

MINUTES OF THE MEETING OF THE DAVIS CITY COUNCIL
DECEMBER 13, 2005

The City Council of the City of Davis met in regular, special meeting and closed session at 5:00 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 Special Meeting Agenda S. Greenwald moved, seconded by S. Souza, approval of the special meeting agenda as submitted. The motion passed by the following vote:

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

Resolution Adopting a Reimbursement Policy for City Officials in Compliance with AB 1234 City Attorney Harriet Steiner explained Assembly Bill 1234 requires adoption of a reimbursement policy for city officials. The proposed resolution incorporates current city travel expense authorization and reimbursement procedures.

D. Souza moved, seconded by T. Puntillo, approval of Resolution No. 05-305 – Adopting a Reimbursement Policy for City Officials in Compliance with Assembly Bill 1234 (STATS. 2005, CH. 700). The motion passed by the following vote:

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

Approval of Regular Meeting Agenda S. Greenwald moved, seconded by S. Souza, approval of the regular meeting agenda as submitted. 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:

A. Public Employee Performance Evaluation. Title: City Attorney.

B. Conference with Legal Counsel – Existing Litigation pursuant to subdivision (a) of §54956.9.

1. Dean Robert Johansson v. City of Davis Police Department, CVO5-512.

2. Ivy Anderson, et al., v. City of Davis, et al., 2:05-VC-02321-LKK-GGH.

C. Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of §54956.9: two cases.

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

SACOG Briefing Executive Director Mike McKeever presented information from Sacramento Area Council of Governments (SACOG) regarding their Metropolitan Transportation Plan for 2030.

Consent Calendar Resolution No. 05-306 – Authorizing the City Manager to Submit an Application and Enter Into Contract with the California Department of Education, Related to the Administration of Yolo County Child Development Services.
Approved.

Resolution No. 05-307 – Authorizing the City Manager to Execute the Consultant Agreement with ESA, Inc., to Complete the Environmental Documentation for the Yolo Regional Treated Surface Water Supply Project.
Approved.

Resolution No. 05-308 – Awarding Contract of \$465,000 to Harrison Construction for Municipal Golf Course Facility Remodel, CIP No. 8516; Budget Adjustment #28 (\$163,290).
Approved.

Plans and Specifications for Water Well #32 – Test Holes and Production Wells at Chiles Road and Cowell Boulevard, CIP No. 8129.
(1) Approved plans and specifications; (2) Authorized bid advertisements.

Commission Minutes:
Planning Commission Regular Meetings of June 22, July 27 and August 31, 2005.
Informational.

Tree Commission Regular Meeting of November 17, 2005.
Approved commission recommendations relative to tree removal requests.

Post Measure X – Final Disposition of Entitlements in Environmental Impact Report.
Informational.

T. Puntillo moved, seconded by S. Souza, approval of the consent calendar as submitted. The motion passed by the following vote:
AYES: Greenwald, Puntillo, Saylor, Souza, Asmundson.
NOES: None.

Council, City Manager and City Attorney Communications

- a. Long Range Calendar Councilmember Souza requested Council agenda discussion on January 10, 2006 of a resolution regarding troop withdrawal from Iraq. Council concurred.
 - b. Sister City Visit Councilmember Saylor reported on a visit to Sister City Wuxi, China.
 - c. Yolo County Transportation Board Councilmember Puntillo attended the Yolo County Transportation Board where discussion included information regarding distribution of grant funds by SACOG based on street rating and population.
- Public Comments Cindy Schultz, Suzanne Smith, Bob Glenn, Jill Ferrinni, Mike Flowers, Jim Pearson, and Jim Mantle spoke in opposition to the proposed resolution regarding troop withdrawal. Reasons cited include: city should focus on local issues; proposed resolution

may damage troop morale; support should be shown to troops by sending care packages or letters of support; and proposed resolution does not represent majority of Davis residents.

Floyd Gerraud, Russell Owing, Connie Connegar, Kevin Wolf, and Glory Lovin, Military Family Speak Out Capital Region, spoke in support of the proposed resolution regarding troop withdrawal. Reasons cited include: constitutional right to oppose governmental decisions, majority of Davis resident would be in favor of the proposed resolution, and local issue due to depletion of National Guard and fiscal impacts to citizens.

