

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of January 22, 2008

The City Council of the City of Davis met in regular session beginning at 6:33 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

Approval of Agenda R. Asmundson moved, second by D. Saylor approval of the agenda. The motion passed unanimously.

Progress Report on Sister Cityship with Wuxi, Huishan District, Jiangsu Province, China Motion by R. Asmundson, second by S. Greenwald approval of Resolution 08-005 reaffirming the sister city relationship with the City of Wuxi, Huishan District, Jiangsu Province, China. The motion passed unanimously.

R. Asmundson explained how the sister cityship process is done in China.

Resolution Reaffirming the Sister City Relationship A report on the progress with Wuxi, Huishan District, Jiangsu Province, China was done by S. Shoemaker representing Friends of Wuxi.

Public Comments Comments and concerns expressed by citizens:

- J. Sherman – violation of rights
- R. Herbert – regarding item 8 – disappointed that the green waste containerization is not going to be moving forward and requested the Council consider spot containerization

Consent Calendar Resolution 08-006 approving award of \$46,795.83 to Recreation Republic, Inc., for the purchase of replacement play equipment for Covell Park  
Approved

Second Reading: Ordinance 2307 amending Chapter 12, Elections, of the Davis Municipal Code related to political sign regulations  
Adopted (Introduced 01/08/2008)

Second Reading: Ordinance amending 2308 Chapter 3 and 40 of the Davis Municipal Code removing political campaign sign regulations  
Adopted (Introduced 01/08/2008)

Second Reading: Ordinance 2309 designating 301 B Street as historical resource pursuant to Article 40.23 of the Davis Municipal Code  
Recommendation: Adopt (Introduced 01/08/2008)

Planning Commission review of the Digital Technology Lab lot line adjustment for the building (PA#30-07) at 3805 Faraday Avenue  
Took no action

Recreation and Park Commission minutes from the regular meetings of October 18 and November 14, 2007

Informational with exception of the following action items:

- Approved recommendation to allow the Commission to review preliminary information regarding the Parks and Facilities Master Plan update before making a recommendation to the City Council on the use of Park Impact Fees for the Walnut Aquatic Facility
- Approved recommendation to direct the Commission to develop draft recommending conditions or restrictions on smoking in parks up to possible banning, including community outreach plans

Revised job specification – Wildlife Resources Specialist

Approved

City Council minutes for the regular meetings of November 27; December 4, 11, and 18, 2007; and January 8, 2008

Approved

S. Souza moved, second by D. Saylor to approve the consent calendar as listed above. The motion passed unanimously.

Items removed from Consent:

Proposal to revise the reservation policy for use of Walnut Community Park tennis courts by the Davis Tennis Club (DTC)

L. Heystek moved, second by R. Asmundson to amend the current policy for use of Walnut Community Park tennis courts by the Davis Tennis Club (DTC) as follows:

- Amend current policy of reserved use of the tennis courts at Walnut Community Park by the Davis Tennis Club as follows:
  - Reservations are allowed only if the proposed use cannot be accommodated at the Davis Senior High School tennis courts
  - Reserved use request be submitted to the city at least one week in advance of use
  - Use must be posted in a highly visible area at least five days before use
  - No more than four courts for two hours be utilized per day
  - Only two courts can be reserved in excess of four hours, as needed per day
  - Reservations are allowed during league play on Saturdays and Sunday for one four person team (one team for Saturday and one for Sunday)
  - Weekend reservations must be noticed to an e-mail list provided to DTC by the city of Davis
  - As is current practice, any ancillary use of non-reserved courts in conjunction with reserved courts will be done in such a way to promote use by casual court users
  - The reservations would only be allowed during the interclub seasons – Mid-August through November and Mid-March through June of each year
  - The stipend paid by the Davis Tennis Club to pay for maintenance of tennis courts at Davis Senior High School will be increased to include costs of maintaining the courts at Walnut Community Park

The motion passed unanimously.

Report on Sacramento Area Council of Government (SACOG) Civic Engagement Process

Cathy Camacho introduced the item and then turned it over to Tom Ford, consultant from Design Community & Environment who spoke to the site and the process that has happened since September 2007. M. Sears discussed sustainability issues.

S. Sherman, property co-owner went through the SACOG process. The plan for the

and Review of Alternative Concept Plans for Simmons Estates at 2411 E. Eighth Street

property is to be moderately priced and to use modern planning techniques. The unit count that they would like to see is 110-120. The other concern is the distance of separation. D. Fouts, property co-owner, went through their conceptual plan and the differences from the original conceptual plans.

