

MINUTES OF THE DAVIS CITY COUNCIL
MEETING OF JUNE 13, 2006

The City Council of the City of Davis met in regular session beginning 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 Bill Emlen, City Attorney Harriet Steiner, City Clerk Margaret Roberts

Approval of Agenda T. Puntillo moved, seconded by D. Saylor, approval of the City Council regular agenda 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 Legal Counsel – Existing Litigation pursuant to subdivision (a) of §54956.9. Davis Enterprise v. Fairfield Republic, et al, CV06-68.

Conference with Labor Negotiator

Agency Designated Representatives: City Manager Bill Emlen,
Human Resources Administrator Melissa Chaney, Finance Director Paul Navazio
Employee Organization: Davis Police Officers Association

The Council returned to open session with no reportable action.

Chamber of
Commerce Report
on Celebrate Davis!
Event

S. Puntillo, CEO for the Chamber, reported that Celebrate Davis! Event, which was a huge success.

B. Gallaudet, Ambassador for the Chamber, stated that the Chamber has been talking about the circle of life for Davis tax dollars.

Consent Calendar

Resolution 06-84 fixing the employer's contribution under the Meyers-Geddes State Employees' Medical and Hospital Care Act for Employees and Annuitants
Approved

Resolution 06-85 authorizing the City Manager to execute the Professional Services Agreement for the Tree Maintenance Services of Public Trees through a cooperative purchasing arrangement with West Coast Arborist, Inc.
Approved

Resolution 06-86 authorizing the City Manager to submit an application and enter into contract with the Yolo County Department of Employment and Social Services, related to the administration of Yolo County CalWORKs Child Development Services
Approved

Resolution 06-87 awarding contract of \$215,876 to Martin General Engineering, Inc. for bikepath maintenance and rehabilitation – 2006, Program No. 7252
Approved

Resolution 06-88 rejecting all bids for police impound storage buildings, CIP No. 8512
Approved resolution and authorized rebid of the project as soon as possible and City
Manager to award project to low bidder of new bid cycle

Resolution 06-89 authorizing the City Manager to enact a Pilot Recruitment Payment
Project for the positions of Police Officer and Dispatcher
Approved

Resolution 06-90 of intention for the levy of an assessment on hotels for the visitor
attraction district pursuant to the Parking and Business Improvement Area Law of
1989

Annual Assessment Report from the Yolo County Visitors Bureau
Approved resolution and accepted report as informational

Ordinance Amending Section 22.08.310 of the Municipal Code of the City of Davis
relating to parking – prohibiting parking on South Side Cowell Boulevard
Introduced

Ordinance Amending Section 22.07.030 of the Municipal Code of the City of Davis
relating to stop intersection designation – Hartley Street at Sloan Street
Introduced

Budget Adjustment #68 (\$22,755) – Purchase of new automatic external defibrillators
Approved

Budget Adjustment #78 (\$65,580) – Reimbursement of operating expenses for use of
traffic intersection red light cameras
Approved

Budget Adjustment #79 (\$5,000) – Reimbursement of expenses incurred during Of-
fice of Traffic Safety “AVOID The Eight” grant operations
Approved

Budget Adjustment #86 (\$126,139) – Allocating past year savings in Community De-
velopment Block Grant Program Funds
Approved

Budget Adjustment #87 (\$98,163) – Allocating State Department of Education funding
for resource and referral and child care subsidy programs
Approved

Budget Adjustment #88 (\$50,200) – Allocating HUD Economic Development Initiative
Grant Funds for Senior Center expansion
Approved

Budget Adjustment #89 (\$28,500) – Allocating funds for payment of credit card proc-
essing fees for city services bill payments
approved

New/Revised Job Specifications – Building/Planning Technician I/II, Park Mainte-
nance Crew Supervisor, General Services Clerk
Approved

Letter of authorization for participating in a regional application for a California Inte-
grated Waste Management Board Household Hazardous Waste Fiscal Year 2006/07
Grant

