

**MINUTES OF THE MEETING OF THE DAVIS CITY COUNCIL
JANUARY 10, 2006**

The City Council of the City of Davis met in regular and closed session at 6:00 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 Agenda S. Souza moved, seconded by T. Puntillo, approval of the 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:

Conference with Legal Counsel – Existing Litigation pursuant to subdivision (a) of §54956.9. Union Pacific v. City of Davis, CV05-903.

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

Ceremonial Presentation: Resolution No. 06-01 – Recognizing Martin Luther King, Jr. Day T. Puntillo moved, seconded by D. Saylor, approval of Resolution No. 06-01 – Recognizing Martin Luther King, Jr. Day. The motion passed by the following vote:

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

Mayor Asmundson presented resolution to Human Relations Commissioner John Pamperin.

Council, City Manager and City Attorney Communications

a. Joint Powers Agency Yolo County Habitat/NCCP Councilmember Souza attended the Joint Powers Agency Yolo County Habitat Natural Community Conservation Plan wherein the swainson's hawk mitigation fee was approved.

b. Finance and Budget Commission Mayor Pro Tem Greenwald attended the Finance and Budget Commission where discussion focused on the proposed park tax.

c. Social Services and Civic Arts Commissions Councilmember Saylor attended the Social Services Commission which consisted of an accessibility workshop and discussion of a proposed cold weather shelter on D Street. Saylor also attended the Civic Arts commission wherein they made recommendations on arts contracts.

- d. Long Range Calendar By consensus, Council agendized discussion of a tobacco sales licensing ordinance within six months.
- e. Report on Response to Stormy Weather/Flooding City Manager Antonen provided information on city response to stormy weather and minor street/greenbelt flooding. In addition, Public Works Director Bob Weir outlined studies to develop an inundation plan to combat future flooding situations.
- Consent Calendar
- Resolution No. 06-02 – Authorizing the City Manager to Enter Into a Lease Agreement with Child Development Centers Incorporated for a Portable Building in Sycamore Park.
Approved.
- Resolution No. 06-03 – Authorizing the City Manager to Execute Consultant Agreement with RBF Consulting for Pipe/Facility Corrosion Study, CIP No. 8141.
Approved.
- Resolution No. 06-04 – Authorizing the City Manager to Execute Fiscal Year 2005-06 Service Contract with the Yolo County Sheriff's Department Animal Services.
Approved.
- Resolution No. 06-05 – Approving City Attorney Contract for Services.
Approved.
- Ordinances Modifying the Municipal Code of the City of Davis Relating to No Parking 2 a.m. to 6 a.m. within the Core Area and Along Russell Boulevard:
1. Ordinance Amending Section 22.08.340 Relating to No Parking Except Saturdays, Sundays and Holidays.
 2. Ordinance Amending Section 22.08.350 Relating to No Parking on Tuesdays.
 3. Ordinance Amending Section 22.08.360 Relating to No Parking on Thursdays.
 4. Ordinance Amending Section 22.08.365 Relating to No Parking on Fridays.
- Introduced ordinances.
- Commission Minutes:
Planning Commission Regular Meeting of July 13, 2005.
Informational.
- Business and Economic Development Commission Regular Meetings of September 26 and October 17, 2005.
Informational.
- Safety Advisory Commission Regular Meeting of November 3, 2005.
Informational.
- Tree Commission Regular Meeting of December 15, 2005.
Approved Commission recommendations relative to tree removal requests.
- Ordinance No. 2230 – Amending Chapter 40 of the Davis Municipal Code Rezoning the Property Located at 404, 406, 408, 410 and 412 East Eighth Street From Residential Garden Apartment (R-3) to Preliminary Planned Development #11-04.
Adopted (Introduced 12/6/05).
- Ordinance No. 2231 – Amending Section 22.08.300 of the Municipal Code of the City of Davis Relating to Timed Parking Zones – Parking Structure at 101 F Street.
Adopted (Introduced 12/13/05).

Ordinance No. 2232 – Adopting Article 40.18A of the Municipal Code Establishing a Community Retail Zoning District.
Adopted (Introduced 12/13/05).

Ordinance No. 2233 – Approving a Development Agreement with Taormino & Associates, Inc., Regarding the Project Commonly Known as Parque Santiago.
Adopted (Introduced 12/13/05).

