

**MINUTES OF THE DAVIS CITY COUNCIL**  
**Meeting of April 17, 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: Lamar Heystek, Don Saylor, Stephen Souza, Sue Greenwald  
Councilmembers Absent: Ruth Asmundson  
Other Officers Present: City Manager Bill Emlen, City Attorney Harriet Steiner, City Clerk Margaret Roberts

Approval of Agenda L. Heystek moved, seconded by S. Greenwald to remove of item 1A – Proclamation in Appreciation of Pacific Gas and Electric Company for its Contribution to the City of Davis 2006-2007 Street Smarts Campaign, to be delayed to a future day when the Council has been brought a resolution and had to opportunity to vote on said resolution to affirm the city of Davis’ continuing support of public power. Motion passed unanimously.

S. Souza moved, seconded by R. Asmundson to approve the agenda as amended. Motion passed unanimously.

Ceremonial The following ceremonial proclamations were given:  
Proclamation in Appreciation of Assistant Chief Steven Pierce for His Work as Interim Police Chief  
Proclamation Recognizing May 2007 as Teen Pregnancy Prevention Month  
Proclamation Recognizing May 2007 as Media Democracy Month  
Proclamation Recognizing April 28, 2007 as Arbor Day  
Proclamation Declaring April 23-29, 2007 as Mosquito and West Nile Virus Awareness Week  
Proclamation Recognizing April 22-28, 2007 as National Crime Victim’s Rights Week  
Proclamation Declaring April 15-21, 2007 as National Volunteer Week  
The Council meeting went into recess for a reception in honor of the Volunteers.

Public Comment Comments and concerns expressed by citizens:  
• J. Berg (BAC Chair) provided the March/April issue of American Bicyclist magazine to the Council. It has information on why Davis received the platinum award in 2005.  
• C. O’Neal member of the UCD Student Liaison Commission informed the Council that there were a large number of UCD students who assisted with cleaning up after Picnic Day.  
• E. Roberts-Musser provided an invitation to the Council for an upcoming event by Rebuilding Together.  
• Vanita Kateer, member of SHARE spoke on an upcoming fundraiser event for children in New Orleans. SHARE requested the Council reconsider a fee waiver for the use of Veterans Memorial Center for the event.  
• Kevin Kline spoke to the open container ordinance that will be coming before the Council soon. He suggested that the ordinance needs to be looked at and addressed across the board throughout the city.  
• Alisa Okello – PG&E representative was in attendance for the item that was removed from

the agenda earlier. They are a sponsor of the street smart program and safety is a priority for PG&E.

- Johannes Troost received a set of minutes that were action minutes at the Finance and Budget Commission. He asked the Council to provide additional guidance to the commissions regarding minutes.
- The following spoke in support of KDRT:  
Davis Media Access, J. Shaw, L. Richter, Ms. Ohara, C. Mogel, B. Boil, and R. Koderell  
They suggested that Results Radio defer their application until KDRT can file an alternate location, they were disappointed that they were not allowed at the table during negotiations and they thanked the Council and community for their support
- Jack Fritz, Results Radio, which is the radio station that is co-located with KDRT commented that they understand that their application, if approved, would jeopardize the existence of KDRT to remain at 101.5 and that they are willing to assist KDRT in finding a new location.

Brief Communications

Members of the City Council made various announcements including various meetings with other agencies that they attended. L. Heystek advised that he went to the Assembly Committee on Elections regarding AB 1294. The Chair made the motion to pass AB1294 however it received no second and will remain in committee.

Long Range Calendar:

B. Emlen advised that he is continuing to select a date for the self-evaluation date for the Council. There are some ambitious agendas coming forward to the Council.

L. Heystek – requested that a resolution be brought forward to support of –  
R. Asmundson would like the City Manager put a moratorium on providing information at the last minute at the dais because there is not enough time to read the materials.

