

MINUTES OF THE DAVIS CITY COUNCIL MEETING OF SEPTEMBER 12, 2006

The City Council of the City of Davis met in regular session beginning at 6:00 p.m. in the Community Chambers, 23 Russell Blvd., Davis, California. The meeting was called to order by Mayor Greenwald.

Roll Call: Councilmembers Present: Ruth Asmundson, Lamar Heystek, Don Saylor, Stephen Souza, Sue Greenwald

Councilmembers Absent: None

Other Officers Present: City Manager Bill Emlen, City Attorney Harriet Steiner, City Clerk Margaret Roberts

A moment of silence given to those who died in the tragedies of September 11, 2001.

Closed Session Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to subdivision (c) of §54956.9: one case. The City Council returned to open session at 6:38 with no reportable action.

Approval of Agenda R. Asmundson moved, seconded by D. Saylor, approval of the City Council agenda as submitted. The motion passed by a unanimous vote.

Ceremonial Presentations Proclamation declaring September 2006 as Prostate Cancer Awareness Month was presented to Mr. Bill Doss of the American Cancer society.

Proclamation recognizing September 28, 2006 as Freedom From Hunger Day was presented to Mr. Chris Dunford.

Proclamation in appreciation of Comcast for their contribution to the city of Davis 2006 4th of July fireworks display was presented to Mr. McCarty, the Area Vice President for Comcast.

Consent Calendar Resolution 06-161 amending Resolution No. 06-82 for the Purpose of Re-Establishing the Fee for Off Duty Employment by Police Officers
Approved

Resolution 06-162 authorizing the City Manager to Execute Program Supplement Agreement No. 019-M to Administering Agency-State Agreement No. 03-5238(040) for 2006 Road Rehabilitation, Program No. 7252
Approved

Resolution 06-163 authorizing the City Manager to Execute Agreement with Cities of Davis and Woodland, University of California and Yolo County Flood Control and Water Conservation District Regarding Joint Legal Representation on the Environmental Documentation Phase of the Davis-Woodland Water Supply Project, CIP No. 8543
Approved

Resolution 06-164 authorizing the City Manager to Execute an Agreement with CPS Executive Search for Consultant Services to Recruit the Vacant Police Chief Position
Approved

Commission Minutes:
Bicycle Advisory Commission Regular Meeting of August 24, 2006
Informational

Finance and Budget Commission Regular Meetings of April 10 and May 8, 2006
Informational

Historical Resources Management Commission Regular Meeting of July 17, 2006
Informational

Natural Resources Commission Regular Meeting of June 26, 2006
Informational

Planning Commission Regular Meeting of March 22, 2006
Informational

Safety Advisory Commission Regular Meeting of July 6, 2006
Informational

Tree Commission Regular Meeting of August 17, 2006
Informational

City Council Minutes from the Regular Meetings of July 25 and August 1, 2006
Approved

Update on Advisory Commission Recruitment
Informational

Treasurer's Report for the Quarter Ended June 30, 2006
Informational

Appointment of Liaison from the Business and Economic Development Commission to the Finance and Budget Commission
Ratified appointment of Commissioner Alan Fernandes

R. Asmundson moved, seconded by L. Heystek, approval of the consent calendar. The motion passed by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald
NOES: None

Brief Communications

All Council members reported on their experiences at the League of California Cities conference.

D. Saylor reported on the visit by sister city Inuyama and his experience at the League of California Cities conference.

S. Souza reported on his experience at the LAFCO conference.

Public Comments

Concerns and comments by citizens during public comments:

- Call for Unity invitation was extended to the City Council
- Concern that the Council continues to state that it is a split Council and a majority and minority of the Council. The Council should reclaim civility and set the standard for the community to follow.

E. Musser from the Senior Citizen Commission cited concerns regarding merging the Senior Citizen and Social Services Commissions together.

Long Range Calendar

D. Saylor would like to know if a time has been set for the joint meeting with the school district. He would like staff to schedule meetings with at least half of the commissions and add them to the long-range calendar.

The City Council took a 15 minute recess at 7:15 p.m. and reconvened at 7:30 p.m.

Public Hearing: Appeal of Planning Application #92-05 and Phased Allocation #01-15 for 24 Market-Rate Lots in the Willowbank Unit #9 Subdivision Located Northwest of Mace Boulevard and Montgomery Avenue and Resolution Granting Additional Allocations for Fiscal Year 2006-07 and Approving the Improvement Agreement Regarding the Greenbelt and Open Space Area

R. Rowland gave a presentation and made the recommendation to uphold the Planning Commission decision and to approve the resolution. The applicant answered questions of the Council. L. Heystek read the comments of the Planning Commissioners from their meeting when this item was before them.

The public hearing was opened at 7:54 p.m.

