

MINUTES
JOINT TOWN COUNCIL
AND
WINDSOR WATER DISTRICT MEETING

Wednesday, April 4, 2012
6:00 p.m.

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

1. CALL TO ORDER

Mayor Fudge called to order a meeting of the Town Council, also serving as the Board of Directors of the Town of Windsor Water District at 6:00 p.m.

2. COUNCIL ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Senior Planner Rick Jones led the Pledge of Allegiance.

4. PROCLAMATION(S)/PRESENTATION(S)

Public Works Director and Town Engineer Burt presented Council with an award that was received by the Public Works Department from the WasteReuse Association. This is a very distinguished award and recognition was given to the Public Work Department for the recycled water program that Windsor has created. Out of all the cities and water agencies in California, Windsor was selected to receive the award for medium size reclamation systems.

4.1 Proclamation proclaiming the month of April 2012 as "Child Abuse Prevention Month."

Councilmember Scholar read a proclamation proclaiming the month of April 2012 as "Child Abuse Prevention Month" and presented it to Robin Bowen, Executive Director of the Parenting Institute.

4.2 Proclamation proclaiming Friday, April 27, 2012 as "Children's Memorial Day throughout Sonoma County."

Vice Mayor Goble read a proclamation proclaiming the month of April 2012 as "Children's Memorial Day throughout Sonoma County" and presented it to Tony Novak.

4.3 Presentation of a Mayor's Certificate of Appreciation to outgoing Parks and Recreation Commissioner David Brown.

Mayor Fudge presented a Mayor's Certificate of Appreciation to outgoing Parks and Recreation Commissioner David Brown.

4.4 Presentation of a Mayor's Certificate of Appreciation to outgoing Planning Commissioner Mitch Conner.

Mayor Fudge presented a Mayor's Certificate of Appreciation to outgoing Planning Commissioner Mitch Conner.

5. ANNOUNCEMENTS

a. Upcoming Town Events

Councilmembers announced various upcoming Town events.

b. One Cool Green/Healthy Thing

Councilmembers spoke on healthy and eco-friendly alternatives.

6. CONFLICT OF INTEREST DECLARATION

Councilmember Allen advised that he would be abstaining on the vote for the approval of the March 21, 2012 Town Council Minutes (Item No. 9.2) because he was absent from that meeting.

7. CHANGES TO THE AGENDA

Mayor Fudge reorganized the agenda to consider Item 11.6 (Appointments to the Parks and Recreation Commission and Planning Commission) in advance of Item 11.1 (Water and Water Reclamation Financial Plan and Rate Update).

8. CITIZEN PUBLIC COMMENT

None.

9. CONSENT CALENDAR

Vice Mayor Goble moved to adopt the following Consent Calendar items. Councilmember Allen seconded the motion. The motion passed by a 5/0 vote on all items except 9.2 (Approval of the Minutes of the Regular Meeting of March 21, 2012) which passed by a 4/0/1 vote (Councilmember Allen abstained).

9.1 Town Council of the Town of Windsor Acting as Town Council, Successor Agency to the Former Windsor Redevelopment Agency, and/or Housing Successor to the Former Windsor Redevelopment Agency: Check Register No. 471

5/0 vote. By motion, approved disbursements in the amount of \$1,158,162.11.

9.2 Approval of Minutes

4/0/1 vote (Councilmember Allen abstained). By motion, approved the Minutes of the Regular Meeting of March 21, 2012.

9.3 Approval of Amendment to Agreement with ArcSine for professional services for the Water Reclamation SCADA Project and authorize the Town Manager to execute said amendment on behalf of the Town

5/0 vote. By motion, approved an amendment to the Design/Build agreement with ArcSine Engineering for Design and Installation Services for the Water Reclamation SCADA Project in the amount of \$83,146 and authorized the Town Manager to execute said amendment.

9.4 Acceptance of Public Improvements for the Chun Office Building, 8260 Old Redwood Highway (DRC 02-15)

5/0 vote. Adopted Resolution No. 2913-14 accepting the public improvements for the Chun Office Building located at 8260 Old Redwood Highway.

9.5 Approve Third Modification/Amendment to Animal Shelter Agreement

5/0 vote. By motion, approved modification/amendment number three of the Animal Shelter agreement between the County of Sonoma and Town of Windsor to extend the current agreement to June 30, 2012 and authorized the Town Manager to execute said amendment on behalf of the Town.

10. PUBLIC HEARING – None.

11. REGULAR CALENDAR

Item 11.6 was considered at this time.

11.6 Appointments to the Parks and Recreation Commission and Planning Commission

Town Clerk De La O briefly reported on this item.

Mayor Fudge opened the public comment period.

Mayor Fudge closed the public comment period.

- a. Vice Mayor Goble appointed Neil Smart to the Parks and Recreation Commission vacancy for an unexpired term ending December 31, 2014.
- b. Vice Mayor Goble appointed Ross Albertson to the Planning Commission Vacancy for an unexpired term ending December 31, 2014.

11.1 Water and Water Reclamation Financial Plan and Rate Update

Administrative Services Director McAdler reported on this item.

Bob Reed, Consultant with the The Reed Group, Inc., discussed the components of the Water and Water Reclamation Financial Plans and Rate Update Study.

Water Conservation Program Coordinator Piazza reviewed the components and benefits of the Windsor Efficiency PAYS program.

Public Works Director and Town Engineer Burt responded to Council questions.

Mayor Fudge opened the public comment period.

Chris Cone, Climate Protection Campaign, spoke in support of the PAYS program.

Mayor Fudge closed the public comment period.

