

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of May 6, 2008

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, Deputy City Attorney Ethan Walsh, Deputy City Clerk Zoe Mirabile

Closed Session City Council convened a closed session for conference with Real Property Negotiators pursuant to subdivision (b) of 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

City Council returned to open session at 6:30 p.m. with no reportable action.

Approval of Agenda R. Asmundson moved, second by S. Souza, approval of the agenda. Motion passed unanimously.

Ceremonial Presentations Mayor Greenwald presented the following:

- Proclamations Presenting 2008 Environmental Recognition Awards Honoring Outstanding Efforts to Improve the Environmental Quality of Life in and Around Davis in three categories: Business, recognizing MAK Design+Build, Inc.; Individual, recognizing Emily Griswold; and Non-Profit Organization, recognizing Davis AYSO (American Youth Soccer Organization)
- Proclamation in Recognition of the Central Park Gardens Project and in Appreciation of the Central Park Gardens Volunteers

City Council recessed at 6:46 p.m. and reconvened at 7:13 p.m.

Brief Communications City Manager Bill Emlen stated the city donated a General Electric Motors (GEM) electric vehicle to the Davis Schools Foundation for the purpose of holding an auction/fundraiser. Staff is considering donating another GEM vehicle for the same purpose.

Long Range Calendar:

- L. Heystek requested Council agendize a resolution in support of AB2598, a bill which allows local governments to implement rent controls for residential care facilities for the elderly. Council concurred.
- L. Heystek requested Council direct the Social Services Commission to analyze a possible ban on smoking within affordable rental housing units. In addition, S. Souza requested the ban be considered by the City-UCD Student Liaison Commission. Council concurred.
- R. Asmundson requested Council agendize discussion of the bicycle route between Davis and Woodland, which was approved by the Yolo County Board of Supervisors, specifically issues regarding maintenance. Council concurred.

- S. Greenwald requested Council agendaize a resolution in support of the California Prevention of Farm Cruelty Act on the November 4, 2008 election ballot.

R. Asmundson moved, seconded by D. Saylor, to approve the long range calendar as amended. Motion passed unanimously.

AB1234 Reporting: L. Heystek reported attending a Young Elected Officials Network National Group Meeting

Public Comments

Joe Sherman stated his civil suit against the City of Davis was dismissed.

Louise Heller and Shula Blumenthal spoke in support of AB2598 and requested Council agendaize a resolution in support of the bill. In addition, S. Blumenthal spoke in opposition to Proposition 98 on the June 3, 2008 election ballot.

Arthur Zaltan stated residents of Atria Covell Gardens, a residential care facility for the elderly, have had rent increases of 24 percent in the last 3 years, and requested Council take a position of leadership in supporting rent control for senior care facilities.

Brian Jones and Richard Fields spoke in support of Proposition 98 on the June 3, 2008 election ballot.

Eileen Samitz spoke regarding the proposed LAFCO Sphere of Influence Map for Davis, and requested Council consider not including the Covell Village and Nishi properties.

Steve Hays also requested Council consider not including the Covell Village site within the proposed Sphere.

Consent Calendar

Resolution No. 08-055 – Authorizing the City Manager to Execute Memorandum of Understanding for Collaboration of US Bicycling Hall of Fame Induction Dinner and Ceremony Event
Approved

Resolutions Regarding Cable Franchise Funding and Institutional Network:

1. Resolution No. 08-056 – Authorizing the City Manager to Execute Agreements Between the City of Davis, Davis Joint Unified School District, Davis Media Access and Davis Community Network for the Provision of Educational and Public Access Cable Services
2. Resolution No. 08-057 – Authorizing the City Manager to Execute an Agreement Between the City of Davis and Davis Joint Unified School District for a Loan to Assist in Paying for the Installation of Institutional Network Fiber

Approved

Resolution No. 08-058 – of Intention of the City of Davis for the Levy of an Assessment on Hotels for the Visitor Attraction District Pursuant to the Parking and Business Improvement Area Law of 1989

Approved

Mace Boulevard Overcrossing – Potential Improvements Relating to Bicycle Accessibility and Safety at Interstate-80 Interchange

1. Directed staff to continue to work with the Bicycle Advisory Commission and Caltrans in evaluating and making changes deemed feasible and appropriate
2. Directed staff to return to Council with any changes requiring significant engineering and costs

