

MINUTES OF THE DAVIS CITY COUNCIL
MEETING OF MAY 16, 2006

The City Council of the City of Davis met in regular session beginning at 6:30 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 Bill Emlen, City Attorney Harriet Steiner, Planning Technician Lynanne Mehlhaff (acting for the City Clerk)

Approval of Agenda T. Puntillo moved, seconded by D. Saylor, approval of the City Council regular and special agendas as submitted. The motion passed by the following vote:

AYES: Asmundson, Greenwald, Saylor, Souza, Puntillo

NOES: None

Closed Session The City Council went into closed session on the following items:

Conference with real property negotiator, conference with labor negotiator and Ebey/Laughtin property final council action – Consideration of increased allocation from the city and other funding partners to resolve mineral rights issues and complete the conservation easement transaction and subsequent resale of the Ebey/Laughtin property.

The Council returned to open session with their action being discussed later in this meeting.

Ceremonial Presentations R. Asmundson presented a proclamation declaring May 2006 as Teen Pregnancy Prevention Month.

S. Greenwald presented a proclamation declaring May 15-19, 2006 Senior Center Awareness Week.

D. Saylor presented a proclamation declaring May 21-27, 2006 National Public Works Week.

T. Puntillo presented a proclamation in recognition and appreciation to Lieutenant Darren Pytel and Sergeant Paul Doroshov of the Davis Police Department for their commitment to improving police-student relations through the City-UC Davis Student Liaison Commission's and Police-Student Relations Subcommittee.

S. Sousa presented a proclamation declaring May 2006 as Clean Air Month.

R. Asmundson presented a proclamation declaring May 17, 2006 as Davis Bike Commute Day.

Public Comment C. Yorgenson and N. Kumagai spoke regarding the police department and their actions.

Consent Calendar Resolution No. 06-67 - Accepting Bid of \$75,090.98 from VMI, Inc., for Community Chambers Video Equipment Replacement
Approved

Resolution No. 06-68 - Authorizing the City Manager to Enter Into the Agreements Necessary to Amend the Lease and Sublease Associated with Davis Waste Removal Company, Inc., "DWR" and Davis Youth Soccer League "DYSL" for Soccer Fields East of Davis
Approved

Resolution No. 06-69 - Approving Final Map for Parque Santiago, Subdivisions No. 4631 and Authorizing the City Manager to Execute the Subdivision Agreement (Parque Santiago LLC)
Approved

Ordinance Amending Section 22.08.365 of the Municipal Code Relating to No Parking 2 a.m. to 6 a.m. on Fridays – B Street from First Street to Fifth Street
Introduced

Ordinance Amending Section 22.04.010 of the Municipal Code Relating to the Decrease of Prima Facie Speed Limit – East Covell Boulevard
Introduced

Proposed Removal of Human Relations Commissioner Victor Valerio for Lack of Attendance
Approved

Resolution No. 06-70 - Approving the City Wide Records Retention Schedule and Records Management Manual
Approved

Resolution No. 06-71 - Approving a Memorandum of Understanding with Davis City Employees Association (DCEA); Resolution No. 06-83 for Paying and Reporting the Value of Employer Paid Member Contributions for the Davis City Employees Association
Approved

Commission Minutes:
Human Relations Commission Regular Meetings of February 23 and March 23, 2006
Informational

Open Space Commission Regular Meeting of April 3, 2006
Informational

Planning Commission Regular Meetings of February 8 and March 8, 2006
Informational

City Council Minutes from the Regular Meeting of May 2, 2006
Approved

Resolution No. 06-72 - Authorizing Acceptance of Funds From the Ben and Victoria Williams Trust to the Davis Senior Center for Equipment
Resolution No. 06-73 - Alzheimer's and Dementia Services, and Allocation of Funds to Citizen's Who Care for Alzheimer's Respite Services
Resolution 06-74 - Compromise agreement wherein \$6,961 in additional allocations will be returned to the city for use in other Alzheimer's and dementia programs at the Senior Center
Approved

Resolution No. 06-75 - Adopting the Public Agency Retirement Services (PARS) 457 Trust, Including the PARS Section 457 FICA Alternative Retirement Plan

Approved

New Job Specification – Planner

Approved

Ordinance No. 2248 - Amending Section 22.08 of the Municipal Code Relating to Timed Parking Zones, Sections 22.08.275, 22.08.280, 22.08.285, 22.08.290

Adopted (Introduced 5/2/06)

Ordinance No. 2249 - Amending Section 18.04 of the Municipal Code to Update and Modify Owner Occupancy Requirements

Adopted (Introduced 5/2/06)

Ordinance No. 2250 - Amending Chapter 33 of the Municipal Code Relating to Sewer Rates

Adopted (Introduced 5/2/06)

Ordinance No. 2251 - Amending Chapter 39 of the Municipal Code Relating to Water Rates

Adopted (Introduced 5/2/06)

Resolution No. 06-76 – Approving the City of Davis’ Claims for State Transit Assistance Funds for fiscal year 05-06.

Approved

Resolution 06-77 - Approving the City of Davis’ Claims for Transportation Development Act – Local Transportation Funds and State Transit Assistance Funds for fiscal year 05-06.

