

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

**Wednesday, January 16, 2008**

**Closed Session - 5:30 p.m.**

Windsor Civic Center, Conference Room A  
9291 Old Redwood Highway, Building 400  
Windsor, CA 95492

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

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

**CLOSED SESSION- 5:30 p.m.**

**1. CALL TO ORDER**

Mayor Fudge 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 5:37 p.m.

**2. COUNCIL ROLL CALL**

Present at Roll Call were Councilmembers Allen, Goble, Parker, Salmon and Mayor Fudge.

**3. PLEDGE OF ALLEGIANCE**

(This item was moved to the beginning of the Regular Session items.)

**4. CITIZEN PUBLIC COMMENT – None.**

**5. ANNOUNCEMENT OF CLOSED SESSION TOPIC/ ADJOURNMENT TO CLOSED SESSION**

Mayor Fudge announced the following Closed Session topic and Council adjourned to a Closed Session in Conference Room A at 5:38 p.m.

**5.1 Conference with Labor Negotiator pursuant to Government Code 54957.6 - Agency Negotiator: Art Hartinger - Regarding negotiations with Town of Windsor Employees' Association- AFSCME Local 3910, and Town of Windsor Supervisory Employees Group**

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**6. REPORT OUT OF CLOSED SESSION**

The Closed Session adjourned at 6:09 p.m. and the regular meeting reconvened with all members present. No action was taken during Closed Session.

**REGULAR SESSION – 6:10 p.m.**

Item 3 was considered at this time.

**3. PLEDGE OF ALLEGIANCE**

Building Official Steve Pantazes led the Pledge of Allegiance.

**7. PRESENTATION(S)/PROCLAMATION(S) – None.**

**8. ANNOUNCEMENTS**

Mayor and Councilmembers announced various upcoming events.

**9. CONFLICT OF INTEREST DECLARATION –**

Mayor Pro Tem Goble declared that she would be abstaining on Item 13.4 (Windsor Live & Work Project). The reason for her abstention is that she resides within 500 feet of the Windsor Live and Work project.

Mayor Fudge advised that she inquired about a potential conflict of interest resulting from her employment with PG&E with regard to Item 14.1 (Water Reclamation Plant Site Solar Energy Project Phase 1). However, she determined that she does not have a conflict, as this is an indirect relationship with PG&E so she will participate in voting on this item.

**10. CHANGES TO THE AGENDA – None.**

**11. CITIZEN PUBLIC COMMENT – None.**

**12. CONSENT CALENDAR**

Mayor Pro Tem Goble moved to adopt the Consent Calendar items. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

**12.1 Check Register No. 378**

**5/0 vote.** By motion, approved disbursements in the amount of \$723,304.29.

**12.2 Professional Services Agreement with Brelje and Race Engineering for Engineering Services Regarding Potential Connection to the Geysers Pipeline Project**

**5/0 vote.** Adopted Resolution No. 2214-08 authorizing the Town Manager to execute an agreement for professional services with Brelje and Race Engineering to provide Engineering Services regarding Potential Connection to the Geysers Pipeline Project, in an amount not to exceed \$40,000.00.

**12.3 Adopt Resolution Approving Amended Monthly Pay Incentive Schedule for Eligible AFSCME Local 3910 Members**

**5/0 vote.** Adopted Resolution No. 2215-08 approving the Amended Monthly Pay Incentive Schedule for certificates earned by eligible AFSCME Local 3910 members.

**13. PUBLIC HEARING**

**13.1 Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan**

Building Official Pantazes reported on this item.

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

Councilmember Allen moved to adopt Resolution No. 2216-08 approving the ADA Self Evaluation and Transition Plan, to continue the Town's efforts to maintain an up-to-date ADA Title II Transition Plan, and to develop a priority schedule for the improvements identified. Mayor Pro Tem Goble seconded the motion. The motion passed by a 5/0 vote.

**13.2 Introduction of Ordinance for Commercial Vehicle Parking Prohibitions on Public Streets**

Town Engineer and Public Works Director Burt reported on this item.

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

Councilmember Salmon moved to introduce, by title only, an ordinance amending the existing Title 4, commercial vehicle parking prohibitions on public streets. Councilmember Parker seconded the motion. The motion passed by a 5/0 vote.

**13.3 Zoning Ordinance Amendment for Affordable Housing Calculations**

Planning Director Chamberlin and Senior Planner Thompson reported on this item.

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

Councilmember Parker introduced, by title only, an ordinance amending the Zoning Ordinance calculation used to determine affordable housing mortgage limits. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

Mayor Pro Tem Goble recused herself from the discussion at this time and left the dais.

#### 13.4 Windsor Live & Work Project

Planning Director Chamberlin and Senior Planner Jones reported on this item.

