

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, July 2, 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 6:03 p.m.

2. COUNCIL ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Windsor Fire Chief Ron Collier led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Mayor's Certificate of Special Recognition for Management Analyst Beth Kastrup

Mayor Fudge presented Management Analyst Beth Kastrup with a Mayor's Certificate of Special Recognition for her work on the Keiser Park Master Plan project.

4.2 Presentation of awards from the Wine Country Water Works Association (WCWWA) to Mike Cave, Water System Supervisor, for *Supervisor of the Year* and Dave Horn, Water System Operator II, for *Water System Operator of the Year*

Mayor Fudge presented awards from the WCWWA to Water Systems Supervisor Mike Cave for *Supervisor of the Year* and Water System Operator II Dave Horn for *Water System Operator of the Year*.

4.3 Proclamation Congratulating Fire Chief Ron Collier on his 40 years of service to the Windsor Fire Protection District and the Windsor community

Mayor Fudge presented Windsor Fire Chief Ron Collier with a proclamation honoring him for his 40 years of service to the Windsor Fire Protection District and Windsor community.

5. ANNOUNCEMENTS

a) **Upcoming Town Events**

Mayor Fudge and Councilmembers announced various upcoming events.

b) **One Cool Green Thing**

Mayor Fudge reported on a new organization called Solar Sonoma County which is composed of local governments, businesses and other local entities and individuals working to identify and implement initiatives to promote, expand, and accelerate solar photovoltaic and solar thermal energy generation and energy efficiency throughout Sonoma County.

6. CONFLICT OF INTEREST DECLARATION

Councilmember Allen referred to Item 11.3 (Authorization to Negotiate an Agreement with City of Santa Rosa for a Connection to the Geysers Pipeline), and declared that he is employed by the City of Santa Rosa but that this agreement would not directly involve the department for the City with which he is employed. Therefore, he has no conflict and is deemed to have a non-interest in this agreement.

7. CHANGES TO THE AGENDA

Councilmember Salmon requested, and Council concurred, to continue Item 11.1 (Appointment to the Parks and Recreation Commission) to the regular meeting of July 16, 2008.

8. CITIZEN PUBLIC COMMENT - None.

9. CONSENT CALENDAR

Vice Mayor Goble moved to adopt the following Consent Calendar items. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote on all items except Item 9.2 (Approval of Minutes), which was approved by a 4/0/1 vote (Councilmember Parker abstaining).

9.1 Check Register No. 388

5/0 vote. By motion, approved disbursements in the amount of \$1,118,366.39.

9.2 Approval of Minutes

4/0/1 vote (Councilmember Parker abstained). By motion, approved the minutes of the regular meeting of June 18, 2008.

9.3 Keiser Park Phase 1 – Design and Construction Services

5/0 vote. Adopted Resolution No. 2307-08, approving a professional services agreement with the landscape firm of Royston Hanamoto Alley & Abey (RHAA) to provide design and construction management services for Keiser Park Phase 1 in an amount not to exceed \$770,607, and authorizing the Town Manager to execute on behalf of the Town.

9.4 Adoption of Ordinance to Establish Time Limit Parking Zones, Street Closures and other Traffic Controls

5/0 vote. Adopted, by title only, Ordinance No. 2008-239 amending Section 4-5-310 through 4-5-313 of the Town Municipal Code establishing Traffic Controls Permitted under the California Vehicle Code, Time Limited Parking, Street Closures and Detours for Construction and Special Events.

9.5 Resolution Calling for an Election to be Held on November 4, 2008

By a 5/0 vote, adopted the following resolutions:

- a) Adopted Resolution No. 2308-08 calling for a General Municipal Election to be held on November 4, 2008, for the election of two members of the Town Council and requesting consolidation with the Statewide Election to be held on that date.
- b) Adopted Resolution No. 2309-08 establishing estimated costs for printing, handling, translating, and mailing the Candidates' Statements for the November 4, 2008 Election.

9.6 Acceptance of Public Improvements for Parcel Map 04-25

5/0 vote. Adopted Resolution No. 2310-08 accepting the public improvements for the subdivision known as Parcel Map 04-25 located at 55 Fourth Street.

9.7 Agreement with County of Sonoma for Election Services

5/0 vote. Adopted Resolution No. 2311-08 approving an agreement between the County of Sonoma and the Town of Windsor to provide elections services, supplies and equipment to the Town for its municipal elections and authorizing the Town Manager to execute on behalf of the Town.

9.8 Adoption of Ordinance Amending the Town Municipal Code 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

5/0 vote. Adopted, by title only, Ordinance No. 2008-240 adding Chapter 4 to Title XV of the Windsor Municipal Code, relating to regulations for the provision of video services by state franchise holders.

10. PUBLIC HEARING

10.1 Windsor Landscaping & Lighting Assessment District No. 2 Initial Engineer's Report for FY 2008-09

Senior Engineer Hayre briefly reported on this item.

Otto Bertolero, Coastland Engineers, outlined the proceedings for the formation of the Windsor Landscaping and Lighting Assessment District No. 2.

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

Council briefly recessed to permit staff an opportunity to count ballots.

Otto Bertolero, Coastland Engineers, announced the results of the ballot count as 1 affirmative vote. Therefore, the formation of the Windsor Landscaping and Lighting Assessment District No. 2 may proceed.

