

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

Wednesday, November 3, 2010  
Regular Session - 6:00 p.m.

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

1. **CALL TO ORDER**

**Call 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.**

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

Councilmember Fudge was noted as being absent.

3. **PLEDGE OF ALLEGIANCE**

Councilmember Scholar led the Pledge of Allegiance.

5. **ANNOUNCEMENTS**

This item was considered prior to Item 4.

a. **Upcoming Town Events**

Mayor Salmon and Councilmembers announced various upcoming events.

b. **One Cool Green Thing**

None.

4. **PRESENTATION(S)/PROCLAMATION(S)**

4.1 **Presentation of Plaque to Employee of the Quarter Jim Arend, Finance Manager with the Administrative Services Department.**

Mayor Salmon presented Employee of the Quarter Jim Arend, Finance Manager, with a plaque and remarked on his dedication and hard work.

4.2 **Proclamation declaring October 24, 2010 as "United Nations Day."**

4.2 Proclamation Declaring October 24 2010 as United Nations Day

Mayor Salmon read a proclamation declaring October 24th as United Nations Day and presented it to Maggie Koran.

Councilmember Fudge joined the meeting at 6:06 p.m.

6. **CONFLICT OF INTEREST DECLARATION**

None.

7. **CHANGES TO THE AGENDA**

Town Clerk De La O briefly reviewed corrections to the Town's and RDA Conflict of Interest Resolution (Item No. 9.7).

8. **CITIZEN PUBLIC COMMENT**

**Any citizen wishing to speak to the Council on any Consent Calendar item or any item not listed on the agenda may do so at this time. Pursuant to the Brown Act, the Council is not allowed to consider issues or take action on any item not listed on the agenda during this period. Each Citizen Public Comment is normally restricted to three (3) minutes in length and must be spoken into the microphone from the podium.**

**If you wish to speak on a Consent Calendar item, please notify the Mayor during Citizen Public Comment.**

Joella Olson, Windsor resident and Windsor Schools for music volunteer, thanked the Windsor community for voting for Windsor Middle School nomination: "Bassoon - not balloon."

9. **CONSENT CALENDAR**

**Consent Calendar items are viewed as routine in nature or require little or no further discussion by the Council, public or applicant.**

Councilmember Goble moved to adopt the Consent Calendar items as indicated below. Vice Mayor Allen seconded the motion. The motion passed by a 5/0 vote on all items except Item No. 9.4 (Award of Contract for the 444 Windsor River Road Demolition Project) which was considered after Item No. 10.1 (Annual Growth Control Report and Establish 2011 Annual Allocations).

**9.1 Check Register No. 442**

**By motion, approve disbursements in the amount of \$1,126,160.27.**

5/0 vote. By motion, approved disbursements in the amount of \$1,126,160.27.

9.1 Check Register No. 442

**9.2 Approval of Minutes**

**By motion, approve the minutes of the Special Joint Town Council/ Planning Commission Meeting/Walking Tour of October 7, 2010.**

5/0 vote. By motion, approved the minutes of the Special Joint Town Council/ Planning Commission Meeting/Walking Tour of October 7, 2010.

9.2 Approval of Minutes Joint w Plng ORH Tour 10-07-10

**9.3 Adoption of the 2010 California Code of Regulations, Title 24**

- a. Adopt an Ordinance repealing Ordinance 2007-223 and replacing Title VI, Fire Prevention and Protection municipal code with the 2010 edition of the California Code of Regulations, Title 24, Fire Code Part 9, including amendments and appendices, as published by the International Code Council.

5/0 vote. Adopted Ordinance No. 2010-268 repealing Ordinance 2007-223 and replacing Title VI, Fire Prevention and Protection municipal code with the 2010 edition of the California Code of Regulations, Title 24, Fire Code Part 9, including amendments and appendices, as published by the International Code Council.

- b. Adopt an Ordinance repealing Ordinances 2007-224 and 2007-215 and replacing Title VII, Housing and Building municipal code with the 2010 edition of the California Code of Regulations, Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12, including amendments and appendices, as published by the International Code Council.

5/0 vote. Adopted Ordinance No. 2010-269 repealing Ordinances 2007-224 and 2007-215 and replacing Title VII, Housing and Building municipal code with the 2010 edition of the California Code of Regulations, Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12, including amendments and appendices, as published by the International Code Council.

