

MINUTES

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

Wednesday, August 6, 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

1. CALL TO ORDER

Vice Mayor Goble 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 5:30 p.m.

2. COUNCIL ROLL CALL

Present at Roll Call were Councilmembers Allen, Parker, Salmon, and Vice Mayor Goble. It was noted for the record that Mayor Fudge would be arriving late.

3. CITIZEN PUBLIC COMMENT

No comments were made.

4. ANNOUNCEMENT OF CLOSED SESSION TOPIC(S)/ ADJOURNMENT TO CLOSED SESSION

Vice Mayor Goble announced the following Closed Session topic and Council adjourned, to a Closed Session in the Wild Oak Conference Room at 5:34 p.m.

Mayor Fudge arrived at 5:45 p.m.

4.1 CONFERENCE WITH LEGAL COUNSEL:

Initiation of Litigation (Government Code Section 54956 (c) (two potential cases)

**4.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation (Government Code Section 54956.9 (b) (one potential case)**

5. 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.

REGULAR SESSION – 6:12 p.m.

6. PLEDGE OF ALLEGIANCE

Marv Stubbs, Windsor resident, led the Pledge of Allegiance.

7. PRESENTATION(S)/PROCLAMATION(S)

7.1 Proclamation declaring the third week of August 2008 as Pacific Coast Air Museum “Wings over Wine Country” Week

Mayor Fudge presented to Executive Director Jim Pinski and Marketing Officer Roger Olson a proclamation declaring the third week of August 2008 as Pacific Coast Air Museum “Wings over Wine Country”.

8. ANNOUNCEMENTS

a) Upcoming Town Events

Mayor Fudge and Councilmembers announced various upcoming events.

b) One Cool Green Thing

- 1) Installation of underground irrigation systems to reduce water usage.
- 2) West Sonoma County Disposal is now accepting rigid plastic in the blue recycle containers.

9. CONFLICT OF INTEREST DECLARATION - None.

10. CHANGES TO THE AGENDA - None.

11. CITIZEN PUBLIC COMMENT

James Belisle, Windsor resident, Owner of Nursery located at 294 Windsor River Road, referenced problems encountered with the Planning Department regarding the permit approval process for the operation of the existing nursery related to the zoning designation of the property. He said that the nursery is consistent with the Town, as this business promotes green aspects.

George Horwedel, Windsor resident, asked Council to adopt a Solar Ordinance that requires new homes to provide solar panels. He asked that this item be added to a future agenda.

12. CONSENT CALENDAR

Councilmember Parker indicated that with regard to Item 12.3 (Establish a One-Hour Time Limit Parking Zone on Windsor Road at the Public Works Corporation Yard), he had concerns with limiting the parking to one hour during school events and other events that are held in the evening.

Public Works Director/Town Engineer Burt stated that the time limit can be modified to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Thursday to be able to provide reasonable parking for persons conducting business at the Town's Public Works Department.

Mayor Fudge opened the public testimony period for all items on the Consent Calendar.

Marv Stubbs, Windsor resident, stated that he agrees with regard to parking limits in front of the Town's Public Works Department. However, he suggested that it only be limited to either 4:30 or 5:00 p.m., as there are several events at the Windsor High School that commence at 5:00 p.m.

Mayor Fudge acknowledged the comments and noted that 6:00 p.m. was consistent with the hours of operation of the Town's Public Works Department.

Councilmember Parker moved to adopt the following Consent Calendar items. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote on all items.

12.1 Approve Check Register No. 390 5/0 vote.

By motion, approved disbursements in the amount of \$3,241,694.05.

12.2 Approval of Minutes None Submitted.

12.3 Establish a One-Hour Time Limit Parking Zone on Windsor Road at the Public Works Corporation Yard

5/0 vote. Adopted Resolution No. 2332-08, authorizing the establishment of a One-Hour Time-Limit Parking Zone along the frontage of the Public Works Corporation Yard at 8400 Windsor Road, as modified, to indicate between the hours of 7:00 a.m. and 6:00 p.m., Monday through Thursday.

12.4 Acceptance of Work for the Bell Road Bridge Improvements Project

5/0 vote. Adopted Resolution No. 2333-08, accepting the contract work performed by Northwest General Engineering for the construction of the Bell Road Bridge Improvements Project and directing the Town Clerk to record a Notice of Completion.

