

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of April 3, 2007

The City Council of the City of Davis met in regular session beginning at 6:30 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 L. Heystek moved, seconded by S. Souza, approval of the City Council agenda as submitted. Motion passed by the following vote:

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

Ceremonial Presentations City Council performed a skit in honor of the 90th anniversary of the incorporation of the City of Davis, with each Councilmember representing one of the first members of the Davis Board of Trustees, namely, John B. Anderson, Edwin S. McBride, Samuel H. Beckett, Bert T. Brewster, and Calvin A. Covell.

Promotions Manager Bob Bowen announced events to be held throughout the city in honor of the anniversary.

Proclamation Celebrating the 90th Anniversary of the Incorporation of the City of Davis was presented to Jennifer Anderson, great niece of the first Mayor of Davis, John Anderson.

Proclamation Declaring April 9-13, 2007 as National Public Safety Telecommunications Week was presented.

Proclamation in Recognition and Appreciation of Laura Cole Rowe for her Contributions to the City of Davis in Her Role as Executive Director of the Davis Downtown Business Association was presented.

Submitted by Councilmember Saylor: S. Souza moved, seconded by R. Asmundson, approval of the Proclamation Designating April 14, 2007 – May 20, 2007 as Climate Action Season. Motion passed by the following vote:

Proclamation Designating Climate Action Season AYES: Asmundson, Heystek, Saylor, Souza, Greenwald
NOES: None

Proclamation Designating Climate Action Season was presented to Judy Moores, Green Sanctuary Committee of the Unitarian Universalist Church of Davis; John Mott-Smith and Deborah Chase, Tuleyome, a local environmental organization; and Hamza El-Nakhal, Council on American-Islamic Relations/Islamic Center of Davis. Community group representatives announced events to be held in honor of Climate Action Season.

Ceremonial Presentations Continued Proclamation Declaring April 2007 as Child Abuse Prevention Month was presented to Sara Rock, Yolo Family Resource Center, and Rich Peterson, Child Abuse Prevention Council.

Public Comment Comments and concerns expressed by citizens:

- John Troidl spoke regarding street lighting issues, questioned whether PG&E has a performance clause with the city, and proposed hosting a walk through-out the city to identify outages.
- Joseph Stewart spoke regarding choice voting, requested city support of Assembly Bill 1294 which proposes to authorize general law cities to use choice voting in the election process, and announced the bill will be discussed on April 17 at an elections committee hearing.
- Autumn Webbernow, KDRT, stated the radio station is faced with the potential loss of their radio frequency, and requested city support in the station's campaign to petition the FCC.
- Michelle Van Eyken spoke regarding the proposed ordinance authorizing an all-way stop at Alhambra and Atlantis, listed on this agenda as a consent calendar item, and requested a roundabout instead of an all-way stop.
- Bernadette Mallots spoke in support of choice voting.
- Tansey Thomas introduced herself as an applicant for the Senior Citizens Commission.

Brief Communica-
tions

Members of the City Council made various announcements.

Council recessed at 7:43 p.m. and reconvened at 7:50 p.m.

Long Range Calendar

- L. Heystek requested Council agendaize for the City Council-ASUCD joint meeting on April 12, a resolution in support of AB1294 to include an analysis of the bill. Council concurred.
- L. Heystek requested Council agendaize a letter to FCC and a resolution in support of the KDRT campaign for retention of their radio frequency. Council concurred.

R. Asmundson moved, seconded by D. Saylor, to direct the Council Subcommittee on Self-Evaluation to agendaize an evaluation before April 17.

S. Souza proposed a friendly amendment to direct the Council Subcommittee to meet to agendaize an evaluation to a date certain before April 27, if feasible. Motion passed by the following vote:

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

S. Souza moved, seconded by R. Asmundson, approval of the long range calendar as amended. Motion passed by the following vote:

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

AB1234 Reporting

D. Saylor attended a League of California Cities Sacramento Valley Division meeting in Colusa wherein discussion included the possible improvements to the budget process at the state level and reorganization of fiscal incentives between state, county and local governments.