S. Souza moved, seconded by R. Asmundson to accept the long range calendar.

AB1234 Reporting: None

Consent Calendar

Resolution 07-052 authorizing the City Manager to enter into the first amendment to the license agreement with Child Development Centers, Inc. "CDI" for a portable building in Sycamore Park  
Approved

Resolution 07-053 awarding purchase contract of \$39,249.06 to Holt of California for Wastewater Treatment Plan Engine Overhaul, Program No. 7313  
Approved

Plans, Specifications and Estimate for Sidewalk Replacement-2007, Program No. 7259  
Approved

Resolution 07-054 awarding a contract of \$121,862.50 to Ameca General Engineering, with a construction contingency of \$49,310.50  
Approved

Resolution 07-055 declaring weeds growing upon private property within the city of Davis to be a public nuisance, directing the Chief of the Fire Department to post or mail a Notice to Destroy Weeds, and providing a Notice of Hearing on objections thereto pursuant to California Government Code, Article 2, Section 39560 Through 39588  
Approved

Resolution 07-056 authorizing the naming of the meeting room of the Hattie Weber Museum located at 445 C Street (Corner of Fifth and C Streets) the "Phyllis Wilber Marden Haig Room"

Approved

Plans, Specifications and Estimate for Well 29 Odor Control System, CIP No. 8151

Approved

Resolution 07-057 awarding a contract of \$324,445.19 to West Valley Construction Co., with a construction contingency of \$19,500

Approved

Budget Adjustment #89 (\$200,000) – Allocating funds from Water Capital Replacement Reserve and Water Capital Expansion

Approved

Budget Adjustment #91 (\$89,000) – Allocating SACOG Civic Engagement Grant Funds

Approved

Ordinance Amending Section 22.07.030 of the Municipal Code of the city of Davis relating to stop intersection designation – Rockwell Drive

Introduced

Budget Adjustment #80 (\$184,202) – Reappropriating endowment funds for Mmanagement and monitoring of the Burrowing Owl Reserve at the County Grasslands Park per the 2004 agreement between the city of Davis and county of Yolo

Approved

Budget Adjustment #87 (\$500,000) – Appropriating CalHome funding for the City's First-Time Homebuyer Assistance Program

Approved

Budget adjustment #34 (2006) (\$105,500) – Reversing previous appropriation of funding for the installation of Veterans Memorial Center concrete access road surfacing)

Budget adjustment #88 (\$24,000) – Appropriating unallocated construction tax funding

Approved

Revised job descriptions – Building Maintenance Worker I/II; Building Maintenance Crew Supervisor; Public Relations Manager I/II

Approved

Second reading and Ordinance 2283 Amending Section 22.07.020 of the Municipal Code Relating to Through Street Designation (Related to Installation of an All-Way Stop at the Intersection of Alhambra Drive at Arroyo Avenue and Atlantis Drive)

Adopted (Introduced 04/03/07)

Second reading and Ordinance 2284 Amending Section 22.07.030 of the Municipal Code Relating to Stop Intersection Designation (Related to Installation of an All-Way Stop at the Intersection of Alhambra Drive at Arroyo Avenue and Atlantis Drive)

Adopted (Introduced 04/03/07)

Business and Economic Development Commission regular meeting minutes of January 22 and February 26, 2007

Informational

Natural Resources Commission regular meeting minutes of February 26, 2007

Informational

Planning Commission regular meeting minutes of December 13, 2006

Informational

Recreation and Park Commission regular meeting minutes of March 29, 2007

Informational with the exception of the following action items:

- Approved Commission recommendations to allow the Davis Girl Scout Troop to Camp Overnight in Slide Hill Park from June 28 to June 29, 2007
- Approved Veterans of Foreign Wars proposal to install a flag pole and plaque in John Barovetto Park

2006/07 Third Quarter Administratively Approved Budget Adjustments

Informational

Update on Natsoulas Ceramics Conference 2007

Informational

L. Heystek 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 pulled from consent

S. Souza moved, seconded by D. Saylor, approval of Resolution 07-058 approving the application for land and water conservation fund for Playfield's Park All Weather Soccer Fields Project. The motion passed by the following vote:

07-058: pulled by D. Saylor and S. Souza

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

07-059: pulled by D. Saylor and S. Souza

D. Saylor moved, seconded by S. Souza, approval of Resolution 07-059 and directed staff to send a cover letter in support of KDRT-LP, 101.5 FM to be included in their complaint to the Federal Communications Commission. The motion passed by the following vote:

07-060: pulled by R. Asmundson

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

Budget Adjustment: pulled by L. Heystek

D. Saylor requested that this matter be on the Telecommunications Commission agenda and was agreed by consensus.

R. Asmundson moved, seconded by S. Souza, approval of Resolution 07-060 authorizing the City Manager to execute an agreement between the consulting firm of Design, Community and Environment and the city of Davis, for the development of a "concept plan" for two Davis area infill sites. The motion passed by the following vote:

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

L. Heystek moved, seconded by S. Souza, Budget adjustment #92 (\$66,800) – Allocating funds for the purchase of a new vehicle for the Yolo County Bomb Squad Program administered by the Davis Police Department

Approved

Public Hearing

Anderson Bank Building Window Project Final Environmental Impact Report was continued to May 16, 2007.