Councilmember Puntillo read a letter from James Pearson in opposition to proposed resolution.

Public Hearing:
Community Development Block Grant (CDBG) and Housing Investment Partnership Program (HOME) 2006-2007 Request for Proposals

Mayor Pro Tem Greenwald left the dais.

Social Services Superintendent Elvia Garcia-Ayala explained the request for proposals will begin the funding consideration cycle for 2006-2007 Community Development Block and Housing Investment Partnership Program Grants.

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

T. Puntillo moved, seconded by D. Saylor, approval of distribution of a Request for Proposals for use of 2006-2007 Community Development Block Grant and Housing Investment Partnership Program funds with the addition of specific language to encourage proposals from agencies serving aged-out foster children. The motion passed by the following vote:

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

Greenwald returned to the dais.

Public Hearing:
Proposed Parking Modification to the Holiday Cinema Parking Structure at the Corner of First and F Streets

Senior Civil Engineer Roxanne Namazi explained the proposed modification is intended to encourage downtown employee parking within the structure in order to make additional street parking available to customers.

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

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

1. Approval of Resolution No. 05-309 – Amending Exhibit C of Resolution No. 8031, Series 1996, Modifying D Permit Area Preferential Parking.
2. Introduction of Ordinance Amending Section 22.08 of the Municipal Code of the City of Davis Relating to Timed Parking Zones, Section 22.08.300.

The motion passed by the following vote:

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

Public Hearing: Dollar Tree Discount Variety Store Proposal for Occupation of Davis Manor Shopping Center 1600-1800 E. Eighth Street – Negative Declaration; General Plan Amendment; Rezoning; Design Review

Community Development Administrator Katherine Hess explained Dollar Tree, a value-oriented general merchandise store, proposes to occupy the western half of the former grocery space in the Davis Manor Shopping Center.

Mayor Asmundson opened the public hearing.

Mark Pollock, Davis Manor Shopping Center Committee and Davis Manor Neighborhood, supports improvement of corridor and proposed project.

Mayor Asmundson closed the public hearing.

S. Souza moved, seconded by S. Greenwald, approval of Negative Declaration #7-05 determining that the project will not have a significant effect on the environment. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, approval of Resolution No. 05-310 – Amending the General Plan to Change the Designation for the Davis Manor Center from Neighborhood Retail to Community Retail (#3-05). The motion passed by the following vote:

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

S. Souza moved, seconded by T. Puntillo, approval of Rezoning Application #2-05 to create a new zoning district for community retail uses and rezone the Davis Manor Shopping Center. The motion passed by the following vote:

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

S. Souza moved, seconded by S. Greenwald, approval of Design Review Application #12-05, including tree removal permits, for exterior changes to the eastern portion of the shopping center. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, direction to staff to return to Council by February 7, 2006 with a timeline for adoption and implementation of a center revitalization strategy and East Eight Street corridor action plan. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, approval of formation of a Council Subcommittee consisting of Councilmember Puntillo and Mayor Pro Tem Greenwald to work with staff and the neighborhood association on the center revitalization strategy and corridor action plan. The motion passed by the following vote:

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

City Council Discussion – Pursuit of Name Change for “Sutter Place.”

Councilmember Saylor provided background information on the proposal to change the name of Sutter Place.

Melvin Trujillo and Jay Ziegler spoke in support of the proposed name change.

D. Saylor moved, seconded by S. Souza, direction to staff to return to Council in January with a resolution renaming the current street known as Sutter Place to be Riesling Way in honor of David Risling, and name a private street leading from that street to be Sutter Place effective no later than March 1, 2006. Further, this resolution should be accompanied by a resolution in honor of Mr. Risling’s lifelong achievements and contributions to the Davis community and the nation. The motion passed by the following vote:

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

Public Hearing: Development Impact Fee Analysis and Proposed Fee Increases

Finance Director Paul Navazio explained the proposed increases are moderate and largely consistent with the annual increase in the construction cost index.

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

S. Greenwald moved, seconded by T. Puntillo, the following:

1. Approval of Resolution No. 05-311 – Setting the Amount of the Development Impact Fees Established by Ordinance No. 1549 to Become Effective February 19, 2006.
2. Direction to staff to return to Council by May 1, 2006 with an update of the Development Impact Fees with the goal of assuring that the city receives sufficient mitigation to cover the true cost of development, and direction to review methodologies applied by other cities to determine how to capture adequate mitigation fees and at the same time maintain Council goals.