9.3 Adopt 2010 CA Code of Regulations Title 24

2010-268 Adopting California Fire Code

2010-269 Adopting California Building Code

**9.4 Award a Contract for the 444 Windsor River Road Demolition Project Adopt a Joint Resolution of the Town Council and the Board of Directors of the Windsor Redevelopment Agency of the Town of Windsor awarding and approving a construction contract to DAMA Construction, Inc. for the 444 Windsor River Road Demolition Project in the amount of \$28,826.00, authorizing the use of tax increment funds for public improvement of benefit to the Town of Windsor, making findings required by Health and Safety Code Section 33445 and authorizing the Town Manager/Executive Director of the Windsor Redevelopment Agency to execute the construction contract and any required construction change orders up to the authorized project budget.**

Clerk's Note: This item was pulled from the Consent Calendar for discussion and consideration after Item No. 10.1 (Annual Growth Control Report and Establish 2011 Annual Allocations).

Mayor Salmon discussed the reasons why he asked that this item be pulled from the Consent Calendar.

Senior Management Kelley briefly reported on this item.

Council did not support the fencing of the property and indicated that this property may potentially be available for future parking.

Councilmember Goble moved to adopt Joint Resolution No. 2744-10 of the Town Council and the Board of Directors of the Windsor Redevelopment Agency of the Town of Windsor awarding and approving a construction contract to DAMA Construction, Inc. for the 444 Windsor River Road Demolition Project in the amount of \$28,826.00, authorizing the use of tax increment funds for public improvement of benefit to the Town of Windsor, making findings required by Health and Safety Code Section 33445 and authorizing the Town Manager/Executive Director of the Windsor Redevelopment Agency to execute the construction contract and any required construction change orders up to the authorized project budget. Vice Mayor Allen seconded the motion. Following a roll call vote, the motion passed by a 3/2 vote (Mayor Salmon and Councilmember Scholar opposed).

9.4 Award a Contract for the 444 Windsor River Road Demolition Project

2744-10 TC-RDA Awarding Contract to Dama Construction for 444 Windsor River Road w RDA Findings

**9.5 Shiloh Road Improvements Project (Formerly Mitchell/Shiloh/Conde Assessment District)**

- a. By motion, approve a Professional Services Agreement with Coastland Civil Engineering, Inc., to provide design services for the Shiloh Road Improvements Project and authorize the Town Manager to execute an agreement for an amount not to exceed \$106,996.

5/0 vote. Approved a Professional Services Agreement with Coastland Civil Engineering, Inc., to provide design services for the Shiloh Road Improvements Project and authorized the Town Manager to execute an agreement for an amount not to exceed \$106,996.

- b. Adopt a resolution amending the FY 2010-11 Budget (Amendment 17-11) to appropriate funds for the design of the Shiloh Road Improvements Project (Formerly Mitchell/Shiloh/Conde Assessment District).

5/0 vote. Adopted Resolution No. 2745-10 amending the FY 2010-11 Budget (Amendment 17-11) to appropriate funds for the design of the Shiloh Road Improvements Project (Formerly Mitchell/Shiloh/Conde Assessment District).

2745-10 Amending the 2010-11 Budget 17-11 for Funds for Shiloh Road Improvements

9.5 Shiloh Road Improvements Project -MitchellShilohConde Assessment Distr

**9.6 Amend Establishment of the Senior Citizen Advisory Council  
Adopt resolution rescinding resolution No. 362-94 and amending the  
established Senior Citizen Advisory Council roles and responsibilities,  
appointment and removal of members and name change to Senior Citizen  
Advisory Commission.**

5/0 vote. Adopted Resolution No. 2746-10 rescinding Resolution No. 362-94 and amending the established Senior Citizen Advisory Council roles and responsibilities, appointment and removal of members and name change to Senior Citizen Advisory Commission.

2746-10 Amending Established SCAC Roles and Responsibilities

9.6 Amend Establishment of the Senior Citizen Advisory Council

**9.7 Biennial Review/Revision to the Town's and Redevelopment Agency Conflict of  
Interests Code and Adoption of Windsor Water District Conflict of Interests  
Code**

- a. Acting jointly as the Town Council and Redevelopment Agency, adopt a resolution superseding Resolution No. 2378-08 and amending the Town's and Redevelopment Agency Conflict of Interests Code.

5/0 vote. Acting jointly as the Town Council and Redevelopment Agency, adopted Resolution No. 2747-10 superseding Resolution No. 2378-08 and amending the Town's and Redevelopment Agency Conflict of Interests Code as corrected.

#### 2747-10 TC-RDA Conflict of Interests Code Update 2010

- b. Acting as the Windsor Water District, adopt a resolution superseding Resolution No. 2379-08 and amending the Windsor Water District's Conflict of Interest Code.

5/0 vote. Acting as the Windsor Water District, adopted Resolution No. 2748-10 superseding Resolution No. 2379-08 and amending the Windsor Water District's Conflict of Interest Code.

