

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of February 10, 2009

The City Council of the City of Davis met in regular session beginning at 6:30 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Asmundson.

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 Zoe Mirabile

Approval of Agenda D. Saylor moved, seconded by S Souza, approval of the agenda. The motion passed unanimously.

California Department of Pesticide Regulation Integrated Pest Management Innovator Award Mayor Asmundson acknowledged the California Department of Pesticide Regulation Integrated Pest Management Innovator Award, which was presented to the City of Davis on January 22, 2009 at the California Environmental Protection Agency.

Erica Rodriguez presented Certificate of Recognition from Assemblymember Mariko Yamada.

Public Comments Steven Soznick expressed current concern regarding the lighting at the Davis High School Joint Use Gym; currently, there are three volleyball courts in space only adequate for two and with inappropriate ceiling lights. Mr. Soznick offered to pay for replacing the ceiling lights.

Joe Sherman spoke regarding hate crimes.

Greg Larkens, AFL-CIO, requested the City Council adopt a resolution in support of the Employee Free Choice Act, which will remove unfair barriers and provide employees choice as to means to obtain representation.

Consent Calendar Resolution No. 09-007 - Approving the Renewal of Contract for Services and Authorizing the City Manager to Sign the Renewal of Contract for Services to East Davis County Fire Protection District  
Approved

Resolution No. 09-008 - Authorizing the City Manager to Execute Program Supplement No. N023 to Administering Agency-State Agreement No. 03-5238R for Eighth Street Corridor Improvements, CIP No. 8161 [RPSTPLE 5238(044)]

Approved

Budget Adjustment #69 (\$11,847) – Allocating Donations for the Purchase and Installation of Memorial Benches in City Landscape Areas

Approved

Budget Adjustment # 75 (\$143,065) – Allocating Current Year Community Development Block Grant (CDBG) ADA Public Facilities and Right-of-Way Improvements Funding Distribution to FY2008/09 CIP Activities Underway and/or Ready to Proceed, and Past Year CDBG Funding Savings to FY2008/09 Activities

Approved

Human Relations Commission Minutes from the Meetings of November 20 and December 18, 2008

Informational

City Council Minutes from the Meeting of September 23, 2008

Approved

Update on Massage Parlor Investigation

Informational

D. Saylor moved, seconded by S Souza, approval of the consent calendar as listed above. Motion passed unanimously.

Removed from  
Consent Calendar:

Item removed by S. Greenwald.

Preparation of an  
EIR for the Lewis  
Property (Cannery  
Park) Proposal

Community Development Director Katherine Hess explained that the city is in the process of reviewing the Cannery Park project proposal for a mixed use development on the 98.4 acre Lewis property located at 1111 East Covell Boulevard. On December 2, 2008, City Council directed staff to solicit Request for Proposals (RFP) for the preparation of an Environmental Impact Report (EIR) for the project site, to include an analysis of a business park development as an equal weight alternative.

S. Greenwald moved to modify the Scope of Work for the EIR by adding a traffic study for a business park employing 1,500 people, with and without staggered shifts. L. Heystek proposed modifying the motion to call for an analysis of a range of traffic flows. Not accepted by mover. No second to the motion.

S. Souza moved, seconded by R. Asmundson, to approve Resolution No. 09-009 – Authorizing the City Manager to Execute an Agreement Between De Novo Planning Group and City of Davis, for the preparation of an EIR for the Lewis Property (Cannery Park) Proposal.

S. Greenwald moved substitute motion, seconded by L. Heystek, to postpone the decision on awarding the EIR contract until City Council can decide what type of traffic analysis is needed for the business park. Motion failed by the following vote:

AYES: Greenwald, Heystek

NOES: Saylor, Souza, Asmundson

City Manager Bill Emlen proposed adding language to the Scope of Work (Task #2 Prepare an Administrative Draft EIR, Section 3 Project Description) to address a possible amendment to the contract when the project description is finalized, in particular focused on a broader range of alternatives within the traffic analysis relative to the business park square footage and employee count. Accepted by mover and second of the main motion. Main motion failed by the following vote:

AYES: Souza, Asmundson

NOES: Greenwald, Heystek, Saylor

Community Development Director Katherine Hess stated City Council has two options for this project if they decide not to approve the EIR contract, namely, summary denial of the project or discussion of possible next steps such as refining the project description and determining if the consultant is still interested in producing the EIR.

L. Heystek moved, seconded by R. Asmundson, to approve Resolution No. 09-009 – Authorizing the City Manager to Execute an Agreement Between De Novo Planning Group and City of Davis, for the preparation of an EIR for the Lewis Property (Cannery Park) Proposal, to include adding language to the Scope of Work (Task #2 Prepare an Administrative Draft EIR, Section 3 Project Description) to address a possible amendment to the contract when the project description is finalized, in particular focused on a broader range of alternatives within the traffic analysis relative to the business park square footage and employee count.

S. Greenwald moved substitute motion, seconded by L. Heystek, to direct staff to return to City Council in three weeks to allow for time to consult with experts in the high technology business community.

