

MINUTES OF THE MEETING OF THE DAVIS CITY COUNCIL
OCTOBER 4, 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 S. Souza moved, seconded by T. Puntillo, inclusion of additional item on the agenda regarding discussion of the School District Grande site; the issue arose after posting of the agenda and the item must be discussed before the next Council meeting. The motion passed by the following vote:

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

T. Puntillo moved, seconded by S. Souza, 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 issues:

- A. Conference with Labor Negotiator. Unrepresented Employee: City Attorney.
- B. Conference with Legal Counsel - Existing Litigation. Friends of the Swainson's Hawk v. City of Davis, PT 05-1218.
- C. Conference with Legal Counsel - Anticipated Litigation. Significant Exposure to Litigation Pursuant to Subdivision (b) of §54956.9: One Case.

Mayor Asmundson announced there was no reportable action.

Consent Calendar Ordinance No. 2227 - Amending Section 22.08 of the Municipal Code of the City of Davis Relating to Timed Parking Zones, Section 22.08.280 – G Street, East Side from Sixth to 260 Feet North.
Adopted (introduced 9/20/05).

Budget Adjustment #12 - Well 31 Eminent Domain Litigation Payment (\$695,843).
Approved.

Plans and Specifications for Municipal Golf Course Facility Remodel (CIP No. 8516).
(1) Approved plans and specifications; (2) Authorized bid advertisement.

Resolution No. 05-270 - Awarding Purchase Contract of \$51,638 to Pioneer Americas, LLC, for Chlorine and Sulfur Dioxide Purchase.
Approved.

Removal of Human Relations Commissioner Due to Lack of Attendance.
Approved.

Proposal to Establish Davis Fire Department Fire Corps Program.
Approved.

Resolution No. 05-271 - Authorizing the City Manager to Execute Amendment No. 1 to the Consultant Agreement with Royston Hanomoto Alley and Abey for Mace Ranch Neighborhood Park.
Approved.

Resolution No. 05-272 - Approving a Final Map for Midtown Condominiums, Subdivision No. 4812.
Approved.

Preliminary Award of California Office of Traffic Safety "AVOID" Grant to Yolo County Law Enforcement Agencies.
Informational.

Resolution No. 05-273 - Updating the Authority, Process and Procedures in the Determination of Disability Retirements for Safety Employees.
Approved.

Commission Minutes:
Bicycle Advisory Commission Regular Meeting of August 15, 2005.
Informational.

City/UCD Student Liaison Commission Regular Meetings of June 8 and July 13, 2005.
Informational.

Historical Resources Management Commission Regular Meetings of May 16, June 20 and July 25, 2005.
Informational.

Natural Resources Commission Regular Meeting of June 27, 2005.
Informational.

Recreation and Park Commission Regular Meetings of August 11 and September 15, 2005.
Item removed by S. Souza for further discussion and separate vote.

Safety Advisory Commission Regular Meeting of August 4, 2005.
Informational.

Resolution Approving Final Map for Cassel Lane, Subdivision No. 4730 and Authorizing the City Manager to Execute the Subdivision Agreement (North Davis Farms/Cassel, LLC); Update on Opportunities for Future Bicycle/Pedestrian Connections.
Item removed by S. Greenwald for further discussion and separate vote.

City Council Minutes of June 14, June 21, June 28 and July 12, 2005.
Approved.

Resolution No. 05-275 - Authorizing the City Manager to Enter Into the Agreements Necessary to Extend the Site Lease Agreement with the Tierra Del Oro Girl Scout

Council for Public Building (Also Known as the Girl Scout Cabin) in Slide Hill Park Through November 30, 2005.
Approved.

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

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

Resolution Approving Final Map for Cassel Lane, Subdivision No. 4730 and Authorizing the City Manager to Execute the Subdivision Agreement (North Davis Farms/Cassel, LLC); Update on Opportunities for Future Bicycle/Pedestrian Connections

Public Works Director Bob Weir explained that the city has reached an agreement with the property adjacent to the Cassel Lane subdivision for a bicycle, pedestrian and landscape easement where a future bicycle connection will be located.

