

**MINUTES OF THE DAVIS CITY COUNCIL**  
**Meeting of June 26, 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 Pursuant to Government Code §54957.6 for Conference with Labor Negotiators  
Agency Designated Representatives: Don Saylor and Stephen Souza  
Unrepresented Employee: City Manager

The Council returned to open session at 6:29 with no reportable action.

Approval of Agenda B. Emlen asked that the following item be pulled from the Council meeting:  
Request for Qualifications for an Analysis of the Viability of Light Industrial or Business Park Development on the Lewis

S. Souza moved, seconded by R. Asmundson to approve the agenda with the removal of above mentioned item. Motion passed unanimously.

Ceremonial Proclamations were presented to Chris Ochoa for his service on the Planning Commission and James Allen for his service on the Civic Arts Commission.

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

H. Steiner advised that the lawsuit against the City of Dixon regarding Dixon Downs has been complete and is considered closed.

AB1234 Reporting:

D. Saylor – League of California Cities quarterly meeting in Lake Tahoe.

S. Greenwald – Mayors Innovative Conference at UCLA.

Long Range Calendar:

Police and Fire staffing will be moved to July 24, 2007.

D. Saylor moved, seconded by R. Asmundson to accept the long range calendar. The motion passed unanimously.

Designation of voting delegates and alternates for the League of California Cities annual conference in September:

By consensus, D. Saylor will be the voting delegate with S. Greenwald as the alternate.

Public Comment Comments and concerns expressed by citizens:

- S. Garrety spoke for the Old Davis Neighborhood regarding the B Street Visioning.
- J. Siebert spoke regarding the Con-Agra property and suggested uses for the property.

Consent Calendar Ordinance containing a description of the Davis Redevelopment Agency's program to acquire real property by eminent domain in the Davis Redevelopment Project Area  
Introduced

Adjustments to fiscal year 2006/2007 Capital Improvement Project (CIP) budgets

- a. Budget Adjustment #145 (\$27,625)
- b. Budget Adjustment #146 (\$66,500)
- c. Budget Adjustment #147 (\$51,090)

Approved

Bicycle Advisory Commission regular meeting minutes of April 9, 2007  
Informational

Safety and Parking Advisory Commission regular meeting minutes of April 5, 2007  
Informational

City Council minutes from the Regular Meeting of June 5, 2007  
Approved

D. Saylor moved, seconded by R. Asmundson, approval of the consent calendar as listed above. Motion passed by the following votes:

AYES: Asmundson, Heystek Saylor, Souza, Greenwald

NOES: None

S. Greenwald recused herself from the following item due to the location of her primary residence.

Second Reading: Ordinance 2294 amending Chapter 40 of the Davis Municipal Code, 1971, as amended, rezoning property located in the area generally bounded by Russell Boulevard on the North, First Street on the South, A Street to the West, and B Street to the East, from Planned Development No. PD #2-86A to Planned Development No. PD #2-86B

Adopted (Introduced 06/12/2007)

D. Saylor moved, seconded by R. Asmundson, approval of the consent calendar as listed above. Motion passed by the following votes:

AYES: Asmundson, Saylor, Souza

NOES: Heystek

ABSENT: Greenwald

Items removed from consent Calendar

First amendment to the agreement with Yolo County regarding the use of supervised probation work crews  
D. Saylor moved, seconded by R. Asmundson, approval Resolution 07-108 authorizing the City Manager to enter into a first amendment to the agreement with Yolo County regarding the use of supervised probation work crews. The motion passed unanimously.

An amendment to the agreement with No Man's Land Fire Protection District  
S. Souza moved, seconded by L. Heystek Resolution 07-109 authorizing the City Manager to execute the first amendment to the agreement with No Man's Land Fire Protection District. The motion passed unanimously.

Plans and Specifications for Covell Boulevard Roadway Improvement, CIP No. 8143

S. Souza moved, seconded by R. Asmundson approval of the Plans and Specifications for Covell Boulevard Roadway Improvement, CIP No. 8143 and Resolution 07-110 awarding contract of \$628,165 to AC General Engineering Inc. including a construction contingency of \$94,225 for CIP No. 8143. The motion passed unanimously.

A consultant agreement with Somach, Simmons & Dunn for NPDES Permit Renewal, Program No. 7313

V.J. Kumar voiced his objections to the amendment.

S. Souza moved, seconded by R. Asmundson, approval of Resolution 07-111 authorizing the City Manager to execute a consultant agreement with Somach, Simmons & Dunn for NPDES Permit Renewal, Program No. 7313. Motion passed unanimously.

Public Hearing: Formation of Community Facilities District 2007-2 (East Davis – Mace Ranch Area II)

There were no written protests provided to the City Clerk on the item.

The public hearing was opened.

P. Navazio provided information the formation of a new community facilities district, CFD 2007-2 to replace CFD 1999-2 (East Davis – Mace Ranch Area II) and what would be needed to authorize the issuance of special tax bonds to refinance the existing bonds of CFD 1992-2.

Issuance of Bonds to Refund Debt Pertaining to Community Facilities Districts 1999-2, Pursuant to the Mello-Roos Community Facilities Act of 1982, for the Purpose of Refinancing Existing Bonds of CFD 1999-2

With no comments the public hearing was closed.

S. Souza moved, seconded by R. Asmundson Resolution 07-112 formation of Community Facilities District and levy of a special tax. The motion passed by the following votes:

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

R. Asmundson moved, seconded by S. Souza Resolution 07-113 deeming it necessary to incur bonded indebtedness. The motion passed by the following votes:

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

R. Asmundson moved, seconded by S. Greenwald Resolution 07-114 calling special election. The motion passed by the following votes:

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

M. Roberts, City Clerk opened the ballots, tallied the votes, announced the results of the election and completed a Canvass and Statement of Result of Election.

S. Souza moved, seconded by R. Asmundson Resolution 07-115 declaring results of special election. The motion passed by the following votes:

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

R. Asmundson moved, seconded by S. Greenwald to have the first reading and introduction of the Ordinance levying a special tax.

S. Souza moved, seconded by R. Asmundson Resolution 07-116 authorizing issuance of special tax bonds, approving and directing execution of fiscal agent agreement, approving the form of preliminary official statement, approving sale of such bonds, and approving other related documents and actions. The motion passed by the following

votes:

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

Adjournment The meeting was adjourned at 7:58 p.m.

Margaret Roberts, CMC  
City Clerk