

MINUTES

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

Wednesday, August 5, 2009

**Regular Session - 6:00 p.m.
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 at 6:05 p.m.

2. COUNCIL ROLL CALL

Councilmembers Allen, Fudge, Mayor Goble, Vice Mayor Salmon and Councilmember Scholar.

3. PLEDGE OF ALLEGIANCE

Bill Coolidge, Windsor Library Branch Manager, led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Proclamation declaring the third week of August 2009, as Pacific Coast Air Museum, "WINGS OVER WINE COUNTRY" Week

Mayor Goble read and presented Dave Pinsky, Mike Voorhees, and Jim Olson from the Pacific Coast Air Museum with a proclamation declaring the third week of August 2009, as Pacific Coast Air Museum, "WINGS OVER WINE COUNTRY" Week.

4.2 Mayor's Certificate of Special Recognition for Administrative Services Director Jim McAdler and Accounting Specialist Janet Kinney

Mayor Goble presented Administrative Services Director Jim McAdler and Accounting Specialist Janet Kinney with Mayor's Certificates of Special Recognition for their work on the preparation of the Fiscal Year 2009-11 Budget and 2009-14 Capital Improvement Project.

5. ANNOUNCEMENTS

- a. Upcoming Town Events
Mayor Goble and Councilmembers announced various upcoming events.
- b. One Cool Green Thing
Vice Mayor Salmon discussed water conservation methods.

6. CONFLICT OF INTEREST DECLARATION

Councilmember Scholar noted that she will be abstaining from voting on the July 15, 2009 Town Council minutes as she was absent.

Mayor Goble abstained on Item 9.3 (Approval of the Professional Services Agreement with RMC Water and Environment for the Design of the Geysers Connection Project) as she has a very remote affiliation to Winzler and Kelly Consulting Engineers who are the subcontractor on this project.

7. CHANGES TO THE AGENDA

Town Manager Mullan requested the removal of Item 10.4 from the agenda because the Home Builders Association after receiving the agenda report asked that the Council postpone action until they can review the Impact Fee Study and submit comments. Staff will bring this item back for Council review and action at a later date.

Vice Mayor Salmon advised that he will be providing comments on Item 9.3 (Approval of the Professional Services Agreement with RMC Water and Environment for the Design of the Geysers Connection Project).

Councilmember Allen also advised that he will be providing comments on Item 9.6.

8. CITIZEN PUBLIC COMMENT

Bill McCormick, Windsor West Residents Group, spoke in opposition to the Lytton Residential project . He urged Council to closely review the Environmental Assessment document, provide a response and request that the deadline be extended 90 more days.

Diane Graner, Windsor Regional Library, invited Council to attend the Windsor Regional Library book sale.

Bill Coolidge, Branch Manager for Windsor Regional Library, provided Council with an update on the Windsor Regional Library events.

Bill Helsloot, Windsor resident, expressed concern regarding the increased sewer charges in his water bill.

9. CONSENT CALENDAR

At this time, Vice Mayor Salmon distributed copies of a memorandum to Council dated August 5, 2009 in which he states the reasons why he does not support Item 9.3 (the approval of a Professional Services Agreement for the Geysers Connection Project) and will be voting in opposition.

Town Attorney Rudnansky explained that with regard to Item 9.3, three affirmative votes are required for this motion to pass.

With regard to Item 9.6 (Town of Windsor Design and Construction Standards Update) Councilmember Allen requested clarification regarding a section of the resolution related to the authorization of the Town Engineer to make additional revisions to the standards when required.

Town Engineer/Public Works Director Burt responded that to ensure the Design Standards document is kept up to date and in compliance, minor adjustments will need to be made to document. These changes are typically handled by the Town Engineer and will not require Council action.

Councilmember Allen moved to approve the following Consent Calendar items, with the exception of Item 9.2 (Approval of the July 15, 2009 Minutes) and Item 9.3 (Approval of the Professional Services Agreement with RMC Water and Environment for the Design of the Geysers Connection Project) which were acted on separately. The motion was seconded by Vice Mayor Salmon. The motion passed by a 5/0 vote on all items except Items 9.2 and 9.3 (as noted above).

9.1 Check Register No. 413

5/0 vote. By motion, approve disbursements in the amount of \$2,399,619.89.

9.2 Approval of Minutes

(Clerk's Note: This item was acted on a separate motion).

Councilmember Allen moved to approve the minutes of the regular meeting of July 15, 2009. Councilmember Fudge seconded the motion. The motion passed by a 4/0/1 vote (Councilmember Scholar abstained).

