

A G E N D A

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

Wednesday, October 1, 2008

Closed Session - 5:30 p.m.

Windsor Civic Center, Wild Oak Conference Room
9291 Old Redwood Highway, Building 400
Windsor, CA 95492

Regular Session - 6:00 p.m.

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

(For further information please call Town Hall: 838-1000)

<p>In compliance with the Americans with Disabilities Act, if you need special assistance to attend or participate in a Town Council meeting, please contact the Town Clerk's office at 838-5311. Notification at least 48 hours prior to the meeting will assist Town staff in assuring that reasonable accommodations are made to provide accessibility to the meeting. As a public service to the community, Town Council meetings are televised on Cable Channel 27.</p>
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Town Council Agenda staff reports are now available on the Town's web site (www.townofwindsor.com). If an Agenda item has not been highlighted, no written report is available. (Please note that some of these reports may be large documents requiring a long loading time.)

SB 343 - Documents related to Open Session Agendas

Any writings or documents provided to a majority of the Town Council/Redevelopment Agency/Windsor Water District regarding any item on this agenda after the posting of this agenda and not otherwise exempt from disclosure, will be made available for public review in the Town Clerk's Office located at 9291 Old Redwood Highway, Building 400, Windsor, during normal business hours, and on the Town's website at www.townofwindsor.com.

If the supplemental materials are made available to the members of the Town Council/Redevelopment Agency/Windsor Water District at the meeting, a copy will be available for public review at the Civic Center Council Chambers located at 9291 Old Redwood Highway, Windsor, CA 95492.

These writings will be made available in appropriate alternative formats upon request by a person with a disability, as required by the Americans with Disabilities Act.

Announcement – Please turn off all pagers, cellular telephones and all other communication devices upon entering the Council Chambers because of electrical interference with the sound recording and TV projection systems.

1. **CALL TO ORDER**
Call 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.
2. **COUNCIL ROLL CALL**
3. **CITIZEN PUBLIC COMMENT** (Only comments or statements concerning the Closed Session item listed below are allowed.)
4. **ANNOUNCEMENT OF CLOSED SESSION TOPIC(S)/
ADJOURNMENT TO CLOSED SESSION**
- 4.1 **CONFERENCE WITH LEGAL COUNSEL (Government Code Section 54956.9(c)) Initiation of Litigation (two potential matters)**
5. **REPORT OUT OF CLOSED SESSION**

REGULAR SESSION – 6:00 p.m.

6. **PLEDGE OF ALLEGIANCE**
7. **PRESENTATION(S)/PROCLAMATION(S)**
- 7.1 [Adopt a Proclamation Supporting the Week of October 4 - 11, 2008, as, “No Drugs down the Drain Week.”](#)
8. **ANNOUNCEMENTS**
 - a) Upcoming Town Events
 - b) One Cool Green Thing
9. **CONFLICT OF INTEREST DECLARATION**
10. **CHANGES TO THE AGENDA**
- 10.1 **Ordinance Introduction - Amendment to Town Building Code for Energy & Water conservation & Soil Erosion Control**
This item will be continued to the October 15, 2008 Town Council meeting.
11. **CITIZEN PUBLIC COMMENT**
Any citizen wishing to speak to the Council on any Consent Calendar item or any item *not listed* on the agenda may do so at this time. Pursuant to the Brown Act, the Council is not allowed to consider issues or take action on any item not listed on the agenda during this period. Each Citizen Public Comment is normally restricted to three (3) minutes in length and must be spoken into the microphone from the podium.

If you wish to speak on a Consent Calendar item, please notify the Mayor during Citizen Public Comment.

12. CONSENT CALENDAR

Consent Calendar items are viewed as routine in nature or require little or no further discussion by the Council, public or applicant.

12.1 [Check Register No. 393](#)

By motion, approve disbursements in the amount of \$2,436,704.19.

12.2 [Approval of Minutes](#)

By motion, approve the minutes of the special meeting of July 16, 2008, regular meetings of August 20, 2008 and September 3, 2008.

12.3 [Acceptance of Work for the Traffic Signal Battery Backup at Seven Locations](#)

Adopt a resolution accepting the contract work performed by Republic ITS, for the construction of the Traffic Signal Battery Backup at Seven Locations and directing the Town Clerk to record a Notice of Completion.

12.4 [Acceptance of Public Improvements for Vintana Unit No. 6A 8001 Windsor Road \(98-31\)](#)

Adopt a resolution accepting the public improvements into the Town system for maintenance and designating certain intersection as stop intersection in the subdivision known as Vintana Unit No. 6A, 8001 Windsor Road.

12.5 [Apportionment of Assessment No. 28-B of the Mitchell/Shiloh/Conde Assessment District for Parcel Map 07-22, 850 Mitchell Lane Industrial Subdivision](#)

Adopt a resolution approving the appointment of Coastland Civil Engineering as the Engineer of Work, and direct the preparation of the Engineer's Report and amended assessment diagram for the apportionment of Assessment No. 28-B of the Mitchell/Shiloh/Conde Assessment District for Parcel Map 07-22, 850 Mitchell Lane Industrial Subdivision.