D. Saylor moved, seconded by T. Puntillo, approval of the following:

1. Resolution No. 05-274 - Approving Final Map for Cassel Lane, Subdivision No. 4730 and Authorizing the City Manager to Execute the Subdivision Agreement (North Davis Farms/Cassel, LLC).
2. Authorize staff to continue to negotiate with adjacent property owner regarding acquisition of a bicycle/pedestrian/landscape easement.

The motion passed by the following vote:

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

Recreation and Park Commission Minutes from the Regular Meetings of August 11 and September 15, 2005

Valerie Fisher-Frankel spoke in support of proposed memorial for Arroyo Park, stating that the structure would serve as a needed amenity in the park.

Charlie Russell, Recreation and Park Commission, spoke in support of proposed memorial and development of city policies governing gifts.

S. Souza moved, seconded by T. Puntillo, approval of the minutes from the Recreation and Park Commission Regular Meetings of August 11 and September 15, 2005 with the following Commission recommendations:

August 11: Informational except Item #7 - Approved modification of hours for Redwood Park Community Building.

September 15: Informational except for Item #6 – (1) Approved Frankel amenity for Arroyo Park; (2) Directed staff to develop an agreement regarding design, construction, installation and maintenance of proposed amenity; and (3) Directed staff to develop policies for acceptance of privately proposed memorials, art pieces, amenities and other gifts to the city for placement within recreation facilities.

S. Greenwald moved substitute motion to direct the Recreation and Park Commission to consider moving the amenity to an alternative site at Arroyo Park. No second.

The original motion passed by the following vote:

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

Ceremonial Presentation: Proclamation Designating Mental Awareness Week

Mayor Asmundson presented a Proclamation Designating October 2-8, 2005 as "Mental Illness Awareness Week" in the City of Davis to Nancy Temple, Yolo County Department of Alcohol, Drugs and Mental Health Services.

Council, City Manager and City Attorney Communications

a. Appointment of Council Subcommittee for Downtown

T. Puntillo moved, seconded by S. Souza, appointment of Council Subcommittee with purview of downtown issues to consist of Mayor Asmundson and Mayor Pro Tem Greenwald; Downtown Subcommittee will replace Arts and Entertainment Subcommittee, previously comprised of Mayor Pro Tem Greenwald and Councilmember Puntillo. The motion passed by the following vote:

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

Public Comments

Lou Fox requested Council consider inclusion of the Woodland/Davis Aeromodelers in discussions regarding the Howatt Ranch recreational complex site.

Frankel Amenity Referred to Civic Arts Commission

Reed Bennett spoke in opposition to the Frankel amenity and requested referral to the Civic Arts Commission.

S. Greenwald moved reconsideration of Frankel amenity. No second.

By consensus, Council directed staff to include discussion of Frankel amenity on the agenda for the City Council Joint Meeting with the Civic Arts Commission on October 10, 2005.

Public Comments Continued

Dan Berman stated the Sacramento Local Agency Formation Commission will be meeting tomorrow to consider proposed annexation of portions of Yolo County to SMUD, and requested Council consider submitting correspondence to PG&E with a request for information regarding funds spent on advertisements in Yolo County.

Alan Fernandes introduced himself as an applicant for the Business and Economic Development Commission.

Continued Public Hearing: Cassel Lane Subdivision Annexation to Citywide Mello Roos District 1990-3

Finance Director Paul Navazio explained the Cassel Lane Subdivision Annexation to city-wide Mello Roos Community Facilities District will facilitate the financing of capital infrastructure projects necessary for newly developed communities. State Mello Roos law requires an election to authorize the levy of special taxes in the annexed area. There are less than 12 registered voters in the area to be annexed, therefore, the election has been held among the landowners.

Mayor Asmundson opened the public hearing and hearing no comments from the public, closed the public hearing.

T. Puntillo moved, seconded by S. Souza, approval of Resolution No. 05-276 - Resolution of Annexation of Territory to Community Facilities District Authorizing the Levy of Special Tax and Submitting Levy of Tax to Qualified Electors. The motion passed by the following vote:

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

Deputy City Clerk Zoe Mirabile proceeded with a Canvass of Election Results and indicated a ballot was received by the property owner with a “yes” vote indicated for all five qualified votes.