9.3 Approval of the Professional Services Agreement with RMC Water and Environment for the Design of the Geysers Connection Project (Clerk's Note: This item was acted on a separate motion).

Councilmember Allen moved to adopt Resolution No. 2510-09 approving and authorizing the Town Manager to execute a professional services agreement with RMC Water and Environment for engineering design services for the Geysers Connection Project, in an amount not to exceed \$459,534.00. Councilmember Fudge seconded the motion. Following a roll call vote, the motion passed by a 3/1/1 vote (Mayor Goble abstained and Vice Mayor Salmon opposed).

- 9.4 Approve a Professional Services Agreement with Brelje and Race Consulting Engineers for Utility Engineering Services**
5/0 vote. Adopt Resolution No. 2511-09 approving and authorizing the Town Manager to execute a Professional Services Agreement with Brelje and Race Consulting Engineers for utility engineering services, in an amount not to exceed \$80,000.
- 9.5 All-Way Stop signs at the Intersection of Pinot Noir Way at Decanter Circle, Decanter Circle at Stomper Drive, and Stomper Drive at Burgundy Way**
5/0 vote. Adopted Resolution No. 2512-09 authorizing the installation of stop signs on all approaches to the intersections of Pinot Noir Way at Decanter Circle, Decanter Circle at Stomper Drive, and Stomper Drive at Burgundy Way.
- 9.6 Town of Windsor Design and Construction Standards Update**
5/0 vote. Adopted Resolution No. 2513-09 approving the updated Town of Windsor Design and Construction Standards.
- 9.7 Adopt Resolutions Approving the Plans and Specifications and Awarding a Construction Contract and Approving a Professional Services Agreement for the Los Amigos Road Pavement Rehabilitation Project**
5/0 vote on the following resolutions:
- 1) Adopted Resolution No. 2514-09 approving the plans and specifications and awarding a contract to North Bay Construction in the amount of \$376,485.25 for the construction of the Los Amigos Road Pavement Rehabilitation Project and authorizing the Town Manager to execute the construction contract and any required construction change orders up to the authorized project budget on behalf of the Town.
 - 2) Adopted Resolution No. 2515-09 approving and authorizing the Town Manager to execute a Professional Services Agreement with Green Valley Consulting Engineers to provide construction management, inspection, and materials testing services for the Los Amigos Road Pavement Rehabilitation Project in an amount not to exceed \$47,994.00.
- 9.8 Amended Resolution for Declaration of a Mandatory Stage 2 Water Shortage Emergency Condition**
5/0 vote. Adopted Resolution No. 2516-09 superseding Resolution No. 2493-09 and declaring a Stage 2 Water Shortage Emergency Condition within the Town of Windsor and the service area of the Windsor Water District and directing implementation of corresponding water demand reduction measures.
- 9.9 Authorize the Mayor to support an appointment by the Board of Directors of the Mayors' and Councilmembers' Association to the ABAG Planning Committee**
5/0 vote. Authorized the Mayor to support an appointment to the ABAG Regional Planning Committee by the Board of Directors of Mayors' and Councilmembers' Association at their August 13, 2009 meeting.

9.10 Adoption of Resolution to Appropriate Funds for Required Analysis of the Town's Retiree Healthcare Plan

5/0 vote. Adopted Resolution No. 2517-09 to appropriate funds in the amount of \$7,500 and amend the 2009/10 budget for the required actuarial valuation of the Town's retiree healthcare plan.

10. PUBLIC HEARING

10.1 G&C Auto Body Deferred Improvement Agreement

Associate Planner Cangson reported on this item.

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

Vice Mayor Salmon moved to adopt Resolution No. 2518-09 approving and authorizing the Town Manager to finalize, execute, and implement a Deferred Improvement Agreement for the G&C Auto Body project substantially similar to the draft agreement on file with the Town Clerk's office. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

10.2 Ordinance amending the Windsor Redevelopment Plan

The following was approved by a 5/0 vote.

Senior Management Analyst Kelley reported on this item.

Councilmember Scholar suggested that language be incorporated into the ordinance related to the continuance of pass-through payments to the Windsor Unified School District.

Mayor Goble opened the public hearing.

Superintendent Steve Herrington, Windsor Unified School District, commented on the continuance of pass-through revenue to the School District during this additional two year period.

Mayor Goble closed the public hearing.

