dennis Prior, Windsor resident, requested a response to his previous request regarding backyard burnings.

9. CONSENT CALENDAR

Councilmember Allen moved to adopt the Consent Calendar items as follows. Councilmember Parker seconded the motion.

9.1 Approve Check Register No. 386

4/0/1 vote (Vice Mayor Goble was absent). By motion, approved disbursements in the amount of \$772,440.57.

9.2 Ordinance Approval – Keiser Park Master Plan

4/0/1 vote (Vice Mayor Goble was absent). Adopted, by title only, Ordinance No. 2008-236 rezoning 8 +/- acres to the “Recreation” and “Recreation/Flood Hazard Overlay” District as part of the Keiser Park Master Plan.

9.3 Ordinance Approval – Neighborhood Markets/Distilled Spirits

This item was considered after Item 11.1.

9.4 Award a Construction Contract for the Traffic Signal Pedestrian Enhancements Project

4/0/1 vote (Vice Mayor Goble was absent). By motion, adopted Resolution No. 2288-08 awarding and approving a construction contract to Republic ITS, for the Traffic Signal Pedestrian Enhancement Project in the amount of \$38,525 and authorize the Town Manager to execute the construction contract and any required construction change orders up to the authorizing project budget on behalf of the Town.

9.5 Award a Construction Contract for the Traffic Signal Battery Backup System

4/0/1 vote (Vice Mayor Goble was absent). By motion, adopted Resolution No. 2289-08 awarding and approving a construction contract to Republic ITS, for the Traffic Signal Battery Backup System in the amount of \$32,900 and authorizing the Town Manager to execute the construction contract and any required construction change orders up to the authorized project budget on behalf of the Town.

9.6 Award a Construction Contract for the Old Redwood Highway Bicycle Lane Project

4/0/1 vote (Vice Mayor Goble was absent). By motion, adopted Resolution No. 2290-08 awarding and approving a construction contract to Striping Graphics for the construction of the Old Redwood Highway Bicycle Lane Project in the amount of \$83,316.26 and authorizing the Town Manager to execute the construction change orders up to the authorized project budget on behalf of the Town.

9.7 Redevelopment Agency Low and Moderate Housing Fund Findings

4/0/1 vote (Vice Mayor Goble was absent). By motion, adopted Resolution No. 2291-08 determining that planning and administrative expenses included in the Redevelopment Agency's Low and Moderate income housing fund in the agency's budget for Fiscal Year 2008-2009 are necessary for the production, improvement and preservation of low and moderate-income housing.

9.8 Approve Notice of Completion for Windsor Town Green Stage Expansion Project

4/0/1 vote (Vice Mayor Goble was absent). By motion, adopted Resolution No. 2292-08 to:

- 1) Accept all contract work for the Town of Windsor, Stage Expansion Project;
- 2) Authorize the Town Clerk to record, a Notice of Completion for said contract; and;
- 3) Authorize the Town Manager to release any contract retention upon the expiration of thirty-five (35) days of recordation of Notice of Completion.

9.9 Adoption of Ordinance Amending the Town Municipal Code relating to the provisions 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

This item was pulled from the Agenda.

10. PUBLIC HEARING

10.1 Approval of a Vacation of Portions of Los Amigos Road Right-of-Way

Senior Engineer Hayre briefly reported on this item.

Paul Klassen, Coastland Engineer, outlined the vacation process for portions of Los Amigos Road right-of-way.

Mayor Fudge opened the public hearing.

Mike Fitzpatrick, Windsor resident, questioned the need to vacate portions of Los Amigos Road, as a design has not been approved. He said that it would be more appropriate to act on this matter once the design is approved.

Rael Bernstein, Orthodontics, 8741 Brooks Road South, questioned the purpose of the stub street and requested that it be incorporated into the overall parking lot plan.

Bob Jarvis, Dentist, 8741 Brooks Road South, also requested that part of their lot be incorporated into the parking lot plan for additional parking that can be utilized by employees of the Hampton Inn and Applebee's Restaurant.