Misha Weidman, Project Applicant, Pegasus Ventures, described the components of the revised Live and Work project and discussed the reasons why Council should continue to reserve allocations for the revised project.

Mayor Fudge opened the public hearing.

Michael Brooks, Oak Creek resident, spoke in support of the revised project, noting that a neighborhood meeting was held during which the revised plans were reviewed and were received favorably.

Christine Woltering, Oak Creek resident, spoke in support of the proposed project and requested that the applicant construct a masonry wall similar to that installed for the “Oaks at Windsor Village” project on the northside of Merner Drive.

David Moyer, Project Architect, Hedgpeth Architects, responded to Council questions regarding porches that overhang.

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

Councilmember Allen moved to adopt Resolution No. 2217-08 reaffirming reservation of 12 growth control allocations (waivers) based on project modifications requested by Misha Weidman for the Windsor Live & Work Project located at 6010 Old Redwood Highway with the following modifications:

1. Items to be retained in the project design:
  - a. Site Plan and Architecture, except street elevations as described.
  - b. Inclusionary Housing: Continue to provide a minimum of 1 affordable housing unit in the project, unless current ordinance (effective January 16, 2006) requires additional units based on square footage of residential units.
2. Items to be resolved during further review of the application:
  - a. Corner lot architecture.
  - b. Street frontage architecture needs to reconsider projections and overhangs (roof elements, balconies, awnings) as originally presented, to the extent feasible with local utility company easements and Town right-of-way encroachment.
  - c. Work space needs to be conditioned (including CC&Rs) to restrict use to that of the residential unit owner. It may be used as living space for the residential unit if not used as work space, but may not be sub-rented or leased to another party for either work space or residential use.

Councilmember Parker seconded the motion. The motion passed by a 4/0/1 vote, as Mayor Pro Tem Goble abstained.

## **14. REGULAR CALENDAR**

Mayor Pro Tem Goble returned to the dais and resumed participation in the meeting.

### **14.1 Water Reclamation Plant Site Solar Energy Project Phase 1 – Solar Evaluation and Recommended Decision**

Associate Engineer Scott introduced Tony Baldivia, RMC Water and Environment and Tim Holmes of Kenwood Energy.

Tony Baldivia, RMC Water and Environment, reviewed the different procurement alternatives and the preferred alternative that was selected.

Tim Holmes, Kenwood Energy, discussed the key terms of the Power Purchase agreement.

Mayor Fudge called for comments from the audience. None were forthcoming.

Council discussion ensued during which Councilmembers were highly supportive of the Water Reclamation Plant Site Solar Energy Project Phase 1.

Following discussion, Councilmember Parker moved to adopt Resolution No. 2218-08 approving the selection of the Power Purchase Agreement procurement approach for the Water Reclamation Plant Site Solar Power Project. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote.

### **14.2 Community Development Block Grant (CDBG) Applications**

Senior Management Analyst Kelly reported on this item.

Mayor Fudge called for comments from the audience. None were forthcoming.

Councilmember Parker moved to adopt Resolution No. 2219-08 prioritizing applications for Community Development Block Grant (CDBG) Funds and authorizing the submittal of an application for the Joe Rodota Way Pedestrian Improvement Project and the Wall Street Neighborhood Street Improvement Project to the Sonoma County Community Development Commission (CDC) for Fiscal Year (FY) 2008-09. Mayor Pro Tem Goble seconded the motion.

Discussion followed, during which some Councilmembers explained in further detail the reasons for supporting the ranking of the Wall Street Neighborhood Street Improvement Project No. 1 and Joe Rodota Way Pedestrian Improvement Project No. 2.

Assistant Town Manager Johnson explained that the projects are ranked by the Sonoma County Community Development Commission Technical Advisory Committee on a competitive basis due to the amount of funding anticipated to be available. She said that it is unlikely that the Town could secure the full funding amount for the Wall Street

Neighborhood Street Improvements project. Based on this, staff ranked Joe Rodota Way Pedestrian Improvement project No. 1.

With the concurrence of the Council, Councilmember Parker again moved to adopt Resolution No. 2219-08 prioritizing applications for Community Development Block Grant (CDBG) Funds and authorizing the submittal of an application for the Joe Rodota Way Pedestrian Improvement Project and the Wall Street Neighborhood Street Improvement Project to the Sonoma County Community Development Commission (CDC) for Fiscal Year (FY) 2008-09. Mayor Pro Tem Goble seconded the motion. The motion passed by a 5/0 vote.

Council recessed from 8:41 p.m. until 8:55 p.m. and reconvened with all members present.

#### **14.3 Keiser Park Master Plan and Environmental Review Update**

Community Services Director Legge reported on this item.

Mayor Fudge called for comments from the audience. None were forthcoming.