Public Hearing: Social Services Com-

E. Garcia-Ayala gave some background on the CDBG program and pointed out that the funding amounts were decreased from last year. D. Foster reviewed the home program recommenda-

mission Recommendations Relative to Community Development Block Grant (CDBG) and Housing Investment Partnership Program (HOME) 2007-2008 Funding

tions. J. Cochran reviewed the RDA Housing Set Aside recommendations.

The public hearing was opened.

D. Thompson representing the residents of Rancho Yolo stated there is a group of residents who would like to purchase the park. The owners and managers of mobile homes parks always say they do not want to sell, but that is actually not the case. They were provided a document from staff regarding what they offered. They are requesting a 90 day delay in this process.

O. Mitchell, representing 21 residents, requested a 90 day delay so that their concerns could be made through the homeowners association. She read a letter that had been submitted and provided to the City Council.

M. Reardon, Chair of the Social Services Commission, advised that the commission has questions that need to be answered regarding the concerns of the residents of Rancho Yolo.

K. Kline commented on the reference by L. Heystek's request for the meeting of the Social Services Commission's deliberations to have been recorded. There are difficult issues and the commission in the past wanted to come forward as one voice. The higher funding typically goes to those who are providing critical needs. There are programs available for sports events for the youth.

B. Payne, Treasurer for Rancho Yolo, spoke to the information they received from the commission regarding rent control. At this point and time, they want that phrase completely removed. They have tried for years to proceed in an orderly and conservative manner. By waiving a flag called rent control, it poisons the well. The letter of April 17, presented by Odene Mitchell, was suddenly dropped on the board. The letter will be answered in detail when the board has had the opportunity to analyze it. Twenty-six residents opposed to 222 is a miniscule percentage.

B. Ridgeway, president of Mobile Home Park, talked about the monthly newsletter that goes to every resident of the park. The twenty names on the letter have not attended and do not show any interest in the park.

D. Rassmussen is definitely not in favor of rent control but is in favor of ownership. They are trying to give themselves a little bit of self

L. Walter advised there have been a lot of open meetings and they have not bothered to attend. At the last meeting there were over 140 in attendance. They are applying for some funding for them the opportunity to evaluate and determine if they can purchase the park.

M. Mitchell stated that he attended the last meeting and he does not think that there is anybody opposed to the purchase of the park. Every time a hand came up, they were told that there was not time to answer the questions. There were many people at the meeting that were not in agreement with everything being said. They could do themselves better if they explained themselves better and presented in a clear manner.

P. Alger advised that at the meeting, there was a particular agenda and information was

J. Miller was asked at that meeting to be a time keeper at the meeting and that answers would be limited to one minute.

J. Mitchell stated that the meeting was called Rancho Yolo Homeowner and the city and that it would be held under the Brown Act making it open to anybody who wanted to attend.

With no further comments the public hearing was closed.

S. Souza moved, seconded by L. Heystek, approval of the Social Services Commission funding recommendations minus Communicare Health, National Youth Sports Program and Yolo Mutual Housing Association operating funds. Motion passed by the following vote:

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

Main Motion by D. Saylor, seconded by L. Heystek to fund National Youth Sports Program for \$5,000 and reduce the amount to Communicare Health by that amount.

M. Reardon advised that she agrees with the motion to fund National Youth Sports Program but she would rather see the funds come from Yolo Family Service Agency instead of Communicare Health.

Substitute motion by S. Souza, seconded by D. Saylor to allocate \$3,036 to National Youth Sports Program from Yolo Family Services Agency, to allocate \$1,000 to National Youth Sports Program from Citizens who Care – Timeoff.

The motion and substitute motion were withdrawn.

S. Souza moved, seconded by D. Saylor to reconsider the previous motion regarding the allocations for CDBG funding. The motion passed unanimously.