12.6 [Adopt a resolution authorizing the Town Manager/Executive Director to execute a professional services agreement related to bond financing for the Windsor Fire Station No. 2 Project](#)

Acting as the Windsor Redevelopment Agency, adopt a resolution authorizing the Town Manager/Executive Director to execute a professional services agreement relating to the financing of the construction of the Windsor Fire Station No. 2 with Orrick Herrington & Sutcliffe to provide disclosure counsel services in an amount not to exceed \$45,000.

12.7 [FOCUS Infill Priority Development Area Application](#)

Adopt a Resolution supporting the Town's FOCUS infill application, designating the Downtown and Redevelopment area to be recognized as a priority development area under the FOCUS program.

12.8 [Appropriate funds for arbitration services relating to Rent Control Stabilization Program](#)

Adopt a Resolution appropriating existing funds to the 2008-2009 Budget for arbitration services relating to the Rent Control Stabilization Program.

12.9 [Adopt a resolution approving a non-exclusive installation and use agreement with Sonic.net to provide wireless data communication services free of charge and authorizing the Town Manager to execute the agreement of behalf of the Town](#)

Adopt a resolution approving a non-exclusive installation and use agreement with Sonic.net to provide wireless data communication services free of charge and authorizing the Town Manager to execute the agreement on behalf of the Town.

13. PUBLIC HEARING

Public Hearing items will begin at the time shown, or as close thereafter as possible, to allow for completion of the item.

13.1 An Urgency Ordinance establishing a temporary moratorium Town-wide on the establishment of check cashing businesses, pawn shops, bail bond business, smoke shops, and tattoo parlors ([Part 1](#)) ([Part 2](#))

Adopt an urgency ordinance (4/5th vote required) for a temporary moratorium on check cashing businesses, pawn shops, bail bond business, smoke shops, and tattoo parlors and within 45 days, if necessary, adopt an extension of the ordinance and/or direct staff to study and implement one **or more** of the following alternatives:

- Extend the moratorium to allow staff to amend the Zoning Ordinance for check cashing businesses, Pawn shops, bail bond business, smoke shops, and tattoo parlors.
- Regulate check cashing businesses, bail bond business, smoke shops, and tattoo parlors with amended zoning regulations without extending the moratorium.
- Adopt a business license ordinance with the license subject to revocation for non-compliance.
- Amend the zoning ordinance to provide for amortization and termination of non-conforming uses.
- Take no action.

13.2 [Windsor Mill Subdivision – Workshop on Requested Revisions to Project](#)

- a) Consider request by Windsor Mill Homes LLC for certain requested revisions to the Development Plan and Development Agreement related to the Windsor Mill Subdivision, and
- b) Consider developer's request for formation of a Mello-Roos Community Facilities District for financing of public improvements.

13.3 Consider Approval of an Amended and Restated Power Purchase Agreement and Lease Agreement with WWST-Windsor, LLC, and Supporting Agreements, and Authorize Sunday Construction Hours for Solar Facilities at the Town’s Water Reclamation Treatment Plant

- a) Consider adoption of a resolution approving and authorizing the Town Manager to execute an Amended and Restated Power Purchase Agreement and Lease Agreement with WWST-Windsor, LLC, to install, operate, and maintain a solar power system at the Town’s Water Reclamation Treatment Plant Site and to sell power to the Town, and authorizing the Town Manager to execute supporting agreements.
- b) Adopt a resolution authorizing the Public Works Director/Town Engineer to approve Sunday construction hours for the solar facility at the Town’s Water Reclamation Treatment Plant on an as-needed basis.

14. REGULAR CALENDAR

Those matters requiring discussion and/or action by the Council will be heard at this time. Regular Calendar items will be taken up and acted upon separately.

14.1 Burbank Housing’s Redevelopment Funding Request

- a) Acting as the Windsor Redevelopment Agency, adopt a Resolution approving a permanent loan in an amount not to exceed \$1,000,000 and approve the term of a loan agreement to be negotiated between the Town of Windsor Redevelopment Agency and the Burbank Housing Development Corporation for the Windsor Redwoods Affordable Rental Housing Project; and authorizing the Executive Director to negotiate and execute all documents necessary to implement the terms of the agreement. (Attachment 1 Resolution)
- b) Acting as the Town Council, adopt a Resolution finding and determining that the use of monies from the Low and Moderate Income Housing Fund outside of the Windsor Redevelopment Project Area will be of benefit to the Windsor Redevelopment Project Area and authorizing the expenditure of such funds. (Attachment 2 Resolution)

14.2 Introduce Ordinance Adding Environmentally Preferable Purchasing Requirements to the Town’s Purchasing Policies and Procedures

- a) 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 add environmentally preferable purchasing requirements; and
- b) By motion, approve streamlined administrative process intended to assist vendors, contractors and employees in complying with the Town’s purchasing, contracting and insurance requirements.

**14.3 Senior Citizens Advisory Council (SCAC) Vacancy-
Brooks Creek Representative**

Make an appointment, by Council consensus, to fill a Brooks Creek representative vacancy on the Senior Citizens Advisory Council resulting from the resignation of Nick Esposti.

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

15.1 League of California Cities

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

16. MAYOR'S & COUNCILMEMBERS' REPORTS

16.1 Individual Councilmember Reports and Comments

16.2 Reports on Meetings/Conferences

16.3 Requests for Future Council Agenda Items

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

18. ADJOURNMENT

Adjourn to a regular Town Council meeting scheduled for Wednesday, October 15, 2008, at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.