

MINUTES OF THE DAVIS CITY COUNCIL MEETING OF AUGUST 1, 2006

The City Council of the City of Davis met in regular session beginning at 8:33 a.m. in the Community Chambers, 23 Russell Blvd., Davis, California. The meeting was called to order by Mayor Greenwald.

Roll Call: Councilmembers Present: Ruth Asmundson, Lamar Heystek, Don Saylor, Stephen Souza, Sue Greenwald

Councilmembers Absent: None

Other Officers Present: City Manager Bill Emlen, Assistant City Attorney Kara Ueda, City Clerk Margaret Roberts

Approval of Agenda S. Greenwald stated that aerial spraying was scheduled for this week and it is causing great concern in Davis. She asked the Council if they would be willing to call a special meeting on Wednesday evening to discuss the issue.

S. Souza moved, seconded by S. Greenwald, to add a discussion on vector control to the agenda as an emergency item since this was done after the posting of the agenda and action would need to be taken prior to the next meeting of the City Council. The motion passed by a unanimous vote of the Council.

Vector control will be item 4a on the agenda by a unanimous vote.

R. Asmundson moved, seconded by S. Souza, approval of the City Council agenda as submitted. The motion passed by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald

NOES: None

Consent Calendar Resolution 06-150 authorizing the mayor to execute first amended and restated Joint Powers Agreement of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency
Approved

Resolution 06-151 for paying and reporting the value of employer paid member contributions for the non-sworn members of the Davis Police Officers Association
Approved

Resolution 06-152 adopting an Amendment to the Memorandum of Understanding with Davis Police Officers Association
Approved

Budget Adjustment #6 - allocating previous city funding commitment to Explorit Science Center through construction tax for 2006-2007
Approved

Budget Adjustment #118 - allocating increase of 2005-2006 Community Development Block Grant funding and reduction of 2005-2006 construction tax funding for Veterans Memorial Theatre lobby remodel
Approved

Resolution 06-153 approving the allocation of construction tax funding for the Explorit Annex Building Acquisition

Approved

Resolution 06-154 approving parcel map for Subdivision No. 4734 (Skover)

Approved

Resolution 06-155 adopting the National Incident Management System

Approved

Resolution 06-156 authorizing the City Manager or his designee to enter into an agreement with Harris and Associates for the purpose of providing capital asset and infrastructure inventory and valuation services, to comply with Governmental Accounting Standards Board (GASB) statement number 34 reporting requirements (amount not to exceed \$85,000)

Approved

Second Reading: Ordinance 2262 amending section 12.01.050 of the Davis Municipal Code concerning the disclosure of campaign contributions of more than twenty-five dollars

Adopted (Introduced 07/25/06)

New/Revised job specifications – Child Care Financial Supervisor, Community Services Program Coordinator, Community Services Supervisor, Program Aide

Approved

Commission Minutes:

Human Relations Commission regular meetings of May 25 and June 22, 2006

Informational

Student Police Relations Subcommittee of the City-UCD Student Liaison Commission regular meeting of May 24, 2006

Informational

Civic Arts Commission recommendation to accept the donation of "Lazarus," a steel/bronze sculpture by artist Cedric Wentworth

Recommendation:

- (1) Approve donation subject to successful completion of installation letter of agreement and plans with Pence Gallery to install piece in their rear garden for minimum of three years
- (2) Approve expenditure of up to \$3,000 from Municipal Art Fund to subsidize a portion of installation expenses and to move existing garden sculpture
- (3) Direct staff to return to Council with proclamation of appreciation
- (4) Direct staff to work with Pence Gallery on planning an appropriate ceremony

Yolo County referral for a seed research facility at the southeast corner of County Roads 98 and 27

No comment on Conditional Use Permit application

Yolo County referral for an equestrian facility north of County Road 29 and south of Willow Slough, east of Highway 113

No comment on Conditional Use Permit application

R. Asmundson moved, seconded by S. Souza, approval of the consent calendar as listed above. The motion passed by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald

NOES: None

Long Range Calendar	<p>L. Heystek moved, S. Greenwald seconded to have a discussion on project labor peace for the Target project on the September 12, 2006 agenda. The motion failed by the following vote:</p> <p>AYES: Heystek, Greenwald NOES: Asmundson, Saylor, Souza</p> <p>B. Emlen stated that in the procedure manual it states that a Council Member can add an item to the agenda.</p>
Items removed from the consent calendar	<p><i>Fire Department Computer Aided Dispatch Process</i></p> <p>R. Conroy advised why this is a vital tool for the Fire Department for the dispatching of mutual aid throughout Yolo County.</p> <p><u>Staff Recommendation:</u> Authorize the IS/Telecommunications Manager, Police Department and Fire Department to engage in the following:</p> <ol style="list-style-type: none"> (1) Enter into discussions with the Sacramento Regional Radio Communication System (SRRCS) related to sharing of their radio system (2) Apply for a Yolo County Operational Area Homeland Security Grant to cover the costs to integrate the consoles of the radio systems of the City of Davis, Yolo County Communications Emergency Service Agency (YCCESA) and SRRCS (3) Enter into discussions with YCCESA related to the development of a contractual arrangement for YCCESA to provide fire dispatching for the Fire Department <p>S. Souza moved, seconded by R. Asmundson, approval of staff recommendations as listed above. The motion passed by the following vote:</p> <p>AYES: Asmundson, Heystek, Saylor, Souza, Greenwald NOES: None</p>
Public Comments	<p>Concerns by citizens during public comments:</p> <ul style="list-style-type: none"> • Precedence on appointments of Council Members to regional boards, committees and commissions and asked that the Council preserve the precedence
Further Items removed from the consent calendar	<p><i>Intention to submit grant application to Sacramento Area Council of Governments (SACOG) for the proposed project "Citizen Engagement in Six Infill Projects"</i></p> <p>S. Greenwald and K. Ueda left the Community Chambers they have a conflict due to the location of their residents and the proposed project.</p> <p>B. Emlen stated that there is a timeline on the grant and asked that the Council allow staff to continue to explore this further and file for the grant.</p> <p>Public concerns on the proposal:</p> <ul style="list-style-type: none"> • Developer for the Wild Horse Project, which is on the list, has concern that their project would be treated as a group and would slow down the process of their project <p>D. Saylor moved, seconded by S. Souza, to direct staff to work with the SACOG representative and the Mayor to develop the best project proposal and to approve the submission of the grant application to SACOG. The motion passed by the following vote:</p> <p>AYES: Asmundson, Heystek, Saylor, Souza NOES: None</p> <p><i>Yolo County referral for a wireless antenna facility at 27991 Mace Boulevard</i> <u>Recommendation:</u> Encourage Yolo County to grant project proposal and approve com-</p>

ments as suggested conditions of approval:

- (1) Encourage applicant to allow other service providers to co-locate antennas on the monopole where technically and economically feasible
- (2) Require applicant to provide Radio Frequency tests of the site to confirm the antenna system will be in compliance with FCC standards per estimated frequencies, and at the site distances, submitted to the City of Davis on July 14, 2006

Public concern on this agenda item:

- Electro pollution, which cell towers are emitters of, ionizes pollution in the air and people inhale them and this is causing an increase in lung cancer, ADD, autistic, Parkinson's, Alzheimer's disease and others
- Cell towers discharge radiation and this will affect the quality of life
- It was pointed out that the FCC does not allow health as a reason for denial

R. Asmundson moved, seconded by S. Souza, approval of staff recommendations as listed above. The motion passed by the following vote:

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

Resolution establishing City Council meeting dates for legislative year 2006-2007

R. Asmundson moved, seconded by S. Souza, approval of Resolution 06-157 establishing City Council meeting dates for legislative year 2006-2007 with the caveat that the schedule be discussed and become more detailed. The motion passed by the following vote:

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

Plans, specifications and estimate approval for 2006 Road Rehabilitation, Program No. 7252 [STPL 5238(040)]; Budget Adjustment #7 - allocating funding for street maintenance contract award; Resolution awarding contract of \$886,923 to Vintage Paving Company, Inc.