- 12.5 Acceptance of Work for the Windsor Road Pedestrian Enhancements Project**
5/0 vote. Adopted Resolution No. 2334-08, accepting the contract work performed by Ghilotti Construction Company for the construction of the Windsor Road Pedestrian Enhancements Project and directing the Town Clerk to record a Notice of Completion.
- 12.6 Acceptance of Public Improvements for Vintage Greens Subdivision Phase 5 1101 Mitchell Lane (97-29)**
5/0 vote. Adopted Resolution No. 2335-08, accepting the public improvements into the Town system for maintenance and designating certain intersections as stop intersections in the subdivision known as Vintage Greens Phase 5.
- 12.7 Authorize an Amendment to the Professional Services Agreement for Working Drawings for the Keiser Park Phase 1 Project to Add Portions of the West Trunk Sewer to the Project**
5/0 vote. Adopted Resolution No. 2336-08, authorizing the Town Manager to amend the professional services agreement with Royston Hanamoto Alley & Abey (RHAA) to provide construction document preparation and construction management services for the Keiser Park Phase 1 Project to add the West Trunk Sewer Keiser Park Segment to the improvements for which said services are to be provided by RHAA for an additional amount not to exceed \$80,125.00.
- 12.8 Zoning Ordinance Amendments Relating to Residential Accessory Structures**
5/0 vote. Adopted, by title only, Ordinance No. 2008-241, amending Chapter 27.06, Chapter 27.34 and Chapter 27.60 of the Zoning Ordinance relating to residential accessory structures.
- 12.9 Adopt Ordinance Raising Town Manager’s Purchasing Authority from \$25,000 to \$50,000**
5/0 vote. Adopted, by title only, Ordinance No. 2008-242, 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.
- 12.10 Resolution opposing state government efforts to seize local tax funds to finance state operations**
5/0 vote. Adopted Resolution No. 2337-08, opposing any and all efforts by the state government to “borrow” or seize local tax funds, redevelopment tax increment and transportation sales tax funds by the state government to finance state operations.
- 13. PUBLIC HEARING**
- 13.1 Windsor 1982 Act Benefit Assessment District Engineer’s Report for FY 2008-09 Shiloh Oaks Subdivision**
Senior Engineer Hayre introduced the item.

John Wanger, Coastland Engineering, discussed the steps taken to date related to the formation of the Windsor 1982 Act Benefit Assessment District and explained the process to be followed at this meeting.

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.

Town Clerk De La O announced the results of the ballot count as 1 affirmative vote. Therefore, the inclusion of properties will occur and resulting levy of collection of annual assessments may be approved by Council.

Councilmember Parker moved to adopt Resolution No. 2338-08, to order the formation of the Windsor 1982 Act Benefit Assessment District approving the Engineer's Report, confirming the assessment diagram and assessment amounts, and authorizing the levy and collection of annual assessments in the Shiloh Oaks Subdivision. Vice Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

13.2 Introduction of an Ordinance Establishing Radar Enforceable Speed Zone for Conde Lane from Shiloh Road to Mitchell Lane

Public Works Director/Town Engineer Burt reported on this item.

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

Vice Mayor Goble introduced, by title only, an ordinance approving an increase in the speed limit to 40 mph from 35 mph and establish a radar enforceable speed zone for Conde Lane from Shiloh Road to Mitchell Lane. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

13.3 Resale of 840 Twin Oaks Lane – Affordable Housing Unit

Senior Planner Thompson reported on this item.

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

Acting as a member of the Windsor Redevelopment Agency, Councilmember Salmon moved to adopt Resolution No. 2339-08 RDA, to authorize the Town Manager to execute documents necessary to provide secondary funding not to exceed \$75,000 for the purchaser of 840 Twin Oaks Lane and authorizing the Town Manager to execute documents necessary to resell 840 Twin Oaks Lane. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

14. REGULAR CALENDAR

14.1 2007-09 Budget Update and Approval of Budget Amendments

Administrative Services Director McAdler and Accounting Manager Ippoliti reported on this item.

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

The discussion of this matter was tabled until the discussion of Item 14.2.

14.2 Allocate Grant Funding to Not-for-profit Organizations

Community Services Director Legge reported on this item.

Mayor Fudge called for comments from the audience.

The following people spoke on behalf of the Human Services Projects requests:

- Gina Nellar, Sonoma County Council on Aging
- Marv Stubbs, Sonoma County Council on Aging
- Nancy Lessa, Circuit Riders Productions
- Nicole Renae, Circuit Riders Productions

The following people spoke on behalf of the Promotional projects:

- Michael Brook, Theatre on the Green, Shakespeare Festival
- Glenda Castelli, Windsor Certified Farmers Market
- Randy Ramby, 2009 Old Downtown Bluegrass Festival
- Len Bowen, California Bluegrass Association
- Macy McCardy, Coordinator for Tomorrow's Leaders Today North
- Marv Stubbs, Windsor Day Parade
- Diana Hobamak, YWCA, Bike Ride for Shelter

There were no further comments from the audience.