Councilmember Allen moved to adopt Resolution No. 2312-08 to order the formation of the Windsor Landscaping and Lighting Assessment District No. 2, approving the Initial Engineer's Report, confirming the assessment diagram and assessment amounts, and authorizing the levy and collection of assessments for FY 2008-09. Vice Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

10.2 Zoning Ordinance Amendments Regulating Accessory Structures

Associate Planner Cangson reported on this item.

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

Council discussion ensued regarding a policy that directed staff to evaluate significant grade differences between adjacent properties.

Vice Mayor Goble introduced, by title only, an ordinance amending Zoning Ordinance Sections 27.06.040, 27.34.170 and 27.60.020 regulating accessory structures. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

10.3 Adopt Resolution Establishing November 4, 2008 as the Date for a Municipal Election on a Proposed Ballot Measure Seeking Voter Authorization to Increase the Town's Transient Occupancy Tax for General Fund Purposes, Establishing Policies and Procedures in Connection with the Election, and Requesting the Sonoma County Registrar of Voters to conduct the Election

Administrative Services Director McAdler reported on this item.

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

Discussion followed during which Councilmembers indicated their support for designating Councilmembers Allen and Parker to prepare the written argument regarding the TOT measure and directed that Councilmembers Allen and Parker submit the written argument on behalf of the Town Council. It was also noted that all members of the Council wish to sign the written argument. Therefore, the written argument will be brought back to the Council at its July 16, 2008 meeting for consideration and possible action of the written argument.

Councilmember Parker moved to adopt Resolution No. 2313-08 establishing November 4, 2008, as the date for a municipal election on a proposed ballot measure seeking voter authorization to increase the transient occupancy tax from 8 percent to 12 percent for General Fund purposes, establishing policies and procedures in connection with the election, and requesting the Sonoma County Registrar of Voters to conduct the election. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

11. REGULAR CALENDAR

11.1 Parks and Recreation Commission Vacancy

The appointment to the Parks and Recreation Commission was continued to the regular meeting of July 16, 2008.

11.2 Introduce Ordinance Raising Town Manager's Purchasing Authority from \$25,000 to \$50,000

Administrative Services Director McAdler reported on this item.

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

Councilmember Parker moved to introduce, by title only, an ordinance amending Article 1 of Chapter 6 of Title I General Provisions Governmental Organization and Administration of the Town's Municipal Code to raise the Town Manager's purchasing authority from \$25,000 to \$50,000. Councilmember Salmon seconded the motion. The motion passed by a 5/0 vote.

11.3 Authorization to Negotiate an Agreement with City of Santa Rosa for a Connection to the Geysers Pipeline

Town Engineer/Public Works Director Burtt summarized the contents of the staff report incorporated herein by reference.

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

Councilmember Salmon discussed the reasons why he believes he is not prepared to select between the Eastside Road storage pond and connecting to the Geysers pipeline.

Further discussion followed during which, the majority of the Council discussed why they think it's wise to connect to the Geysers pipeline and reached consensus to direct staff to move forward with the negotiations of the agreement.

Councilmember Parker moved to adopt Resolution No. 2314-08 authorizing the Town Manager to negotiate an agreement between the Town and the City of Santa Rosa for a connection to the Geysers Pipeline and authorize a contract with RMC Water and Environment to prepare the appropriate CEQA Documentation. Vice Mayor Goble seconded the motion. Following a roll call vote, the motion passed by a 4/1 vote (Councilmember Salmon opposing).

11.4 Declaration of Stage 1 (Voluntary) Water Shortage Emergency Condition

Senior Engineer Scott and Administrative Operations Manager Godwin reported on this item and discussed public outreach efforts for water conservation purposes.

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

Council discussed additional methods to raise water conservation awareness through the use of a banner during Town Green events, water bill inserts, local newspaper and Town's website.

Councilmember Salmon asked staff to explore the possibility of the use of gray water.

Councilmember Allen moved to adopt Resolution No. 2315-08 declaring a Stage 1 Water Shortage Emergency Condition within the Town of Windsor and directing implementation of corresponding water demand reduction measures. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

11.5 Adopt a Resolution Establishing SDAT Steering Committee

Planning Director Chamberlin reported on this item.

Mayor Fudge called for comments from the audience.

Kim Voge, Parks and Recreation Commissioner, and Mitch Conner, Planning Commissioner, expressed their interest in serving on this committee and offered their services and expertise in this area.

There were no further comments from the audience.

Following discussion and by consensus, Council appointed the following members to the Windsor SDAT Steering Committee for the Old Redwood Highway Corridor as follows:

Debora Fudge, Chair
Mitch Conner, Vice Chair
Paul Berlant
Nick Desai
Lois Fisher
Robin Goble
Sue Nelson
Sean Rodrigues
Sam Salmon
Bruce Shimizu
Kim Voge

Alternates

Don Albini
Jeff Meyer
Keli Riveras
Rich Waller
Lisa Yoshida

Liaison

Wendy Young

Vice Mayor Goble moved to adopt Resolution No. 2316-08 establishing the Sustainable Design Assessment Team Steering Committee (SDAT) for the Old Redwood Highway Corridor Sustainability Vision Plan. 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 - None.

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, in memory of Hack Boyett, to a Closed Session in the Wild Oak Conference Room at 8:30 p.m.

15.1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Government Code Section 54956.9(a))

Town of Windsor vs. Julius Olufs et. al. (Sonoma County Superior Court Case # SCV 236147)

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 9:00 p.m. to the next regular Council meeting scheduled for Wednesday, July 16, 2008 in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 16th day of July 2008.



Maria De La O, CMC
Town Clerk