L. Heystek moved, seconded by R. Asmundson approval of the Plans, specifications and estimate approval for 2006 Road Rehabilitation, Program No. 7252 [STPL 5238(040)], approval of Budget Adjustment #7 allocating funding for street maintenance contract award and approval of Resolution 06-158 awarding a contract of \$886,923 to Vintage Paving Company, Inc. The motion passed by the following vote:

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

Public Comments on this item:

- The traffic lights are working fine during peak hours but are not working correctly during off-peak hours
- The amount of asphalt that will be used for Target could be used for other projects around town

Resolution authorizing the City Manager to sign a Memorandum of Understanding (MOU) with Davis Campus Cooperatives, North American Students of Cooperation Organization, and First Northern Bank that states each party's roles and responsibilities in relation to the Pacifico Student Housing Cooperative at 1752 Drew Circle

S. Greenwald moved, seconded by R. Asmundson approval of Resolution 06-159 authorizing the City Manager to sign a Memorandum of Understanding with Davis Campus Cooperatives, North American Students of Cooperation Organization, and First Northern Bank that states each

party's roles and responsibilities in relation to the Pacifico Student Housing Cooperative at 1752 Drew Circle and directed staff to return to Council at least annually with a progress report on sustaining the Pacifico project as permanently affordable housing. Motion passed by the following vote:

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

Item Submitted by
Joint City-DJUSD Ad
Hoc Committee

The Ad Hoc Committee consists of D. Saylor, S. Souza and Board of Education members J. Provenza and G. Daleiden. They have proposed a resolution to adopt a Memorandum of Agreement for the purpose of exploring joint planning and mutual benefit from use of school district real property assets.

K. Ueda advised that this MOU does not, in and of itself, make a conflict for S. Greenwald and K. Ueda, but in the event if the Council takes part in any of the specific projects then those who are conflicted with the specific projects would have to be recused from the discussion.

At the April 25, 2005 joint meeting of the Davis Joint Unified School District Board of Education and the Davis City Council, the Ad Hoc Committee was charged with the following by a motion which was made to accept the report and to add the following goals:

- DJUSC and the city will collaborate on site planning and approaches to maximize the value to DJUSD of district owned land in concert with city land use planning processes and with engagement of neighborhoods that will be affected by land use changes with an objective of addressing community needs, specifically housing.
- The city and DJUSC will jointly develop processes and policies to allow joint naming of existing and future joint use facilities.
- Staff will continue with the process of a resolution to come before the Council to establish how fees and charges will be applied to school projects.
- The two agencies will have joint partnerships on stretching dollars.

R. Asmundson moved, seconded by L. Heystek approval of Resolution 06-160, approving the Memorandum of Agreement between the Davis Joint Unified School District and the City of Davis for the purpose of exploring joint planning and mutual benefits from use of DJUSD real property assets. The motion passed by the following vote:

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

Discussion on Vec-
tor Control Activities

It was suggested to come up with a list of questions to forward to Sacramento Yolo Mosquito Vector Control District (SYMVCD) and then post the answers on the city of Davis website.

L. Heystek moved, seconded by S. Greenwald to direct staff in concert with citizens to request with all deliberate speed to work in collaboration with SYMVCD to develop a process for opting out from the application of adulticide spraying both aerial and otherwise.

Council Concerns:

- There are citizens that want the possibility of West Nile Virus (WNV) being removed by any means necessary. There is a necessity to protect the citizens of this community.
- Education of the public needs to continue.
- WNV is a danger to the community and it is here now.
- This is among the lowest risks to attack adult mosquitoes.
- Does not want to hamper the Vector Control's ability to do everything possible to protect the community.
- Their decision process has been reviewed and it makes sense.
- Concerned about the health of the community.

- Worried about long-term water quality.
- This use hails in comparison to what people do in their yards on an on-going basis.
- Pesticide resistance is not coming from this type of use; it is coming from agricultural uses.
- Disappointed with the announcement of the upcoming spraying; but the Council are not experts.
- Either course of action could result in problems.
- Decisions of public health should not be made in a vacuum.
- We owe it to the city to look into all aspects of spraying prior to spraying.

