

MINUTES OF THE DAVIS CITY COUNCIL
Special Meeting of March 18, 2008

The City Council of the City of Davis met in regular session beginning at 5:15 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 Council went into closed session for a conference with real property negotiations pursuant to subdivision (b) of the Government Code §54954.5.

Staib Easement, APNs: 041-120-003 and 041-120-004

Agency Negotiator: City Attorney Harriet Steiner; Open Space Planner Mitch Sears

Negotiating Party: Georgette Staib Trust

Under Negotiation: Price and terms of payment

The Council returned to open session at 6:42 with no reportable action.

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

Adjournment The special meeting was adjourned at 6:43 p.m.

Margaret Roberts, MMC
City Clerk

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of March 18, 2008

The City Council of the City of Davis met in regular session beginning at 5:30 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, City Clerk Margaret Roberts

Closed Session The Council went into closed session for a conference with real property negotiations pursuant to subdivision (b) of the Government Code §54954.5.

Property: 604 Second Street (APN #s 070-243-01-01 and 070-243-02-01)
Agency Negotiator: City Manager Bill Emlen
Negotiating Party: Armisi, Inc.
Under Negotiation: Price and terms of payment of disposition/lease of property

The Council returned to open session at 6:42 with no reportable action.

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

Ceremonial Presentation The City Council affirmed the Business and Economic Development Commission's recommendation to select Pam Marrone as the 2007 award recipient and a proclamation honoring Pam Marrone, Ph.D., as the recipient of the 2007 Business and Economic Development Award was presented.

The Council took a break for the reception honoring Pam Marrone.

Public Comments Comments and concerns expressed by citizens:

- B. Weist, President of FF 3494 – read a statement regarding comments made by the Mayor over the past few months regarding the PERS retirement plan. He pointed out that she also takes advantage of the medical and retirement benefits.
- D. Gibson, Davis Democratic Club urged the Council to support a living wage ordinance.

Brief Communications Long Range Calendar:

- Reminder for the two pieces of legislation for emergency power to be on the April 1, 2008 meeting.

R. Asmundson moved, second by S. Souza to approve the long range calendar. The motion passed unanimously.

AB1234 Reporting: None

Consent Calendar Resolution 08-030 approving the purchase and sale agreement for acquisition of the Staib property and authorizing the City Manager to complete the acquisition for the purposes of permanently protecting the agricultural values and open space character
Approved

Budget Adjustment #73 (\$2,800,000) – Allocation of Open Space Protection Tax, agricultural land mitigation, and open space impact fees funding
Approved

City/UCD Student Liaison Commission regular meeting minutes of January 9, 2008
Informational

Planning Commission regular meeting minutes of December 12, 2007, and joint meeting with the Safety and Parking Advisory Commission of October 24, 2007
Informational

Senior Citizens Commission regular meeting minutes of January 10, 2008
Informational

Senior Citizens Commission regular meeting minutes of February 14, 2008)
Approved Resolution 08-031 approving the conceptual design plan for Phase III Senior Center Donor recognition wall

Recreation and Park Commission regular meeting minutes of January 17, 2008
Ratified appointment inter-commission liaisons: Nathaniel Leachman to Finance and Budget Commission, and Nicole Slaton to Open Space and Habitat Commission

Recreation and Park Commission special meeting minutes of February 7, 2008
Approved Commission recommendation to allow the Cricket Club to upgrade the existing cricket practice area by installing a new practice bowling (pitching) area including poles and netting in Arroyo Community Park

Recreation and Park Commission regular meeting minutes of February 21, 2008 including the following action items:

- (1) Approved Commission recommendations related to the Lap Swim and the Backpacking/Extreme Adventure programs
- (2) Approved Resolution 08-032 adopting the guiding principles, cost methodology and outreach for the fee study and use of pools, picnic areas and tennis courts
- (3) Ratified appointment of Commissioners Michael Beckman and Susan Sabatier to the Ad Hoc Sports Complex Committee, and Lorraine Hwang as alternate
- (4) Approved 2008 Commission Goals and Work Plan
- (5) Approved request from the Girls Scouts Davis Troop to camp overnight in Slide Hill Park from June 23 – 27, 2008

City Council/Senior Citizens Commission minutes from the Joint Meeting of January 10, 2008
Approved

City Council minutes from the regular meeting of February 12 and February 19, 2008
Approved

Proclamation recognizing Cesar Chavez Day and a Community Celebration in the City of Davis (Proclamation was read during presentations earlier in the meeting)
Ceremonial

S. Souza moved, second by L. Heystek to approve the consent calendar as listed above. The motion passed by the following votes:

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

Items removed from Consent:

- Agreement with Davis Joint Unified School District and Yolo County regarding interim uses and status of Naylor Act Rights at Nugget Fields

D. Saylor moved, second by S. Souza to approve Resolution 08-033 authorizing the City Manager to enter into an agreement with Davis Joint Unified School District and Yolo County regarding interim uses and status of Naylor Act Rights at Nugget Fields. The motion passed by the following votes:

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

Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing

M. Webb gave an overview of the item.

The public hearing was opened and with no comments, the public hearing was closed.