L. Heystek withdrew the main motion. Substitute motion by S. Greenwald became the main motion under consideration.

S. Souza moved substitute motion, seconded by D. Saylor, to approve Resolution No. 09-009 – Authorizing the City Manager to Execute an Agreement Between De Novo Planning Group and City of Davis, for the preparation of an EIR for the Lewis Property (Cannery Park) Proposal, without an equal weight analysis of a business park.

K. Hess clarified the motion by stating that the project analyzed in the EIR will be the applicant's proposal of 80 percent residential, 20 percent commercial.

D. Saylor proposed a friendly amendment to add a second alternative for analysis of 50 percent residential, 50 percent commercial. Accepted by mover.

S. Greenwald moved substitute, substitute motion, seconded by L. Heystek, to approve Resolution No. 09-009 – Authorizing the City Manager to Execute an Agreement Between De Novo Planning Group and City of Davis, for the preparation of an EIR for the Lewis Property (Cannery Park) Proposal, to include adding language to the Scope of Work (Task #2 Prepare an Administrative Draft EIR, Section 3 Project Description) to address a possible amendment to the contract when the project description is finalized, in particular focused on a broader range of alternatives within the traffic analysis relative to the business park square footage and employee count; and Budget Adjustment #77 (\$340,771) – Allocating Funding from Project Applicant Deposit. Motion passed by the following vote:

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

Preparation of  
Conceptual Plans  
and EIR for the  
Davis Sports Park

Harriet Steiner relayed possible conflicts for the Civic Center Fields. R. Asmundson and S. Greenwald both own property within 500 feet of the Fields. Remaining Council should consider whether Civic Center rezoning should be included in sports park. If Civic Center is not included as funding possibility, then Asmundson and Greenwald will be able to participate. If Civic Center is included, Asmundson and Greenwald will be conflicted for the remainder of the project.

R Asmundson and S. Greenwald recused themselves and left the room due to conflicts of interest, because they each own property within 500 feet.

H. Steiner reported the Environmental Impact Report (EIR) must include the entirety of the project. Council must determine if sports park project includes Civic Center and Little League Fields.

Property Management Coordinator Anne Brunette outlined conceptual plans for a 100 acre public sports parks and possible funding sources for project development.

S. Souza moved, seconded by L. Heystek, that Civic Center field is included in the project description. Motion passed by the following vote:

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

Donna Lott stated Signature and Mace Covell Gateway were analyzed by the General Plan Housing Element Steering Committee. If you look at both of those sites for a Sports Park, then leftover land should be allocated for a business park. Prefers Mace Covell for Sports Park and Signature for business park.

Steve Hampton; Charlie Russell; Michael Dedoshka, AYSO; Steve Boshken, DASA; and Nancy Hedwick spoke in support of the Sports Park project. Comments included: decision of location will impact thousands of families in Davis; should be located within biking distance; additional facilities are needed to provide programs that citizens want; support analysis of more options; tournament level fields provide revenue for city.

Bob Blakewell, Norcal Extreme Hockey Club, reported the current indoor hockey facility will be lost and requested consideration of inclusion in EIR. If site not available, in-line hockey will probably have to leave Davis.

George Phillips, Mace-Covell Gateway property, expressed interest in participating in EIR and believes site is viable for sports park, and indicated that willingness to pay for participation in EIR was with the understanding that Signature site would also be paying their fair share.

Mark Jensen spoke in opposition to locating a sports park away from downtown and to the sale of Civic Center fields.

Steve Hicks, Signature properties, willing to negotiate for funding EIR if city were to waive future fees relative to housing.

S. Souza moved, seconded by L. Heystek, to approve Resolution No. 09-010 - Authorizing the City Manager to Enter into Contract with Raney Planning and Management, Inc. for Preparation of an Environmental Impact Report (EIR) for the Davis Sports Park and RHAA for Development of Conceptual Plans.

D. Saylor proposed a friendly amendment that City Council condition approval of the equal weight alternative of the Signature property pending further negotiation with Signature relative to paying for EIR costs. Accepted by mover and second. Motion passed by the following vote:

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

S. Souza moved, seconded by L. Heystek, to direct staff to modify the project description to allow for other compatible recreational uses. Motion passed by the following vote:

AYES: Heystek, Saylor, Souza

NOES: None  
ABSENT: Greenwald, Asmundson

D. Saylor moved, seconded by S. Souza, to direct staff to conduct an analysis of the fiscal impact of the alternatives and present that when the EIR returns to City Council for discussion. Motion passed by the following vote:

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

L. Heystek moved, seconded by D. Saylor, to approve Budget Adjustment #73 (\$338,255) – allocating funding for the Sports Park EIR and development of conceptual plans on the equal weight alternative site; and to direct staff to negotiate further with Signature relative to paying for EIR costs. If staff is unable to come to an acceptable agreement, then staff should return to City Council for further direction. Motion passed by the following vote:

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

Council recessed at 8:56 p.m. and reconvened at 9:04 p.m.

Brief  
Communications

L. Heystek moved, seconded by S. Greenwald, to appoint Jamie Gilardi as a replacement appointment to the Climate Action Team. Motion passed unanimously.

