

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

Wednesday, December 2, 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 6:03 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) – None.

5. REORGANIZATION OF COUNCIL

5.1 Selection of Mayor

Councilmember Fudge nominated Vice Mayor Salmon to fill the office of Mayor. Councilmember Allen seconded the nomination. The motion passed by a 5/0 vote.

5.2 Selection of Vice Mayor

Councilmember Fudge nominated Councilmember Allen to fill the office of Vice Mayor. Mayor Salmon seconded the nomination. The motion passed by a 5/0 vote.

5.3 Presentation to Outgoing Mayor Goble

Mayor Salmon presented outgoing Mayor Goble with a gift acknowledging her services to the Town as Mayor.

Council recessed from 6:06 p.m. until 6:18 p.m. and reconvened with all members present.

6. ANNOUNCEMENTS

- a. Upcoming Town Events
Mayor Salmon and Councilmembers announced upcoming events.
- b. One Cool Green Thing
Councilmembers reported on eco-friendly alternatives.

7. CONFLICT OF INTEREST DECLARATION – None.

8. CHANGES TO THE AGENDA

With regard to Item 10.12, Town Manager Mullan pointed out that a Quit Claim Deed referenced in the resolution was inadvertently omitted. Therefore, the motion to adopt this resolution should reflect the addition of the deed to the resolution.

9. CITIZEN PUBLIC COMMENT

John Bly and Beth Tuxhorn, The Construction Coalition, introduced and discussed the purpose of this organization.

Michael Grimes, Green Valley Consulting Engineers, presented the Town with a plaque that Green Valley Consulting Engineers received for the 2009 ASCE Outstanding Sustainable Engineering Project of the Year for their work on the Windsor Fire Station No. 2.

10. CONSENT CALENDAR

Councilmember Goble moved to approve the following Consent items. Vice Mayor Allen seconded the motion. The motion passed by a 5/0 vote on all items except Item 10.3 (Adoption of the Water Efficient Landscape Ordinance) by 4/1 vote (Vice Mayor Allen opposed) and Item 10.13 (Follow-up Resolution – Bell Village Drive-Thru Pharmacy) was acted on a separate motion.

10.1 Check Register No. 421

5/0 vote. By motion, approved disbursements in the amount of \$3,256,457.86.

10.2 Approval of Minutes - None

10.3 Adoption of the Water Efficient Landscape Ordinance

4/1 vote (Vice Mayor Allen opposed). Adopted, by title only, Ordinance No. 2009-259 adding Article 9, Water Efficient Landscape to the Windsor Town Code.

10.4 Approve a Windsor Landscaping and Lighting Assessment Districts and Windsor 1982 Act Benefit Assessment District Agreement for Windsor Redwoods, 6065 Old Redwood Highway (UP 06-16)

5/0 vote. Adopted Resolution No. 2581-09 authorizing the Town Manager to execute a Landscaping and Lighting Agreement annexing 6065 Old Redwood Highway into the Windsor Landscaping and Lighting Assessment Districts and the Windsor 1982 Act Benefit Assessment District.

