

**MINUTES OF THE DAVIS CITY COUNCIL
MEETING OF OCTOBER 3, 2006**

The City Council of the City of Davis met in regular session beginning at 5:30 p.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, City Attorney Harriet Steiner, City Clerk Margaret Roberts

Closed Session The City Council moved into closed session for the purpose of discussing and, if necessary, taking action on the following issues:

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

1. Conference with Legal Counsel – Existing Litigation pursuant to subdivision (a) of §54956.9: Union Pacific v. City of Davis, CV05-903
2. Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to subdivision (c) of §54956.9: one case

The City Council returned to open session at 6:37 with no reportable action.

Approval of Agenda S. Greenwald moved, seconded by L. Heystek, to remove Proclamation in Recognition of Pacific Gas and Electric Company for Their Contribution to the City of Davis 2006-2007 Street Smarts Campaign from the agenda and defer item to a later date. The motion passed by the following vote:

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

R. Asmundson moved, seconded by L. Heystek, approval of the City Council agenda as amended. The motion passed by the following vote:

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

Ceremonial Presentations Mayor Greenwald presented the following proclamations:

Proclamation Designating the Week of October 8-14, 2006 as National Family Week

Proclamation in Recognition of Fire Prevention Week, October 8-14, 2006

Proclamation in Recognition of October 2006 as Domestic Violence Awareness Month

Consent Calendar Resolution 06-188 – Appointing a Board Member and an Alternate Member to the Yolo County Public Agency Risk Management Insurance Authority
Approved

Resolution 06-189 – Authorizing the City Manager to Execute Agreement No. BTA 06/07-03-YOL-01 Under City's CalTrans Master Agreement Allocating Grant Funds to the University of California, Davis Campus
Approved

Budget Adjustment #23 (\$11,815) – Allocation of Equipment Replacement Funds for Purchase of Copy Machine
Approved

Ordinance Amending Section 22.08.310 of the Municipal Code of the City of Davis Relating to No Parking – Picasso Avenue
Introduced

Commission Minutes:
Bicycle Advisory Commission Regular Meeting of August 21, 2006
Informational

Natural Resources Commission Regular Meeting of May 22, 2006
Informational

Planning Commission Regular Meetings of June 14 and 28, 2006
Informational

Social Services Commission Regular Meetings of May 15, June 22 and July 17, 2006
Informational

City Council Minutes from the Regular Meeting of September 12, 2006
Approved

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

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

Second Readings of Ordinances Relating to Commissions:

1. Ordinance 2264 Repealing Article 2.09 of Chapter 2 of the Davis Municipal Code Relating to the Civic Arts Commission
2. Ordinance 2265 Repealing Ordinance 3383, Series 1981, Relating to the Handicapped Access Standards Board of Appeals
3. Ordinance 2266 Amending Article 2.07 of Chapter 2 of the Davis Municipal Code Relating to the Planning Commission
4. Ordinance 2267 Repealing Article 2.08 of Chapter 2 of the Davis Municipal Code Relating to the Recreation and Park Commission
5. Ordinance 2268 Repealing Article 22.03 of Chapter 22 of the Davis Municipal Code Relating to the Safety Advisory Commission
6. Ordinance 2269 Repealing Article 37.01.030 and Amending Article 37.02.070 and of Chapter 37 of the Davis Municipal Code Relating to the Tree Commission
7. Ordinance 2270 Repealing Multiple Sections of the Davis Municipal Code Relating to Commissions – Articles 2.14, 2.15 and 2.16

Adopted (introduced 09/19/06) by the following vote:

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

Long Range Calendar

Mayor Greenwald requested Council agenda discussion of a policy and procedure for sponsorship packages and public/private partnerships, especially when city advertising is involved. Council concurred.

D. Saylor requested Council agenda discussion of council subcommittees at their council retreat. Council concurred.

D. Saylor requested Council agenda resolutions in support of November propositions. Council concurred. B. Emlen stated staff will review propositions and bring forward appropriate responses.