Ordinance No. 2234 – Adding Article 18.06 to the Davis Municipal Code to Establish a “Middle Income Housing” Requirement.
Adopted (Introduced 12/13/05) by the following vote:

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

Second Reading: Ordinance of the City of Davis Adding Article 18.07 to the Davis Municipal Code to Establish an “Incentive System for the Local Workforce” to be Used in the Sale of Low, Moderate, and Middle Income Ownership Housing Units.
Item removed from discussion and deferred until February 7, 2006.

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.

Public Comments

Will Lotter and Hamza El-Nakhal spoke in support of the proposed resolution regarding withdrawal of troops from Iraq.

Cyril Juanitas stated he was the current alternate on the Recreation and Park Commission and was seeking appointment as a regular member.

Lucas Freirichs stated he was the current alternate on the Social Services Commission and was seeking appointment as a regular member.

Bob Glenn requested public speakers indicate their place of residence in addition to their name. In addition, he stated the Human Relations Commission minutes have not been updated on the city website and the commission was assigned to update the diversity and discrimination report in 2000 which has yet to be completed.

Cecilia Escamilla-Greenwald, Human Relations Commission, requested Council agendaize discussion of commission recommendation for a citizen police review board.

Kevin Kline, Social Services Commission, spoke regarding the accessibility workshop conducted by the commission in order to develop housing guidelines and in support of appointment of alternate Lucas Freirichs as a regular member of the commission.

Appointments to Advisory Boards/
Commissions:

City Council voted through use of a grid system. Mayor Asmundson announced the votes cast as follows:

a. Building Board of Appeals

Building Board of Appeals (5 regular vacancies): Applicants Herman Ashdown; Marcelo Campos; Stephen Harrison; Robert Lindley; Chuck Roe; and Cindy Wilson.

As a result of the votes cast, Council unanimously appointed the following: Marcelo Campos, Stephen Harrison, Robert Lindley, Chuck Roe, and Cindy Wilson.

b. Handicapped Access Standards Board of Appeals Handicapped Access Standards Board of Appeals (5 regular vacancies): Applicants Elaine Anderson; Herman Ashdown; Lena Contreras; Stephen Harrison; Robert Lindley; George Moore; Michelle Reardon; Kathryn Robertson; and Ken Yamauchi.

Greenwald: Lena Contreras, Robert Lindley, George Moore, Michelle Reardon, Ken Yamauchi
Puntillo: Elaine Anderson, Stephen Harrison, Robert Lindley, George Moore, Michelle Reardon
Saylor: Elaine Anderson, Herman Ashdown, George Moore, Michelle Reardon, Ken Yamauchi
Souza: Elaine Anderson, Herman Ashdown, George Moore, Michelle Reardon, Ken Yamauchi
Asmundson: Elaine Anderson, Stephen Harrison, George Moore, Michelle Reardon, Ken Yamauchi

As a result of the votes cast, the following were appointed: Elaine Anderson, George Moore, Michelle Reardon, and Ken Yamauchi.

Herman Ashdown, Stephen Harrison and Robert Lindley all received two votes each. A run-off vote was held as follows:

Greenwald: Robert Lindley
Puntillo: Herman Ashdown
Saylor: Herman Ashdown
Souza: Herman Ashdown
Asmundson: Stephen Harrison

As a result of the votes cast, Herman Ashdown was appointed.

c. Natural Resources Commission Appointment to the Natural Resources Commission was deferred.

d. Recreation and Park Commission Recreation and Park Commission (1 regular vacancy): Applicants Michael Beckman; and Cyril Juanitas (current alternate).

Greenwald: Cyril Juanitas (Regular); Michael Beckman (Alternate)
Puntillo: Cyril Juanitas
Saylor: Cyril Juanitas (Regular); Michael Beckman (Alternate)
Souza: Cyril Juanitas (Regular); Michael Beckman (Alternate)
Asmundson: Cyril Juanitas (Regular); Michael Beckman (Alternate)

As a result of the votes cast, Cyril Juanitas was appointed as a regular member and Michael Beckman was appointed as an alternate.

e. Social Services Commission Social Services Commission (1 regular vacancy): Applicants Lucas Frerichs (current alternate); Xavjeir GdFaith; and Cathy Huff.

Greenwald: Lucas Frerichs (Regular); Cathy Huff (Alternate)
Puntillo: Lucas Frerichs
Saylor: Lucas Frerichs (Regular); Cathy Huff (Alternate)
Souza: Lucas Frerichs (Regular); Cathy Huff (Alternate)
Asmundson: Lucas Frerichs (Regular); Cathy Huff (Alternate)

As a result of the votes cast, Lucas Frerichs was appointed as a regular member and Cathy Huff was appointed as an alternate.

f. Tree Commission Tree Commission (1 alternate vacancy): Applicants George Rooks; Hila Rooks; and Sydney Vergis.

