

**MINUTES**  
**JOINT TOWN COUNCIL,**  
**REDEVELOPMENT AGENCY, AND**  
**WINDSOR WATER DISTRICT AND PLANNING COMMISSION**  
**MEETING**

Wednesday, June 17, 2009  
Special Joint Meeting - 6:00 p.m.

Regular Town Council Meeting – Immediately following  
the Special Meeting

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

**1. CALL TO ORDER**

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) and Planning Commission at 6:06 p.m.

**2. TOWN COUNCIL ROLL CALL**

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

**3. PLANNING COMMISSION ROLL CALL**

Present at Roll Call were Commissioner Albini, Chair Conner, Commissioner Cyphers, Vice Chair Neece and Commissioner Voge.

**4. PLEDGE OF ALLEGIANCE**

Chair Conner led the Pledge of Allegiance.

**5. CITIZEN PUBLIC COMMENT**

Marilyn Reynolds, Brooks Creek Homeowner's Committee, raised concerns regarding the pedestrian safety along the Brooks Creek path. She is requesting that the Town revisit the use of the trail by pedestrian and bicycles including additional solutions.

Sara Bleibaum, Brooks Creek resident, raised safety concerns regarding the Brooks Creek path.

Edward Corley, Brooks Creek resident, discussed the need to revisit the use of the Brooks Creek path.

At this time, Item 8.1 Proclamation declaring the month of July 2009 as Parks and Recreation Month was read.

- 8.1 Proclamation declaring the month of July 2009 as Parks and Recreation Month.**  
Mayor Goble read a proclamation declaring the month of July 2009 as Parks and Recreation Month.

**6. PUBLIC HEARING**

**6.1 Merit Presentation Ranking and Comment**

Senior Planner Jones reported on this item. He noted that, according to the Town Council's policy, the Town is not obligated to rank either project, nor is the Town obligated to subsequently reserve allocations for any project once it is ranked. Any reservation of allocations would occur at a subsequent meeting in November following the annual report on infrastructure and services capacities. The purpose of tonight's meeting is for the Council, with input from the Planning Commission, to rank the projects and provide consensus comments for consideration in future project review by the Planning Commission.

Mayor Goble opened the public hearing.

Alan Cohen, Bell Village, Project developer, addressed and responded to Council's questions and concerns.

Scott Schellinger, Hembree Village, Project developer, addressed Council's concerns.

Mike Castro and John Stewart, Windsor residents, expressed concerns associated with the design and the location of the creek on the Hembree Village project.

Rick Aubert, Windsor Resident, expressed his concern over the lack of single family detached homes and lack of businesses to support employment in Windsor.

Elisa Morales, Schellinger Brothers, expressed concerns regarding the lack of growth on the "east side" of Windsor. She supports the Hembree Village project.

Mayor Goble closed the public hearing. The Council recessed from 9:30 pm to 9:43 pm and reconvened with all members of Planning Commission and Town Council present, except for Councilmember Scholar who was absent.

Following discussion among the Planning Commission and Town Council, it was the consensus of the Town Council to rank the projects as follows:

- 1) Bell Village-9290 Old Redwood Highway-25 acres  
Jeff Civian, Representative  
Allan Cohen, Architect  
Jeff Meyer, Property Owner

- 2) Hembree Village-6808, 6816, and 6843 Hembree Lane-17 acres  
Scott Schellinger, Applicant  
David Ho, Architect

Councilmember Allen moved to adopt Resolution No. 2480-09, as modified, establishing a list of “Merit Presentation Projects” for future consideration of Growth control allocations. Councilmember Fudge seconded the motion. Motion passed by 3/1/1 (Vice Mayor Salmon opposing, Councilmember Scholar absent).

The Mayor further directed staff to return with revisions to the draft resolution regarding consensus comments from the Town Council based on tonight's discussion.

## **7. ADJOURNMENT TO REGULAR SESSION**

The Council adjourned at 10:14 p.m. to its regular Town Council meeting.

The Planning Commission adjourned at 10:14 p.m. to its next meeting scheduled for Tuesday, June 23, 2009, also in the Civic Center Council Chambers.

## **REGULAR SESSION**

### **8. PRESENTATION(S)/PROCLAMATION(S)**

- 8.1 **Proclamation declaring the month of July 2009 as Parks and Recreation Month.**  
This item was considered immediately after Item 5 Citizen Public Comment.

### **9. ANNOUNCEMENTS**

- a. Upcoming Town Events  
Mayor Goble and Councilmembers announced various upcoming events.
- b. One Cool Green Thing  
Councilmember Fudge reported on a cool green item.

### **10. CONFLICT OF INTEREST DECLARATION- None**

### **11. CHANGES TO THE AGENDA**

Town Manager Mullan requested that the items below be removed from the agenda:  
**Item 13.6** Appointment to Marin/Sonoma Mosquito and Vector Control District, as the applicant has withdrawn his application.

