

MINUTES OF THE MEETING OF THE DAVIS CITY COUNCIL
JUNE 14, 2005

The City Council of the City of Davis met in regular and closed session at 5:30 p.m. in the Community Chambers, 23 Russell Blvd., Davis, California. The meeting was called to order by Mayor Asmundson.

Roll Call: Councilmembers Present: Sue Greenwald, Ted Puntillo, Don Saylor, Stephen Souza, Ruth Asmundson.

Councilmembers Absent: None.

Other Officers Present: City Manager James Antonen, City Attorney Harriet Steiner, Deputy City Clerk Zoe Mirabile.

Approval of Agenda T. Puntillo moved, seconded by S. Greenwald, approval of the agenda as amended. The motion passed by the following vote:

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

Closed Session The City Council ordered a closed session of the City Council be held for the purpose of discussing and, if necessary, taking action on the following issue:

Conference with Labor Negotiator. Agency Designated Representatives: City Manager James Antonen, Human Resources Administrator Melissa Chaney, Finance Director Paul Navazio. Employee Organizations: Program and Support Employees Association, Davis City Employees Association, Fire Fighters Local 3494, Management Unit and Department Heads.

Council moved into closed session and upon returning to open session, Mayor Asmundson announced there was no reportable action.

Consent Calendar Resolution No. 05-83 - Allowing the City Manager to Execute an Agreement with Telstar, Inc., for Waste Water Treatment Plant Fix32 to IFIX Upgrade.
Approved.

Resolutions No. 05-84 and 05-85 - Approving the City of Davis' Transportation Development Act Claims for Fiscal Year 2004/05 Local Transportation Funds and State Transit Assistance.
Approved.

Proposed Letter in Opposition to SB 435 Regarding Housing Density.
Approved.

Proposed Letter in Support of AB 818 Regarding Property Tax Revenue Allocation.
Approved.

Police Department Summary of 2005 Public Safety Day Event.
Informational.

Police Department Three-Year Strategic Plan.
Informational.

Commission Minutes:
Bicycle Advisory Commission Regular Meeting of April 13, 2005.
Informational.

Civic Arts Commission Regular Meetings of February 14, March 14, April 11 and May 9, 2005.
Informational.

An Ordinance of the City Council of the City Of Davis Amending Article 8.01, Repealing Chapters 13, 16, 21, and 30 of the Municipal Code, and Adopting by Reference the 2001 Edition of the California Building Standards Code, Known as the California Code of Regulations, Title 24 (CCR, T-24), Including the Referenced Model Codes, Subject to the Definitions, Clarifications and Amendments Set Forth in this Ordinance, Incorporating the Uniform Building Code, 1997 Edition; the National Electrical Code, 2002 Edition; the Uniform Fire Code, 2000 Edition; the Uniform Mechanical Code, 2000 Edition, the Uniform Plumbing Code, 2000 Edition; the Uniform Administrative Code, 1979 Edition, Provisions for the National Electric Code, 1999 Edition; and, Amending Those California Building Standards as Identified Herein, Through Express Findings of Local Necessity.
Item removed from consideration.

Tree Removal Requests from the Tree Commission Regular Meeting of May 19, 2005.
Approved commission recommendations.

Budget Adjustment #90 (28,250) Transferring Funds from Operational Grants to Construction Tax.
Approved.

Update on Anderson Bank Building Handicap Ramp and Sidewalk.
Informational.

Resolution No. 05-86 - Proposing a Sister City Relationship with Los Baños, Laguna, Philippines.
Approved.

Resolution No. 05-87 - Authorizing the City Manager to Execute Consultant Agreement with Larry Walker Associates for NPDES Permit Renewal, Program No. 7313.
Approved.

Resolution No. 05-88 - Awarding Contract to Mobile-Vision In-Car Video Systems for Digital Mobile Video System for Police Vehicles.
Approved.

T. Puntillo moved, seconded by D. Saylor, approval of the consent calendar as amended. The motion passed by the following vote:

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

Council, City Manager and City Attorney Communications

- a. City-County 2x2 Councilmember Saylor attended the City-County 2x2 wherein discussion included an update on a potential library bond and expansion of current facility.
- b. County Transportation District/Street Smarts Program Councilmember Puntillo attended the Yolo County Transportation District which included adoption of a \$15 million budget and introduction of newly hired Deputy Director Trent Holt. Additionally, Puntillo accompanied Public Works staff on a trip to Dan-

ville to research a traffic program entitled Street Smarts which is designed to reduce vehicle accident rates and improve traffic safety.