The motion failed by the following vote:

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

L. Heystek moved, seconded by S. Souza, to direct staff in concert with effected citizens, with all deliberate speed to work in collaboration with SYMVCD to develop a process for opting out from the ground application of adulticide.

- Action should not be taken to hamper the district's ability to do their job in the way that they see necessary.
- This is the action that was allowed last year.
- This motion would mean that they would work with the city to try to find such a solution. It does not mean that they will find such a solution.
- The Council should be working towards a solution for next year and not what is already here.
- What was the impact of last year? Was it successful?
- Is this year's situation different from last year?
- Would this mean that whole neighborhoods could opt out? If so, how would that work if there is somebody in the neighborhood that wants spraying?
- This process could not be dictating, but it could provide specific requests for ground spraying not to take place near or at their residence.
- If Vector Control feels that sufficient people are opting out and it is impeding their ability to fight the virus, it could encourage them to do aerial spraying.
- The city should have the ability to work with the district to come up with the means for individuals to opt out.
- We should at least try this avenue.

The motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor to request that SYMVCD provide more specific information as to when and where they will be spraying. The motion passed by the following vote:

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

Proposed Resolutions for the Annual League of California Cities Business Meeting Held on September 9, 2006

Relating to Annual Conference Resolution Procedures
 Relating to the Number of Alternate Voting Delegates a City May Designate
 Relating to Encouraging Health and Wellness in Cities
 Relating to Forfeiture of Vehicles Used in Illegal Speed Contests and Exhibitions of Speed

D. Saylor moved, seconded by S. Souza to vote in favor of approval of all four proposed resolu-

tions at the League of California Cities annual conference. The motion passed by the following motion:

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

Appointment of City Council Liaisons to Committees, Boards and Commissions:

LAFCO: This is an appointment made by the Yolo County Mayors Conference and currently S. Souza is the alternate member.

D. Saylor moved, seconded by R. Asmundson that S. Souza remains the LAFCO appointment as he has been appointed by the Yolo County Mayors. The motion passed by the following vote:

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

SACOG: D. Saylor moved, seconded by S. Souza to have R. Asmundson as regular and S. Greenwald as alternate.

Substitute motion by S. Greenwald, seconded by L. Heystek to have S. Greenwald as the regular member and R. Asmundson as the alternate. Substitute motion failed by the following vote:

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

The main motion passed by the following vote:

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

D. Saylor moved, seconded by R. Asmundson to proceed with appointments in a sequential order as outlined on the spreadsheet in the Council packet. The motion passed by the following vote:

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

INTERJURISDICTIONAL:

Downtown Davis Business Association (DDBA) 2X2	Greenwald – R; Souza – A
Yolo County Children's Alliance	D. Saylor
Appointment made by Yolo County Mayors' Conference.	
Yolo County Transit District	Greenwald – R; Souza – A
Lower Putah Creek Coord. Comm. (LPCCC)	Greenwald – R
Yolo County/City 2X2 & RDA Pass-through	Greenwald – R; Saylor – R
Yolo Solano Air Pollution Control District	Asmundson – R; Heystek – A
School/City 2x2	Heystek – R; Souza – R
UCD LRDP/ County/City 2x2x2	Greenwald – R; Saylor – R
County Gaining Ground/JPA	Souza – R; Heystek – A
Water Resource Association (WRA)	Greenwald – R; Souza – A
Davis Chamber of Commerce/City 2x2	Heystek – R; Souza – R
Davis Visitors & Conference Bureau 2x2	Greenwald – R; Heystek – A
Legislative Liaison/League of CA Cities	Saylor – R; Heystek – A
Yolo County Mayors' Conference	Greenwald – R; Asmundson – A

