

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, October 15, 2008

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Windsor, CA 95492

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 Goble, Parker, Salmon and Mayor Fudge. Councilmember Allen was absent.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance and Presentation of Colors was led by Windsor Boy Scouts Troop No. 220.

4. PRESENTATION (S)/PROCLAMATION(S)

4.1 Voter Education on Measure N on the November 4, 2008 ballot, change to Transient Occupancy Tax from 8% to 12%.

Administrative Services Director McAdler conducted a PowerPoint presentation that provided voter information to the Town Council about Measure N on the November 4, 2008 ballot which proposes to change the Transient Occupancy Tax from 8% to 12%.

4.2 Proclamation declaring the month of October 2008, as, "Domestic Violence Awareness Month."

Mayor Fudge presented Donna Aggio, YWCA Advocate, with a proclamation declaring the month of October 2008 as "Domestic Violence Awareness Month."

5. ANNOUNCEMENTS

- a) Upcoming Town Events
Councilmembers announced various upcoming events.

Joint Town Council, Redevelopment Agency and Windsor Water District Minutes
Wednesday, October 15, 2008

- b) **One Cool Green Thing**
Councilmembers, staff, and members of the public reported on green eco-friendly events and items of interest.

6. CONFLICT OF INTEREST DECLARATION

Councilmember Goble advised that she will be abstaining from voting on Item 9.4 (Arata Lane Interchange Phase 2A Project – Amendment to Consultant Services Agreement for Winzler & Kelly).

7. CHANGES TO THE AGENDA - None.

8. CITIZEN PUBLIC COMMENT

Windsor Boy Scout questioned the zoning designation of the current Smoke Shop located on the Town Green.

9. CONSENT CALENDAR

Vice Mayor Goble moved to adopt the Consent Calendar items. Councilmember Parker seconded the motion. The motion to pass all items except Item 9.4 passed by a 4/0/1 vote (Councilmember Allen was absent). The motion to pass Item 9.4 (Arata Lane Interchange Phase 2A Project – Amendment to Consultant Services Agreement for Winzler & Kelly), passed by a 3/0/2 vote (Councilmember Allen was absent and Vice Mayor Goble abstained).

9.1 Check Register No. 394

4/0/1 vote (Councilmember Allen was absent). By motion, approved disbursements in the amount of \$1,577,623.16.

9.2 Approval of Minutes

4/0/1 vote (Councilmember Allen was absent). By motion, approved the minutes of the regular meeting of October 1, 2008.

9.3 Adopt Ordinance Adding Environmentally Preferable Purchasing Requirements to the Town's Purchasing Policies and Procedures

4/0/1 vote (Councilmember Allen was absent). Adopted, by title only, Ordinance No. 2008-245, 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.

9.4 Arata Lane Interchange Phase 2A Project – Amendment to Consultant Services Agreement for Winzler & Kelly

3/0/2 vote (Councilmember Allen was absent and Vice Mayor Goble abstained). Adopted Resolution No. 2366-08, authorizing the Town Manager to amend the existing consultant services agreement with Winzler & Kelly for an additional amount not to exceed \$25,000 for the Arata Lane Interchange Phase 2A Project.

- 9.5 Award a Contract for the Conde Lane/Hembree Lane Pavement Maintenance Project**
4/0/1 vote (Councilmember Allen was absent). Adopted Resolution No. 2367-08, awarding a contract to Ghilotti Bros., Inc., for the construction of the Conde Lane/Hembree Lane Pavement Maintenance Project in the amount of \$256,323.56 and authorizing the Town Manager to execute the contract and any required construction change orders up to the authorized project budget.
- 9.6 BEGIN Program Application**
4/0/1 vote (Councilmember Allen was absent). Adopted a Resolution No. 2368-08, authorizing Burbank Housing to apply for BEGIN HCD, (California Department of Housing and Community Development) funding for the Manzanita Self Help project located at 9950 Los Amigos Road.
- 9.7 Adopt a Resolution Authorizing the Sonoma - Marin Water Saving Partnership**
4/0/1 vote (Councilmember Allen was absent). Adopted Resolution No. 2369-08, authorizing the Town Manager to sign a memorandum of understanding regarding the Sonoma-Marin Water Saving Partnership.
- 9.8 Caltrans Bicycle Transportation Account Grant – Windsor Road Bicycle Lane Project**
4/0/1 vote (Councilmember Allen was absent). Adopted Resolution No. 2370-08, authorizing staff to submit an application for a grant of \$200,000 from the California Department of Transportation Bicycle Transportation Account funds and committing a local match of \$50,000 (20-percent) for the Windsor Road Bicycle Lane at Pond 7 Project (0536).

10. PUBLIC HEARING

- 10.1 Introduction of an Ordinance amendment to Windsor Municipal Code, Title VII, Building and Housing related to Energy and Water Conservation**
 Building Official Pantazes reported on this item.

Mayor Fudge opened the public hearing.

Mike Fitzpatrick, Windsor resident, explained why, although he is supportive of the program, he is concerned about costs associated with some of the mandatory requirements of the program and the number of points achieved on the GreenPoint rating system.

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

Council discussion ensued, during which Councilmembers were generally supportive of the Building and Housing Program related to energy and water conservation.

Councilmember Salmon moved to introduce, by title only, an Ordinance amending Title VII, Building and Housing of the Windsor Municipal Code, Chapters 2 and 5 for Erosion Control (Residential and Commercial), and Energy and Water Conservation (Residential Only). Vice Mayor Goble seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

10.2 Adopt a Resolution Updating the Traffic Impact Fee

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

Allan Tilton, W-Trans Consulting, reviewed the adjustments made to program costs and the fee structure.