Discuss Possible Re-
Appointment of Char-
ter City Subcommit-
tee with Direction to
Follow-up on Meas-
ure L / Choice Voting

S. Souza moved, seconded by D. Saylor, to retain the current members of the Charter City Council Subcommittee (L. Heystek and S. Souza) and to expand the role of the Subcommittee to research and discuss the next steps for proceeding with follow-up on Measure L/choice voting.

L. Heystek moved substitute motion, seconded by S. Greenwald, to broaden the discussion to include all Councilmembers with staff presenting a report on ways to proceed and follow up on the outcome of Measure L. Substitute motion failed by the following vote:

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

S. Greenwald moved substitute motion, seconded by L. Heystek, to modify the membership of the Subcommittee and replace L. Heystek with S. Greenwald. Substitute motion failed by the following vote:

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

L. Heystek proposed a friendly amendment to the main motion to have the meetings of the Subcommittee duly noticed and open to the public. Accepted by mover and second. Motion passed by the following vote:

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

Consent Calendar

Resolution No. 07-034 – Awarding Contract of \$45,578 to Dynaram Construction Corporation for Public Works West Security Gate, CIP No. 8512
Approved (1) plans and specifications for security gate, and (2) resolution

Resolution No. 07-035 – Approving Final Map for Christopher Hollow, Subdivision No. 4794, and Authorizing the City Manager to Execute the Subdivision Agreement (Boschken)
Approved

Resolution 07-036 – Authorizing the City Manager to Execute Agreements Between CSG Consultants, Inc., McKenny Krug, Interwest Consulting Group, Coastland and the City of Davis
Approved

Ordinance No. 2280 – Amending Section 15.10.100 of Chapter 15 of the Davis Municipal Code to Change Until January 1, 2008, the Collection of the Davis Business Improvement District Annual Assessment Fee for the Core Area Benefit Zone and Periphery Core Benefit Zone for the Davis Business Improvement District
Adopted (Introduced 03/20/2007)

Ordinance No. 2281 – Amending Chapter 40 of the Davis Municipal Code Amending Planned Development #4-92 to Planned Development #4-92A for the Property Consisting of Approximately 24.3 Acres Located on the North Side of Montgomery Avenue, East of Rosario Street, West of Mace Boulevard, and South of Putah Creek
Adopted (Introduced 03/20/2007)

Ordinance No. 2282 – Approving a Development Agreement with Tim Ruff and H. Ogden Lilly et al, Regarding the Project Commonly Known as Willowbank 10
Adopted (Introduced 03/20/2007)

Commission Minutes:

1. City/UCD Student Liaison Commission Regular Meeting of February 14, 2007
Informational
2. Historical Resources Management Commission Regular Meeting of January 22, 2007
Informational
3. Human Relations Commission Regular Meeting of February 22, 2007
Informational

4. Natural Resources Commission Regular Meeting of January 22, 2007
Informational

5. Planning Commission/Social Services Commission Joint Meeting of December 6, 2006
Informational

Business and Economic Development Commission – Strategic Goals 2006-2010; 2006 Progress Summary; 2007 Work Plan
Received and ratified the Strategic Goals, Progress Summary and Work Plan

Resolution No. 07-037 – Establishing the City of Davis Business and Economic Development Award
Approved

City Council Minutes from the Regular Meeting of March 13, 2007
Approved

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

Resolution Authorizing Contract with Godbe Research and Analysis for Citywide Survey

Item removed from consent calendar by R. Asmundson and S. Greenwald.

S. Greenwald moved to form a Council Subcommittee consisting of S. Greenwald and R. Asmundson to draft questions for a citywide survey. R. Asmundson declined.