Authorized Yolo County to submit regional application and approved a letter of authorization

Commission Minutes:

Bicycle Advisory Commission Regular Meeting of March 20, 2006
Informational

City/UCD Student Liaison Commission Regular Meeting of April 12, 2006
Informational

Finance and Budget Commission Regular Meeting of April 10, 2006
Informational

Natural Resources Commission Regular Meeting of March 27, 2006
Informational

Planning Commission Regular Meeting of April 26, 2006
Informational

Recreation and Park Commission Regular Meeting of May 18, 2006
Informational with the following exceptions:

Approved repair of light controller at Skateboard Park

Received information from Toad Hollow Dog Park survey and approve considerations for development of Dog Park Master Plan

Approved approach, methodology and sequence of facilities reviewed for Facilities Fee Study

Safety Advisory Commission Regular Meeting of April 6, 2006
Informational

Senior Citizens Commission Regular Meetings of March 9 and April 13, 2006
Informational

City Council Minutes from the Regular Meeting of May 16, 2006
Approved

Second Reading: Ordinance 2253 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
Adopted (Introduced 05/16/06)

Second Reading: Ordinance 2254 Amending Section 22.04.010 of the Municipal Code Relating to the Decrease of Prima Facie Speed Limit – East Covell Boulevard
Adopted (Introduced 05/16/06)

Plan, Specifications and Estimate for Sidewalk Replacement Project, Program No. 7259
Approved

Resolution 06-91 awarding contract of \$160,720 to Nor-Cal Concrete, Inc., and approving a construction contingency of \$15,000
Approved

Budget Adjustment #90 (\$45,720) – Allocating Funds for ADA Compliant Parking Stalls at Central Park
Approved

Resolution 06-92 Awarding Contract of \$967,985 to Hemington Landscape Services, Inc., for Mace Ranch Neighborhood Park, CIP No. 8136 and Approving a Construction Contingency of \$50,000
Approved

Budget Adjustment #91 (\$200,000) – Allocating Funds from Parks Impact Fees
Approved

Resolution 06-93 Awarding Contract of \$100,000 to Steiny & Company, Inc., for Well 15 Electrical Upgrade, CIP No. 8146 and Approving a Construction Contingency of \$10,000
Approved

Budget Adjustment #92 (\$30,000) – Allocating Funds from Sewer Fund Capital Replacement Reserve
Approved

Resolution 06-94 authorizing the First Amendment to the agreement regarding purchase and resale of the Ebey/Laughtin Ranch and to Amend Other Agreements as necessary provided the amendments do not increase the easement acquisition price
Approved

Resolution 06-95 in Support of the California Clean Alternative Energy Initiative
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

City Council Communications

Council members discussed different meetings that they attended and reported on upcoming events.

Public Comment

D. Lee discussed a march against racial profiling that took place on May 23, 2006 that ended at the Police Station.

B. Gwenn voiced concerns with the Human Relation Commission's process for the Thong Hy Huynh Awards.

N. Kumagai stated that Angelina Malfitano, a 22 yr old political science student and member of the UCD/City Student Liaison Commission, was killed in an auto accident.

J. Sherman spoke against the police department.

F. Faucet suggested that the Council ask for a percentage of the property tax to be forwarded to the city which could bring in 2-3 million dollars annually.

Continued Public Hearing: City/UC Davis Groundwater Management Plan

This item and the next item are policy documents. The plan needs to be received, public hearing held and the City Manager authorized to submit the plans to the State.

B. Weir advised that the city continues to see stringent regulations and they will continue to get tighter. The ground water will continue to meet those regulations and the treatment of water will continue to be necessary. The monitoring plan will be updated every 5 years with an annual update to the Council.

The continued public hearing was opened.

J. Jackman commented on not being able to locate the information on the city's website and the levels of estrogen in the water.

F. Justino addressed the levels of estrogen in the water and that higher quality of water is needed.

With no further comments, the public hearing was closed.