Greenwald: Sydney Vergis
Puntillo: George Rooks
Saylor: Sydney Vergis
Souza: Sydney Vergis
Asmundson: Sydney Vergis

As a result of the votes cast, Sydney Vergis was appointed as an alternate.

Proposal to Change
the Name of Sutter
Place to Risling
Court

City Manager James Antonen outlined staff recommendations.

Melvin Trujillo and Jack Forbes spoke in support of the proposed resolution to change the name of Sutter Place to Risling Court and relayed background information regarding Risling's activities as an education advocate.

Cecilia Escamilla-Greenwald, Human Relations Commission, and Cassandra Hencher also spoke in support of the proposed resolution.

S. Greenwald moved, seconded by S. Souza, approval of Resolution No. 06-06 – Changing the Name of Sutter Place to Risling Court. The motion passed by the following vote:

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

D. Saylor moved, seconded by T. Puntillo, approval of Resolution No. 06-07 – Honoring the Late David Risling, Jr. The motion passed by the following vote:

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

Mayor Asmundson presented the resolution to Barbara Risling.

Resolution Regarding
Withdrawal of
Troops from Iraq

Councilmember Stephen Souza explained that community members contributed to the language of the proposed resolution in conjunction with Davis Peace Coalition and Capitol Region Chapter of Military Families Speak Out. He stated there was no city staff time expended.

Twenty-four individuals and representatives from Military Families Speak Out, Davis Peace Coalition, ASUCD Senate, and the Human Relations Commission spoke in support of the proposed resolution. In addition, two neighborhood petitions were submitted. Reasons cited include: opposition to war and treatment of soldiers, loss of loved ones, and importance for the city to indicate its opposition on record.

Twelve individuals spoke in opposition to the proposed resolution. Reasons stated include: city council should focus on local issues as national ones are outside of their jurisdiction, proposed resolution does not reflect opinion of the majority of the community, proposed resolution is divisive and may send a negative message to troops.

Councilmember Souza read the proposed resolution in entirety for the record.

S. Souza moved, seconded by S. Greenwald, approval of Resolution No. 06-08 – Calling on President Bush to Bring Our Troops Home. The motion passed by the fol-

lowing vote:

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

Ordinances Modifying Municipal Code and Establishing No Parking from 6 a.m. to 10 a.m. within the Old North Davis Neighborhood to Accommodate Street Sweeping

City Manager Antonen explained that the Old North Davis Neighborhood Association requested deferment of discussion of the proposed ordinances for one month. Council concurred.

Consideration of Options for June Ballot Measure Renewing the Parks Maintenance Tax

Finance Director Paul Navazio provided information regarding options to consider in developing a parks tax measure and outlined a timetable for submission of the measure to coincide with the June 2006 election.

T. Puntillo moved, seconded by S. Souza, direction to staff as follows:

1. Prepare the text of the Parks Tax Renewal Measure to appear on the June 2006 ballot.
2. Prepare resolutions calling for the June 2006 election and requesting Yolo County Board of Supervisors consolidate the election with the existing scheduled election.

The motion passed by the following vote:

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

R. Asmundson moved, seconded by S. Souza, approval of formation of a Council Subcommittee consisting of Councilmembers Puntillo and Souza to work with staff regarding the parks tax measure. The motion passed by the following vote:

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

Proposed Dispensation of City Property Adjacent to Haussler Home at 2627 East Covell Boulevard

Community Partnership Coordinator Anne Brunette explained the property in question was originally intended to provide a buffer for the Haussler home from the new Wildhorse development and is no longer a necessity as the lot currently has a pending subdivision application.

D. Saylor moved, seconded by T. Puntillo, direction to staff as follows:

1. Prepare an appraisal of the land east of the Haussler home on Covell Boulevard, considering options for both undivided and subdivided land, and return to Council for further direction on whether to treat the property as surplus.
2. Refer the property dispensation proposal to the Recreation and Park Commission.

S. Greenwald moved substitute motion to direct staff to return to Council with an estimate of the cost for continued maintenance of the land before any funds are spent on the appraisal. No second.

The original motion passed by the following vote:

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

NOES: None.

Adjournment

The meeting adjourned at 11:31 p.m. to the next regularly scheduled meeting.

ZOE S. MIRABILE
Deputy City Clerk