

MINUTES OF THE MEETING OF THE DAVIS CITY COUNCIL
MAY 17, 2005

The City Council of the City of Davis met in regular session at 6:30 p.m. in the Community Chambers, 23 Russell Blvd., Davis, California. The meeting also included a joint meeting with the Planning Commission. The meeting was called to order by Mayor Pro Tem Greenwald.

Roll Call: Councilmembers Present: Sue Greenwald, Don Saylor, Stephen Souza.

 Councilmembers Absent: Ted Puntillo, Ruth Asmundson.

 Other Officers Present: Acting City Manager Rose Conroy, City Attorney Harriet Steiner, City Clerk Bette E. Racki.

Approval of Agenda Council requested removal from the agenda Item No. B – City Manager Contract Amendment and Item No. F – Second Reading on Ordinance Related to Cassel Estates Subdivision.

S. Souza moved, seconded by D. Saylor, approval of the agenda as revised. The motion passed by the following vote:

AYES: Greenwald, Saylor, Souza.
NOES: None.
ABSENT: Puntillo, Asmundson.

Ceremonial Presentations:

A. Proclamation Declaring May 2005 as Public Works Weeks. Mayor Pro Tem Greenwald presented to Public Works Director Bob Weir and Assistant to Public Works Director Sue Guedstad a proclamation declaring May 15 through May 21, 2005, National Public Works Week in the City of Davis. Weir outlined the events that will take place during the week.

Council, City Manager and City Attorney Communications

A. Conaway Ranch - Rumsey Winton Indians. Councilmembers Saylor and Souza attended a press conference wherein the Yolo County Board of Supervisors announced that the Rumsey Winton Indians will join with the Joint Powers Authority, as fiscal partners, to assist in acquiring the Conaway Ranch. This partnership means there is greater reality to obtain the site for public purposes. They offered words of praise to Public Works Director Bob Weir for his leadership in pursuing the obtaining of Conaway Ranch for public uses.

B. League of California Cities Conference. Councilmember Saylor stated at the League of California Cities Legislative Conference it was announced that the Governor signed Proposition 42 – funding transportation. The other issues before the League was to assure local control for provision of housing and protecting Redevelopment Agency financing.

C. Bicycle Advisory Commission. Councilmember Souza reported the Bicycle Advisory Commission is currently working on goals and objectives for the year.

Consent Calendar. Resolution No. 05-56 -- Authorizing the City Manager to Execute a Sole-Source Purchase Agreement with AutoVu Technologies, Inc., for Purchase and Installation of "Auto Find" Mobile License Plate Recognition System

Approved.

New Job Specification – Crime Analyst

Approved.

Resolution No. 05-57 Allowing Sales of Goods and Services During Celebrate Davis!
On May 26, 2005.

Approved.

Resolution No. 05-58 Authorizing the Mayor to Execute Agreement for the Homeless Coordinator Project By and Among the County of Yolo, City of Davis, City of West Sacramento, City of Winters and City of Woodland.

Approved.

Letter from the Mayor to Governor Arnold Schwarzenegger Requesting Implementation of Proposition 42 Funding in the FY 2005-06 California State Budget.

Approved.

Letter from Mayor to Assemblyman John Laird in Support of Assembly Bill 1690 - Requires that Each UC Campus Enter Into an Enforceable Agreement With its Host City/County Each Time its Long Range Development Plan is Updated.

Approved.

D. Saylor moved, seconded by S. Souza, approval of the Consent Calendar as revised. The motion passed by the following vote:

AYES: Greenwald, Saylor, Souza.

NOES: None.

ABSENT: Puntillo, Asmundson.

Open Planning
Commission Meeting.

Mark DuPree, Vice Chair of the Planning Commission, called the Planning Commission joint meeting to order and introduced the members of the Commission. Chair David Robinson arrived shortly after roll call.

Public Comments

Wilson Chilly Frank Marler and Gerald Gimbal spoke about choice voting stating it allows more participation by citizens in the voting process.

Adair MacEachern spoke about the timing of the release to the public of the Covell Village Environmental Impact Report (EIR). She discussed air quality impacts, traffic congestions, infrastructure costs, waste water capacity and alleged the County gains more than the City under this project.

James Fowler stated he has been asking the Council to conduct a study of the impacts of Covell Village on existing home values in Davis. He said that the report submitted by staff states that "Covell Village will impact existing housing values" and alleged that staff refused to study the degree to which this will impact City revenue. He reviewing current housing models and showed slides pointing out the results generated by the models. He requested that Council postpone the approval of the financial analysis until the City has contracted with a neutral third party to quantify the Covell Village deficits.

Nora Oldwin stated the City allows citizens to come in and make informed comments as to how the city grows, but this is not possible in this instant as the documents are so large and were recently made available. She expressed concern about the speed by which this project is moving.