S. Souza moved, seconded by D. Saylor approval of the Social Security Commission's recommendations for use of the CDBG funding as listed in attachment 1 of the staff report with the following changes:

- \$1,000 taken away from Citizens Who Care (with the flexibility of which program left up to the organization) and redirected to National Youth Sports Program
- \$3,036 taken away from Yolo Family Services Agency and redirected to National Youth Sports Program
- Total now being allocated to National Youth Sports Program - \$4,036
- Total now being allocated to Yolo Family Services Agency - \$0
- Removal of the \$26,870 for Yolo Mutual Housing Association.

Motion passed by the following vote:

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

L. Heystek moved, seconded by D. Saylor to fully fund the Yolo Mutual Housing Association – CHDO with the stipulation that they return next year with a plan. Motion passed by the following vote:

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

S. Souza moved, seconded by R. Asmundson to approve the submission of the recommendations as a one-year action plan to the Department of Housing and Urban Development. Motion passed unanimously.

Resolution Establishing Policies and Procedures for the Selection and Retention of Co-Sponsored Groups

M. Wierschem gave the background information on the item and explained how the policy would work. J. Cochran provided additional information including the fact that there will be additional policies that will follow such as field reservations.

S. Sabatier, chair for the Recreation and Parks Commission, shared insight from the commission on this policy. They spent quite a bit of time over the fifty percent of board members re-

Utilizing City of Davis Facilities Operated by the Parks & Community Services Department

quirement to be Davis residents. Since the adult board members are the people who will deal with city staff as well as those who are responsible for the organization they kept this requirement in place.

R. Asmundson moved, seconded by D. Saylor, approval of Resolution 07-061 establishing policies and procedures for the selection and retention of co-sponsored groups utilizing city of Davis facilities operated by the Parks and Community Services Department. Motion passed by the following vote:

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

Biennial Update to the Davis Conflict of Interest Code

M. Roberts provided information on the changes to the Conflict of Interest Code. M. Roberts and H. Steiner answered a multitude of questions and concerns of the Council.

D. Saylor moved, seconded by S. Souza, approval of Resolution 07-062 amending Conflict of Interest Provisions – Designated Positions (Employees/Officials) and Disclosure Categories (Types of Financial Interest) and to introduce Ordinance Amending Article 2.12 of the Davis Municipal Code Relating to Provisions of the Conflict of Interest Code. Motion passed by the following vote:

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

Main motion by D. Saylor, seconded by R. Asmundson to direct the City Clerk to return with recommendations for disclosure categories for the remaining five commissions that they will all be required to some type of disclosure. (The five commissions are Bicycle Advisory, Recreation and Park, UCD/Student Liaison, Human Relations and the Senior Citizens Commissions).

Substitute motion by S. Greenwald, seconded by L. Heystek to direct the City Clerk to review the Park and Recreation Commission and the Bicycle Advisory Commission to return with recommendations for disclosure categories. The motion failed by the following vote:

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

The main motion passed by the following vote:

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

D. Saylor moved, seconded by S. Souza to include in the consideration an evaluation of applications and recommendations to determine if this has a chilling effect on the commissions. The motion passed by the following vote:

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

It was the consensus of the Council for the Council subcommittee on commissions work with the City Clerk to bring a recommendation for how the Commission minutes will come to the City Council when an item needs to be ratified or approved.

D. Saylor moved, seconded by S. Souza to continue the meeting and hear the remaining two items. The motion passed unanimously after debate.

Green Waste Containerization Pilot Program

B. Weir and S. Gedestad provided information to the Council on this pilot program and the pros and cons of containerization.

L. Heystek moved, seconded by S. Souza to support the development and implementation of a pilot program to containerize green waste on selected arterials that have significant bike traffic. The motion passed unanimously.

Status Report on 2013 General Plan / Housing Element Update

B. Wolcott gave an update to on the 2013 General Plan Housing Element. Kevin Wolfe, chair of the committee provided information to the Council. He assured the Council that they are committed to meet the overall timeline.

Adjournment

The meeting was adjourned at 12:52 a.m. in the memory of Sharon Bird, Mel Trujillo, and Harry Miller.