- 10.5 Approve the Annual Housing Activity Report and Agency Audit**
5/0 vote. By motion, approved the Annual Housing Activity Report and the Agency Audit and authorized the Executive Director to submit these documents to the Office of the State Controller.
- 10.6 Approve the audited Financial Statements and the Management Report for the fiscal year ended June 30, 2009**
5/0 vote.
1. By motion, approved the fiscal year 2008-09 Annual Financial Report based on an audit of the financial statements performed in accordance with Government Auditing Standards.
 2. By motion, approved the Management Report submitted by Mann, Urrutia, Nelson CPAs & Associates LLP dated November 2, 2009.
- 10.7 Name Change for Community Services Department**
5/0 vote. Adopted Resolution No. 2582-09 approving the name change of the Community Services Department to the Parks and Recreation Department.
- 10.8 Civic Center West Property Use Agreement for Community Garden**
5/0 vote. Adopted Resolution No. 2583-09 authorizing the Town Manager to execute a Use Agreement with the Windsor Garden Club for the use of the Civic Center West Property for operating a Community Garden.
- 10.9 Acceptance of Improvements for Completion for the Pond 5 South Dike Repair**
5/0 vote. Adopted Resolution No. 2584-09 accepting the improvements for completion for the Pond 5 South Dike repair and directing the Town Clerk to record a Notice of Completion.
- 10.10 Acceptance of Improvements for Completion for the Windsor Creek Crossing Water Main Repair**
5/0 vote. Adopted Resolution No. 2585-09 accepting the improvements for completion for the Windsor Creek Crossing Water Main Repair and directing the Town Clerk to record a Notice of Completion.
- 10.11 Modification to Redevelopment Agency's Loan for the Forest Winds Apartments Reflecting Transfer of Debt from Federal Low Income Housing Tax Credits to Burbank Housing Communities Corporation**
5/0 vote. Adopted Resolution No. 2586-09 RDA authorizing the Executive Director to:
1. Execute any instruments necessary or required to transfer the Windsor Redevelopment Agency's loan for Forest Winds Apartments from Forest Winds Investors, LP to Burbank Housing Communities Corporation (BHCC), an affiliate of Burbank Housing Development Corporation (BHDC);
 2. Consent to the assignment to and assumption by BHCC of Forest Winds Apartments' Agency debt and regulatory obligations;

3. Modify the Agency's loan to be coterminous with superior debt to the California Department of Housing and Community Development (HCD); and
4. Perform any and all responsibilities in relation to such contracts.

10.12 Adopt a Resolution for release of purchase option for 966 Dorothea Court
5/0 vote. Adopted Resolution No. 2587-09 RDA, as revised, approving the release of the purchase option and authorizing the Executive Director to execute all documents necessary to provide a release of the purchase option agreement for 966 Dorothea Court.

(Note: This item was acted on a separate motion and not as part of the Consent Calendar.)

10.13 Follow-up Resolution – Bell Village Drive-Thru Pharmacy
Following a roll call vote, the motion passed by a 4/1 vote (Councilmember Goble opposed). Adopted Resolution No. 2588-09 approving a drive-thru pharmacy for the Bell Village Project.

11. PUBLIC HEARING

11.1 Consider Authorization of Bond Issuance to Assist in Financing of Windsor Redwoods Affordable Housing Project and Subordination of Town's Redevelopment Loans

Senior Planner Thompson reported on this item.

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

Vice Mayor Allen moved to adopt the following Resolutions as follows:

1. Resolution No. 2589-09 authorizing a bond issuance for financing of the Windsor Redwoods Affordable Rental Housing Project ("Project"), due to expiration of previously adopted Resolution.
2. Resolution No. 2590-09 RDA approving a subordination agreement with U.S. Bank National Association for the Town of Windsor RDA's current loans to Burbank Housing Development Corporation ("BHDC") for the Project; and authorize the Executive Director to execute all documents necessary to implement the terms of the action.

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

11.2 Five Year Implementation Plan for the Redevelopment Agency

Assistant Town Manager Johnson reported on this item.

Senior Management Analyst Kelley described the purpose and the components of the Five Year Implementation Plan.

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

Councilmember Goble moved to adopt Resolution No. 2591-09 RDA approving the Town of Windsor Redevelopment Agency's Five-Year Implementation Plan for 2010-2014. Vice Mayor Allen seconded the motion. The motion passed by a 5/0 vote.

12. REGULAR CALENDAR

12.1 Adoption of Resolutions Approving the Preliminary Report, Referring the Fifth Amendment to the Planning Commission and Authorizing Circulation of Draft Environmental Impact Report ("DEIR")

Assistant Town Manager Johnson reported on this item.

Paul Anderson, Consultant, Keyser Marston Associates, discussed the reasons for the amendments and the required findings as well as the upcoming public actions.

David Doezema, Consultant, Keyser Marston Associates, discussed the purpose of the finance section of the Preliminary Report.

Mayor Salmon opened the public comment period. There were no comments forthcoming.