Rene Nires seconded the concerns expressed by previous speakers on the Covell Village project. She asked that the project not be rushed through as there is need for

more time after release of the EIR documents.

Til Engerman expressed dissatisfaction with the Draft EIR stating his comments were not considered. He stated there were many blanks in the EIR.

Mike Saxton agrees with the comments by the other speakers on the timing of the distribution of the EIR. He spoke about problems associated with the traffic model indicating that the model was inadequate as it did not consider traffic downtown. The model should include east/west traffic on East 8th and Fifth street. He said the consultant found this beyond the scope of the project stating people will take alternate routes.

Mel Truillo said he got all the facts on the project and came to the conclusion that this is a good project. Facts don't mean anything when people get clouded by emotions.

Eileen Samitz spoke as a member of a citizens group opposing Covell Village explaining ways to become involved with the opposition.

Public Hearing:
Weed Abatement.

Fire Chief Rose Conroy outlined the requirement of weed abatement on public and private property.

Mayor Pro Tem Greenwald opened the public hearing and hearing no comments from the public closed the public hearing.

Public Hearing:
Visitor Attraction
Business Improvement
District Reauthorization
of Assessment.

Assistant to the City Manager Kelly Stachowicz summarized the staff report.

Mayor Pro Tem Greenwald opened the public hearing.

Mike Saxton stated that any tax on hotel rooms is taxation without representation.

Staff explained this is not a tax but an assessment on the hotel and restaurant owners and they benefit from this assessment.

Mayor Pro Tem Greenwald closed the public hearing.

Following discussion, S. Souza moved, seconded by D. Saylor, approval of Resolution No.05-59 Confirming the Assessment Report and Approving the Levy of an Assessment for the Visitor Attraction District Pursuant to the Parking and Business Improvement Area Law of 1989. The motion passed by the following vote:

AYES: Greenwald, Saylor, Souza.

NOES: None.

ABSENT: Puntillo, Asmundson.

Public Hearing Proposed
Fiscal Year 2005-06
Sanitation Rates

Public Works Director Bob Weir summarized the staff report explaining the rate increase is to cover CPI adjustments for the last three years and to continue funding City programs associated with recycling and other solid waste programs. There is potential for landfill tipping increases and if there is an increase this will come back to Council.

Mayor Pro Tem Greenwald opened the public hearing and hearing no comments, closed the public hearing.

S. Souza moved, seconded by D. Saylor, approval of Resolution No. 05-60 Setting Customer Rates for Sanitation Services Effective August 1, 2005. The motion passed by the following vote:

AYES: Greenwald, Saylor, Souza.

NOES: None.
ABSENT: Puntillo, Asmundson.

S. Souza moved, seconded by D. Saylor, approval of Resolution No. 05-61 Authorizing the City Manager to Execute Amendment No. 4 to the Agreement with Davis Waste Removal Company, Inc. for Waste Removal Services. The motion passed by the following vote:

AYES: Greenwald, Saylor, Souza.
NOES: None.
ABSENT: Puntillo, Asmundson.

Joint Meeting with Planning Commission and City Council on the Covell Village/Future Process Proving Final Environmental Impact Report , Draft Development Agreement and Fiscal Analysis.

Community Development Director Bill Emlen stated this meeting is to provide a synopsis of the materials distributed on Covell Village. It is not anticipated that any decision will be made at this joint meeting. He outlined the number of meetings that will be held over the next couple weeks both at the Planning Commission and Council meetings for public input. He explained the timeline is established to put the project on the November ballot for a Measure J vote and time will tell whether the Planning Commission and Council feel the project is ready to go to that level.

Before the Commission and Council is the EIR, Development Agreement, General Plan Amendment, affordable housing and Measure J baseline project features. To come at a later date will be Rezoning and Preliminary Planned Development. They are not necessarily components of the application package to send the project forward for a Measure J vote. Under Measure J the threshold is to change from the current designation of agriculture to an urban designation which is a master plan community.

There will be a review of the draft development agreement covering the terms that have been negotiated at the preliminary level with the Council subcommittee, applicants and staff. The affordable housing plan is outlined in the Development Agreement.

Community Development Administrator Katherine Hess stated the Covell Village applications are for 1,864 residential units, a 17-acre village center with a mix of non-residential uses and some residential at the corner Pole Line and Covell Blvd. There is a 3-acre fire station site, 11-acre park in the center of the site and assortment of parks totaling 12-acres throughout the site, 10-acre school site, habitat corridor and northern habitat wetlands, and sites for pre-school and senior care facility. The City Council and Planning Commission have held a series of workshops from technical reviews, public hearings and preliminary direction since July 2004.

She said that Council direction was to take the project to various commissions and reflect their comments into the desired changes. The Business Economic Development Commission reviewed the proposed project several times and supported the non-residential uses as proposed, included retaining the hotel, retail and office. She pointed out the changes that have occurred during the negotiations.