#### 2748-10 WWD Conflict of Interests Code Update 2010

#### 9.7 Biennial Review-Revision of Town and RDA Conflict of Interests Code

10. **PUBLIC HEARING Public Hearing items will begin at the time shown, or as close thereafter as possible, to allow for completion of the item.**

#### **10.1 Annual Growth Control Report and Establish 2011 Annual Allocations**

- a. Review and accept the 2011 Annual Growth Control Report.
- b. Provide Council Direction on 2011 Merit Process.
- c. Adopt a resolution adopting a Growth Control Allocation of 50 Units for Calendar Year 2011.
- d. Adopt a resolution Reserving Allocations for Calendar Years 2012-2014.
- e. Consider adopting a resolution changing the policy for Moderate Income Units.

Planning Director Chamberlin introduced the item.

Associate Planner Cangson reported on this item.

Town Engineer/Public Works Director Burtt introduced Senior Engineer Scott who will provide Council with an overview of the water analysis that was prepared for the 2011 Annual Growth Control Report.

Senior Engineer Scott referenced the Water Capacity information that was distributed on the dais and discussed the Town's two possible scenarios for water supply.

Mayor Salmon opened the public hearing.

Richard Derringer, representing Windsor Creekside Village, discussed the merits of his project and the reasons why it should receive allocations.

Gaye Quinn, Windsor Mill project, spoke on the merits of the revised Windsor Mill project. She raised concerns related to the uncertainty of the Town's current water supply issues as this will affect the development of their project. She indicated that she did not support the tabling of the projects for a year.

Mayor Salmon closed the public hearing.

Council directed staff to analyze the projects in the pipeline and prepare letters to the project applicants to determine the validity of the projects in the existing pipeline and to determine if any projects are in a position to be withdrawn.

Mayor Salmon reopened the public hearing to allow additional testimony from Richard Derringer.

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

Councilmember Goble moved to accept the 2011 Annual Growth Control Report. Vice Mayor Allen seconded the motion. The motion passed by a 5/0 vote.

Council considered the revised Windsor Mill project and the Windsor Creekside Village project which had participated in the 2010 Merit Presentation process. Following discussion, Council supported the revised Windsor Mill project. However, due to uncertainties related to water entitlements from the Sonoma County Water Agency (SCWA) and the allocation of available water supply, Council determined the need to delay action of the allocation reservations for the revised Windsor Mill project for one year pending results of the 2010 Urban Water Management Plan.

On a motion by Vice Mayor Allen, seconded by Councilmember Fudge, Council took the following actions:

- a. Adopted Resolution No. 2749-10 adopting a Growth Control Allocation of 50 units for Calendar Year 2011.
- b. Adopted Resolution No. 2750-10 reserving allocations for Calendar Years 2012-2014. Following a roll call vote, the motion passed by a 3/2 vote (Mayor Salmon and Councilmember Scholar opposed).

Council also directed staff to prepare and bring back a resolution that ranked the revised Windsor Mill project and tabled consideration of allocation reservations for one year.

10.1 Annual Growth Control Report and Establish 2011 Annual Allocations

2749-10 Adopting a Growth Control Allocation of 50 Units for Calendar Year 2011

2750-10 Reserving Allocations for Calendar Years 2012-2014

**11. REGULAR CALENDAR - None.**

**12. FEDERAL, STATE OR LOCAL LEGISLATION**

**Discussion and/or action on proposed legislation or issues.**

**12.1 League of California Cities Policy Resolutions**

**Discussion and/or action on activities or information provided by the League of California Cities.**

Town Manager Mullan reported on the passing of Proposition 22 (Local Tax Payer, Public Safety, Transportation Act).

**12.2 Sonoma County Mayors' and Councilmembers' Association Update**

- a. Legislative Committee Update
- b. Discussion of Upcoming Association Meeting Agendas or Issues
- c. Miscellaneous Issues

Mayor Salmon discussed the Town's assistance in future programming for the Sonoma County Mayors' and Councilmembers' Association meetings.

**13. MAYOR'S & COUNCILMEMBERS' REPORTS**

**13.1 Individual Councilmember Reports and Comments**

**13.2 Reports on Meetings/Conferences**

Mayor Salmon reported on his attendance at the ABAG Fall General Assembly Conference that was held on October 21, 2010 in San Jose.

Councilmember Fudge reported on a trip she made to Japan on behalf of the Sonoma-Marin Area Rail Transit (SMART).

**13.3 Reports from Councilmembers on activities of miscellaneous agencies**

None.



**13.4 Requests for Future Council Agenda Items**

None.

**14. TOWN MANAGER'S REPORT (No Written Report).**

None.

Council held a brief discussion and concurred to contribute \$200 to the "Town's Employee of the Year" from its Benevolent Fund.

**15. ADJOURNMENT**

**Adjourn to the next regular meeting scheduled for Wednesday, November 17, 2010, at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.**

The meeting adjourned at 9:56 p.m. to the next regular meeting scheduled for Wednesday, November 17, 2010, at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.



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Maria De La O, CMC  
Town Clerk