The motion passed by the following vote:

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

Public Hearing: Middle Income Housing and Incentive System for Local Workforce – Negative Declaration; General Plan Text Amendment; Middle Income Housing Ordinance; Incentive System Ordinance; Buyer/Tenant Selection Guidelines; Resolution Establishing Unit Prices for 2005/06

Principal Planner Bob Wolcott and Housing Programs Manager Danielle Foster provided an overview of the proposed middle income housing and incentive system, explaining that the middle income requirement will apply to new residential ownership projects with 26 or greater units and the incentive system will apply to the original sale and resale of all new affordable ownership units serving low/moderate and middle income households.

Mayor Asmundson opened the public hearing.

Steve Greenfield, Chamber of Commerce, spoke in opposition to proposed middle income housing and incentive system and stated development should be encouraged to build the right kind of units without the proposed controls, and requested Council defer consideration of middle income housing requirements until adoption of the next General Plan.

Michelle Reardon also spoke in opposition and stated the middle income housing requirement will negatively affect the low income affordable housing program.

Jeremy Naftle stated the proposed distribution of lottery tickets to seniors and disabled diminishes the initial goal of the incentive system.

Mayor Asmundson closed the public hearing.

S. Greenwald moved direction to staff to draft an ordinance wherein control of housing affordability is accomplished through control of housing size. No second.

D. Saylor moved, seconded by T. Puntillo, approval of Negative Declaration #3-05 determining that the project will not have a significant effect on the environment. The motion passed by the following vote:

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

D. Saylor moved, seconded by T. Puntillo, approval of Resolution No. 05-312 – Amending the General Plan Text Related to Middle Income Housing and an Incentive System for the Local Workforce (#2-05). The motion passed by the following vote:

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

D. Saylor, seconded by S. Souza, introduction of Ordinance Adding Article 18.06 to the Davis Municipal Code to Establish a “Middle Income Housing.” The motion passed by the following vote:

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

D. Saylor moved, seconded by T. Puntillo, introduction of Ordinance Establishing an “Incentive System for the Local Workforce” to Be Used in the Sale of Low, Moderate, and Middle Income Ownership Housing Units. The motion passed by the following vote:

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

D. Saylor moved, seconded by T. Puntillo, approval of the proposed update to the City of Davis Buyer/Tenant Selection Guidelines. The motion passed by the following vote:

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

D. Saylor moved, seconded by S. Souza, approval of Resolution No. 05-313 – Establishing Unit Prices for Two-Bedroom and Three-Bedroom Middle Income Affordable Ownership Units and Adopting a Pricing Structure for All Middle Income Affordable Ownership units for the 2005-2006 Fiscal Year. The motion passed by the following vote:

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

Continued Public Hearing: Parque Santiago/West Side of Ensenada Drive Between Cowell Boulevard and Chiles Road – Final Planned Development; Conditional Use Permit; Design Review; Tentative Map Application; Affordable Housing Plan; Negative Declaration; Development Agreement

Assistant Planner Rhys Rowland explained that on December 6, 2006 Council conceptually approved the proposed project to construct a 25-unit small lot residential subdivision of 14 detached and 11 attached single family dwellings.

Mayor Asmundson opened the public hearing.

Dave Taormino spoke in support of the proposed project.

David Thompson and John Gianola, Davis Area Cooperative Housing Association (DACHA), requested the Development Agreement contain language indicating DACHA would be the recipient of the affordable housing units pending results of an audit of the organization commissioned by the city.

Michelle Reardon stated the Development Agreement should not include language regarding DACHA.

Mayor Asmundson closed the public hearing.

T. Puntillo moved, seconded by S. Souza, the following:

1. Approve Negative Declaration #8-04 determining that the project will not have a significant effect on the environment.
2. Approve Planning Application #44-04 subject to revised findings and conditions of approval: Final Planned Development #10-04, Conditional Use Permit #6-04, Design Review #20-04, Tentative Map Application #5-04, and Affordable Housing Plan #4-04.