B. Emlen stated staff will schedule Council meeting dates for discussion of B Street visioning.

D. Saylor moved, seconded by R. Asmundson, to conduct City Council and commission joint meetings on regular commission meeting dates. The motion was withdrawn. By consensus, Council agreed to conduct joint meetings on regular commission meeting dates.

D. Saylor moved, seconded by R. Asmundson, approval of long range calendar as amended. The motion passed by the following vote:

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

Public Comments

Comments and concerns expressed by citizens:

- Support for city street smarts program
- Concern regarding division of student population from the rest of the community
- Request Council schedule a joint meeting with City-UCD Student Liaison Commission to discuss previous commission recommendation regarding student appointment to appropriate commissions

Item Removed From Consent Calendar:

Ordinance Amending 37.020.070(e) of Chapter 37 of the Davis Municipal Code Relating to the Tree Commission

Item removed by Councilmember Heystek.

L. Heystek moved, seconded by S. Souza, introduction of Ordinance Amending Article 37.020.070(e) of Chapter 37 of the Davis Municipal Code Relating to the Tree Commission, as amended by removal of the first whereas within the ordinance. The motion passed by the following vote:

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

Request for Exemption, Parcel Map No. 4779 (Sillman) Relating to Water Line Reimbursement

Item removed by City Manager Bill Emlen. Assistant City Engineer Will Marshall outlined staff recommendation to deny the request for exemption, and uphold the condition of approval of the Tentative Map imposed by the Subdivision Committee on April 25, 2005 providing for the reimbursement of a pro-rata share of the costs of design and construction of water improvements.

Public input on exemption request:

- Applicant provided background on request
- Opposition to request

D. Saylor moved, seconded by S. Souza, acknowledgement that staff has a tough situation and they applied the established rules, yet the answer doesn't seem reasonable in

this particular circumstance; therefore, the pro-rata share of the costs shall be calculated as one-ninth (1/9) of such costs, as opposed to staff proposed one-seventh (1/7).

S. Greenwald moved friendly amendment that this motion not be seen as a precedent for future decisions or policies. Mover and second accepted amendment. The motion passed by the following vote:

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

R. Asmundson moved, seconded by D. Saylor, direct staff to evaluate the current process and policy in terms of pro-rata share calculations and bring back to Council for discussion. The motion passed by the following vote:

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

Continued Public Hearing: Appeal of Planning Application #92-05 and Phased Allocation #01-15 for 24 Market-Rate Lots in the Willowbank Unit #9 Subdivision Located Northwest of Mace Boulevard and Montgomery Avenue

Mayor Greenwald opened the public hearing and continued to October 17, 2006.

City Council broke for recess at 7:47 p.m. and reconvened in open session at 8:00 p.m.

Appointments to Advisory Commissions

By consensus, Council decided to accept all applications received by Thursday, September 28, 2006.

The Council took the following vote and made appointments:

COMMISSION / APPLICANT	Asmundson	Greenwald	Heystek	Saylor	Souza	TOTAL	APPOINTMENT
Business & Economic Development Commission / 3 Regular and 1 Alternate (4 year terms)							
Christine Bonilla			X			1	Appointed to City UCD Liaison Comm.
Anthony Costello	X	X	X	X	X	5	Regular 4 year
Larry Dicke	X	X	X	X	X	5	Regular 4 year
Sue Huscroft		X	X			2	Appointed to Fin/Bud
Gregory Loge	X	X			X	3	Appointed to Fin/Bud
Greg Phister	X			X	X	3	Regular 4 year
City UCD Student Liaison Commission / 1 Regular (4 year term) and 1 Regular (2 year term)*							
Steven Worker	X	X	X	X	X	5	Regular 4 year
Christine Bonilla	X	X	X	X	X	5	Regular 2 year
*Term was determined by a consensus of the Council to have Worker serve the four year term							
Civic Arts Commission / 4 Regular (4 year terms) and 1 Alternate (2 year term)							
Suzanna Duffy-Tajeldin	X	X	X	X	X	5	Regular 4 year
Roy Engoren	X	X	X	X	X	5	Regular 4 year
Robert Smith	X	X	X	X	X	5	Regular 4 year
Joanna Stone	X	X	X	X	X	5	Regular 4 year