S. Greenwald moved, seconded by S. Souza, to form a Council Subcommittee consisting of S. Greenwald and S. Souza to draft questions for a citywide survey.

D. Saylor moved substitute motion, seconded by S. Greenwald, approval of Resolution No. 07-038 - Authorizing the City Manager to Execute a Contract with Godbe Research and Analysis for Citywide Survey, and to direct the consultant to interview each member of the Council before finalizing survey questions in consultation with staff.

R. Asmundson proposed a friendly amendment to form a Council Subcommittee to work with staff in finalizing the survey questions after interviews with Councilmembers. Not accepted by mover and second.

Substitute motion passed by the following vote:

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

Ordinances Related to Installation of an All-Way Stop at the Intersection of Alhambra Drive at Arroyo Avenue and Atlantis Drive

Item removed from consent calendar by D. Saylor.

D. Saylor moved, seconded by S. Souza, introduction of Ordinance Amending Section 22.07.030 of the Municipal Code Relating to Stop Intersection Designation, and Ordinance Amending Section 22.07.020 of the Municipal Code Relating to Through Street Designation, with the understanding that staff will continue analyzing the intersection to determine if there is sufficient reason to consider alternative safety measures, including a roundabout, and in addition staff will examine noise reduction measures for that location. Motion passed by the following vote:

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

Human Relations
Commission Minutes
from the Regular
Meeting of December
14, 2006

Item removed from consent calendar by L. Heystek.

L. Heystek moved, seconded by S. Greenwald, to accept the Human Relations Commission Minutes from the Regular Meeting of December 14, 2006 as informational, without approval of the staff recommendation to refer to the Council Subcommittee on Commissions to respond to the Human Relations Commission request for review of the Anti-Discrimination Ordinance and the Authorizing Resolution of the Human Relations Commission Council to clarify any discrepancies and to elaborate further on what the Human Relations Commission has the authority to do without pror City Council approval, and instead to refer the issue to staff to prepare a response and bring any further recommendations to the full Council.

D. Saylor moved substitute motion, seconded by S. Souza, to approve staff recommendation to refer to the Council Subcommittee on Commissions to prepare a response regarding any possible discrepancies and to review the topic of Commission authority. Motion passed by the following vote:

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

Update on Facility
Fee Waiver Processes

Item removed by D. Saylor.

By consensus, City Council directed staff to review the policy denying waivers to groups who are sponsoring a fund raiser or where a fee/donation is charged for an activity and the use of the facility/equipment for which the wavier is sought is directly connected to that fund raiser or activity, and to explore possible legal options.

Commission Enabling
Resolution Updates
and Appointments to
Fill Commission Vacancies

Deputy City Clerk Zoe Mirabile summarized the modifications to the various commission enabling resolutions.

D. Saylor moved, seconded by L. Heystek, approval of Resolution No. 07-039 – Regarding the Structure and Purpose of the Recreation and Park Commission, with the following modification to student membership: Two student commissioners shall serve as ex-officio members, one shall be a Davis High School student elected by the student body, and one shall be a UC Davis student appointed by the ASUCD President.

Main motion passed by the following vote:

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

S. Souza moved, seconded by R. Asmundson, approval of Resolution No. 07-040 – Regarding the Structure and Purpose of the Bicycle Advisory Commission, with the following modification to membership: The UC Davis Bicycle Coordinator shall serve as the Ex-Officio member. Motion passed by the following vote:

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

L. Heystek moved, seconded by D. Saylor, the following:

1. Approve Resolution No. 07-041 – Regarding the Structure and Purpose of the Natural Resources Commission;
2. Approve Resolution No. 07-042 – Regarding the Structure and Purpose of the Safety and Parking Advisory Commission;

3. Approve Resolution No. 07-043 – Regarding the Structure and Purpose of the Planning Commission;
4. Direct the Council Subcommittee on Commissions to investigate the feasibility of an inter-commission liaison between the Social Services Commission and the Senior Citizens Commission.