T. Puntillo moved, seconded by D. Saylor, approval of Resolution No. 05-277 - Resolution Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien. The motion passed by the following vote:

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

Public Hearing:
City/UC Davis
Groundwater Management Plan –
AB3030 Compliance

Public Works Director Bob Weir explained the city received grant funds through the AB303 Groundwater Management Act Program to complete a City of Davis/UC Davis Groundwater Management Plan, a project which requires seven months to complete.

Mayor Asmundson opened the public hearing and hearing no comments from the public, closed the public hearing.

S. Souza moved, seconded by T. Puntillo, approval of Resolution No. 05-278 - Resolution Noticing the Intent of the City of Davis as the Lead Agency on Behalf of UC Davis to Prepare a Groundwater Management Plan (GWMP) Under Water Code Section 10750 et seq. (AB 3030, Stats 1992) for the Davis Area Not Covered by Another Groundwater Management Plan Under This Authority or Any Other Authority. The motion passed by the following vote:

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

Covell Village Property Tax Sharing Agreement/Draft Terms of Development Agreement Amendment Adding County Issues

City Manager Jim Antonen stated the Yolo County Board of Supervisors unanimously approved the proposed Covell Village Property Tax Sharing Agreement; agreement will be pending approval of Measure X by Davis voters and annexation proceedings by LAFCO.

Assistant City Manager Bill Emlen presented information on negotiations between the city, county and Covell Village regarding the property tax exchange rate and development agreement amendment deal points and detailed specifics of the agreement subject to formal process to finalize. Finance Director Paul Navazio provided an update of the tax share forecasts determined through a city-county joint fiscal study and indicated in proposed agreement.

Yolo County Supervisor Helen Thompson spoke in approval of the proposed agreement, stating Yolo County will be able to provide all necessary services and fiscal impacts have been mitigated appropriately. In addition, Thompson indicated Yolo County will support the proposed project if it proceeds to LAFCO.

D. Saylor moved, seconded by T. Puntillo, approval of the following:

1. Conceptual approval of the Property Tax Sharing Agreement deal points with Yolo County stipulating that the city would received approximately 17.48 percent of the local share of property tax revenue generated by the Covell Village development, with a formal agreement returning to Council at a later date to become effective if/when the property is annexed to the city;

2. Conceptual approval of the terms of a development agreement amendment addressing county issues relative to the Covell Village development; and
3. Direction to applicant to submit a formal request to amend the Covell Village Development Agreement reflecting conceptual terms and direction to staff to initiate the formal amendment process including review and recommendation from the Planning Commission.

The motion passed by the following vote:

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

Proposed Land Dedication Sites for Covell Village

Housing Programs Manager Danielle Foster provided details of the Social Services Commission's proposed conceptual guidelines to be used in a request for proposals process regarding potential land dedication sites within the Covell Village project. The Affordable Housing Plan for Covell Village designates 8.5 acres as land dedication sites to consist of 170 units for low and very-low income households. Three local housing organizations, namely, Yolo Mutual Housing Association (YMHA), Community Housing Opportunities Corporation (CHOC), and Neighborhood Partners, LLC (NP), submitted a proposal for division of the land dedication sites amongst their organizations to include a mutual housing rental project, a conventional affordable housing rental project and a limited-equity cooperative.

Mike Corbett, Covell Village Partners, spoke in support of affordable housing proposal by YMHA, CHOC and NP and stated the partners determined their best option would be involvement with local affordable housing providers in lieu of developing land dedication sites themselves.

Kim Coontz, YMHA; Nancy Conk, CHOC; and David Thompson and Luke Watkins, NP, spoke in support of their joint affordable housing proposal incorporating three different products for the land dedication sites. Rationale for support included early approval by the Council would reduce costs and allow for better integration with entire development; proposal would identify primary developers of land dedication sites in advance of project approval; and city would retain the ability to define priorities in terms of affordability limits and unique needs.

D. Saylor moved, seconded by S. Souza, conceptual approval of participation of Yolo Mutual Housing, Community Housing Opportunity Corporation and Neighborhood Partners, LLC, subject to review of priorities for specific community needs and project proposals by the Social Services Commission at the time of project initiation. The motion passed by the following vote:

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

Fifth Street Operation Study – Possible Temporary Two-Lane Configuration

Public Works Director Bob Weir explained on September 13, 2005 Council directed staff to prepare a plan for the temporary striping of Fifth Street with one lane in each direction. Senior Civil Engineer Roxanne Namazi outlined the plan and explained staff determined that the split phase signals at F and G Streets cannot accommodate the proposed configuration without major delays.