R. Asmundson moved, second by D. Saylor approval of 08-034 approving a subordination agreement in favor of U.S. Bank National Association as master trustee and Resolution 08-035 approving the issuance by the California statewide communities development authority of its revenue bonds (University Retirement Community at Davis, Inc. Project), Series 2008 in an aggregate principal amount not to exceed \$65,000,000 for the purpose of financing and refinancing a retirement community facility and certain other matters relating thereto. The motion passed by the following votes:

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

Resolution - Agreement Between Economic Strategies Group and the City of Davis for the Preparation of a Non-Residential Feasibility Analysis for the Cannery Park Site

K. Hess gave an overview of the item.

D. Saylor moved, second by R. Asmundson to approve Resolution 08-036, authorizing the City Manager to execute an agreement between Economic Strategies Group and the City of Davis and approval of Budget Adjustment #63 (\$45,000) allocation of developer funds. The motion passed unanimously.

Public Hearing: Davis Korean Church Proposal to Expand and Remodel Facilities at 555 and 603 L Street

E. Lee provided the background on the item.

D. Yee, Senior Pastor of the Korean Church spoke on behalf of the project. Their membership rotates as students of the university move to other communities. Mr. Greenfield (Engineer) addressed questions raised by the Council.

The public hearing was opened.

T. Hoban, neighbor on K Street spoke regarding his concerns. He provided the City Council with a written document.

K. Wallace has environmental impact concerns regarding the project. When parking is on both sides of K Street there are safety concerns. Concerned with demolition of the building in terms of asbestos. Has concern of the solar panels. She asked the Council to walk the property.

P. Todd spoke in favor of the project. His son plays drums and enjoys attending church. The project would improve their quality of life.

M. Lee spoke on the visual site and the existing shrubbery and trees for the park side of the parking lot. They would like to make the visual changes of the parking lot to a minimum.

B. Liperguard if there is a way to limit maximum capacity due to the parking concerns. With no further comments the public hearing was closed.

M. Webb advised that all demolitions are handled by the Yolo County Health Department and there is a process in place to address concerns.

R. Asmundson moved, second by S. Souza staff recommendations, as below with the supplement modifications as listed.

1. Adopted Initial Study/Mitigated Negative Declaration (ND#01-07) prepared for the project which determines that potential impacts of the project, with mitigation, would be less than significant
2. Approved Resolution 08-037 of Intent to amend the General Plan to redesignate two parcels located at 555 and 603 L Street, consisting of approximately 1.45 acres, from General Commercial and Low Density Residential to Public/Semi-Public
3. Introduced Ordinance amending Chapter 40 of the Davis Municipal Code, rezoning the subject parcels from Commercial Service (C-S) and Residential One-Family (R-1-6) to Public/Semi-Public (P-SP)
4. Approved Resolution 08-038 to approve summarily vacating 0.03 Acres of public right-of-way along the East side of K Street adjacent to the property at 603 L Street
5. Approved Planning Application #07-07 for the demolition, new construction, site improvements, and lot line adjustment based on findings and subject to conditions

Modifications to initial staff recommendations:

Modify Condition #33 for landscape modification to add the following additional modifications:

- Landscaping along the fence adjacent to Cedar Park shall include a combination of vines shrubbery to create a solid visual barrier screening the parking lot, subject to review and approval of the Community Development Director.
- The applicant shall modify project plans in order to retain the 30" diameter English walnut (*Juglans regia*) identified as Tree #9 in the Arborist Report. Preservation of the tree may result in the loss of two parking spaces.
- The applicant should consider incorporating shade trees adjacent to the new play area.

Add the following conditions:

- Roof color: The applicant shall modify the roof color to a more neutral earthtone color in keeping with the residential character of the area and subject to review and approval of the Community Development Director.
- Noise: The applicant shall comply with the City Noise Ordinance, Additionally, the applicant shall not allow noise from choir and band practice to unreasonably disturb the peace and quiet of the neighborhood or to extend beyond the property plane onto a residential site. Band practice may only occur within the multi-use room. Construction will include noise reduction materials.
- The addition of recycle bins shall be included.

The motion passed by the following votes:

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

S. Greenwald moved, second by L. Heystek to require 2-4 kilowatts of solar panels at the building. The motion passed by the following votes:

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

R. Asmundson moved, second by D. Saylor to direct staff that if the solar panel issue needs to be readdressed, it will come directly to the City Council. The motion passed by the following votes:

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

Public Hearing

The public hearing on the updated Housing Element of the City of Davis General Plan for Planning Period from January 1, 2006 to June 30, 2013 – Planning Application, General Plan Amendment, and Negative Declaration was opened and continued to April 1, 2008.