By consensus, Council directed staff to review the Street Smarts traffic program and return to Council with analysis.

- c. Senior Citizens Commission/Finance and Budget Commission Mayor Pro Tem Greenwald reported the Senior Citizens Commission appointed a Subcommittee to research water rates for seniors. Greenwald also attended the Finance and Budget Commission where discussion focused on review of the preliminary budget for FY2005/06 and consideration of the reserve policy.
- d. Long Range Agenda Mayor Pro Tem Greenwald requested Council agendaize consideration of providing funding to E Street Plaza music series Friday Nights Downtown.
- e. City-Student Liaison Commission/Davis Conference and Visitors Bureau Councilmember Souza attended the City-Student Liaison Commission which included a presentation on the UC Davis Long Range Development Plan. Souza also attended the Davis Conference and Visitors Bureau where discussion focused on the status of the budget and allocation of city funds.
- f. Summer Hours for City Offices City Manager Antonen reported that summer hours for most city offices will be 7:00 a.m. to 4:00 p.m. from June 13 to September 30.
- Public Comments
- Till Angerman spoke regarding the master drainage plan of the proposed Covell Village, stating the project successfully mitigates flooding on site, but not further downstream.
- Jean Jackman spoke in opposition to the traffic levels and air pollution resulting from the proposed Covell Village project, and stated the project was opposed by the Planning, Open Space and Finance and Budget Commissions.
- Eileen Samitz relayed contact information for the committee Citizens for Responsible Planning.
- Michael Sackston spoke regarding the sewage capacity of the proposed Covell Village.
- Yamal Bouzayen relayed an incident involving the Davis Police Department.
- Kiriackous Kiriako spoke regarding the proposed project at 437 J Street, stating the negative declaration does not properly assess traffic impacts.
- Continued City Council Communications
- g. Item Submitted by Councilmember: Discussion Regarding Location of League of California Cities Regional Meeting Mayor Pro Tem Greenwald outlined her request to hold the Sacramento Valley League of California Cities regional meeting at a Davis business instead of UC Davis, explaining this would be an opportunity to showcase the downtown. Councilmember Saylor explained the regional meeting is scheduled to be held at the UC Davis alumni center, with additional planned activities including a tour of the Mondavi Center and a walking tour of the downtown to culminate with a visit to the Farmers Market in Central Park. By consensus, Council decided to retain the currently scheduled venue.
- Wastewater Facilities Strategic Master Plan Update City Manager Jim Antonen explained that there has been a substantial increase in the anticipated project costs for the upgrade to the wastewater treatment facility, namely, \$125-\$140 million in 2010 dollars with reuse programs an addition \$5 to \$80 million in order to meet state and federal regulatory requirements. The cost of the treatment

facility is based on the existing flow capacity and will accommodate planned growth until the year 2020.

Wastewater Administrator Keith Smith and consultants Steve McDonald and Lydia Holmes, Carollo Engineers and West Yost Associates, provided an update on the Strategic Master Plan, which provides a roadmap for phased facility improvements. Work sessions have been conducted with the project team, technical experts and the Natural Resource Commission where discussion topics included the following: overall vision; regulatory requirements; identification of alternative disposal and reuse opportunities; and limitations of existing plant.

Public Hearing: 437 J Street In-Fill Development – Planning Application #75-04; Rezoning and Preliminary Planned Development #09-04; Tentative Map #08-04; Final Planned Development #16-04; Design Review #35-04; Negative Declaration #14-04

Cultural Services Manager Esther Polito summarized the project and explained that the applicant proposes to merge two parcels totaling 12,054 square feet located at 437 J Street and subdivide them into four parcels to enable the placement of two attached and two detached single family residences. The existing structure, a circa 1885 “heritage home”, will be moved to one of the new parcels and retained.

Mayor Asmundson opened the public hearing.

Allen Miller and Tim Alice spoke in support, stating the developer addressed neighborhood concerns and the project is compatible with neighborhood zoning and design guidelines.

