

**MINUTES OF THE DAVIS CITY COUNCIL**  
**Meeting of December 12, 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 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

Approval of Agenda L. Heystek moved, seconded by R. Asmundson, approval of the City Council agenda as submitted. The motion passed unanimously.

Ceremonial Presentations: A proclamation commemorating the accomplishments of Mary Stephens as she retires from her professional library career was presented to Mary Stephens.

A proclamation recognizing December 3, 2006 as United Nations International Day of the Disabled Person was presented to Anne Evans.

Consent Calendar Resolution 06-215 expressing conceptual support to the development of a downtown Davis wireless network system  
Approved

Resolution 06-216 awarding purchase contract of \$0.29 above wholesale pricing to Amerigas for liquefied petroleum gas purchase, Program No. 7313  
Approved

Resolution 06-217 adopting a Memorandum of Understanding with individual police lieutenants  
Approved

Resolution 06-218 declaring the results of the General Municipal Election held in the city of Davis on November 7, 2006  
Approved

Budget Adjustment #48 (\$29,620) – allocating past year savings in Community Development Block Grant program funds into current fiscal year budget  
Approved

Budget Adjustment #49 (\$10,090) – allocating past year savings in HOME Investment Partnership program funds into current fiscal year budget  
Approved

Treasurer's report for the quarter ended October 22, 2006  
Informational

Biennial update to the Davis Conflict of Interest Code  
Informational

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

Items pulled from the Consent Calendar

The following items were removed from the consent calendar:

1. Bicycle Advisory Minutes

Bicycle Advisory Commission minutes for the regular meeting of October 16, 2006 was pulled by D. Saylor.

The Commission recommended that the Council assist the Walk/Bike Conference with a \$5,000 donation.

R. Asmundson moved, seconded by S. Souza to accept the Bicycle Advisory Commission minutes as informational. The motion passed unanimously.

2. Employee Assistance Program

Resolution approving the adoption of Cigna Behavioral Health as the vendor for the city of Davis Employee Assistance Program was pulled by L. Heystek.

M. Chaney answered questions regarding the program and the changes that would occur if the resolution were to be approved.

Mr. Dean Dickerson addressed the Council as the current provider of services for the past 22 years. There are some considerations that could be under the radar. His firm specializes in employee assistance programs and they have the contracts for Yolo County, the School District as well as many other agencies in the county. He is concerned that Cigna will bill by Social Security Number and will therefore not be confidential. He stated that the Council is not comparing apples to apples.

R. Asmundson moved, seconded by L. Heystek to agendaize the item at the January 16, 2006 meeting. The motion passed unanimously.

Public Comments

Comments and concerns expressed by citizens:

- Mr. David Greenwald spoke about a traffic incident that was reported at a previous Council meeting. He addressed the recording devices in the patrol vehicles.
- D. Eagle, Principal of King High School discussed the plans for the changes to the school and apologized that the City Council had not been kept informed by the school district.
- A. Evans spoke out against the Target website and urged the Council to write a letter.
- J. Anderson asked when the railroad crossings that get stuck would be repaired.

Continued Discussion of Proposed Creation of Commission on Aging and Social Services Through Merger of the Social Services and Senior Citizens Commission

J. Cochran presented the actions that have taken place on this item since the last time it was before the City Council. There has been an inadequate amount of time to completely review the tasks in order to analyze overlapping and to review each other's work plans. There is not a consensus of the goals and intent of a merged commission.

S. Greenwald read a letter from George Hinkle a member of the Senior Citizen Commission.

E. Musser (Chair of the Senior Citizens Commission) read a letter against the merger of the commissions.

M. Reardon (Chair of the Social Services Commission) discussed the discussions that took place at the Social Services Commission. She supports the staff recommendation being made.

A. Evans spoke out against the merger because of the current work load of the Social Services

Commission. She mentioned unmet needs that exist that should be addressed by one commission or the other.

S. Souza moved, seconded by R. Asmundson the following:

- Direct the Social Services and Senior Citizens Commissions to maintain, update and report on accomplishments related to implementation of Council approved work plans
- Direct staff to monitor and report areas of overlap and duplication within the approved Commission Work Plans
- Direct staff to make efforts to improve the flow of information between the two commissions
- Direct the City Clerk to publicize the existence of vacancies on Senior Citizens Commissions and bring potential candidates to fill the vacancies in the commissions to the City Council at their meeting on January 16, 2007
- Receive the Social Services Commission work plan
- Receive the Senior Citizens Commission Proposed New Policy Items

The motion passed by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald

NOES: None

S. Souza moved, seconded by R. Asmundson, to direct the Social Services Commission and the Senior Citizens Commission to meet at least once a year to address the overlapping of duties; passed unanimously.