Climate Action Team Update and Member Appointment:

1. Approved Resolution No. 08-059 – Forming the Ad Hoc Davis Climate Action Team, amending the target completion date and adding a community education organization to the list of community representatives
2. Invited Yolo Audubon to participate on the Climate Action Team, filling the role of the second local environmental organization identified in resolution
3. Invited Explorit Science Center to participate on the Climate Action Team, filling the newly created community education organization role

Ordinance No. 2312 – Amending Article 22.08 of the Davis Municipal Code Relating to Parking, Adding Sections 22.08.450, 22.08.460, 22.08.470, 22.08.480, 22.08.490, 22.08.500, 22.08.510, 22.08.520, 22.08.530, and Amending Section 22.08.280, Creating a Parking Meter Zone and Establishing Rates for Parking Meters
Adopted (Introduced 04/15/2008)

Ordinance No. 2313 – Amending Chapter 39 of the Davis Municipal Code Relating to Water – Increase in Water System Connection Fees
Adopted (Introduced 04/15/2008) by the following vote:

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

Plans, Specifications, and Bid Advertisement for El Macero Drainage Pump Station Outfall Lining, CIP No. 8173
Approved plans and specifications, and authorized bid advertisement

Revised Job Specifications – Environmental Resources Supervisor, Environmental Resources Specialist
Approved

2008 Civic Arts Contracts
Approved staff and Civic Arts Commission recommendations relating to award of 2008 contracts

City Council Minutes from the Regular Meetings of February 26, March 11 and 18, April 1 and 15, and Special Meeting of March 18, 2008
Approved

Commission Minutes:

1. Historical Resources Management Commission Regular Meeting of March 17, 2008
Informational
2. Planning Commission Regular Meeting of January 16, 2008
Informational
3. Safety and Parking Advisory Commission Meeting of March 6, 2008
Informational
4. Tree Commission Regular Meeting of March 20, 2008
Informational

Proclamations in Appreciation of Gerald “Gerry” Alvernaz and Wayne Wise Upon Their Retirement as City of Davis Firefighters
Ceremonial

Proclamation Declaring May 2008 as National Preservation Month
Ceremonial

Proclamation Recognizing May 18-24, 2008 as National Public Works Week
Ceremonial

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

Public Hearing:
Weed Abatement –
Removal of Weeds
and Grasses to
Eliminate Potential
Fire Hazards

Fire Chief Rose Conroy explained on April 1, 2008, City Council approved Resolution No. 08-041 declaring weeds growing upon private properties within the city a fire hazard and a public nuisance, and set a public hearing date for May 6, 2008 to hear any objections to the proposed city removal. Notices were mailed to all identified property owners advising them of city abatement procedures.

Mayor Greenwald opened the public hearing, and hearing no comments, closed the public hearing.

Items removed from
Consent Calendar:

Budget Adjustment
#85 – Purchase
Para-Transit Buses

Item removed from consent calendar by S. Souza.

S. Souza moved, seconded by R. Asmundson, approval of Budget Adjustment #85 (\$120,000) – Allocation of FTA Grant and Vehicle Replacement Funds to Purchase Two Para-Transit Buses. Motion passed unanimously.

Resolution No. 08-
060 – Opposing
Proposition 98 on
the June 3, 2008
Election Ballot

Item removed from consent calendar by D. Saylor.

D. Saylor moved, seconded by L. Heystek, approval of Resolution No. 08-060 – in Opposition to Proposition 98 – Constitutional Amendment Measure on the June 3, 2008 Election Ballot. Motion passed unanimously.

Report on Citywide
Neighborhood Elec-
tric Vehicle Acces-
sibility

Item removed from consent calendar by D. Saylor.

By consensus, City Council directed staff to request the Safety and Parking Advisory Commission, Bicycle Advisory Commission, and Climate Action Team to consider possible improvements to neighborhood electric vehicle accessibility.

S. Greenwald moved, seconded by R. Asmundson, to accept the Citywide Neighborhood Electric Vehicle Accessibility report as informational, with the caveat that City Council has indicated the necessity for further research and analysis. Motion passed unanimously.

City Council recessed at 8:16 p.m. and reconvened at 8: 28 p.m.

