

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 5, 2007

The City Council of the City of Davis met in regular session beginning at 6:00 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, City Clerk Margaret Roberts

Closed Session The City Council went into closed session pursuant to Government Code §54954.5 regarding the following items:

Property: Barger Ranch Easement; APN 040-200-130
Negotiating Parties: Paul and Laura Barger

Property: Wasserman Ranch Easement; APN 041-060-240
Negotiating Parties: Karolyn K. Wasserman Trust and Lauren Wasserman Trust

Property: Kidwell Farm Easement, South; APNs 110-090-130 and 110-090-140
Negotiating Parties: Denny E. Kidwell and the Ruby E. Kidwell Trust

Property: Martin Farm Easement; APN 033-110-591
Negotiating Party: John Martin

Agency Negotiator: City Attorney Harriet Steiner
Under Negotiation: Price and terms of payment

The Council returned to open session at 6:40 p.m. with no reportable action.

Approval of Agenda L. Heystek moved, seconded by R. Asmundson to approve the agenda. Motion passed unanimously.

Brief Communications Members of the City Council made various announcements including local and regional events, and various meetings with other agencies that they attended.

L. Heystek requested that a proclamation for SHARE, a resolution on public power and consideration of amending the administrative policy for flag flying be brought to the Council.

Long Range Calendar:

R. Asmundson requested that a long range for the next Council year be brought to the Council for adoption prior to the August summer break.

S. Souza moved, seconded by D. Saylor to accept the long range calendar.

AB1234 Reporting:

D. Saylor attended a colloquium in Sacramento last week.

Consent Calendar Resolution 07-086 establishing unit prices for two and three bedroom low/moderate and middle income affordable ownership units and adopting price calculation assumptions for all low/moderate and middle income affordable units sold in fiscal year 2007-2008
Approved

Resolution 07-087 authorizing the City Manager to execute Agreement No. 07 04610 with the University of California-Davis, Federal Transit Administration (FTA) pass through for partial funding of Unitrans – FTA Grant No. CA-90-Y453-00
Approved

Plans, specifications & estimate for Bikepath Maintenance and Rehabilitation - 2007, Program No. 7252
Approved

Resolution 07-088 awarding a contract to K & L General Engineering, Inc. in the amount of \$199,918.15 and providing a \$25,000 construction contingency for contract change orders
Approved

Budget Adjustment #120 (\$615,375) – allocating grant funds from California Department of Education, Child Development Division
Approved

City/UCD Student Liaison Commission regular meeting minutes of April 11, 2007
Informational

Historical Resources Management Commission regular meeting minutes of April 16, 2007
Informational

Human Relations Commission regular meeting minutes of March 22, 2007
Informational

Natural Resources Commission regular meeting minutes of March 26, 2007
Informational

Social Services Commission minutes from the regular meetings of February 26, March 19, March 26, April 3 and April 17, 2007
Informational with exception of the following action items:

- February 26 – Approve Commission recommendations related to planning for a transit and transportation needs analysis: (1) Refer project scope and purpose to ADA Subcommittee, Senior Citizens Commission, and appropriate city staff; (2) Include survey of Capitol Corridor transportation providers
- April 16, 2007 – Consider Commission recommendation that the Open Container Ordinance remain unchanged

Revised job specification – Junior Planner/Assistant Planner I/Assistant Planner II
Approved

City Council Minutes from the regular meeting of May 22, 2007
Approved

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

Public Comment

Comments and concerns expressed by citizens:

- J. Schnabolk an applicant for the Planning Commission introduced himself.
- J. Troidl - continuing outages with street lighting. The City Manager is to discuss a better way to report problems with street lights and dripping faucets.
- B. King – the current lack of screening for volunteers at the Senior Center. The Council requested that the city staff bring back a report on the current procedures for screening volunteers.
- Keisha Williams requested the Council to reconsider the fee waiver policy in regards to SHARE.

Public Hearing: 726 B Street "Shepherds Close" Residential Infill Project

Eric Lee provided information to the Council regarding the project. The Council is being requested to take three actions and to hold a public hearing. The public hearing was opened.

M. Corbett stated the project is unique as the owner/developer will be living there. The environmental aspects are cutting edge. Most of the lower area must be used for parking and the required open space makes the living space to be upstairs. The visitability unit is currently a one bedroom.

With no further comments, the public hearing was closed.

D. Saylor moved, seconded by L. Heystek to adopt the initial study/negative declaration determining that potential impacts were less than significant. The motion passed unanimously.

S. Souza moved, seconded by L. Heystek to introduce the ordinance amending Chapter 40 of the Municipal Code to rezone the property from Residential Garden Apartment (R-3-M) to Preliminary Planned Development (PD) #08-06 – Shepherds Close. The motion passed unanimously.

L. Heystek moved approval of the project based on the findings and subject to the conditions of approval and while ensuring the affordable rental apartment is fully accessible prior to the issuance of building permits. There was no second to the motion.

D. Saylor moved, seconded by R. Asmundson approval of the project based on the findings and subject to the conditions of approval as submitted in the staff report. The motion passed unanimously.

Public Hearing: Visitor Attraction Business Improvement District (BID) Assessment Reauthorization 2007-2008

K. Stachowicz introduced the item and requested the Council hold the public hearing and approve the resolution for the BID renewal.