Finance and Budget Commission / 4 Regular (4 year terms) and 1 regular (2 year term)							
Christine Bonilla						0	Appointed to City UCD Liaison Comm.
Sue Huscroft	X	X	X	X	X	5	Regular 4 year
Steven Ingram	X	X	X	X	X	5	Regular 4 year
Renee Lawver	X	X	X	X	X	5	Regular 4 year
Gregory Loge		X	X	X	X	4	Regular 2 year
Chikako Takagi-Galamba	X	X	X	X	X	5	Regular 4 year
Natural Resources / 1 Regular (2 year term) and 1 Alternate (2 year term)							
Katherine "Kit" Cole				X	X	2	
Charles Ehrlich	X		X		X	3	Alternate 2 year
Darcie Houck	X	X	X	X		4	Regular 2 year
John Mitchell		X				1	
Recreation and Park Commission / 1 Alternate (2 year term)							
Robert Glassburner				X	X	2	
Christina Hooke						0	
Matt Houck	X	X	X			3	Alternate 2 year
James Morante						0	
Safety Advisory Commission / 1 Alternate (2 year term)							
Xiaopei (Chad) Qi	X	X	X	X	X	5	Alternate 2 year
Robert Smith							
Tree Commission / 2 Regular (4 year term) and 1 Alternate (2 year term)							
Marijane Osborn	X	X	X	X	X	5	Regular 4 year

Next Steps for Long Range Community Planning

City Manger Bill Emlen explained staff's goal is to establish the next steps in developing parameters to guide the General Plan update process.

D. Saylor moved, seconded by R. Asmundson, that City Council follow Council Meeting Ground Rules Item #6 which details the process for consideration of individual agenda items. The motion passed by the following vote:

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

D. Saylor moved, seconded by L. Heystek, adoption of next steps as follows:

- | | |
|--|-----------------------------------|
| | <u>TARGET SCHEDULE</u> |
| 1. Council agrees to "next steps". | October 3 |
| 2. Council members independently review community planning questions and provide written comments to staff. | By October 17 (2 weeks) |
| 3. Council workshop to clarify any comments on the questions (if needed) and possibly confirm questions. Confirm list of stakeholders to respond to questions. | October 24 (or 31) |
| If needed: A second Council workshop to confirm questions. | November 14 |
| 4. Special advisory groups are formed to respond to questions: | Late October through mid November |
| a. All ongoing city commissions appoint a representative. | |
| b. All neighborhood associations appoint a representative. | |
| c. Other stakeholders as selected at Council workshop to clarify / confirm questions. | |
| 5. Advisory groups respond to questions: | December |
| a. The city commissions group (above). | |
| b. The neighborhood associations group (above). | |
| c. The Planning Commission. | |

- d. Other stakeholders as selected at Council workshop to clarify / confirm questions.
- 6. Staff analyzes and organizes the responses.
- 7. Council workshop to:
 - a. Review the responses to community planning questions and key issues, staff analysis, and the options for a planning process.
 - b. Select a planning process.

January
Late January
through February

S. Souza moved friendly amendment to modify 4b as follows: composition of all neighborhood associations and other stakeholders chosen by the Council at a future workshop. Mover and second accepted amendment. The motion passed by the following vote:

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

Brief Communications and AB 1234 Reporting of Meetings Attended at City Expense

Councilmember Souza attended a Local Agency Formation Commission (LAFCO) meeting.

Mayor Pro Tem Asmundson attended a Sacramento Area Council of Government (SACOG) meeting.

City Council attended Davis High School classes to discuss Youth in Government which will culminate in a mock student City Council meeting.

Councilmember Heystek and Mayor Pro Tem attended a City of Davis-Yolo County Visitors Bureau 2x2 meeting.

Adjournment

The meeting adjourned at 9:31 p.m. in honor of Quetha Jo Gonzales.

Zoe S. Mirabile
Deputy City Clerk