

MINUTES

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

**Wednesday, August 19, 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 6:02 p.m.

2. COUNCIL ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Mayor Goble led the Pledge of Allegiance.

4. PRESENTATION(S)/PROCLAMATION(S)

4.1 Presentation by Jeff Davis on REMIF Annual Report

Jeff Davis, General Manager of the Redwood Empire Municipal Insurance Fund, gave a presentation on the REMIF Annual Report.

5. ANNOUNCEMENTS

- a. Upcoming Town Events
Mayor Goble and Councilmembers announced various upcoming events.
- b. One Cool Green Thing
Councilmember Fudge encouraged residents to ride their bikes to the Town's concert.
Mayor Goble acknowledged the Windsor Fire station's LEED certification.

6. CONFLICT OF INTEREST DECLARATION – None.

7. CHANGES TO THE AGENDA

Councilmember Fudge requested that Item 11.5 (Council discussion of the Sonoma County Transportation Authority 2009 Comprehensive Transportation Plan and DEIR) be pulled from the agenda and brought back to Council at a later date. After a brief discussion, Council consensus was to keep the Item on the agenda for discussion purposes only and directed staff to bring item back to the September 16, 2009 agenda for action.

Vice Mayor Salmon requested that Item 9.8 (Approval of Pueblo Viejo Park Drainage Project and Associated Findings Regarding Redevelopment Agency Funding) be pulled from the Consent Calendar for discussion immediately after Item 10.

8. CITIZEN PUBLIC COMMENT

Jacqueline Emery, Board of Directors, Windsor Chamber of Commerce invited Council to attend the 44th Annual Windsor Business Success Dinner "A Taste of Windsor" to be held on Friday, September 25, 2009 from 6:00 pm to 9:00 pm at the Mary Agatha Furth Center.

9. CONSENT CALENDAR

Vice Mayor Salmon moved to adopt the Consent Calendar items as follows. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote on all items, except Item 9.8 (Approval of Pueblo Viejo Park Drainage Project and Associated Findings Regarding Redevelopment Agency Funding) which was considered immediately after Item 10.

9.1 Check Register No. 414

5/0 vote. By motion, approved disbursements in the amount of \$1,605,099.03.

9.2 Approval of Minutes

5/0 vote. By motion, approved the minutes of the regular meeting of August 5, 2009.

9.3 Budget Amendment to appropriate funds for Tuesday Movie Nights for Police Services

5/0 vote. Adopted Resolution No. 2522-09 amending the 2009/2010 budget (amendment number 01-10) to appropriate funds for officers to work overtime at the Tuesday night movie events on the Town Green.

9.4 Information on Federal Grant from the U.S. Department of Justice by the Windsor Police Department

Council received information on the application for a Federal Grant from the U.S. Department of Justice by the Windsor Police Department. No action was taken.

- 9.5 Acceptance of Work for the Conde Lane, Hembree Lane Pavement Maintenance Project**
5/0 vote. Adopted Resolution No. 2523-09 accepting the contract work performed by Ghilotti Bros. Inc., for the construction of the Conde Lane, Hembree Lane Pavement Maintenance Project and directed the Town Clerk to record a Notice of Completion.
- 9.6 Acceptance of Public Improvements for Parcel Map 05-06, 1114 Gumview Road and 9745 Berry Lane**
5/0 vote. Adopted Resolution No. 2524-09 accepting the public improvements for the subdivision known as Parcel Map 05-06 located at 1114 Gumview Road and 9745 Berry Lane.
- 9.7 Acceptance of Public Improvements for Parcel Map 05-07, 9879 Berry Lane**
5/0 vote. Adopted Resolution No. 2525-09 accepting the public improvements for the subdivision known as Parcel Map 05-07 located at 9879 Berry Lane.
- 9.8 Approval of Pueblo Viejo Park Drainage Project and Associated Findings Regarding Redevelopment Agency Funding**
This item was pulled from the Consent Calendar and considered after Item 10.
- 9.9 Authorize Investigation of Pond 5 South Dike and Authorize Appropriation for Pond 5 Investigation**
5/0 vote on the following resolutions:
1. Adopted Resolution No. 2528-09 authorizing the Town Manager to execute a Professional Services Agreement with Brelje & Race Consulting Engineers for an engineering investigation, including a geotechnical evaluation, to determine the cause of observed wet areas south of the southern dike of Pond 5 at the Town's Wastewater Treatment Facility and the development of a preliminary remediation plan and cost estimate if necessary.
 2. Adopted Resolution No. 2529-09 amending the FY 2009-10 budget to appropriate \$95,000 from un-appropriated balance of the Water Reclamation Fund for the evaluation of Pond 5 Repair.
- 9.10 Approve Professional Services Agreement for Janitorial Services**
5/0 vote. Adopted Resolution No. 2530-09 approving the extension of the professional services agreement with Universal Building Services in an amount not to exceed \$121,000 for the fiscal biennium 09-11 to provide janitorial services to Town facilities and authorizing the Town Manager to execute on behalf of the Town.
- 9.11 Ordinance amending the Windsor Redevelopment Plan**
5/0 vote. Adopted, by title only, Ordinance No. 2009-255 amending the Windsor Redevelopment Plan.