Following discussion, Councilmember Allen moved to:

1. Accept the Water and Water Reclamation Financial Plan and Rate Update – Final Draft Report and provide direction for proposing:
 - c. Rate structure changes for both water and water reclamation services; and
 - d. Recycled water pricing, which staff will use as a starting point in discussions with recycled water customers.

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

Councilmember Salmon moved:

2. As an alternative to 1.a and 1.b (moved from above):
 - 1.a Water rate increases of 5 percent on January 1, 2013 and 2014;
 - 1b. Water reclamation rate increase of 1 percent on July 1, 2012.

Accepted the attached memo and provided direction for proposing PAYS[®] pilot program funding recommendation and one-time water rate increase of 14 percent on September 1, 2012 and water reclamation rate increase of 3 percent on July 1, 2012.

3. Directed staff to begin the Prop 218 public noticing process for proposed water and water reclamation rate increases and to return on June 6, 2012 for public hearing and adoption of rates.

Councilmember Scholar seconded the motion. Following a roll call vote, the motion passed by a 3/2 vote (Councilmember Allen and Vice Mayor Goble opposed).

Council recessed from 9:10 p.m. until 9:15 p.m. and reconvened with all members present.

11.2 General Plan Update

Planning and Building Director Bergman reported on this item.

Mayor Fudge opened the public comment period. No comments were forthcoming.

The Council was supportive of the concepts presented but gave direction that funding the full cost of a General Plan Update without the assistance of grant funding may not be possible. If grant funding was not received, Council would be supportive of completing the required Housing Element Update and minor zoning and General Plan Updates related to the Station Area Plan.

11.3 Windsor Mill Development Agreement

Senior Planner Thompson reported on this item.

Mayor Fudge opened the public comment period.

Peter Stanley, representing the Windsor Mill project, discussed the reasons for asking the Council to terminate the Development Agreement and designate the Windsor Mill site as a Priority Development Area.

Mayor Fudge closed the public comment period.

Town Attorney Rudnansky indicated that he will need to review the process for termination of the development agreement because the Town's Municipal Code and state law may require an ordinance.

The Council supported the applicant's request to terminate the Windsor Mill Development agreement and directed staff to bring back the Windsor Mill project as a workshop to consider the applicant's request to designate the site as a priority development area.

11.4 Resolution Urging Congress to Propose a Constitutional Amendment Regarding Corporate Personhood

Assistant Town Manager Kelley reported on this item.

Councilmember Salmon explained the reasons why he asked staff to place this item on the agenda.

Councilmember Allen advised the Council that he will not be participating on this item.

Mayor Fudge opened the public comment period.

Mayor Fudge closed the public comment period.

It was noted for the record that during the vote on this matter, Councilmember Allen left the dais.

Councilmember Salmon moved to adopt Resolution No. 2914-12 urging Congress to propose a constitutional amendment regarding corporate personhood to limit political spending by corporations. Councilmember Scholar seconded the motion. The motion passed by a 3/1/1 vote (Councilmember Allen abstained and Vice Mayor Goble opposed).

11.5 Today in America TV Promotion

Councilmember Allen returned to the dais at 10:31 p.m.

Assistant Town Manager Kelley reported on this item.

Mayor Fudge gave examples of how this TV show could benefit the town. She called Fayetteville Arkansas to find out what they thought of the TV show that was produced for them, and Mayor Fudge relayed their thoughts to the Council.

Mayor Fudge opened the public comment period.

Mayor Fudge closed the public comment period.

Following discussion, the Council by consensus did not support the production of a segment for the "Today in America" Television series due to the economic state of the Town's budget. However, Council may consider this opportunity at an undetermined date in the future.

11.6 Appointments to the Parks and Recreation Commission and Planning Commission

This item was considered prior to Item 11.1.

11.7 Consider Selection of Association of Bay Area Government's (ABAG) Spring General Assembly Delegate and Alternate

Vice Mayor Goble moved to select Mayor Fudge as the voting delegate and Councilmember Salmon as the alternate for the upcoming ABAG Spring General Assembly and Annual Business meeting that will be held Thursday, April 19, 2012. Councilmember Salmon seconded the motion. The motion passed by a 5/0 vote.

12. FEDERAL, STATE OR LOCAL LEGISLATION

Discussion and/or action on proposed legislation or issues.

12.1 League of California Cities

Activities, Actions or Recommendations on behalf of Cities.

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

13. MAYOR'S & COUNCILMEMBERS' REPORTS

13.1 Individual Councilmember Reports and Comments

Councilmember Allen reported on his attendance at the American Water Works Association Sustainability conference.

Mayor Fudge reported that she will be attending the next Legislative Committee meeting.

Councilmember Salmon reported on the upcoming Sonoma County Mayors' and Councilmembers' meeting that will be held on April 12, 2012 in Santa Rosa.

Council briefly discussed their participation in the Windsor Days Parade and concurred with a "birthday" theme.

13.2 Reports on Meetings/Conferences

See comments under Item 13.1.

13.3 Reports from Councilmembers on activities of miscellaneous agencies.

None.

13.4 Requests for Future Council Agenda Items

None.

13.5 Upcoming Business Visitations

None.

14. TOWN MANAGER'S REPORT (ORAL REPORT)

None.

15. ADJOURNMENT

The meeting adjourned at 11:00 p.m. to a special meeting scheduled for Wednesday, April 11, 2012 at 6:00 p.m., in the Civic Center Council Chambers located at 9291 Old Redwood Highway, Building 400 in Windsor.



Maria De La O, CMC
Town Clerk