Discussion followed, during which Councilmembers explained in further detail their positions on this matter.

Based on its discussion, Council majority supported moving forward with the Keiser Park Master Plan and the preparation of a full Environmental Impact Report (EIR). Councilmembers Allen and Salmon opposed.

#### **14.4 Approve Public Opinion and Voter Education Consulting Services Agreement**

Administrative Services Director McAdler reported on this item.

Barry Barnes, Terris, Barnes, Walters, and Boigon Public Strategies, responded to Council questions regarding Option No. 2.

Mayor Fudge called for comments from the audience. None were forthcoming.

By consensus, Council supported Option No. 2, baseline polling with planning assistance and directed staff to move forward with this matter.

Councilmember Parker moved to adopt Resolution No. 2220-08 approving an agreement with Terris, Barnes, Walters and Boigon Public Finance Strategies, LLC (“TBWB”) for public opinion and voter education consulting services in the amount of \$21,500 and authorizing the Town Manager to execute the agreement with TBWB on behalf of the Town. Mayor Pro Tem Goble seconded the motion. The motion passed by a 4/1 vote, as Councilmember Salmon opposed.

#### **14.5 Workshop for Inclusionary Ordinance**

Planning Director Chamberlin and Senior Planner Thompson reported on this item.

During the public comment period, the following people addressed the Council in support of inclusionary zoning programs to generate more affordable housing:

David Grabill, General Counsel, Sonoma County Housing Advocacy Group

Amy Lemmer, Outreach Development Manager, Habitat for Humanity, resident of Sonoma

Dianne Estrin, Executive Director for Habitat for Humanity

Misha Weidman, Developer, Pegasus Ventures, asked that the Inclusionary Ordinance provide developers with more options to be able to comply with its requirements.

Following discussion, Council concurred that the Inclusionary Housing Ordinance should be revised and directed staff to take the revised Ordinance to the Planning Commission for their review and recommendation to the Town Council.

#### **14.6 Appointments to Council Committees**

Council, by consensus, made the following appointments to the various committees they serve on:

**ABAG** - Mayor Fudge will serve as the member on this Association and Mayor Pro Tem Goble as the alternate.

**Climate Protection Campaign** – Councilmember Salmon will serve as the Town's liaison and Mayor Pro Tem Goble as the alternate.

**Sonoma County Transportation Authority** – Councilmember Salmon will serve as the member and Councilmember Allen will serve as the alternate. Councilmember Salmon's term will expire in January of 2010. This is a two-year term.

**Sonoma County Waste Management Agency** – Assistant Town Manager Johnson will continue to serve as the member and Mayor Pro Tem Goble and Town Manager Mullan will serve as the alternates.

**Water Bond Coalition** – Mayor Pro Tem Goble will continue to serve as the member and Councilmember Allen will continue to serve as the alternate.

**Windsor Regional Library Advisory Board** – Councilmember Parker will continue to serve as the member.

**Russian River Watershed Association** – Mayor Pro Tem Goble will continue to serve as the Board Member. Councilmember Allen and Public Works Director Burt will continue to serve as alternates.

**Mayors' and Councilmembers' Association Legislative Committee** - Mayor Fudge will serve as the Town's representative. Mayor Pro Tem Goble will serve as the alternate.

**Santa Rosa Plain Conservation Implementation Committee** – Councilmember Parker will continue to serve as the Town's representative.

**Water Advisory Committee (WAC)** – Mayor Fudge will continue to serve as the Town's representative and Councilmember Allen as the alternate. Mayor Fudge and Councilmember Allen's terms will expire in December 2008. This is a two-year term.

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

**15.1 League of California Cities**

**15.2 Sonoma County Mayors' and Councilmembers' Association Legislative Committee Update**

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

**16.1 Individual Councilmember Reports and Comments**

Councilmember Parker asked staff to provide Council with a copy of the polling results for the Comprehensive Transportation Plan Survey, as well as the survey itself.

Mayor Fudge announced that she was recommended to serve as Vice Chair of SMART.

**16.2 Reports on Meetings/Conferences**

Councilmembers reported on meetings they attended.

**16.3 Requests for Future Council Agenda Items**

Councilmember Parker asked staff to agendaize the following item: Santa Rosa Plain Conservation Strategy funding request.

**17. TOWN MANAGER'S REPORT (NO WRITTEN REPORT) - None.**

**18. ADJOURNMENT**

The meeting adjourned at 11:15 p.m. to a regular Town Council meeting scheduled for Wednesday, February 20, 2008 at 6:00 p.m. in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor. The regular Town Council meeting of February 6, 2008 was canceled.

Approved and adopted this 20<sup>th</sup> day of February 2008.

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Maria De La O, CMC  
Town Clerk