10. PUBLIC HEARING

At this time, Item 9.8 was considered.

9.8 Approval of Pueblo Viejo Park Drainage Project and Associated Findings Regarding Redevelopment Agency Funding

Vice Mayor Salmon explained the reasons why he requested this item be pulled from the Consent calendar.

Following a brief discussion, staff responded to Council questions.

Councilmember Fudge moved to adopt the following resolutions. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

1. Adopted Resolution No. 2526-09 approving the Pueblo Viejo Park Drainage Project.
2. Adopted Resolution No. 2527-09 making findings required by Health and Safety Code Section 33445 for the funding of the Pueblo Viejo Park Drainage Project by the Town of Windsor Redevelopment Agency.

10.1 Zoning Ordinance Amendments Related to Signs

Associate Planner Cangson reported on this item.

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

After Council discussion, Associate Planner Cangson, suggested the following language be incorporated into the ordinance: "Each permittee, shall obtain permission from the "owner", prior to placing a sign on the property. The permittee may, upon request, be required to provide the Town with a copy of written permission from the "owner". In the event a permittee is unable to provide written permission to post signs, the signs shall be immediately removed or the Town may impose a penalty on the permittee sufficient to cover the costs of removal."

Following brief discussion, Council, by consensus, supported the ordinance, as modified.

Vice Mayor Salmon moved to introduce, by title only, an Ordinance amending Chapter 27.32 and Chapter 27.60 of the Zoning Ordinance related to signs, as modified. Councilmember Fudge seconded the motion. The motion passed by a 4/1 vote. Councilmember Scholar opposed.

Mayor Goble noted for the record, that she does not support the inflatable signs.

11. REGULAR CALENDAR

11.1 Approve Charlie Brown Christmas Tree Grove Proposal

Community Services Director Legge reported on this item.

Karen Alves, one of the *It Takes a Village* Committee, reported on the details of the proposal.

Mayor Goble called for comments from the audience. No comments were forthcoming.

After brief discussion, Councilmember Fudge noted that she would like the event to take place on or before the Town's Holiday event. Ms Alves responded for the record that this year's event has already been planned.

Council, by consensus, supported the project and would like to revisit the program next year for updates.

Mayor Goble moved to approve a proposal by *It Takes a Village Committee* to create a Charlie Brown Christmas Tree Grove in the Bosque and Fountain areas of the Town Green during the 2009 holiday season. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

11.2 Consideration of Options for the Town Green Fountains

Senior Engineer Scott reported on this item. Council received an informational report on options regarding the Town Green Fountains.

After brief discussion, Council, by consensus, took the following actions:

1. Refill the Town Green Fountains with Recycled Water by Thursday, August 20, 2009.
2. Place signs around the Fountains.
3. Council directed staff to report at a later time, a scenario, and cost estimates for their consideration to keep the Fountains filled all year with recycled water or emptied in the winter time.

11.3 Presentation by Citygate Association of the Operational review of the Windsor Public Works Department

Assistant Town Manager Johnson reported on this matter.

Mayor Goble called for comments from the audience. No comments were forthcoming.

Council received a presentation and a recommendation by Dwayne Milnes, Principal of the Citygate Association, of the Operational review of the Windsor Public Works Department. No action was taken at this time.

Council recessed from 9:00 until 9:10 p.m. and reconvened with all members present.

11.4 Adoption of Resolution designating a Redevelopment Survey Area

Assistant Town Manager Johnson reported on this item.

After brief discussion and comments, Councilmember Allen moved to adopt Resolution No. 2531-09 designating a redevelopment Survey Area and directing the Planning Commission to formulate a Preliminary Plan. Councilmember Fudge seconded the motion. The motion passed by a 5/0 vote.

11.5 Council discussion of the Sonoma County Transportation Authority 2009 Comprehensive Transportation Plan and DEIR with direction to Council representatives to Sonoma County Transportation Authority (SCTA)

Planning Director Chamberlin reported on this item.

Direction was provided to the Councilmembers representing the Town to the SCTA Board of Directors on the certification of the EIR and approval of the 2009 Comprehensive Transportation Plan.

After brief comments, Council, by consensus, asked staff to bring this item to the September 16, 2009 Town Council agenda. No action was taken at this time.

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

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports and Comments

None.

13.2 Reports on Meetings/Conferences

Councilmember Scholar reported on the Mayors' and Councilmembers' Meeting she attended on August 13, 2009 in Cotati, California.

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 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 10:05 p.m.

15.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Government Code section 54956.9(a)) *State of California, et al., ex rel. Armenta v. James Jones Co., et al.* (Los Angeles County Superior Court Case # BC 173487)"

15.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Government Code section 54956.9(a)) *City of Banning, et al. v. James Jones Co., et al.* (Los Angeles County Superior Court Case # BC 321513)"

15.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation (Government Code Section 54956.9(b): One Matter

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 10:12 p.m. to the next regular Council meeting scheduled for Wednesday, September 2, 2009, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.

Approved and adopted this 2nd day of September 2009.

Brigitte Graham
Deputy Town Clerk