Michael Nepp requested a more substantial fence on the boundary of his property.

Kiriackous Kiriako spoke in opposition to the negative declaration assessment of less than significant traffic impacts as all units will be served by a single driveway.

Aubrey Moore introduced himself as the project architect and stated the applicant tried to address all neighborhood issues.

Mayor Asmundson closed the public hearing.

S. Souza moved, seconded by D. Saylor, certification that Negative Declaration #14-04 adequately addresses the environmental impacts associated with the proposed project. The motion passed by the following vote:

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

D. Saylor moved, seconded by T. Puntillo, introduction of Ordinance Amending Chapter 40.04A of the City of Davis Municipal Code, 1971, as Amended, Rezoning Two Properties Located at 437 J Street from Residential One and Two Family Conservation District to Preliminary Planned Development #09-04 and Final Planned Development #16-04, Consisting of .28 Acres. The motion passed by the following vote:

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

S. Souza moved, seconded by T. Puntillo, approval of implementing entitlement applications as follows: (1) Final Planned Development #16-04 which establishes final zoning standards, (2) Design Review #35-04 which establishes site plan and architectural standards, and (3) Tentative Map #08-04 which merges and subdivides the two parcels into four. The motion passed by the following vote:

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

Covell Village – Deliberation on Environmental Impact Report, General Plan Amendment, Development Agreement and Measure J Baseline

Community Development Administrator Katherine Hess explained that Council generated questions at their meeting of June 7, 2005 regarding the proposed Covell Village and summarized staff responses.

Nancy Price stated the Environmental Impact Report is inadequate in taking into account all the water uses at the proposed Covell Village site.

Steve Hays stated the Covell Village project will exceed the capacity of city resources, services and staff.

Pam Neiberg stated Davis is losing its small town values and character, and growth should be focused on in-fill development.

BJ Klosterman requested the Covell Village proposal incorporate landscape planning, design and installation principles to use less water.

Adair Metgetgren, Linda Burley and Eileen Samitz stated Covell Village is in conflict with the Citizen's General Plan and will cost the citizens environmentally and in terms of quality of life.

Kathleen Goody stated the Covell Village project is not smart growth or new urbanism.

Joe Sherman stated 20 percent of the city budget is funded by development.

Council provided direction to staff with the following motions regarding the proposed Covell Village project:

D. Saylor moved, seconded by T. Puntillo, to not include a detailed map specifying the amount and location of agricultural mitigation land in the Measure J Baseline. The motion passed by the following vote:

AYES: Puntillo, Saylor, Asmundson.
NOES: Greenwald, Souza.

T. Puntillo moved, seconded by D. Saylor, to allow "stacking" for agriculture mitigation and swainson's hawk easements provided approval is received by Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency and California Department of Fish and Game; if such approval is not received, then developer will be responsible for payment of in lieu fees. The motion passed by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson.
NOES: Greenwald.

T. Puntillo moved, seconded by D. Saylor, to allow the building of a cluster of five home sites adjacent to mitigation lands.

S. Souza moved substitution motion to provide credit for a transfer of dedicated affordable housing units to be built on mitigation lands, allowing for the same number of units within the Covell Village project site formally dedicated as affordable to be market rate. No second.

S. Greenwald moved substitute motion to either allow affordable housing units on mitigation lands for use by organic farmers or not allow any units at all. No second.

S. Greenwald moved substitution motion, seconded by S. Souza, to provide credit for a transfer of dedicated affordable housing units to be built as a cluster of home sites

adjacent to mitigation lands, allowing for the same number of units within the Covell Village project site formally dedicated as affordable to be market rate. The motion failed by the following vote:

AYES: Greenwald, Souza.
NOES: Puntillo, Saylor, Asmundson.

The original motion passed by the following vote:

AYES: Puntillo, Saylor, Asmundson.
NOES: Greenwald, Souza.

