

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of March 6, 2007

The City Council of the City of Davis met in regular session beginning at 6:34 p.m. in the Community Chambers, 23 Russell Boulevard, 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, Deputy City Clerk Zoe Mirabile

Approval of Agenda R. Asmundson moved, seconded by L. Heystek, approval of the City Council agenda as submitted. Motion passed by the following vote:

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

Ceremonial Presentations Proclamation Designating March 11-17, 2007 as Sunshine Week – Your Right to Know was presented to City Manager Bill Emlen.

Proclamation Declaring March 2007 “Women’s History Month” for “Generation of Women Moving History Forward” was presented to Dorothy Brasselton.

Public Comment Comments and concerns expressed by citizens:

- Matt Williams spoke in support of the General Plan Housing Element Update Steering Committee, and requested Council appoint five additional members from UCD, ASUCD, DJUSD and residents of areas covered by pass through agreements located outside city limits
- Stephanie Lake and Jacqueline Karishmirin, UCD Alcohol & Drug Abuse Prevention Program, spoke in opposition to recommendation to lessen regulatory hours within parks regarding open containers or consumption of alcohol, and proposed a 24-hour prohibition except with a permit
- Michelle Johnson, Davis Campus Community Alcohol & Other Drug Coalition, spoke in support of a 24-hour open container prohibition
- Norbie Kumagai spoke regarding allegations of racial profiling by the police
- Mariko Yamada, Yolo County Supervisor District 4, spoke regarding the agenda request for a joint city-county meeting and expressed support, stating that she has scheduled a similar item on the County Supervisor Board Agenda on March 20, 2007

Brief Communications Members of the City Council made various announcements.

R. Asmundson reported on her recent trip to the Philippines where she served as a guest speaker to the League of Cities Philippine Vice Mayors and the Philippine-American Academy of Scientists and Engineers.

Long Range Calendar:

- R. Asmundson requested Council agenda Agricultural Land Mitigation Ordinance
- S. Souza requested Council agenda General Plan Housing Element Update Steering Committee membership

- S. Greenwald and L. Heystek requested Council agendaize potential annexation of UC Davis West Village

R. Asmundson moved, seconded by L. Heystek, to accept the long range calendar as amended. Motion passed by the following vote:

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

AB1234 Reporting:
 None

Consent Calendar

Resolution No. 07-026 – Approving Acceptance of the Thornton S. Glide, Jr. and Katrina D. Glide Foundation Grant Award

Budget Adjustment #74 (\$5,000) – Allocating Grant Funds
Approved

Resolution No. 07-027 – Authorizing Application for Workforce Housing Reward Grant
Approved

Resolution No. 07-028 – Authorizing Loan Terms and Set-Aside to Pay Financing Reserves for Yolo Community Care Continuum Homestead Housing Project
Approved

Commission Minutes:

1. Bicycle Advisory Commission Joint Meeting with City Council of December 11, 2006 and Regular Meeting of January 22, 2007
Informational

2. Finance and Budget Commission Regular Meeting of January 8, 2007
Informational

3. Natural Resources Commission Regular Meeting of November 27, 2006
Informational

4. Recreation and Park Commission Minutes from the Regular Meeting of February 15, 2007
Informational with the exception of the following action item: Approved commission recommendations to allow the Davis Tennis Club Reserved Use of a Portion of the Walnut Community Park Tennis Courts

Revised Job Specification – Integrated Pest Management Specialist
Approved

Proposition 218 Mail Notification of Utility Rate Increases
Approved distribution of notification

City Council Minutes from the Regular Meeting of February 20, 2007
Approved

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

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

Items Removed from
Consent Calendar:

Ordinance Amend-
ing Contract Be-
tween California
Public Employees'
Retirement System
and the City of Davis

S. Greenwald removed the item from the consent calendar.

R. Asmundson moved, seconded by S. Souza, adoption of Ordinance No. 2278 – Amending the Contract Between California Public Employees' Retirement System and the City of Davis to Provide Section 21454.4 (2.5% @ 55 Full and Modified Formula) for Local Miscellaneous Members. Motion passed by the following vote:

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

Status Report on the
Open Container Or-
dinance Update

R. Asmundson, D. Saylor, and S. Souza removed the item from the consent calendar.

D. Saylor moved, seconded by S. Souza, the following:

1. Retain the current prohibition on possession of an open container of alcohol or consumption of an alcoholic beverage contained within the existing ordinance regarding all parks specified, namely, Central, Cedar (K Street), Oxford Circle, Chestnut and N Street as well as any street, sidewalk alley, highway, off-street public parking lot or structure, or within 600 feet of any primary or secondary school campus property lines;
2. Approve in concept, subject to further consideration and advice from the Social Services and City-UCD Student Liaison Commissions, the expansion of the prohibition of open containers or consumption of an alcoholic beverage to all parks between the hours of 7:00 a.m. and 6:00 p.m., and additional 24-hour prohibition to all greenbelts, bike paths, observation decks and associated open spaces.