**Item 19.2** Conference with Labor Negotiators pursuant to Government Code Section 54957.6 Agency Negotiator: Town Manager or his Designee; Employee Organizations: Town of Windsor Employees' Association – AFSCME Local 3910, Town of Windsor Supervisory Employees Group – AFSCME Local 829, and Town of Windsor Management Employees Group, as there was nothing further to discuss.

Councilmember Allen moved to remove Item 13.6 and Item 19.2 from the agenda. Vice Mayor Salmon seconded the motion. Motion passed by 4/0/1 vote. (Councilmember Scholar absent)

**12. CITIZEN PUBLIC COMMENT- None**

**13. CONSENT CALENDAR**

Councilmember Allen moved to adopt the Consent Calendar. Vice Mayor Salmon seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Scholar was absent), on all items except for Item 13.6, which was removed from the agenda.

**13.1 Check Register No. 410**

**4/0/1 vote (Councilmember Scholar was absent).** By motion, approved disbursements in the amount of \$1,097,452.55.

**13.2 Approval of Minutes – None.**

**13.3 Approve Final Closeout of Mitchell Shiloh Conde Assessment District Phase 2 Project**

**4/0/1 vote (Councilmember Scholar was absent)**

1. Adopted Resolution No. 2481-09 authorizing the Town Manager to execute a settlement agreement and a final change order to the contract with Ghilotti Bros., Inc., for the construction of the Mitchell Shiloh Conde Assessment District Phase 2 Project for a lump sum payment of \$399,000.00, subject to waiver of all rights to any further claims or requests for further compensation.
2. Adopted Resolution No. 2482-09 authorizing the Town Manager to amend the existing consultant services agreement with Coastland Civil Engineering for Final Design, Environmental Review, and Assessment Engineering Services for the Mitchell Shiloh Conde Assessment District in an amount not to exceed \$67,090 for additional construction-phase design engineering, materials testing, and environmental monitoring services provided for the Mitchell Shiloh Conde Assessment District Phase 2 Project.
3. Adopted Resolution No. 2483-09 amending the FY 2008-2009 budget to appropriate \$266,000 from the un-appropriated balance of the Drainage Mitigation Fund to the Mitchell Shiloh Conde Assessment District Phase 2 Project.

**13.4 Approve Landscaping and Lighting Agreement for 1000 American Way (UP 08-54)**

**4/0/1 vote (Councilmember Scholar was absent).**

Adopted Resolution No. 2484-09 authorizing the Town Manager to execute a Landscaping and Lighting Agreement annexing 1000 American Way (Tractor Supply Company) into the Landscaping and Lighting Assessment District No. 2.

**13.5 Approve Year End Budget Amendment 2008-09**

**4/0/1 vote (Councilmember Scholar was absent).**

Adopted Resolution No. 2485-09 amending the 2008-09, budget (Amendment 28-09) for adjustments as part of the year end financial update for fiscal year 2008-09.

- 13.6 Appointment to Marin/Sonoma Mosquito and Vector Control District**  
Item was removed from the agenda.
- 14. PUBLIC HEARING - NONE**
- 15. REGULAR CALENDAR - NONE**
- 16. DISCUSSION AND/OR ACTION ON PENDING STATE OR FEDERAL LEGISLATION AND ACTIVITIES**
- 16.1 League of California Cities**
- 16.2 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update**
- 17. MAYOR'S & COUNCILMEMBERS' REPORTS**
- 17.1 Individual Councilmember Reports and Comments**  
Vice Mayor Salmon suggested that Councilmembers working the Town Green event be introduced and be on main stage during Thursday night event. He asked that this matter be agendized on a future Council agenda for discussion and direction.
- 17.2 Reports on Meetings/Conferences**  
Councilmembers reported on meetings they attended.
- 17.3 Requests for Future Council Agenda Items**  
Introduction of Councilmembers at Town Hall on the Green.
- 18. TOWN MANAGER'S REPORT**
- 18.1 Update on the Federal and State Stimulus Plan Efforts for the Town of Windsor**  
Town Manager Mullan gave Council a brief update on the Federal and State Stimulus Programs.
- 19. ANNOUNCEMENT OF CLOSED SESSION TOPICS/ ADJOURNMENT TO CLOSED SESSION**  
Mayor Goble announced the following Closed Session topic and Council adjourned to a Closed Session in the Wild Oak Conference Room at 10:14 p.m.
- 19.1 Anticipated Litigation -- significant exposure to litigation pursuant to Government Code Section 54956.9 (One potential case).**
- 19.2 Conference with Labor Negotiators pursuant to Government Code Section 54957.6**  
This item was removed from the agenda.

**20. REPORT OUT OF CLOSED SESSION**

The Closed Session adjourned at 10:25 p.m. and the regular meeting reconvened with all members present except for Councilmember Scholar. No action was taken during the Closed Session.

**21. ADJOURNMENT**

The meeting adjourned at 10:25 p.m., to a regular Council meeting scheduled for Wednesday, July 1, 2009, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 1st day of July 2009.

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Brigitte Graham  
Deputy Town Clerk