Vice Mayor Allen moved to adopt the following resolutions:

1. Resolution No. 2592-09 RDA approving the Preliminary Report for the proposed Fifth Amendment to the Redevelopment Plan for the Windsor Redevelopment Project and authorizing its transmittal to the affected taxing agencies.
2. Resolution No. 2593-09 RDA referring the proposed Fifth Amendment to the Redevelopment Plan for the Windsor Redevelopment Project to the Planning Commission of the Town of Windsor for its report and recommendation and authorizing the transmittal of said amendment to the affected taxing entities and other interested persons and organizations.
3. Resolution No. 2594-09 RDA accepting and authorizing circulation of the Draft Environmental Impact Report on the proposed Fifth Amendment to the Redevelopment Plan for the Windsor Redevelopment Project.

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

12.2 Adoption of Resolution Determining a Project Area Committee Need Not be Formed

Assistant Town Manager Johnson briefly reported on this item.

Mayor Salmon opened the public comment period. There were no comments forthcoming.

Councilmember Goble moved to adopt Resolution No. 2595-09 finding and determining that a Project Area Committee ("PAC") need not be formed in relation to the proposed Fifth Amendment to the Redevelopment Plan for the Windsor Redevelopment Project. Councilmember Fudge seconded the motion. The motion passed by a 5/0 vote.

12.3 Community Development Block Grant (CDBG) Applications

Senior Management Analyst Kelly reported on this item.

Mayor Salmon opened the public comment period. There were no comments forthcoming.

Councilmember Goble moved to adopt Resolution No. 2596-09 prioritizing applications (in the order listed below) for Community Development Block Grant (CDBG) Funds and authorizing the submittal of an application to the Sonoma County Community Development Commission (CDC) for Fiscal Year (FY) 2010-11:

- 1) Wall Street Neighborhood Sidewalks ADA Improvement Project
- 2) Windsor Community Center ADA Improvement Project
- 3) Windsor Library ADA Improvement Project

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

12.4 Review/Reconsideration and Possible Action Regarding Town Council action taken on November 18, 2009 not to continue with the construction of the ARRA-Funded Old Redwood Highway Pedestrian Linkages Project

Councilmember Fudge moved to repeal the Council's prior action that abandoned the construction of the subject project and to reaffirm continuing with the construction of the ARRA-funded Old Redwood Highway Pedestrian Linkages project.

She explained the reasons why not moving forward with this project would harm the Town in obtaining future grants. She also explained that originally she voted not to proceed with the subject project because there was concern that some of the improvements would be torn out if Old Redwood Highway was redesigned. She also noted that one of the requirements of this funding is that the project goes out to bid by the end of 2009.

Vice Mayor Allen seconded the motion.

After further discussion, Councilmember Fudge amended her motion to indicate that any action taken tonight does not preclude an overall vision and reconstruction of Old Redwood Highway.

Mayor Salmon opened the public comment period. There were no comments forthcoming.

Councilmember Goble discussed why she will not support to continue with the construction of the project.

The motion passed by a 4/1 vote (Councilmember Goble opposed).

13. DISCUSSION AND/OR ACTION ON PENDING STATE OR FEDERAL LEGISLATION AND ACTIVITIES

13.1 League of California Cities

13.2 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update

14. MAYOR'S & COUNCILMEMBERS' REPORTS

14.1 Individual Councilmember Reports and Comments

Councilmember Fudge reported on a letter from Supervisor Paul Kelley inviting Councilmembers to attend the Board of Supervisors meeting on December 8, 2009 regarding short and long term solid waste options.

Councilmember Scholar inquired about the process for responding to citizen correspondence.

14.2 Reports on Meetings/Conferences – none.

14.3 Requests for Future Council Agenda Items – none.

15. TOWN MANAGER'S REPORT

No report was made.

Warin Parker, Windsor resident, commended Councilmember Goble for her year of service as Mayor and welcomed Mayor Salmon and Vice Mayor Allen. With regard to the Windsor Community Garden, he referenced a gardening book titled "*All New Square Foot Gardening*" by Mel Bartholomew as an excellent resource for gardening in limited spaces.

15.1 Update on the Federal and State Stimulus Plan Efforts for the Town of Windsor

A brief update on the Federal and State Stimulus Programs was provided to Council.

16. ADJOURNMENT

The meeting adjourned at 7:30 p.m. to a regular meeting scheduled for Wednesday, January 6, 2010, in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor. The regular Town Council Meeting of December 16, 2009 has been canceled.

Approved and adopted this 6th day of January 2010.

Maria De La O, CMC
Town Clerk