Motion passed by the following vote:

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

L. Heystek moved to direct staff to survey residents within 500 feet of parks not currently specified within the ordinance regarding the proposed modifications. Motion withdrawn.

By consensus, L. Heystek and S. Souza were appointed as a Council Subcommittee to discuss appropriate public noticing and return to Council with options.

Council recessed at 8:15 p.m. and reconvened at 8:28 p.m.

Sewer Rate Study:
Sewer Rates and
Connection Fees

Operations Administrator Sue Gedestad explained the study proposes rate methodology and computer modeling for future rates. Greg Clumpner, Foresight Consulting, outlined the results of the sewer rate analysis and recommendations for next steps.

Elaine Musser, Senior Citizens Commission, spoke in support of rates based on consumption method as most appropriate for seniors. She requested Council consider possible subsidies for low income seniors.

VJ Kumar questioned the rationale behind recommendations regarding future residential connection fees, fair share allocations, operation maintenance cost, and base assumption fees.

D. Saylor moved, seconded by S. Souza, the following:

1. Receive the Sewer Rate Study;
2. Approve the use of the cost-of-service methodology to be used in calculating the monthly sewer charges for the upcoming year;
3. Support further review for a consumption based monthly fee for residential customers for possible implementation in FY 08/09.

Motion passed by the following vote:

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

Amendment to the Consultant Agreement with West Yost & Associates for Joint Water Supply Feasibility Study

Public Works Director Bob Weir explained that the consultant agreement will position the project partners to be eligible to secure necessary area-of-origin water right permits and to pursue outside funding sources.

VJ Kumar spoke in opposition to the final design for the intake structure.

Budget Adjustment # 75

R. Asmundson moved, seconded by D. Saylor, approval of the following:

1. Resolution No. 07-029 – Authorizing the City Manager to Execute Amendment No. 4 to the Consultant Agreement with West Yost & Associates for City of Davis/UC Davis/Woodland/ YCFCWCD Joint Water Supply Feasibility Study, Environmental Documentation Support, CIP No. 8543;
2. Budget Adjustment # 75 – (\$198,488) – Allocating Participating Agency Project Funding.

Motion passed by the following vote:

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

Refunding of 1997 Mello-Roos Bonds – Community Facilities District No. 1991-2 (East Davis – Mace Ranch)

R. Asmundson moved, seconded by S. Souza, approval of Resolution No. 07-030 – Authorizing the Issuance of Refunding Special Tax Bonds, and Approving and Authorizing Related Documents and Actions. Motion passed by the following vote:

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

City Council recessed at 10:35 p.m. and reconvened at 10:41 p.m.

Appeal of Tree Commission Decision Regarding 523 Scripps Drive

City Arborist Rob Cain provided information regarding the tree's health and value, and outlined the reasoning behind the Tree Commission decision to deny the removal request and retain the tree.

Margaret Borges provided an explanation for the tree removal request.

R. Asmundson moved, seconded by S. Souza, to uphold the Tree Commission decision to retain the street tree at 523 Scripps Drive as it is in good health and vigor. Motion passed by the following vote:

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

Submitted by Councilmember: Consider Participating in a Joint Meeting with Yolo County Board of Supervisors

By consensus, City Council directed the Councilmembers assigned to the City-County 2x2 to discuss scheduling a joint meeting with the Yolo County Board of Supervisors.

Adjournment

The meeting was adjourned at 11:15 p.m. in memory of Joyce Wilson.

Zoe S. Mirabile
Deputy City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY
Meeting of March 6, 2007

The Redevelopment 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 Chair 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, Agency Attorney Harriet Steiner, Agency Clerk Zoe Mirabile

Approval of Agenda R. Asmundson moved, seconded by L. Heystek, approval of the Redevelopment Agency agenda as submitted. Motion passed by the following vote:

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

Public Comments None

Consent Calendar Redevelopment Agency Minutes from the Regular Meeting of February 20, 2007
Approved

RDA Resolution No. 1194 – Authorizing Loan Terms and Set-Aside to Pay Financing Reserves for Yolo Community Care Continuum Homestead Housing Project
Approved

RDA Resolution No. 1195 – Authorizing Agreement Terms for Yolo County Housing Authority Farm Worker Housing Repair Project
Approved

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

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

Adjournment The meeting was adjourned at 11:15 p.m. in memory of Joyce Wilson.

Zoe S. Mirabile
Agency Clerk