Following discussion, Council concurred to fund the Human Services Projects Requests as indicated below, while not exceeding the .75% of the General Fund Balance:

<u>Organization</u>	<u>2008-09 Recommendation</u>
Windsor Boys and Girls Club	\$14,000
Sonoma County on Aging	\$20,600
Interfaith Shelter Network	\$12,000
Circuit Rider Productions	<u>\$11,500</u>
Total	\$58,100

Council concurred to fund the Promotional Projects Requests as indicated below:

<u>Organization</u>	<u>2008-2009 Recommendation</u>
Sonoma County Hot Air Balloon Classic (SCHABC)	\$10,000
Theater on the Green	\$8,500
Windsor Certified Farmers Market	\$7,000
CA Bluegrass Association	\$1,500
Tomorrow's Leaders Today	\$4,000
Windsor Kiwanis Club	\$4,500
YWCA	<u>\$500</u>
Total	\$36,000

It was clarified that the Promotional Project requests for the SCHABC included a fee waiver of \$3,000 and Theater on the Green included a fee waiver of \$6,406.

Councilmember Parker moved to approve the not-for-profit organizations grant funding requests for Fiscal Year 2008-2009 as listed above. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

Council recessed from 9:05 p.m. until 9:19 p.m. and reconvened with all members present.

14.1 2007-09 Budget Update and Approval of Budget Amendments

At this time, Council resumed discussion on the 2007-09 Budget Update and Budget Amendments.

Councilmember Allen moved to adopt the following resolutions:

Resolution No. 2340-08, amending the FY 2007-08 budget (Amendment 34-08) for carryover of savings to offset FY 2008-09 projected revenue shortfall.

Resolution No. 2341-08, amending the FY 2008-09 budget (Amendment 04-09) for spending cuts to offset FY 2008-09 projected revenue shortfall, as amended.

Vice Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

14.3 Report for the De-energizing of Streetlights

Mayor Fudge acknowledged receipt of an e-mail from Windsor resident Mike Fitzpatrick on this matter.

Public Works Director/Town Engineer Burtt reported on this item and explained that the firm of Coastland Engineering was retained to conduct research and provide options on potential energy and cost savings associated with de-energizing some of the street lights within the Town.

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

Council received a report on the options for de-energizing streetlights within the Landscape and Lighting Assessment District (LLAD) Zone 2 and indicated they were not supportive of moving forward with this concept at this time. However, the majority of the Council indicated support to revisit this matter in the future.

14.4 Downtown Signs for Special Events

Planning Director Chamberlin reported on this item.

Mayor Fudge called for comments from the audience.

The following people spoke in support of an amendment to the Town's Downtown Sign Program for special events:

Hal Beck, Executive Director of the Windsor Chamber of Commerce
Fred Langley, owner of Langley's on the Green and Pizzeria DePaoli
Joe Rueter, owner of Green Grocer
David Culley, owner of KC's Grill
Karen Alves, Business Owner

Some of the concerns and comments of the speakers were that there needs to be flexibility provided to business owners to be able to advertise during special events for the success of their businesses also the need to improve visibility of businesses that are located in the back area.

Council discussion ensued, after which Council determined that modifications to the Town Green Village Sign Program were needed to provide flexibility for signage regulations during Special Events. Council directed the Planning Director to make the necessary changes to the Town Green Village Sign Program that would be effective until December 31, 2008 and to forward the changes to all other areas of Town that have Town approved Sign Programs. Staff was also asked to return to Council for policy direction on the Sign Program and take the policy to the Planning Commission for their review.

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

Councilmembers briefly reported on items of interest to the Council.

16.2 Reports on Meetings/Conferences

- a) Mayor Debora Fudge reported on the July 24, 2008 meeting of the Sonoma County Climate Action Policy Working Group.

16.3 Requests for Future Council Agenda Items

- a) Discussion of future programming for Summer Nights on the Green and recommendations for the summer of 2009.

Councilmember Allen said that an idea for the 2009 Summer Nights on the Green would be to have music only and no movies.

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

No report was made.

18. ADJOURNMENT

The meeting adjourned at 10:51 p.m. to the next regular Town Council meeting scheduled for Wednesday, August 20, 2008 in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 3rd day of September 2008.

Maria De La O, CMC
Town Clerk