Margaret Roberts, CMC  
City Clerk



MINUTES OF THE DAVIS REDEVELOPMENT AGENCY  
Meeting of April 17, 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 Margaret Roberts

Approval of Agenda L. Heystek 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 RDA Resolution 1197 authorizing the additional indebtedness of \$2,000,000 to the California Housing Finance Agency (CalHFA) and execution of the necessary loan agreement and documentation to insure an indebtedness under the CalHFA Residential Development Loan Program (RDLP)  
Approved

L. Heystek moved, seconded by R. Asmundson,, approval of the consent calendar as listed above and passed by the following vote:

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

Public Hearing: Social Services Commission Recommendations Relative to Community Development Block Grant (CDBG) and Housing Investment Partnership Program (HOME) 2007-2008 Funding E. Garcia-Ayala gave some background on the CDBG program and pointed out that the funding amounts were decreased from last year. D. Foster reviewed the home program recommendations. J. Cochran reviewed the RDA Housing Set Aside recommendations.

The public hearing was opened.

D. Thompson representing the residents of Rancho Yolo and there is a group of residents who would like to purchase the park. There are rumors in the mobile home park and they are difficult for the residents who want to purchase because they are harmful rumors. The owners and managers of mobile homes parks always say they do not want to sell, but that is actually not the case. They were handed a document from staff regarding what they offered. There were many items in the documents that are not acceptable to the residents. They would be happy to sit down with staff, but would likely come back to staff within 90 days. He is requesting that staff recommendation be taken off the calendar tonight.

Resolution authorizing the use of Redevelopment Housing Set-Aside funds to analyze affordable housing opportunities at the Rancho Yolo Mobile Home O. Mitchell, representing 21 residents, requested a 90 day delay so that their concerns could be made through the homeowners association. She read a letter that had been submitted and provided to the City Council.

M. Reardon, Chair of the Social Services Commission, advised that the commission has questions that need to be answered regarding the concerns of the residents of Rancho Yolo. There are many of the organizations being recommended for funding that service children.

Park

K. Kline commented on the reference by L. Heystek's request for the meeting of the Social Services Commission's deliberations to have been recorded. There are difficult issues and the commission in the past wanted to come forward as one voice. The higher funding typically goes to those who are providing critical needs. There are programs available for sports events for the youth.

B. Payne, Treasurer for Rancho Yolo, spoke to the information they received from the commission regarding rent control. At this point and time, they want that phrase completely removed. They have tried for years to proceed in an orderly and conservative manner. By waiving a flag called rent control, it poisons the well. With a senior park the size of Rancho Yolo, the largest in Yolo County, the Council should admit that it is well worth it. The letter of April 17, presented by Odene Mitchell, was suddenly dropped on the board. The letter will be answered in detail when the board has had the opportunity to analyze it. Twenty-six residents opposed to 222 is a miniscule percentage.

B. Ridgeway, president of Mobile Home Park, talked about the monthly newsletter that goes to every resident of the park. The twenty names on the letter have not attended and do not show any interest in the park. They will pursue this one way or the other.

D. Rasmussen is definitely not in favor of rent control but is in favor of ownership. They are trying to give themselves a little bit of self

L. Walter advised that questions have been raised tonight. There have been a lot of open meetings and they have not bothered to attend. At the last meeting there were over 140 in attendance. Everything is done above board. They are applying for some funding to be able to provide them the opportunity to determine if they can purchase the park.

M. Mitchell stated that he attended the last meeting and he does not think that there is anybody opposed to the purchase of the park. Every time a hand came up, they were told that there was not time to answer the questions. There were many people at the meeting that were not in agreement with every thing being said. They could do themselves better if they explained themselves better and presented in a clear manner.

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J. Mitchell stated that the meeting was called Rancho Yolo Homeowner and the city and that it would be held under the Brown Act making it open to anybody who wanted to attend.

With no further comments the public hearing was closed.

D. Saylor moved, seconded by S. Souza to reserve the \$50,000 supporting the ongoing plan of the Rancho Yolo Community Association's purchase of the park. The motion passed by the following vote:

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

L. Heystek moved, seconded by S. Greenwald to bring a resolution back in 90 days to determine how the funds being set aside will be used. The motion passed by the following vote:

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

S. Souza moved, seconded by R. Asmundson to approve the submission of the recommendations as a one-year action plan to the Department of Housing and Urban Development. Motion passed unanimously.

Adjournment

The meeting was adjourned at 12:52 a.m. in the memory of Sharon Bird, Mel Trujillo, and Harry Miller.

Margaret Roberts, CMC  
Agency Clerk