B. Sanchez, spoke on behalf of the Sunrise Neighborhood Association. During the last two months the developers and the neighborhood have been meeting and working on the conceptual plans. Concerns of the neighborhood association:

- Site density – they want density and infill; stick with the low density
- Equitable treatment of infill density (Grande and Willowbank Phase 9)
- Modest increases to density not 40-70%
- They want to do their fair share
- They are concerned with the buffers; the general plan calls for 100 and the conceptual plan has 50 feet
- Unit height – they would like to see “like to like matching”
- Traffic issues – currently a lot of bike traffic on Mesquite
- Parking is critical
- Integration with existing neighbors has not been addressed and they feel it is missing
- They recommend the PC guidance and not approve the guiding principles
- Encourage the on-going discussions between the developers and the neighbors

J. Pinot, Joy, C. Crish, J. Douglas, R. Fleming, K. Leesy, M. Lanset, J. Jankowsky, K. Murray and M. Restrepo

- Disappointment with the SACOG process
- Why does the no-build zone apply to all properties in the area
- The idea of making a bus go through the area is unrealistic
- The turkeys are a tourist draw
- Support of the barn being preserved
- Support of the historical significance of the Chiles family ranch
- Recognize the Chiles family during a ground breaking ceremony on the project
- Concern with the density level and there are other ways to lower carbon footprint such as solar energy
- Buffers are important on the north
- Bike safety
- Park space
- Traffic and parking that medium density will cause

D. Mogavero, Mogavero Notestine Architects - architect for the project; There is no general plan that mandates a buffer. They have a desire for proximity of the new development and a 35 foot buffer between the properties is sufficient. There is no rationale with the greenbelt on the north side. Traffic is important to the developers and they spoke to Unitrans about getting a bus in the area. They are willing to put funds towards on-going service for Unitrans.

S. Souza moved, second by D. Saylor approval of Resolution 08-007 adopting the “Guiding Principles” to guide the development of the Chiles Ranch property, three parcels (12/04 acres) located on East Eighth Street, South of Regis Drive, West of Mesquite Drive, and East of Pole Line Road. The motion passed unanimously.

D. Saylor moved, second by L. Heystek to proceed with a fifty-foot minimum buffer on the north and east. The motion passed by the following votes:

AYES: Heystek, Saylor, Greenwald

NOES: Asmundson, Souza

Main Motion by S. Greenwald, second by L. Heystek to set a limit of 94 units for the project.

Substitute motion by S. Souza, second by R. Asmundson to set a limit of 7-10 gross units per acre (84 - 120 units) for the project.

Substitute, Substitute motion by L. Heystek, second by S. Greenwald to set a maximum range no more than 8.25 gross units per acre for the project.

The substitute, substitute motion failed by the following votes:

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

The substitute motion passed by the following votes:

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

Main motion by R. Asmundson, second by S. Souza to continue the meeting for ten minutes.

Substitute motion to continue the meeting and after the first item, take another vote. There was no second.

The main motion passed by the following votes:

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

Residential Sewer  
Rate Methodology  
Utilizing Water Us-  
age as a Compo-  
nent

R. Asmundson moved, second by D. Saylor to support changing the rate methodology from a flat rate to one that uses winter water consumption as a factor. The actual fiscal year 2008/09 rates will return to City Council during the normal rate setting process.

Main motion by S. Souza, second by R. Asmundson to extend the meeting until the last two items on the agenda are heard.

Substitute motion by S. Greenwald, second by L. Heystek to extend the meeting until the current item is over.

The substitute motion failed by the following votes:

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

The main motion passed by the following votes:

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

S. Souza moved, second by R. Asmundson to allow those who have been here since the beginning of the meeting to say what they came to say in order to allow them to go home is they chose. The motion passed unanimously.

The motion on the sewer rate methodology passed by the following votes:

AYES: Asmundson, Saylor, Souza

NOES: Heystek, Greenwald

L. Heystek moved, second by S. Souza to investigate the establishment of a water and sewer rate for assistance for low income through CDBG funds and to refer this to the Social Services Commission as well. The motion passed unanimously.

Green Waste Containerization Pilot Project

J. Kenwood, chair of the Bicycle Advisory Commission, speaking on behalf of the Commission to make sure that the bike paths remain clear. If Council rejects the containerization pilot project they would encourage them to direct staff to find an alternate solution that will eliminate the hazard of bike lane obstruction.

K. Murray would appreciate seeing whatever can be done to keep the bike paths clear and safe to be done.

D. Saylor moved, second by S. Souza to discontinue the green waste containerization pilot project and to address bicycle safety concerns and to direct staff to pursue other measures such as enforcement, double striping of the bike lanes, improved street lighting, and additional public education. Staff is also directed to come back one year from now with an evaluation of how these are working. The motion passed unanimously.

L. Heystek requested that staff bring back an item to consider including businesses in the core area in any further consideration of green waste containerization and to take the item to the Natural Resources Commission.

Brief Communications

Long Range Calendar:

- Request that the March 4 meeting be changed to February 26
- The appointment of CAT members will return on February 12

L. Heystek moved, second by R. Asmundson to approve the long range calendar with the above additions. The motion passed unanimously.

AB1234 Reporting:

D. Saylor – LOCC annual workshop for new Council Members and Mayors.

Adjournment

The meeting was adjourned in the memory of Al Smith at 1:01 a.m.

Margaret Roberts, MMC  
City Clerk