

**MINUTES OF THE DAVIS CITY COUNCIL**  
**Meeting of July 22, 2008**

The City Council of the City of Davis met in regular session beginning at 5:00 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Asmundson.

Roll Call: Councilmembers Present: Sue Greenwald, Don Saylor, Stephen Souza, Ruth Asmundson

Councilmembers Absent: Lamar Heystek

Other Officers Present: City Manager Bill Emlen, Assistant City Attorney Kara Ueda, City Clerk Margaret Roberts

Approval of Agenda Moved and seconded (Saylor/Souza) approval of the agenda. The motion moved unanimously.

Moved and seconded (Souza/Saylor) to add an urgency item: Consider sending a letter regarding the state budget to State Leadership. (Required a 4/5 vote to add the item.) The motion passed by the following votes:

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

Workshop B. Wolcott and D. Foster presented the General Plan / Housing Element Steering Coming and Planning Commission recommendations regarding the housing element update, community housing needs and local growth management.

L. Heystek arrived at 5:29 p.m.

There were 12 speakers during public comment on this item. The voiced concerns regarding the following:

- Type and amount of growth-
- Flood plane
- Quality of life in Davis
- The need for senior housing

Public Comments

- Four citizens spoke regarding the time limit for public comments not being adequate
- J. Leonard – spoke to the city not promoting democracy
- J. Adler – (Board for the Chamber of Commerce) – Spoke to housing for the working force and read part of a letter.

Consent Calendar Resolution 08-109 authorizing the City Manager to enter into contract with Yolo County Visitors Bureau to provide visitor attraction services

Approved

Resolution 08-110 approving and authorizing the City Manager to sign first amendment to the Subdivision Agreement for Willowbank Unit No. 10, Subdivision No. 4880 (Community Property Trust Agreement and Declaration of Trust, Consisting of Survivor's Trust, Bypass Trust, and Disclaimer Trust)

Approved

Budget Adjustment #125 (\$19,676) – Allocating HOME Investment Partnerships program funding to the Davis Senior Housing cooperative Eleanor Roosevelt Circle affordable housing project

Approved

Business and Economic Development Commission special meeting minutes April 21, 2008

Informational

Historical Resources Management Commission regular meeting minutes of January 28 and February 25, 2008

Informational

Planning Commission regular meeting minutes of April 9, 2008

Informational

Senior Citizens Commission regular meeting minutes of June 12, 2008

Informational

City Council / Business and Economic Development Commission minutes from the joint meeting of April 28, 2008

Approved

Authorize the City Treasure to pre-pay the outstanding balance on the certificate of participation financing secured in conjunction with the City's purchase of the Hunt-Boyer property

Approved

Budget Adjustment #5 (\$155,000) – Appropriating funding from available general facilities development impact fees

Approved

Second Reading: Ordinance 2320 Amending Davis Municipal Code Sections 2.01.090 and 40.35.020 to Replace Any Reference to "Councilman" or "Councilmen" with "Councilmember"

Adopted (Introduced 07/15/2008)

Second Reading: Ordinance 2321 Adding Sections 18.09.010 through 18.09.090 to the Municipal Code, Requiring that a Universal Design Checklist be Provided to all Identified Future or Existing Owners During New Construction or Substantial Rehabilitation of a Single-Family Housing Unit Prior to Issuance of City Building Permit

Adopted (Introduced 07/15/2008)

Second Reading: Ordinance 2322 Adding Article 18.08 and Amending Articles 8.11 and 40.27 of the Municipal Code, Providing a Procedure for Reasonable Accommodation in the City's Land Use, Zoning and Building Regulations Allowing Modifications and Exceptions Pursuant to State and Federal Laws

Adopted (Introduced 07/15/2008)

Moved and seconded (Saylor/Heystek) approval of the consent calendar as listed above. The motion passed by the following votes:

AYES: Greenwald, Heystek, Saylor, Souza, Asmundson

NOES: None

Items Removed from Consent

- Office of Traffic Safety "AVOID the 8" grant

Moved and seconded (Heystek/Souza) approval of Resolution 08-111 accepting California Office of Traffic Safety "AVOID the 8" continuation grant. The motion passed by the following votes:

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

Urgency Item:

Moved and seconded (Souza/Saylor) to send a letter to the legislative leadership regarding their consideration of invoking the borrowing provisions of Proposition 1A related to both local property tax and Proposition 42 transportation funding as part of their plan to balance the FY 2008/2009 State Budget. The motion passed unanimously.