Long Range Cal-  
endar

L. Heystek requested Council agendaize a resolution in support of the Employee Free Choice Act as a consent item on February 17, 2009. S. Greenwald and R. Asmundson requested staff analysis of the Act, specifically the possible effects on local government relating to binding arbitration.

R. Asmundson requested Council agendaize a report from the D Street City Council Subcommittee on March 17, 2009.

AB1234 Report-  
ing

D. Saylor attended a joint hearing of Assembly Local Government and Budget Subcommittee on local government issues and SACOG Air Climate Committee meeting. Also, will attend a meeting of the cities/counties/school boards joint task force in West Sacramento.

R. Asmundson traveled to Sacramento to accept the IPM Innovators Award on behalf of the City of Davis.

Workshop: Pre-  
liminary Input on  
General Plan Up-  
date

Jeff Barry provided workshop facilitation.

Principal Planner Bob Wolcott explained the City Council directed staff to begin initiating a long-range, comprehensive General Plan update in early

2009. The update should include a vision process to find areas of agreement on key subjects, followed by an action plan. Wolcott provided information on time frames, probably costs and work program options.

Matt Williams stated the current General Plan should not be abandoned; instead, update the existing plan to include missing elements, coordinate better with UC Davis and look at comprehensive senior housing.

Donna Lott, General Plan Housing Element Steering Committee, stated the Committee analyzed small and large parcels of land, with consideration as to what could be done prior to 2013. General Plan should start with the 37 parcels analyzed by the Committee, but also address Covell Village and possible relocation of Corporation Yards. Supported General Plan covering activity to 2035 or 2050.

David Greenwald spoke in opposition to initiating a comprehensive update in the current fiscal crisis; instead, City should do a simple update to include sustainability issues.

Eileen Samitz stated it was important that the city address UC Davis not providing for student housing growth needs and postpone any General Plan update. If an update occurs, it should be focused and minimal to preserve the core General Plan in its current configuration.

City Council provided feedback to staff including:

- Assess current General Plan deficiencies
- Identify vision
- Ensure comprehensive outreach
- Address issues of global warming and senior & workforce housing
- Be cost effective

Matt Williams stated that we need to update the General Plan to reflect changing times and to ensure good job growth.

Eileen Samitz stated the General Plan has not expired and expressed concern over a Council-driven process. Reminded Council of the former General Plan update process.

Donna Lott stated portions of the General Plan need to be updated based on growth beyond the General Plan limit of 65,000 population. City needs to address affordable housing. Encourage Council to invite current and former commissioners to the table.

City Manager Bill Emlen reported that staff will come up with a strategy and return to Council with a scope of work based on comments,

Adjournment        The meeting was adjourned at 12:37 a.m.

Zoe S. Mirabile, CMC  
City Clerk



MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD  
Meeting of February 10, 2009

The Redevelopment Agency Board of the City of Davis met in regular session beginning at 6:30 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Board Chair Asmundson.

Roll Call: Agency Board Present: Sue Greenwald, Lamar Heystek, Don Saylor, Stephen Souza, Ruth Asmundson

Agency Board Absent: None

Other Officers Present: Executive Director Bill Emlen, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda D. Saylor moved, seconded by S. Souza, approval of the agenda. The motion passed unanimously.

Public Comment None

Public Hearing: Stacey Winton outlined accomplishments of the last five-year plan and Resolution Ap- goals/objectives of the next plan. proving the 2008-

2013 Five-Year L. Heystek recused himself due to a conflict of interest within 500 feet of Play- Implementation fields Park Turf Field/Conversion. Plan for the Re-

development Pro- R. Asmundson opened the public hearing and asked for comments specifically ject Area on Playfields Park Turf Field/Conversion (CIP 8201).

S. Souza moved, seconded by D. Saylor, that Playfields Park Turf Conversion be approved. Motion passed by the following vote:

AYES: Greenwald, Saylor, Souza, Asmundson

NOES: None

ABSENT: Heystek

L. Heystek returned to the dais.

S. Greenwald recused herself due to a conflict of interest within 500 feet of projects: B Street Corridor, General Plan/Core Area Specific Plan Update and A Street/Mondavi Connection.

R. Asmundson called for comments specifically on those three projects.

S. Souza moved, seconded by D. Saylor, to approve the B Street Corridor project. Motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, to approve the General Plan/Core Area Specific Plan Update. Motion passed by the following vote:

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

D. Saylor moved, seconded by S. Souza, to approve the A Street/ Mondavi Connection. Motion passed by the following vote:

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

S. Greenwald returned to the dais.

R. Asmundson closed the public hearing.

S. Souza moved, seconded by S. Greenwald, to approve Redevelopment Agency Resolution No. 1221 - Approving the 2008-2013 Five-Year Implementation Plan for the Redevelopment Project Area.

D. Saylor proposed a friendly amendment to request a more specific plan to advance the Richards Boulevard Parking and Pedestrian/Bike Railroad Grade Crossing projects with the goal of specific progress in the upcoming year. Amendment accepted by mover and second. Motion passed unanimously.

Adjournment The meeting was adjourned at 12:25 a.m.

Zoe S. Mirabile, CMC  
City Clerk