Paul Andrenico, Basin Street Properties, Developer for the project, discussed the steps undergone to obtain the quit claim deed as Rogers and Young had objected to the vacationing of the entire length of Los Amigos Road all the way to Brooks Road South.

Mayor Fudge closed the public hearing.

Councilmember Allen moved to adopt Resolution No. 2293-08 to vacate portions of the Los Amigos Road right-of-way upon satisfaction of specific conditions. Councilmember Salmon seconded the motion. The motion passed by a 4/0/1 vote (Vice Mayor Goble was absent).

11. REGULAR CALENDAR

11.1 Amend Ordinance Related to the Prohibition of Smoking

Community Services Director Legge reported on this item.

Bill Carson, Windsor Golf Course, explained the reasons why they requested the amendment to the smoking ordinance.

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

After Council deliberation, Council concurred to approve the Ordinance with the following amended definition in Section 110(h):

"Recreational Area" means any area owned and operated by the Town and open to the general public for recreational purposes, including, gardens, the Town Green, playgrounds, and picnic and barbeque areas, sporting facilities including bleachers, dugouts, balls fields, tennis courts, swimming pools and surrounding areas, walking, running, biking and nature trails.

Councilmember Salmon moved to introduce, by title only, an ordinance, as amended, amending Title 3, Chapter 20, "Prohibition of Smoking" and Section 110 (h) defining "Recreational Area" of the Windsor Municipal Code. Councilmember Allen seconded the motion. The motion passed by a 4/0/1 vote (Vice Mayor Goble was absent).

At this time, Item 9.3 was considered.

9.3 Ordinance Approval – Neighborhood Markets/Distilled Spirits

Councilmember Parker explained the reasons why he pulled this item off the Consent Calendar and will not be supporting this action.

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

Vice Mayor Goble arrived at 6:55 p.m.

Councilmember Allen moved to adopt, by title only, Ordinance No. 2008-237 amending Section 27.34.130 of the zoning ordinance and permitting sale of distilled spirits within neighborhood markets. Mayor Fudge seconded the motion. The motion passed by a 4/1 vote (Councilmember Parker opposing).

11.2 Adopt Investment Policy for Fiscal Year 2008-09

Administrative Services Director McAdler reported on this item.

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

Councilmember Allen moved to adopt Resolution No. 2294-08 approving the Town of Windsor's Investment Policy for Fiscal Year 2008-09. Vice Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

11.3 Americans with Disabilities Act (ADA) Improvement Update

Building Official Pantazes reported on this item.

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

Councilmember Parker moved to adopt Resolution No. 2295-08 approving a supplemental update to the ADA Transition Plan and to provide a schedule of improvements. Vice Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

11.4 Subdivision Improvement and Occupancy Agreement for the Hampton Inn and Suites Subdivision

This item was pulled from the Agenda.

11.5 Amended Engineer's Report for the Windsor 1982 Act Benefit Assessment District for Fiscal Year 2008-09

Assistant Town Engineer Daida briefly reported on this item.

John Wanger, Coastland Engineering, explained the information received and how it affected the recommended assessments as well as the remaining steps to conclude the proceedings for this assessment district.

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

Councilmember Allen moved to adopt Resolution No. 2298-08 of intention to levy and collect annual assessments, preliminarily approve the Amended FY 2008-09 Engineer's Report for the Town of Windsor 1982 Act Benefit Assessment District, and set the dates of June 30, 2008, for a public information meeting and August 6, 2008, for a public protest hearing. 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.

13.3 Requests for Future Council Agenda Items

Councilmember Parker questioned the type of actions that can be taken with regard to soundwalls if the project brought forward from Caltrans is unacceptable.

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

Town Manager Mullan reported that copies of the My Ford Magazine were distributed on the dais, noting that on the back page of the magazine are photographs of the Windsor Ford commercials that are continuing to play on television networks throughout the Country.

15. ADJOURNMENT

The meeting adjourned at 7:35 p.m. to a regular Town Council meeting scheduled for Wednesday, June 18, 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