Discussion followed, during which Council directed staff to incorporate the following language to read as follows:

The Agency will make mandatory pass-through payments to the affected taxing entities including the Windsor Unified School District during the amended time limits of the Redevelopment Plan affected by this Ordinance in accordance with Redevelopment law.

Councilmember Allen moved to introduce, by title only, an ordinance, as modified, amending the Windsor Redevelopment Plan. Vice Mayor Salmon seconded the motion. The motion passed by 5/0 vote.

10.3 Adoption of Resolution Establishing New Water Rates with Automatic Adjustments to Cover Future Increases in the Cost of Water Received From Sonoma County Water Agency

Administrative Director McAdler spoke on this item.

Bob Reed, The Reed Group, Consultant, discussed the financial impacts of the Agency's increased rates and charges.

Mayor Goble opened the public hearing. There being no public comments, Mayor Goble closed the public hearing.

Vice Mayor Salmon moved to adopt Resolution No. 2519-09 to approve new water rates for the increased costs of water from the Sonoma County Water Agency and adopt procedures from implementing automatic adjustments to water rates based on SCWA water chargers. Councilmember Scholar seconded the motion. The motion passed by a 5/0 vote.

10.4 Adopt Resolution Approving NBS Impact Fee Study and Approving Related Park Development, Public Facilities, and Fire Facilities Impact Fees

This item was removed from the agenda for consideration at a future date.

11. REGULAR CALENDAR

11.1 Merit Presentation – Consensus Comments

Senior Planner Jones reported on this item and acknowledged receipt of a Letter from Scott Schellinger dated August 3, 2009 regarding Hembree Village and an e-mail from Kim Voge regarding the Bell Village project. He noted that copies of this information were distributed to Council on the dais prior to commencement of this meeting and is on file in the Planning Department and Town Clerk's office.

Councilmember Fudge presented a graphic of an alternate plan for the Bell Village project prepared by Fisher Town Design, Inc. and dated August 2009.

Mayor Goble called for comments from the audience.

Council heard testimony from the following individuals regarding their projects:

Bill Mabry, representing Bell Village, asked that council adhere to the adoption of the resolution, as they were not given an opportunity to review the alternate plan that was presented tonight.

Scott Schellinger, Hembree Village, Project developer, addressed concerns raised by Council.

Mayor Goble closed the public comment period.

Discussion followed, during which Bill Mabry and Jeff Myer representing the Bell Village project responded to questions.

Following discussion, it was the consensus of the Council to support for further consideration the designation of only the Bell Village Project site as a priority development area.

Further discussion followed, Council concurred to split the action into two separate resolutions, one resolution for each project. Each resolution contains a summary of Council's comments.

Councilmember Allen moved to adopt Resolution No. 2520-09 identifying features to be incorporated and issues to be resolved upon further review of entitlements for the Hembree Village Project as a result of the ranking of the project for further consideration of Growth Control Allocations. Councilmember Scholar seconded the motion. Following a roll call vote, the motion passed by a 4/1 vote (Vice Mayor Salmon opposed).

Councilmember Allen moved to adopt Resolution No. 2521-09 identifying features to be incorporated and issues to be resolved upon further review of entitlements for the Bell Village Project as a result of the ranking of these projects for further consideration of Growth Control Allocations. Mayor Goble seconded the motion. The motion passed by a 5/0 vote.

11.2 Selection of the Annual 2009 League of California Cities Conference Voting Delegate and Alternate

Because Councilmembers will not be attending the League Conference, no action was taken on this item.

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

Councilmember Scholar will be attending the next Mayors' and Councilmembers' Association meeting that will be held on August 13, 2009.

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports and Comments

Councilmember Allen reported that he will not be attending the Council's September 16, 2009 meeting.

13.2 Reports on Meetings/Conferences

Councilmembers reported on meetings they attended and are of interest to Council.

13.3 Requests for Future Council Agenda Items – None.

14. TOWN MANAGER'S REPORT

14.1 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.

15. ANNOUNCEMENT OF CLOSED SESSION TOPIC/ 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 9:29 p.m.

15.1 CONFERENCE WITH LEGAL COUNSEL:

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.

16. REPORT OUT OF CLOSED SESSION

The Closed Session adjourned and the regular meeting reconvened with all members present. No action was taken during the Closed Session.

17. ADJOURNMENT

The meeting adjourned at 10:15 p.m. to the next regular Council meeting scheduled for Wednesday, August 19, 2009, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 19th day of August 2009.

Maria De La O, CMC
Town Clerk