The motion passed by the following vote:

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

T. Puntillo moved, seconded by D. Saylor, introduction of Ordinance Approving a Development Agreement with Taormino & Associates, Inc., Regarding the Project Commonly Known as Parque Santiago. Ordinance shall include applicant proposed Option B which addresses content of marketing material, distribution plan, and application form to verify eligibility. In addition, language shall be included to indicate that developer is obligated to accept qualified applications in the order in which they are received.

The motion passed by the following vote:

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

Joint Meeting with Redevelopment Agency: B and Third Streets Visioning Process – Phase II Consultant Contracts

Mayor Pro Tem Greenwald recused herself as she owns property within the subject area.

Mike Yakey spoke in opposition to the visioning process and stated he supports a conservative approach in order to limit development.

Karen Cane requested the traffic study include the alley.

Economic Development Specialist Sarah Worley explained that the scope of work for the traffic analysis will be focused on areas where there may be potentially significant impacts; circulation patterns and trip generation from project will be addressed.

Redevelopment Agency

T. Puntillo moved, seconded by D. Saylor, approval of allocating \$96,500 of Redevelopment Agency funds to cover the costs of consultant services for the B and Third Street Visioning Project.

The motion passed by the following vote:

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

City Council

T. Puntillo moved, seconded by S. Souza, approval of Resolution No. 05-314 – Authorizing the City Manager to Amend Agreements Between Tschudin Consulting Group, and Fehr and Peers, Transportation Consultants and City of Davis, to include the scopes of work for preparation of an Environmental Impact Report for Plan and Zoning Amendments. The motion passed by the following vote:

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

S. Souza moved, seconded by T. Puntillo, direction to staff to prepare a cost recovery proposal and resolution adopting a specific plan amendment fee to accompany other plan and zoning amendments. The motion passed by the following vote:

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

Continued Council
Communications

d. Bicycle Advisory Commission Councilmember Souza attended the Bicycle Advisory Commission wherein discussion focused on the proposed Fifth Street Road Diet and a presentation entitled “Can” the Trash regarding green waste containers.

Adjournment The meeting adjourned at 11:00 p.m. to the next regularly scheduled meeting.

Respectfully submitted,

ZOE S. MIRABILE
Deputy City Clerk

MINUTES OF THE CITY OF DAVIS REDEVELOPMENT AGENCY
December 13, 2005

The Davis Redevelopment Agency of the City of Davis met in regular session at 6:30 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Chair Ruth Asmundson.

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

Absent: None.

Other Officers Present: Executive Director James Antonen, RDA Counsel Harriet Steiner, Secretary Zoe Mirabile.

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

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

NOES: None.

Public Comments. None.

Joint Meeting with City Council: B and Third Streets Visioning

Mayor Pro Tem Greenwald recused herself as she owns property within the subject area.

Process – Phase II Consultant Contracts

Mike Yakey spoke in opposition to the visioning process and stated he supports a conservative approach in order to limit development.

Karen Cane requested the traffic study include the alley.

Economic Development Specialist Sarah Worley explained that the scope of work for the traffic analysis will be focused on areas where there may be potentially significant impacts; circulation patterns and trip generation from project will be addressed.

Redevelopment Agency

T. Puntillo moved, seconded by D. Saylor, approval of allocating \$96,500 of Redevelopment Agency funds to cover the costs of consultant services for the B and Third Street Visioning Project.

The motion passed by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson.

NOES: None.

ABSTAIN: Greenwald.

City Council

T. Puntillo moved, seconded by S. Souza, approval of Resolution No. 05-314 – Authorizing the City Manager to Amend Agreements Between Tschudin Consulting Group, and Fehr and Peers, Transportation Consultants and City of Davis, to include the scopes of work for preparation of an Environmental Impact Report for Plan and Zoning Amendments. The motion passed by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson.

NOES: None.
ABSTAIN: Greenwald.

S. Souza moved, seconded by T. Puntillo, direction to staff to prepare a cost recovery proposal and resolution adopting a specific plan amendment fee to accompany other plan and zoning amendments. The motion passed by the following vote:

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

Adjournment

The meeting adjourned at 11:00 p.m. to the next regularly scheduled meeting.

Respectfully submitted,

Zoe S. Mirabile
Secretary