Introductory Discussion Regarding Development of a Living Wage Ordinance

P. Navazio provided the background on the item including the complex issues including minimum wage issues.

B. Camp discussed his concerns with including cost of living adjustments. Raising wages in most instances will increase productivity. There are some negative parts of the Sacramento living wage ordinance. This should include non-profit organizations if the Chief Financial Officer is making a large salary. Suggested including businesses that received more than \$100,000 annually from the city in financial aid. Don't pay contract employees less than you pay city employees. It also needs to include health insurance provisions. Somebody with a collective bargaining agreement should be exempt. There should be some type of retention program when you change contractors if the problem is with the management of the company and not the work that is actually being done. The California Budget Project is another resource.

G. Renfro, United Health Care Workers spoke in support of the ordinance. He assisted in writing two living wage ordinances in Maryland. A pattern with some employers would fire their full time employees and hiring part time staff. By including part time employees, this situation can be prevented. By paying a living wage, you get better quality workers.

B. Key and D. Gibson spoke in favor of the living wage ordinance.

Resolution Authorizing the City Manager to Extend the Terms of the Existing Landscape Maintenance Contracts for One Additional Year Until June 30, 2009 – Coast Landscape Management and

B. Weist President of Davis Firefighters, very important issue and a long time coming. He would hope that the positions that were lost when going out to contract would be brought back in-house. He then addressed the issue of a two-tiered retirement system.

B. Camp, Sacramento Labor Council addressed the increases to the contract. Put the contract out for re-bid and the cost has the potential to stay the same or go down. The Council might want to look at the length of time of the extension.

L. Newman one of the landscape companies addressed the increases to the contract and there are only a few employees that currently do not make what the Council is

GP Landscape

considering.

R. Asmundson moved, second by D. Saylor to approve Resolution 08-039 authorizing the City Manager to extend the terms of the existing landscape maintenance contracts for one year until December 31, 2008 with Coast Landscape Management and GP Landscape. The motion passed by the following votes:

AYES: Asmundson, Saylor, Souza

NOES: Heystek, Greenwald

Resolution Authorizing the City Manager to Extend the Terms of the Existing Custodial Service Contract for Up to an Additional One Year Until June 30, 2009 – Clean Net USA

R. Asmundson moved, second by D. Saylor to approve Resolution 08-040 authorizing the City Manager to extend the terms of the existing custodial contract for up to an additional one year until December 31, 2008 with Clear Net USA. The motion passed by the following votes:

AYES: Asmundson, Saylor, Souza

NOES: Heystek, Greenwald

S. Souza moved, second by to continue the meeting until the Natsoulas item is completed. The motion passed unanimously.

2008 Natsoulas Ceramics Conference

K. Stachowicz provided information on the item.

Mr. Natsoulas answered questions of the Council.

M. Matsit spoke in favor of the event. Every dollar that the city provides for the event will come back to the community many times over. This is a mecca for ceramic sculptures and this conference is known around the world. Next year will be the twentieth anniversary of the event.

S. Souza moved, second by L. Heystek, to approve maintaining support for Natsoulas Ceramics Conference, plus the in-kind support of the portable stage for the Ceramics Conference and to have this be a permanent support and have the city listed as a sponsor. The motion was clarified prior to vote to say that support also included an additional \$2000 for the DDBA to rent the Teen Center for the conference.

H. Steiner further clarified that the Council couldn't vote for permanent support of something; that comes with approvals each budget year. The motion passed by the following votes.

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald

NOES: None

Discussion on Use of the Global Electric Motorcar (GEM) Fleet
Adjournment

This item was carried to the April 1, 2008 meeting.

The meeting was adjourned at 1:02 a.m.

Margaret Roberts, MMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY
Meeting of March 18, 2008

The Redevelopment Agency of the City of Davis met in regular session beginning at 5:30 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor 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, City Attorney Harriet Steiner, Agency Clerk Margaret Roberts

Closed Session The Redevelopment Agency went into Closed Session for a conference with real property negotiations pursuant to subdivision (b) of the Government Code §54954.5.

Property: 604 Second Street (APN #s 070-243-01-01 and 070-243-02-01)

Agency Negotiator: City Manager Bill Emlen

Negotiating Party: Armisi, Inc.

Under Negotiation: Price and terms of payment of disposition/lease of property

The redevelopment Agency returned to open session at 6:42 with no reportable action.

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

Public Comment None

Consent Calendar Redevelopment Agency minutes from the regular meeting of March 11, 2008
Approved

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

Adjournment The meeting was adjourned at 1:02 a.m.

Margaret Roberts, MMC
Agency Clerk