Mayor Fudge opened the public hearing.

The following speakers spoke in opposition to the increase in traffic impact fees:

Pat Imbimbo, Airport Business Center
Mike Fitzpatrick, Windsor resident

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

Council discussion ensued, during which the majority of the Councilmembers were generally supportive of need and basis for updating the Traffic Impact Fee. However, some concerns and questions were raised that will require additional consideration regarding the following land uses:

1. Residential (which includes Single Family) within the core downtown zone.
2. Light Industrial
3. Gateway Commercial

Based on this direction, Council concurred that further action on this matter be postponed to a future date to allow staff and the Consultant research the fees for the land uses listed above and report back to Council the findings at a future meeting.

(Clerk's Note: Resolution No. 2371-08 was not acted on.)

Council recessed from 8:37 p.m. to 8:48 p.m. and reconvened with all members present except Councilmember Allen as he was absent.

10.3 Certification of the Supplemental EIR and Project Approval for the Eastside Road Storage Project

Assistant Town Engineer Daida reported on this item.

Dave Richardson, RMC Water and Environment, discussed the project's background and described the specific actions and additional future Council actions that will be necessary if the Council approves the project tonight.

Matt Frank, CH2MHILL, discussed the CEQA process, summarized the comments received on the Supplemental EIR and described the process used to respond to those comments.

Mayor Fudge opened the public hearing.

During the public testimony period, Council received testimony from the following individuals:

James McDonough, adjacent property owner, raised concerns associated with noise construction, the need for plant vegetation screening along his common property line, visual impacts affecting his property, construction hours and the need for the establishment of a well lit corridor.

Andy Gustafson, representing Mr. James McDonough referenced a letter from Mr. McDonough dated October 15, 2008, which was distributed to Council. Mr. McDonough's letter discussed his main concern related to the Town's commitment to plant a vegetation screen along their common property line to reduce the project's impact on Mr. McDonough's property. (Copies of the letter dated October 15, 2008 and the hand-out titled "Eastside Road Storage Pond – McDonough Residence Visual Impact Assessment and Proposed Mitigation" are on file in the Town Clerk's Office and Engineering Department.)

During the discussion that ensued, Council gave the following direction to staff:

- 1) Commence discussion, planning and development of the landscaping screening as soon as practical in collaboration with Mr. McDonough.
- 2) Work with the homeowner in good faith to try to come up with a project that meets both the Town's and the homeowner's needs.
- 3) The contract should specify the work hours and exclude certain holidays.
- 4) The contract should also clarify who makes the determination for approval of overtime work.
- 5) The Engineering Department will be holding a public workshop during the design phase of the project.

Mayor Fudge closed the public hearing.

Councilmember Salmon moved to adopt Resolution No. 2372-08, certifying a Supplemental Environmental Impact Report for the Eastside Road Storage Project. The motion was seconded by Councilmember Parker. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

Councilmember Parker moved to adopt Resolution No. 2373-08, approving the Eastside Road Storage Project, directing that it be placed in the Capital Improvement Program, adopting CEQA mitigation findings and alternatives findings, a statement of overriding considerations and a mitigation monitoring and reporting program. Vice Mayor Goble seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

11. REGULAR CALENDAR

11.1 2008 Town Green Summer Events Summary Report Community Services Director Legge reported on this item.

Mayor Fudge called for comments from the audience.

Michael Brook, Windsor resident, commended Community Services Director Donna Legge for conducting a very productive meeting on the programming for the Town Green summer events for calendar year 2009. He stated that Shakespeare on the Green would like to move their season performances to the beginning of July.

Glenda Castelli, Windsor Farmers Market, spoke in support of ending the season for the Town Green Town events at the end of August.

There were no further comments from the audience.

Council discussed and gave direction to staff on the programming for the 2009 Town Green Summer events.

11.2 Keiser Park Phase 1 – Preliminary Design Development Community Services Director Legge reported on this item.

Cordy Hill, Principal with RHHA, discussed the features of the Keiser Park Phase 1 Plan.

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

Discussion followed, during which Council concurred to provide the southwest parking lot and covered play structure as additive alternatives to the bid.

Vice Mayor Goble moved to adopt Resolution No. 2374-08, approving the Preliminary Design Development for Keiser Park – Phase I Improvements. Councilmember Parker seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Allen was absent).

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**

- A. Provide Direction to Mayor regarding an appointment to the ABAG Regional Planning Committee by the Board of Directors of Mayors' and Councilmembers' Association at their October 16, 2008 meeting.

Council, by consensus, supported the appointment of City of Santa Rosa Councilmember Veronica Jacobi to the ABAG Regional Planning Committee.

13. MAYOR'S & COUNCILMEMBERS' REPORTS

Mayor Fudge briefly reported on AB 811 (Renewable Energy Resource Credit).

13.1 Individual Councilmember Reports and Comments

No comments were made.

13.2 Reports on Meetings/Conferences

No reports were made.

13.3 Requests for Future Council Agenda Items

- Review of Rental Fee for Wilson Ranch Concession Stand

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

No report was made.

15. ADJOURNMENT

The meeting adjourned at 11:55 p.m. to a Special Meeting, to be held jointly with the Windsor Unified School District Board of Trustees, scheduled for Wednesday, October 29, 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 5th day of November 2008.

Maria De La O, CMC
Town Clerk