Approved

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

Items pulled from the Consent Calendar

Motion by T. Puntillo, seconded by S. Greenwald approval of Resolution 06-78 Authorizing the City Manager to Enter Into the First Amendment to the Lease with National Railroad Passenger Corporation to Delete Certain Rooms From the Definition of Premises. Motion carried by the following vote:

AYES: Greenwald, Puntillo, Saylor, Souza, Asmundson

NOES: None

Motion by D. Saylor, seconded by T. Puntillo approval of Resolution 06-79 Approving a Memorandum of Understanding with Program Administrative and Support Employees Association (PASEA). Motion carried by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson

NOES: Greenwald

Motion by T. Puntillo, seconded by S. Souza approval of Resolution 06-80 Approving a Memorandum of Understanding with Individual Management Employees (Except City Manager and Department Heads). Motion carried by the following vote:

AYES: Puntillo, Saylor, Souza, Asmundson

NOES: Greenwald

Reconsideration of April 18, 2006 City Council Action Regarding the Closure of Fire Pits

Motion by S. Souza, seconded by T. Puntillo to reconsider the closure of the Mace Ranch fire pits tonight, motion carried.

Three citizens spoke in favor keeping the fire pit open and three citizens spoke out against the fire pit. Those that spoke out against the fire pit were due to the proximity of the homes.

It was suggested that a trial period begin by issuing permits for fire pit use as well as closing the fire ring at 10:00 p.m.

Motion by S. Souza, seconded by S. Greenwald to approve Urgency Ordinance 2252 and the motion carried by the following vote:

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

Motion by S. Souza to send the issue to the Park and Recreation Commission to discuss the relocation of the benches with the possibility of a fire pit, motion carried unanimously.

Ebey/Laughtin Property Final Council Action – Consideration of Increased Allocation from the City and Other Funding Partners to Resolve Mineral Rights Issues and Complete the Conservation Easement Transaction and Subsequent Resale of the Ebey/Laughtin Property

M. Sears advised that the mineral rights issue has yet to be resolved. Staff asked for authorization to continue to negotiate with the mineral rights company for subordination of their surface mineral rights to allow the federal funding to be applied to the project. If the negotiations are unsuccessful there is a parallel recommendation that would authorize the City Manager to pursue an alternative funding structure that would include the different funding partners to include the cities of Dixon and Davis, Solano Land Trust, and the State to put together the funds to remove the federal funding from the project, thereby eliminating the requirement to obtain the surface mineral rights that come with the federal funding. This will allow the completion of the acquisition and close escrow on June 15th. The budget adjustment should be modified to change it from additional funds from Measure O account to the ag mitigation trust account.

T. Puntillo moved, seconded by S. Souza, approval of staff recommendations to authorize use of excess proceeds from the resale of the McConeghy property to secure subordination of surface mineral rights to the conservation easement and authorize additional funding to partially replace Federal grant funding to remove the requirement for a subordination of surface mineral rights to the conservation easement. The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor authorizing a \$4,000 expenditure to hire an outside consultant through Trans American, motion carried unanimously.

Public Hearing: Weed Abatement – Removal of Weeds and Grasses to Eliminate Potential Fire Hazards

The public hearing was opened and with no comments from the public the hearing was closed.

S. Souza moved, seconded by T. Puntillo to move forward with the removal of weeds and grasses to eliminate potential fire hazards. Motion passed by the following vote:

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

Public Hearing:

The public hearing was opened and continued to June 13, 2006.

City/UC Davis
Groundwater Man-
agement Plan

Public Hearing:
2005 Urban Water
Management Plan
Public Hearing: Up-
date to Parkland
Dedication Fee Pur-
suant to the Quimby
Act

The public hearing was opened and continued to June 13, 2006.

A. Brunette provided background on the Quimby Act as it relates to parkland dedica-
tion fees.

The public hearing was opened and with no comments the public hearing was closed.

S. Souza moved, seconded by D. Saylor approval Resolution No. 06-81 setting a
parkland in-lieu fee and escalator. Motion passed by the following vote:

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

D. Saylor moved, seconded by S. Souza to direct staff to return with an assessment
of approaches including alternatives for the infill core area, motion passed unani-
mously.

The public hearing was opened and with no comments the public hearing was closed.

Public Hearing:
FY2006/07 Update
to Citywide Master
Fee Schedule for
Provision of Services
by City Departments

S. Souza moved, seconded by T. Puntillo approval of Resolution No. 06-82, approv-
ing the 2006 updated Master Fee Schedule for provision of services by city depart-
ments. The motion carried by the following vote:

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

Continued Public
Hearing: SW Corner
of Fifth Street and
Alhambra Boulevard,
and NW Corner of
Mace Boulevard and
Alhambra Boulevard
– Rezoning and
General Plan
Amendment, Resi-
dential Use and
Neighborhood Retail
Use

Mayor Asmundson opened the public hearing and continued to June 20, 2006

Appeal of Tree
Commission Deci-
sion Relative to Tree
Removal Request at
671 Bianco Court

R. Cain presented the background on the item, including the Tree Commission deci-
sion regarding tree removal at 671 Bianco Court.

T. Puntillo moved, seconded by S. Souza to allow Mr. Hillman to remove the tree at
671 Bianco Court with a replacement tree to be selected and placed at an appropriate
location as determined by Rob Cain, City Arborist. The motion carried by the follow-
ing vote:

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

Appointment of an
Ad-Hoc Committee

Motion by T. Puntillo, seconded by R. Asmundson to appoint D. Saylor and S. Souza
on the Ad-Hoc Committee. The motion passed by the following vote:

to Focus on Goals
Approved at the April
25, 2006 City Council – School Board
Joint Meeting

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

City Council Communications

S. Souza spoke about the SACOG meeting at the University.

Adjournment

The meeting adjourned at 10:00 p.m.

Margaret Roberts, CMC
City Clerk