It was the consensus of the City Council not to consider any further staff time on the merger of the two commissions.

The Council took a short recess.

Continued Public Hearing: Davis Downtown Business Association (DDBA) Business Improvement District (DBID) Annual Assessment Process – Proposed DBID Fiscal Year (FY) 2007-2008 Plan; 2006 BID Core Area Plan as amended

S. Worley and K. Hiatt presented the item to the Council including the background on how the DDBA came to be.

H. Steiner advised that the statute regarding assessments specifies the procedures for adopting the DBID assessment.

The public hearing was opened.

Vice President of DDBA M.Jaroff spoke in support of staff recommendation.

C. Roe spoke in support of staff recommendation. The DDBA has been meeting with Davis Independent Merchant Association (DIMA) and there has been a lot of common ground.

D. Shor spoke on behalf of DIMA spoke in support of staff recommendation.

D. Urazandi spoke regarding the DDBA and DIMA working together on the issues. All involved are in support of improving the downtown. There is a task force meeting tomorrow to address concerns.

M. Miziak stated that this is a very exciting time. The downtown has a lot of people committed to it and its success. Urged the Council to support the recommendation of staff.

M. Ogrydziak favors contemporary designs.

With no further comments the public hearing was closed.

Staff read corrections to the resolutions that will be incorporated into the resolution.

S. Souza moved, seconded by R. Asmundson to approve staff recommendation 2 and 3 with staff amendments.

Staff recommendation 2:

Accept the 2006 Core Area BID Report and FY 2007-2008 Summary Budget as amended by incorporation of the proposed first quarter budget and program activities

Staff recommendation 3:

Approve Resolution 06-219 to Levy and Collect the Annual BID Assessment for 2007

The motion passed by the following vote:

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

L. Heystek moved, seconded by D. Saylor approval of the Urgency Ordinance Amending Section 15.10.100 of the Municipal Code for one year to authorize the collection of the DBID annual assessment fee to allow one quarter (25%) of the annual assessment to be payable at the same time as business license taxes. The motion passed by the following vote:

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

S. Souza moved, seconded by R. Asmundson to approve staff recommendations 5 and 6 as amended by staff.

Staff recommendation 5:

Approve Resolution 06-220 Authorizing Amendment to Administration Agreement

Staff recommendation 6:

Consider recommendations resulting from the re-examination of the DDBA's form and funding before authorizing a second DBID assessment billing

The motion passed by the following vote:

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

The Council took a short recess.

Options for General  
Plan Update Pro-  
cess

B. Wolcott provided information on the options available for a General Plan update process. It was explained what the possible consequences could be by not adopting a Housing Element. Options on how to proceed were discussed.

E. Samitz who has served on the last GP update committee, Planning Commission and League of Women Voters in Yolo County, advised that the process needs to be open and public and to allow the public to have input. She urged the Council to be as inclusive as possible in this process.

D. Saylor moved, seconded by S. Souza staff recommendations 1-3 including an appointed steering committee.

Staff recommendation 1:

Initiate a General Plan update focused on the next required Housing Element

Staff recommendation 2:

Proceed with a process outlined in the staff report

- Initial policy direction and assumptions
- Basic components
- A steering body

Staff recommendation 3:

Return to Council for the appointment of a steering body and more detailed aspects of:

- Process components, including community involvement and details of workshops and input techniques
- Funding options
- Consulting services options

Substitute motion by L. Heystek, seconded by S. Greenwald to approve staff recommendations with the City Council being the subcommittee with citizen input.

The 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

AB1234 Reporting There were no reports required by AB1234.

Long Range Calendar The following items were requested to be added to the long range calendar:

- Status on the equipment in the patrol vehicles brought to the Council for an update
- The possibility of arranging for a tour of the city to be done by the Council to look at the condition of the city
- Impacts of moving Highway 113 closer to Davis be agendized soon
- Report on Measures H & I put back on the calendar.

Council Vote on Agendizing Reconsideration of Council Action on November 28, 2006 Regarding the Parks and Recreation Facilities Master Plan Update Request for Proposals and Budget Adjustment #36 (\$65,000) Providing for Project Funding

Council Action on November 28, 2006 D. Saylor moved, seconded by R. Asmundson to reconsider the Parks and Recreation Facilities Master Plan Update Request for Proposals and Budget Adjustment #36 (\$65,000) Providing for Project Funding. The motion passed by the following vote:

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

Adjournment The meeting adjourned at 11:42 p.m.

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Margaret Roberts, CMC  
City Clerk