D. Saylor moved, seconded by T. Puntillo, approval of Resolution 06-96 adopting the City/UC Davis Groundwater Management Plan and authorizing the City Manager to submit the plan to the California Department of Water Resources. The motion passed by the following vote:

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

The discussion on this item was done with the previous item.

The continued public hearing was opened and with no comments, was closed.

S. Greenwald moved, seconded by S. Souza, approval of Resolution 06-97 adopting the Urban Water Management Plan authorizing submittal to California Department of Water Resources. The motion passed by the following vote:

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

Continued Public Hearing: 2005 Urban Water Management Plan

Budget Hearing: Continued Discussion of Fiscal Year 2006/07 Proposed Budget with Focus on Capital Improvement Funding Recommendations

P. Navazio gave a brief introduction to the item and highlighted some significant points, including the Capital Improvement Plan. Staff is proposing to make some revisions from the previously presented draft budget in chapter 15.

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

Staff recommendation was to review staffing needs for the police department for implementation at mid-year budget.

Cable Franchise Funding: Resolution Authorizing Contract with (DJUSD) and (DCT) Through June 30, 2008

J. Cochran advised that this item is returning from the April meeting at the request of the Council. The allocations are being recommended in areas of franchise fees, monthly per subscriber pass through and the up front grants for capital improvement costs and a minor grant for the school.

There was a discussion on what the impacts would be if AB2987 passes. The city's revenue will go down, but it is unknown to what extent at this time. The senate will hear this item on the 27th.

Budget Adjustments 93 and 94

The formation of a Telecommunications Commission will be brought before the Council in the near future.

S. Souza moved, seconded by S. Greenwald, approval of Resolution 06-98 authorizing agreements between the City of Davis, Davis Joint Unified School District (DJUSD) and Davis Community Television (DCT) for the provision of education and public access cable services. The motion passed by the following vote:

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

D. Saylor moved, seconded by T. Puntillo approval of budget adjustments 93 and 94, and approval of establishing a Cable Capital and Equipment Fund (Fund 151), motion carried unanimously.

Public Hearing:
Target Store/Second
Street Crossing Ap-
plication – Proposed
Location at Eastern
Intersection of Fara-
day Avenue and
Second Street

B. Emlen advised that the full array of documents needed to make a decision on the Target item was before the Council. This project has been the topic of many discussions as well as outreach to the public and commissions. This is a significant issue before the citizens of Davis.

M. Webb gave a PowerPoint presentation on the Target application. He pointed out the key considerations for the Council which are:

- Community character
- Neighborhood compatibility
- Downtown and neighborhood center preservation
- Shift in General Plan retail policy
- Increased shopping – convenience/selection
- Retain customers within the city
- Diversify local sales tax base
- Improve fiscal stability
- General plan and zoning is specific and well defined
- Site location
- Improved site planning over current
- Buildings better positioned to mitigate impacts loading, parking lots, freeway and train

B. Emlen advised there are two components; determine if the EIR is adequate and all of the entitlement components.

M. Dupree, Chair of the Planning Commission, advised that there were five commissioners present the night of the Planning Commission decision. The socio-economical impact was the basis for their decision on the EIR. The other decisions they made on the item were 4-1 vote.

A motion by the Finance & Budget Commission meeting of June 12, 2006 is as follows:

“Consistent with our previous recommendation to the City Council (see FBC Minutes from 03/14/05 Meeting), the Finance and Budget Commission recommends – in the strongest possible terms – that the Draft Development Agreement be referred to the Finance and Budget Commission (and any appropriate commission) for review prior to any council action on the item.

Failure to do so would make a mockery of the Council/Commission relationship and the City’s long history of encouraging public participation in government.

The Finance and Budget commission makes this recommendation without prejudice to the Second Street Crossing Project.”

The public hearing was opened at 9:01 p.m.

J. Dues, Target Corporation, presented information and answered questions on the project, including the process that has taken place to date.