S. Souza moved, seconded by D. Saylor, to direct staff to negotiate with developer to find an appropriate lined-up connection to provide for continuity between the northern edge of the Wildhorse project and the proposed Covell Village savannah corridor. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, to direct the 90-acre storm water drainage pond be developed as a habitat area similar to north and west Davis ponds and not as farmland. The motion passed by the following vote:

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

T. Puntillo moved, seconded by D. Saylor, extension of the meeting until the conclusion of the Covell Village discussion. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, to direct staff to negotiate with developer to include either in Measure J Baseline features or Development Agreement an appropriate financing mechanism for maintenance of the habitat areas. The motion passed by the following vote:

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

S. Souza moved to direct staff to negotiate with developer to establish a Landscaping and Lighting District to provide funding for park and greenbelt maintenance which would be triggered by the failure of future tax ballot measures. No second.

D. Saylor moved, seconded by T. Puntillo, to accept fiscal study as provided by staff.

S. Greenwald moved substitute motion to direct staff to complete a city-wide capital needs fiscal study to include operational maintenance budgets. No second.

The original motion passed by the following vote

AYES: Puntillo, Saylor, Souza, Asmundson.
NOES: Greenwald.

T. Puntillo moved, seconded by D. Saylor, to designate the zoning for the Davis Joint Unified School site as public/semi-public and stipulate as such in the Measure J Baseline. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, to direct staff to return to Council with specific language considered appropriate for the Measure J Baseline. The motion passed by the following vote:

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

T. Puntillo moved, seconded by D. Saylor, approval of proposed zoning standards for single family residential uses as designated in Exhibit B-2 of the draft Development Agreement.

S. Souza moved substitute motion, seconded by D. Saylor, for approval of proposed zoning standards for single family residential uses as designated in Exhibit B-2 of the draft Development Agreement with an amendment as follows: Designate city architectural review required for 4,000-4,499 square feet lots if floor area ratios exceed 50% for single-story or 55% for two-story units.

S. Greenwald moved substitute motion to direct staff to return to Council with an in-depth analysis of the proposed zoning standards. No second.

The substitute motion passed by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson.
NOES: Greenwald.

D. Saylor moved, seconded by S. Souza, to not include specific information regarding street widths or Village Center square footages in the Development Agreement, with such details instead dealt with through zoning. The motion passed by the following vote:

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

S. Greenwald moved to eliminate the proposed hotel from the Covell Village project and instead allow a small bed-and-breakfast facility. No second.

T. Puntillo moved, seconded by S. Souza, to eliminate the proposed hotel from the Covell Village project and instead allow a medium sized bed-and-breakfast facility or other conditional uses as defined in the Preliminary Planned Development.

S. Greenwald moved substitute motion to eliminate the proposed hotel from the Covell Village project and instead allow a small 10-room bed-and-breakfast facility. No second.

The original motion passed by the following vote:

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

S. Greenwald moved neighborhood traffic protections are inadequate and not mitigable. No second.

D. Saylor moved, seconded by T. Puntillo, approval that project provides for sufficient water and sewer capacity. The motion passed by the following vote:

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

S. Souza moved, seconded by T. Puntillo, approval that alternative water sources and sewer programs are sufficient and direction to staff to pursue additional avenues of lowering demand. The motion passed by the following vote:

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

T. Puntillo moved, seconded by D. Saylor, approval that the overall affordable and middle-income housing plan is consistent with and in some instances exceeds city policies. The motion passed by the following vote:

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

T. Puntillo moved, seconded by D. Saylor, approval that the location and types of affordable units are appropriate. The motion passed by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson.
NOES: Greenwald.

S. Souza moved, seconded by R. Asmundson, to not allow a 10% price and income adjustment for Tier III middle-income units. The motion passed by the following vote:

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

T. Puntillo moved, seconded by S. Souza, approval that reservation of units for Community Housing Opportunities Corporation and Yolo Community Care Continuum is acceptable. The motion passed by the following vote:

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

S. Greenwald moved, seconded by S. Souza, to direct staff to negotiate with developer for additional reservation of land for group homes, offices and out-patient care facilities as a service to the mentally ill. The motion passed by the following vote:

AYES: Greenwald, Saylor, Souza, Asmundson.
NOES: Puntillo.

S. Souza moved, seconded by D. Saylor, to direct staff to negotiate with developer for additional funding to be set aside for Walnut Pool and a downtown parking structure to be specified in the Development Agreement. The motion passed by the following vote:

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

Adjournment

The meeting adjourned at 12:13 a.m. to the next regularly scheduled meeting.

Respectfully submitted,

ZOE S. MIRABILE
Deputy City Clerk