Motion passed by the following vote:

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

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

1. Approve Resolution No. 07-044 – Regarding the Structure and Purpose of the Senior Citizens Commission;
2. Approve Resolution No. 07-045 – Regarding the Structure and Purpose of the Social Services Commission.

Motion passed by the following vote:

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

Council recessed at 9:31 p.m. and reconvened at 9:45 p.m.

City Council made appointments to fill commission vacancies as follows:

First round voting:

COMMISSION APPLICANT	Asmundson	Greenwald	Heystek	Saylor	Souza	TOTAL	APPOINTMENT
Historical Resources Management Commission (1 Regular)							
Sara Gunasekara	X	X	X	X	X	5	Regular - 2008
Personnel Board (1 Regular)							
Jan Damesyn	X	X	X	X	X	5	Regular
Senior Citizens Commission (1 Regular and 2 Alternates)							
Jan Damesyn						0	Run-Off Vote Required
Liz Fisher	X	X	X	X	X	5	
Kathleen Liebhardt	X	X	X	X	X	5	
Tansey Thomas	X	X	X	X	X	5	
Telecommunications Commission (3 Regular and 1 Alternate)							
Jim Blanc					A	1	
Jesse Drew	X	X	X			3	Alternate
Jim Frame		X	X	X	X	4	Regular
Anastasia Panagakos	X			X		2	
Amy Slavich	X	X	X	X	X	5	Regular
Eva Spiegel	X	X	X	X	X	5	Regular
Bob Kehr	Davis Joint Unified School District representative						
Stephen McMahon	Davis Community Network representative						
Zachary O'Donnell	UC Davis representative						
Jeff Shaw	Davis Community Television representative						

Second round voting:

COMMISSION APPLICANT	Asmundson	Greenwald	Heystek	Saylor	Souza	TOTAL	APPOINTMENT
Senior Citizens Commission (1 Regular and 2 Alternates)							
Liz Fisher	A				A	2	Alternate - 2008
Kathleen Liebhardt	A				A	2	Alternate - 2010
Tansey Thomas	R	X	R	X	R	5	Regular - 2008

Consideration of Initial City Strategy to Address Climate Change and Community Sustainability

Open Space Planner Mitch Sears outlined the proposed strategy, provided background on existing Davis policies and programs related to climate change, and reviewed current efforts by other communities.

S. Souza moved, seconded by L. Heystek, approval of Resolution No. 07-046 – Adopting the City of Davis Climate Protection/Community Sustainability Framework Strategy. Motion passed by the following vote:

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

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

1. Direct staff to provide regular updates on development of an action plan and implementation measures as called for in the strategy;
2. Direct the Natural Resources Commission to continue in its lead role in developing a community climate action plan.

S. Greenwald proposed a friendly amendment to agendize all forthcoming updates on the regular calendar. Not accepted by mover and second.

L. H moved, seconded by S. Greenwald, to direct staff to analyze the projected impacts on staff time as a result of this initiative and account for this impact in next year’s proposed budget. Motion passed by the following vote:

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

Item Submitted by Mayor Greenwald:

D. Saylor moved, seconded by S. Souza, to direct staff to return to City Council after adequate time to conduct a thorough analysis of the situation, in order to provide all necessary information to enable City Council to conduct a meaningful discussion of this issue for the future of the city.

Discussion of Whether the City Should Pursue Annexation of the University’s West Davis Neighborhood

S. Greenwald moved substitute motion, seconded by L. Heystek, that it shall be the position of the City of Davis that annexation of the University’s West Davis neighborhood by the City of Davis is a goal that we strongly support in concept.

D. Saylor moved substitute substitute motion, seconded by S. Souza, to confirm the existing City Council policy that annexation is desirable so long as it is fiscally feasible. Motion passed by the following vote:

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

Adjournment

The meeting was adjourned at 12:09 a.m.

Zoe S. Mirabile
Deputy City Clerk