The applicant, Mr. Ruff, stated that the General Plan and Zoning are consistent with what the neighborhood expects. Eight of the twenty-four lots are affordable housing units. With no further comments the public hearing was closed at 7:56 p.m.

L. Heystek moved approval of Exhibit 2 of the packet – the Greenbelt and Open Space Improvement Agreement. There was no second to the motion.

S. Souza moved, seconded by D. Saylor to delay action on the item for further discussions and negotiations between the staff and the developer can be conducted. The motion passed unanimously.

B. Emlen recommended this item be brought back at the October 3, 2006 Council meeting. This item should go to the Planning Commission since there are substantive changes being recommended.

R. Asmundson moved, seconded by S. Souza to appoint a subcommittee of L. Heystek and D. Saylor to work with staff on this issue, motion carried unanimously.

Consideration of Urgency Ordinances Amending Section 26.04.020 of the Davis Municipal Code to Prohibit Consumption and Possession of Open Containers of Alcoholic Beverages

Staff advised that the problem of intoxicated people in N Street Mini Park was brought to light from citizens. There are two different ordinances before the Council; one is just for N Street Park and the other is for all parks and greenbelts.

S. Souza advised that the sub-committee met and they do not support going city-wide at this time, but do support the urgency ordinance for N Street Mini Park.

H. Steiner advised that this item requires a 4/5 vote of the Council.

The public hearing was opened at 8:32 p.m.

Mr. Fred Buderer spoke on behalf of the Davis Manor Neighborhood Counsel in support of the urgency ordinance adding N Street Mini Park. With no further comments the public hearing was closed at 8:34 p.m.

S. Souza moved, seconded by D. Saylor, approval of Urgency Ordinance amending Section 26.04.020 of Chapter 26 of the Davis City Code prohibiting consumption of alcoholic beverages and possession of open containers of alcoholic beverages to include the N Street Mini Park to take effect immediately. The motion passed by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald
NOES: None

Staff requested and it was the consensus of the Council to solicit input from the neighborhoods around other parks and provide the information to the subcommittee.

Discussion of Upcoming City Council Goal Setting Session Related to Dates, Time and Process

L. Heystek moved to participate in a League sponsored event with a component of the development of interpersonal relationships within city limits to be videotaped and goals would also be discussed. There was no second to the motion.

L. Heystek moved, seconded by S. Greenwald to hold a session where no decisions to change

Council procedures and to hold the goal setting in the community chambers. The motion was withdrawn by L. Heystek.

L. Heystek moved, seconded by S. Souza to engage in team building with no formal action to take place on changing any Council process.

S. Greenwald made a friendly amendment to have a professional facilitate the team building session. The amendment was accepted and the amended motion passed unanimously.

D. Saylor moved, seconded by R. Asmundson to proceed as soon as possible in a room other than Community Chambers with a professional facilitator to craft the 2006-2008 goals and that this session not take place on a Friday or Saturday.

S. Greenwald made a substitute motion, seconded by L. Heystek to use a staff facilitator for the goal setting session and to hold the meeting at a location with good recording equipment and the session recorded.

S. Souza made a substitute motion to the substitute motion, seconded by D. Saylor to ask the City Manager to investigate the cost to have an outside facilitator to see if a package deal is possible to facilitate both team building and goal setting sessions and if not or if too costly a professional facilitator would facilitate the team building and a staff would facilitate the goal setting session. Motion passed by the following vote:

AYES:	Asmundson, Saylor, Souza
NOES:	Heystek
ABSTAIN:	Greenwald

S. Greenwald would like to have an ad-hoc committee for Council retreats that include the Mayor and one other Council member.

L. Heystek moved, seconded by R. Asmundson to have an ad-hoc committee of S. Greenwald and S. Souza to work on the goal setting session. Motion passed by the following vote:

AYES:	Asmundson, Heystek Saylor, Greenwald
NOES:	None
ABSTAIN:	None
ABSENT:	Souza

Discussion on enabling documents for multiple commissions:

R. Asmundson and S. Souza gave a summary of the recommendations being made by the subcommittee and the reasoning for those recommendations.

L. Heystek moved, seconded by S. Souza to lay item 9 on the table until September 19, 2006, motion passed unanimously.

L. Heystek moved, seconded by S. Souza to direct the Council subcommittee on commissions to reconvene and propose the best way to fulfill Policy Y&E 3.1 a and b of chapter 10, Section 5 of the General Plan perhaps through the restructuring the City UCD Student Liaison Commission and inclusion of youth commissioners on commissions that currently do not have them, specifically the Recreation and Park Commission, motion passed unanimously.

Adjournment

The meeting adjourned at 10:37 p.m.

Margaret Roberts, CMC
City Clerk