R. Westergard and C. Hawks spoke on behalf of the Mace Ranch Development Association who is against the project due to the amount of revenue is not worth the

damage it would cause to downtown businesses. It was pointed out that the Mace Ranch residents pay Mello Roos for schools that are not yet built. They have obtained over 300 signatures against big-box retail in Davis. There is also concern with air quality. The EPA has been working on cleaning the area and this effort has been unable to contain the materials. It can take up to 500 years to have this area completely clean.

J. Adler presented a letter from the Chamber of Commerce.

There were 20 citizens who spoke in favor of Target with the following comments:
They want their tax dollars to remain in Davis.
The City recruited Target to come to Davis and if turned away what would that mean to future corporations coming to Davis.
Convenience of shopping locally.
It will keep Davis residents in town therefore causing less fuel emissions.
More job opportunities locally.

There were 61 citizens who spoke against Target with the following concerns:
The EIR does not meet CEQA requirements.
The unique character of Davis would be lost.
Crime will come with a Target store.
A dramatic change and breach of community trust.
Would rather see stores such as Crate and Barrel.
The impact on the downtown businesses.
Homes to close to the project site.
Increase in traffic to the area.

There were 5 citizens who spoke with no opinion but urged the Council to look at all of the facts for the project.

The public hearing was closed at 12:05 a.m.

The Council asked many questions of staff and the Target representatives regarding the project. The questions focused on the following topics:

- Air quality
- Process for putting this on the ballot in November
- The monitoring or extractions of the wells
- Hawk mitigation
- Distance between the project site and the residents
- Floor space allowable for non-taxable items
- Commission votes on the project
- Separation of the project from the residential neighborhood
- Traffic
- Security for the project after completion
- The expected sales tax revenue
- Alternate locations

This item was continued to the meeting of June 20, 2006. It was requested that staff bring back alternatives for action.

Item pulled from the Consent Calendar

D. Saylor moved, seconded by T. Puntillo to hear the following item tonight, motion carried by the following vote:

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

D. Saylor advised that the nominations that met the deadline we set aside and only the nominations made by the commission from the floor were considered.

D. Saylor moved, S. Souza seconded approval of Resolution 06-99 to award the Huynh Awards to all those who were nominated by both nomination forms as well as the nominations from the floor and to keep the ceremony of the awards . The motion passed by the following vote:

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

N. Kumagai submitted a nomination of Ms. Choe and it was turned in on time and was not even considered. He is insulted that it is stated that this is a struggle between D. Saylor and Cecelia Greenwald.

Adjournment

The meeting adjourned at 2:43 a.m. in memory of Angelina Malfitano.

Margaret Roberts, CMC

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY
MEETING OF JUNE 13, 2006

The Redevelopment Agency of the City of Davis met in regular session beginning at 7:12 p.m. in the Community Chambers, 23 Russell Blvd., Davis, California. All meetings were called to order by Mayor Asmundson.

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

Board members Absent: None

Other Officers Present: City Manager Bill Emlen, RDA Counsel Harriet Steiner, City Clerk Margaret Roberts

Approval of Agenda T. Puntillo moved, seconded by D. Saylor, approval of the Redevelopment Agency agenda as submitted. The motion passed by the following vote:

YES: Greenwald, Puntillo, Saylor, Souza, Asmundson

NOES: None

Public Comment There were no public comments.

Public Hearing: Mid-term review of the Five Year Implementation Plan (2003-2008) for Redevelopment Project Area J. Hiatt advised that the RDA must adopt the 5-year implementation plan for the Redevelopment Project Area, which Davis adopted in 2003. He discussed the projects that have moved forward to date as well as the upcoming projects in the plan.

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

T. Puntillo advised that there was federal funding for a project for a parking structure. The final allocation of this funding is not yet done; however, when the funding comes in and combined with agency funds the project can be completed.

T. Puntillo moved, seconded by S. Greenwald approval of the five-year implementation plan for the Redevelopment Project Area, motion carried unanimously.

Adjournment The meeting was adjourned at 7:19 p.m.

Margaret Roberts, CMC
Clerk of the Board