Public Hearing:
Utility Rates for
Sanitary Sewer,
Water, and Sanita-
tion Fees, and Da-
vis Waste Removal
Contract Amend-
ment

Public Works Director Bob Weir outlined the proposed increases to sanitary sewer, water, and sanitation rates.

Mayor Greenwald opened the public hearing.

Robert Glaus questioned the methodology used to establish the proposed utility fees.

Vijay Kumar stated staff should consider water reuse options for treated waste water and participating in salt studies conducted by state agencies.

Les Patello stated seniors may have difficulties paying increased fees.

Mayor Greenwald closed the public hearing.

D. Saylor moved, seconded by R. Asmundson, to introduce Ordinance Amending Chapter 33 of the Davis Municipal Code Relating to Sewer Rates. Motion passed unanimously.

D. Saylor moved, seconded by R. Asmundson, to introduce Ordinance Amending Chapter 39 of the Davis Municipal Code Relating to Water Rates.

S. Greenwald moved substitute motion, seconded by L. Heystek, to direct staff to return to City Council with a breakdown of the individual component parts to be funded by the proposed water rates, with a Council vote on the ordinance establishing water rates following further staff analysis. Motion failed by the following vote:

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

Main motion passed by the following vote:

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

D. Saylor moved, seconded by L. Heystek, approval of the following:

1. Resolution No. 08-061 – Establishing Customer Rates for Sanitation Services Effective August 1, 2008
2. Resolution No. 08-062 – Authorizing the City Manager to Execute Amendment No. 3 to the Agreement with Davis Waste Removal Company, Inc., for Waste Removal Services

Motion passed unanimously.

City Council recessed at 10:13 p.m. and reconvened at 10:23 p.m.

Request for City
Facility Use for the
Centennial Bicycle
Exhibit

Deputy City Manager Ken Hiatt explained that the city received a request from the California Bicycle Museum for use of a city facility downtown to house a temporary bicycle exhibit in honor of the UC Davis Centennial Celebration.

Dan Keyhew, California Bicycle Museum President, stated the organization is working towards coordinating the efforts of the City of Davis, UC Davis and other regional partners in establishing the exhibit.

Joe Sherman spoke in support of the proposed bicycle exhibit.

D. Saylor moved, seconded by S. Souza, the following:

1. Direct staff to work with the California Bicycle Museum and UC Davis to develop a display bicycle related exhibit in the basement of 3rd and B Teen Center as part of the Centennial Celebration activities this Fall
2. Authorize the City Manager to sign correspondence confirming the City Council's commitment of the Teen Center Basement as a temporary facility for the bike museum
3. Direct staff to explore the best long term location for the bicycle museum and support active consideration of a Bicycle Hall of Fame location in Davis

Motion passed unanimously.

Reconsideration of
Proposed LAFCO
Sphere of Influence
for Davis

Community Development Director Katherine Hess explained the Local Agency Formation Commission (LAFCO) is currently preparing an update to its Sphere of Influence Map for the City of Davis, which shows the areas that are reasonably available for annexation within a twenty-year period. On February 26, 2008, City Council recommended the Sphere be expanded. LAFCO held a public hearing on March 31, 2008, wherein staff provided detailed analysis on the basis for including and excluding specific sites. Following the hearing, Councilmember Souza requested reconsideration of the earlier Council recommendation.

Greg Harrington, Oeste Ranch Partners, requested Oeste Ranch located in the northwest quadrant west of County Road 99 be included in proposed Sphere.

D. Saylor moved, seconded by R. Asmundson, to advise the LAFCO Board that the City Council has only one concern with the LAFCO identified sites within the Sphere of Influence using the established LAFCO process, and requests the addition of Mace Covell Gateway (Shriner's/Gidaro) east of Wildhorse to area included within the Sphere.

L. Heystek moved substitute motion, seconded by S. Greenwald, to exclude the north central Covell Village site, northwest quadrant site and Nishi site from proposed Sphere of Influence. Motion passed by the following vote:

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

K. Hess requested clarification from Council that their intention is to exclude the Mace Covell Gateway site. Council concurred.

Public Hearing:
Reconsideration of
Conditional Use
Permit for Davis
Korean Church at
555 and 603 L
Street

Mayor Greenwald opened the public hearing and continued it to May 20, 2008.

Adjournment

The meeting was adjourned at 11:46 p.m.

Zoe S. Mirabile, CMC
Deputy City Clerk