Steve Tracy, Old North Davis Neighborhood Association, and Sandy Sokolo spoke in opposition to the proposed temporary two-lane configuration of Fifth Street.

Jerry Adler, Chamber of Commerce Government Relations Committee, spoke in opposition to the proposed configuration and requested Council consider decreasing the speed limit to 25 miles per hour and installing additional crosswalks, pedestrian actuated signals and a two-way bicycle path on the south side of Fifth Street.

S. Souza moved, seconded by T. Puntillo, to not approve implementation of the experimental two-lane configuration on Fifth Street between B and L Streets. The motion passed by the following vote:

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

Discussion of Davis
Joint Unified School
District (DJUSD)
Grande Site

Councilmember Souza stated this item has been added to the agenda for discussion in response to an item on the October 6, 2005 DJUSD Board Agenda, namely, Property Exchange Agreement for the Grande Property and specific details therein regarding development of the property. Land use planning is under the purview of the Council and on May 3, 2005 Council approved authorizing city pursuit, in conjunction with DJUSD and Grande neighborhood residents, of a mutually beneficial resolution of issues pertaining to the district's disposition of the Grande site with the following interest:

1. Support the district in their efforts to fully realize the asset value to the district in any transaction;
2. Secure 50-foot greenbelt bike path buffers on the east, west and south boundaries of the site;
3. Develop one or more conceptual site plans that address city, neighborhood and community goals.

BJ Kline, DJUSD Board President, stated the district does not intend to force the city into any decision regarding the Grande site and will work towards a positive relationship between all parties. In addition, Kline indicated the district will not be involved in the development of the property.

David Murphy, DJUSD Superintendent, stated the process regarding disposition of the Grande site has been underway for over two years. The district will support the city in whatever planning decisions are made.

Appointment to
Business and Eco-
nomic Development
Commission

Applications were received from Samuel Ariel, James Belenis, Cris Brines, Anthony Costello and Alan Fernandes. City Council voted through use of a grid system and appointed one regular member and one alternate member as follows:

Greenwald: James Belenis (Regular); Anthony Costello (Alternate)
Puntillo: Anthony Costello (Regular); Alan Fernandes (Alternate)
Saylor: Alan Fernandes (Regular); Anthony Costello (Alternate)
Souza: James Belenis (Regular); Alan Fernandes (Alternate)
Asmundson: Alan Fernandes (Regular); Anthony Costello (Alternate)

As result of the votes cast, Alan Fernandes was appointed as a regular member and Anthony Costello was appointed as an alternate member of the Business and Economic Development Commission.

Proposed Calendar
for Development of
FY2006-07 Budget

Finance Director Paul Navazio presented the proposed calendar for development of the fiscal year 2006-2007 budget which identifies key milestones, establishes deadlines and identifies opportunities for Council, commission and public input.

S. Souza moved, seconded by T. Puntillo, approval of the proposed calendar to guide development of the fiscal year 2006-2007 budget. The motion passed by the following vote:

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

Continued Council
Communications

- b. Water Resources Association/City Council Joint Meeting with Open Space Commission
Mayor Pro Tem Greenwald attended the Water Resources Association meeting wherein they identified goals for 2006, namely, subsidence project, groundwater monitoring, procuring grant funds and furthering the groundwater management plan. In addition, Greenwald reported on the City Council Joint Meeting with Open Space Commission wherein discussion included integration of open space and wildlife management.
- c. Oeste Manor Neighborhood Association
Councilmember Saylor attended an Oeste Manor Neighborhood Association gathering which was held to introduce student residents to the neighborhood and organized in conjunction with the City-UCD Student Liaison Commission and Safe Party Initiative.
- Resolution of Support for Measure X on the November 8, 2005 Ballot
By consensus, Council removed item from discussion.
- Public Hearing: Parque Santiago Subdivision – 303 Ensenada Drive
Mayor Asmundson opened the public hearing and continued to October 18, 2005.
- Adjournment
The meeting adjourned at 10:07 p.m. to the next regularly scheduled meeting.

Respectfully submitted,

ZOE S. MIRABILE
Deputy City Clerk