TASK FORCES/ISSUES/SUBCOMMITTEES

Pacific Fly Way (Kulakow 758-8882)
Unitrans Advisory Committee

Greenwald - R
Souza – R; Asmundson – A

OTHERS

ASUCD Senate
Chamber of Commerce GRC

Heystek – R; Souza – A
Saylor – R; Souza – A

COMMISSIONS & BOARDS

Open Space Commission
Safety Advisory Commission
Planning Commission
Civic Arts Commission
Finance & Budget Commission
Social Services Commission
Senior Citizens Commission
City/UCD Student Liaison Commission
Bicycle Advisory Commission
Historical Res. Mgt. Commission
Recreation & Parks Commission
Street Tree Commission
Bus. & Eco. Dev. Commission
Natural Resources Commission
Human Relations Commission
Building Board of Appeals
Handicapped Access Standards Board of Appeals
Personnel Board

Heystek – R; Souza – A
Heystek – R; Souza – A
Souza – R; Asmundson – A
Saylor – R; Asmundson – A
Asmundson – R; Saylor – A
Heystek – R; Saylor – A
Greenwald – R; Heystek – A
Heystek – R; Saylor – A
Greenwald – R; Souza – A
Saylor – R; Greenwald – A
Heystek – R; Greenwald – A
Saylor – R; Heystek – A
Saylor – R; Asmundson – A
Souza – R; Saylor – A
Souza – R; Heystek – A
No appointment made
No appointment made
No appointment made

AD-HOC AND SUB-COMMITTEES

S. Greenwald stated that the Ad-hoc and sub-committees appointments will remain as is with the exception of the Downtown Arts and Entertainment.

Joint with School District on joint goals / real estate issues
Council sub-Committee on Commissions
B Street visioning
Walnut Pool Funding
Conaway Ranch Joint Powers Authority
Downtown Arts and Entertainment
Open Container subcommittee
Subcommittee on Council retreats
Davis Manor / E. 8th Street revitalization
(Neighborhood & Shopping Center)
Draft a Charter
City of Davis/City of Woodland 2X2 (Ad Hoc)

Saylor – R; Souza – R
Asmundson – R; Souza – R
Saylor – R; Souza – R
Saylor – R; Souza – R
Asmundson – R; Saylor – A
Greenwald – R; Asmundson – R
Heystek R; Souza – R
Asmundson – R; Saylor – R
Greenwald – R; Heystek – R

Heystek – R; Souza – R
No appointment made

Moved by S. Souza, seconded by R. Asmundson to approve the appointments as they were done in fairness, motion carried unanimously.

Adjournment The meeting adjourned at 1:03 p.m.

Margaret Roberts, CMC

**MINUTES OF THE DAVIS REDEVELOPMENT AGENCY
MEETING OF AUGUST 1, 2006**

The City Council of the City of Davis met in regular session beginning at 8:33 a.m. in the Community Chambers, 23 Russell Blvd., Davis, California. The meeting was called to order by Mayor Greenwald.

Roll Call: Board members Present: Ruth Asmundson, Lamar Heystek, Don Saylor, Stephen Souza, Sue Greenwald

Board members Absent: None

Other Officers Present: City Manager Bill Emlen, Assistant City Attorney Kara Ueda, City Clerk Margaret Roberts,

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

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

Public Comments There were none.

Consent Calendar Yolo County Referral for a Seed Research Facility at the Southeast Corner of County Roads 98 and 27

Recommendation: Determine that proposed facility is consistent with permitted uses under the Pass-Through Agreement

Yolo County Referral for an Equestrian Facility North of County Road 29 and South of Willow Slough, East of Highway 113

Recommendation: Determine that proposed changes to facility are consistent with permitted uses under the Pass-Through Agreement

Redevelopment Agency Minutes from the Regular Meetings of February 7, March 7, March 21, April 11, June 20 and June 27, 2006

Recommendation: Approve

R. Asmundson moved, seconded by S. Souza of the consent calendar as listed. The motion passed by the following vote:

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

Item removed from Consent Calendar Yolo County Referral for a Wireless Antenna Facility at 27991 Mace Boulevard

R. Asmundson moved, seconded by S. Souza, determined that proposed monopole is "urban development" because it is not included as a permitted use in the Pass-Through Agreement; however, the Redevelopment Agency does not object to the use. The motion passed by the following vote:

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

Adjournment The meeting adjourned at 1:03 p.m.

Margaret Roberts, CMC
Clerk of the Board