Update on Review of Ordinance Regulating City Park and Open Space Areas and Community Outreach Plan

M. Wierschem provided a brief summary of the preliminary list of areas to explore for changes to the park ordinance.

The community outreach plan should include the local radio stations as well as the local television station.

Moved and seconded (Saylor/Greenwald) to name L. Heystek and S. Souza as a subcommittee to assist staff with the development of a revised park ordinance and to approve the revised community outreach plan and the preliminary list of areas to explore for changes to the ordinance. The motion passed unanimously.

Engineering / Design Phase of Secondary Upgrade to Wastewater Treatment Plant

B. Weir and K. Smith presented the history for the wastewater treatment plant secondary process replacement project. L. Holmes with Corollo Engineers discussed the planned green elements of the projects.

V.J. Kumar spoke to the project and suggested that the design phase take one year versus two years and begin construction. The hourly rates are typical for the trade and this is a complex project. He suggested that the Council move ahead with this project but to have construction bids take place in January with construction beginning in March 2010.

S. Kumar (11 yrs old) spoke to the cost of the project.

Moved and seconded (Saylor/Greenwald) directing staff to bring back (prior to the August recess) a project budget sheet showing costs broken down by element with a reassessment of the time schedule with the possibility of accelerating the completion of the design of the secondary treatment portion and an assessment of the design fees, potentially renegotiating some elements of them to identify cost reductions and possibly some scope items that may not be required. The motion passed unanimously.

Moved and seconded (Heystek/Souza) to return at the same time with legal and fiscal analysis of the feasibility of design build, including the shift in liability and the feasibility of pursuing further regional cooperation. The motion passed unanimously.

Ordinance Adding Article 8.20 to the Municipal Code Relating to Green Buildings – Establishing a Tier Sys-

G. Mahoney presented the proposed green building ordinance. The 2010 California Building Code will include green building regulations that will go into effect January 2011.

S. Sherman – Spoke in favor of the ordinance. He suggested a third party certification if the owner chooses to do so. In new development the Title 24 in place at the

tem Based on Project Size Directly Correlating to Impact on Environment and Resources, Specifying Standards for Compliance and Minimum Thresholds

time the tentative map is approved remain as the Title 24 used throughout the project.

D. Fouts – Spoke to starting the program at a lower threshold and gradually increase the threshold.

It was the consensus of the City Council to have a review of the program return in one year.

Moved and seconded (Souza/Heystek) to introduce the ordinance related to green buildings. The motion passed unanimously.

City Council, City Manager and City Attorney Brief Communications

- Long Range Calendar:

D. Saylor requested the July 24 and 31, 2008 meetings to be postponed to September. The Tree Commission appeal will come to the Council in September.

Moved and seconded (Saylor/Heystek) to accept the long-range calendar. The motion passed unanimously.

- AB 1234 Reporting:

D. Saylor – mileage for a trip for a regional meeting in Sacramento.

- Appointment of City Council Liaisons to Committees, Boards and Commissions:

The date and time of the School/City 2X2 needs to be verified.

Moved and seconded (Saylor/Asmundson) to approve the listing submitted by the Mayor. The motion passed by the following votes:

AYES: Saylor, Souza, Asmundson

NOES: Greenwald

ABSTAIN: Heystek

Adjournment

The meeting was adjourned at 11:06 p.m.

Margaret S. Roberts, MMC  
City Clerk