The public hearing was opened.

Mr. Youmans thanked the Council for their continued support of the BID.

With no further comments, the public hearing was closed.

S. Souza moved, seconded D. Saylor approval of Resolution 07-089 confirming the assessment report and approving the levy of an assessment for the Visitor Attraction District pursuant to the Parking and Business Improvement Area Law of 1989. The motion passed by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald

NOES: None

The Council took a short recess.

UC Davis West Village Neighborhood – Discussion of Possible Pursuit of Annexation

B. Emlen introduced the item and advised that a supplemental packet was delivered to the Council containing additional information including an ASUCD Resolution and a memo from UCD on the project. In November 2004 the subcommittee reported to the Council that various meetings had been held and the subcommittee would continue to pursue annexation provided the fiscal impact is neutral or positive and secure agreements that address city impacts and costs. Then in April of 2007, the Council passed a motion that confirmed the existing City Council policy that annexation is desirable so long as it is fiscally feasible.

There was a lengthy discussion between city staff, City Council and UC Davis staff with the following are some of the points discussed:

- Unique project in that if annexed, the property would be in city limits but still part of the UC campus

- Who would be the provider of essential services
- Emergency access from Russell Boulevard
- The payment of development impact fees
- The fiscal impacts of the project and how costs would be borne by the three agencies involved (UC Davis, Yolo County and City of Davis)

Greg Peake, Steven Lee, Greg Dizon and Ron Glick spoke in favor of annexation.

D. Saylor moved to re-affirm past Council direction to pursue annexation of the West Village project if it can be accomplished in a manner that is at least fiscally neutral to the city. There was no second to the motion.

Substitute motion by L. Heystek, seconded by S. Greenwald to re-affirm past Council direction to pursue annexation of the West Village project if it can be accomplished in a manner that is fiscally feasible with the understanding that the project and will strive for fiscal neutrality. The motion passed unanimously.

S. Souza moved, seconded by D. Saylor to re-affirm the following guiding principles:

- Sufficient revenues shall be generated to cover short and long-term costs of the new neighborhood
- An equitable fiscal arrangement, where no party assumes negative fiscal consequences and revenues are fairly distributed, will be critical to reaching agreement
- If fiscal issues can be resolved, annexation to the City of Davis is preferred option because 1) it represents a logical and orderly boundary change, 2) It provides for the most efficient delivery of urban services, 3) It allows for the social and political integration of neighborhood residents with the Davis community.

The motion passed unanimously.

D. Saylor moved, seconded by S. Souza to direct staff and the appointed Council Subcommittee to discuss potential revenue-sharing options with the UC Davis campus and property tax sharing options with Yolo County that would cover the costs of key urban services and return no later than mid-September with information needed for the City Council to make a final determination on whether to annex the project area. The motion passed unanimously.

D. Saylor moved, seconded by L. Heystek that discussions include framework for addressing off-site impacts. The motion carried unanimously.

L. Heystek moved, seconded by S. Greenwald to include students, faculty and other staff in future negotiations when appropriate. The motion passed unanimously.

It was requested that the Council get periodic updates in memo format from staff on the progress being made in the negotiations with the other agencies.

FY2007/08 Proposed Budget – Revisions to May 1st Budget Recommendations

P. Navazio briefed the City Council on the updates and analysis done since the May 1, 2007 workshop on the budget addressing the concerns of the City Council.

W. Kenekick spoke to the street/bikepaths/sidewalk deferred maintenance and the concern that the amount of funding being recommended is insufficient.

L. Heystek moved, seconded by S. Souza to direct staff to bring for council consideration refined language contained in the General Fund Reserve Policy to establish that funding within the Capital Reserve should, as a priority, be allocated for deferred maintenance and/or replacement projects in support of existing city infrastructure, over projects that add to city infrastructure (and thus require additional operations, maintenance and replacement funding). Priority for deferred maintenance funding should be given to addressing backlog within the street, bike path and sidewalk rehabilitation programs. The

motion passed unanimously.

L. Heystek moved to appropriate ten percent of the Walnut Park Pool total from impact fees from design pending the subcommittee's report. There was no second to the motion.

S. Souza moved, seconded by R. Asmundson approval of the amendments to the FY2007/08 budget recommendations as presented with the provision that \$30,000 be allocated for YCVB for this year from RDA funds. The motion passed unanimously.

Appointment to the Planning Commission

The City Council voted to fill one vacancy on the Planning Commission for a regular commissioner with an expiration date of 09/30/2008. With David de la Pena moving from the alternate to the regular position, the alternate vacancy with an expiration of 09/30/2010 was then filled. The following is the vote of the City Council.

APPLICANT	Asmundson	Greenwald	Heystek	Saylor	Souza	TOTAL	APPOINTMENT
Ananya Choudhuri	Alternate	Alternate	Alternate		Alternate	4	Alternate (09/30/10)
David de la Peña *	Regular	Regular	Regular	Regular	Regular	5	Regular (09/30/08)
Sheri Smith				Alternate		1	No appointment
Jay Schnabolk						0	No appointment

Adjournment

The meeting was adjourned at 11:54 p.m.

Margaret Roberts, CMC
City Clerk