Finance and Budget Commission has reviewed the fiscal model but have not have seen the latest version. They made suggestions for refinement and the commission stressed the need to reflect the affordable housing portion.

Natural Resources Commission did not take action as a whole but the commissioners suggested using recycled water systems, include photovoltaic to a greater extent than original proposed, site plan and detail provide provisions for wildlife, shallow well irrigation for parks and greenbelts subject to legal review. As result of the suggestions proposed by the Commission the applicants are proposing photovoltaic on all single family homes.

Open Space Commission reviewed the agricultural mitigation aspects and their action was to specify agricultural mitigation location, evaluate the potential to have home sites on the agricultural mitigation land and suggested there be an experienced designer for habitat areas. They expressed concerns about the long term maintenance of the habitat areas. She explained what is currently included in the proposal for agricultural mitigation and that the development agreement calls for the developer to consult with the city on the design construction and the landscaping of the habitat areas.

The Planning Commission discussed the applications and one of the themes was that density was too low, the homes are too large and support for mixed use development. That phasing allows room for infill but didn't accommodate all the growth that is anticipated in the city. There is a mix of unit types and infrastructure in each phase. They suggested communication with Con Agra development. That there be a habitat connection from Wildhorse to Northstar. The Commission also stressed the need for design guidelines to make sure that the vision is implemented in the regulator documents and in the construction.

The Planning Commission also noted infrastructure phasing to make sure infrastructure is delivered with the resident units. Section J in the Development Agreement outlines which improvements will be provided with each phase of development.

Recreation and Parks Commission was agreeable towards the distribution and type of parks and open space. They wanted to see additional community serving uses. Hess explained what is included in the project for parks and open space.

Safety Advisory Commission supported the layout, preferred roundabouts over signals on Pole Line Road. There is improved vehicle circulation within the development from the last site plan. There is more con activity and more of a grid system from the big streets in addition to a better grid system on the smaller streets.

Senior Citizens Commission made several recommendations to look at the type and size of senior units. Make sure consistent with the needs. Support public transportation within the Village.

Social Services Commission reviewed the affordable housing plan and made several recommendations.

Street Tree Commission did not have comments on the overall subdivision. They wanted to review later to make sure the street tree wells were consistent with their standards and wanted to see an overall street tree scheme.

Hess introduced Tim Reney and Nick Pappani, of Reney Planning and Management, Nick Pappani and Jaimee Hicks from Fehr & Peers who did the traffic study.

Tim Reney stated they were retained by the City to prepare the latest round of the California Environment Quality Act (CEQA) documents in Spring of 2003. He outlined the process by which they prepared the documents under CEQA. He said June of 2004 they were able to complete the project description and release the Notice of Preparation. The public comment period closed on July 16, 2004. The comments are showing in the draft Environmental Impact Report (EIR)

Nick Pappani presented a summarization and changes to the draft EIR. There were ten unavoidable impacts and he explained eight of the impacts.

Jaimee Hicks from Fehr & Peers, explained the scope of their analysis covering 12

traffic intersections.

Finance Director Paul Navazio spoke about the fiscal impact to the City. The current project model annual revenues can be expected to cover the project's share of cost of providing city services. Post project build-out will be highly sensitive to a number of economic assumptions. He explained the major fiscal assumptions such as property appreciation rate, inflation rate, personnel cost growth, and city share of property tax.

Staff and consultants responded to questions from the City Council and Planning Commissioners related to the fiscal analysis.

Don Christiansen spoke about water capacity and understands there currently is a sewer problem and how will this project impact water and sewage for the City.

Jim Murray Clark stated today you can exceed the speed limit on any street in Davis. He welcomes more traffic as this will reduce the speeding. He said he is waiting to buy a house in Covell Village.

Mel Trujillo spoke about growing with responsibility. He encouraged approving Covell Village.

Council Subcommittee Saylor explained this is the first opportunity the subcommittee has had an opportunity to discuss the development agreement with the Council.

Community Development Director Bill Emlen stated that a development agreement does not replace a good project. He said the fire station was a big issue which resulted in \$4 million for a fire station. He said there was flexibility on the part of the applicants.

Blaine Juchau stated this project maintains the city of Davis commitment to the community and have raised the bar for subdivisions.

Eileen Samitz stated Covell Village is not smart planning but is poor plan and will diminishes the quality of life. It is the largest project ever proposed in Davis. The land is in the County and now the County wants to re-negotiate the tax sharing agreement. She pointed out that public did not have the opportunity to give input as the project was rushed in order to get it on the November ballot. She spoke about traffic congestion and waste water plant capacity.

Mayor Pro Tem Greenwald and Planning Commission Chair David Robinson adjourned the meeting at 12:35 a.m. to the next regularly scheduled meeting.

Respectfully submitted,

BETTE E. RACKI
City Clerk