

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of April 14, 2009

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 Asmundson.

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

Councilmembers Absent: None

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

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following:

1. Conference with Real Property Negotiators:

Property: 3003 John Jones Road; APN #036-060-30  
Agency Negotiator: Information Services/Telecommunications Manager Rick Guidara  
Negotiating Party: Comsites west, LLC  
Under Negotiation: Price and terms of payment

2. Conference with Legal Counsel – Anticipated Litigation. Initiation of Litigation Pursuant to subdivision (c) of Government Code § 54956.9: one potential case

City Council returned to open session at 6:30 p.m. and Mayor Asmundson announced there was no reportable action.

Approval of Agenda L. Heystek moved, second by D. Saylor, approval of the agenda. Motion passed unanimously.

Public Comments Ken Wagstaff, Executive Director Citizens Who Care, requested an adjustment in the CDBG grant funding formula so that Citizens Who Care can receive funding, instead of \$0 as recommended by staff and Social Services Commission.

David Greenwald stated he is concerned that, in budget discussions, staff and Council largely ignored the need to address the structural deficit, including compensation packages.

Brian Kim, Director City-County Affairs ASUCD, introduced himself and stated he was looking forward to working with the city to improve city-student relations.

Consent Calendar

Resolution No. 09-033 - Authorizing Participation in the State of California Department of General Services State and Federal Surplus Property Program  
Approved

Resolution No. 09-034 - Rejecting All Bids for Varsity Theatre Addition, CIP Nos. 8195 and 8197  
Approved resolution and authorized rebidding of the project

Budget Adjustment #111 (\$37,493) – Allocating Office of Traffic Safety AVOID Grant Funds for Purchase of a DUI Checkpoint and Portable Message Signboard Trailers and Related Materials and Supplies  
Approved

Appointment of Inter-Commission Liaison from the Planning Commission to the Finance and Budget Commission  
Ratified Planning Commission appointment of Lucas Frerichs as liaison

Commission Minutes:

1. Business and Economic Development Commission Meetings of November 24 and December 15, 2008, and January 26 and February 23, 2009
2. Human Relations Commission Meeting of February 26, 2009

Informational

Proclamation Recognizing the Week of April 19, 2009 as “Earth Week” and April 22, 2009 as “Earth Day”  
Ceremonial

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

Status Update on American Recovery and Reinvestment Act (ARRA) of 2009 Funding Opportunities

Assistant City Manager Paul Navazio updated Council on the ARRA funding opportunities and outlined which funds will be coming to Davis through formula allocations, and which competitive grants the city has applied for.

Shauna Moriarty spoke regarding city economic policies, specifically that Davis economics was geared toward affluent people.

Summary Report on Review of Water Resources Master Plan

Utilities Engineer Keith Smith explained that City Council commissioned an independent review of major Public Works initiatives currently in development to address aging utility infrastructure and drinking water and wastewater discharge permit compliance challenges. He outlined the Water Resources Master Plan and summary report prepared by Dr. Ed Schroeder and Dr. George Tchobanoglous.

David Greenwald questioned whether the City is responsible for any environmental impact studies related to purchasing Sacramento River water, and whether the cost is justified.

Doug Fetterly stated he attended a presentation on proposed peripheral canal changes and that demand on the Sacramento River could increase.

Vijay Kumar stated that the city is heading in the right direction, but there are still many challenges. Also, the City should consider land use policies to encourage conservation.

Joe Sherman spoke regarding the justice system and modern media.

D. Saylor moved, seconded by S. Souza, to receive and accept the Water Resources Master Plan and Summary Report subject to further discussion with the authors at the first opportunity. Motion passed by the following vote:

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

L. Heystek moved, seconded by S. Greenwald, to request the authors to provide information on the Tehama-Colusa Canal alternative and devote some time to further analysis.

Public Works Director Bob Weir stated staff will contact the authors to determine their interest, timeline and cost.

R. Asmundson proposed a friendly amendment that if staff finds that the authors do not find any merit to further analysis, then extensive review will not take place. Accepted by mover and second. Motion passed unanimously.

City Council recessed at 9:21 p.m. and reconvened at 9:32 p.m.

Advisory  
 Commission  
 Appointments

City Council voted to appoint members to the Business and Economic Development, Historical Resources Management, Safety and Parking Advisory, Senior Citizens and Social Services Commissions through use of a grid system. After votes were tallied, applicants were appointed as follows:

APPLICANT		RA	SG	LH	DS	SS	TOTAL	APPOINTMENT
Last Name	First Name							
<b>Business &amp; Economic Development Commission 1 Regular (4-year term)</b>								
<b>*If you vote for Michael Faust (current alternate), please also vote for a replacement Alternate</b>								
Faust	Michael	R	R	R	R	R	5R	Regular
Horsfield	Brian						0	
Madison	Charles			A			1A	
Robert	David	A			A	A	3A	Alternate
Wolk	Dan		A				1A	
<b>Historical Resources Management Commission 1 Alternate (2-year term)</b>								
Sikes	Aaron	A	A	A	A	A	5A	Alternate

Safety & Parking Advisory Commission 2 Regular (4-year term)								
<b>Note: There are 3 vacancies on this commission; however, only 2 applications were received.</b>								
Sikes	Aaron						0	
Waterman	Doug	R	R	R	R	R	5R	Regular
Senior Citizens Commission 1 Regular (2-year term)								
<b>**If you vote for Tansey Thomas (current alternate), please also vote for a replacement Alternate</b>								
Hinkle	George	A	A	A	A	A	5A	Alternate
Thomas	Tansey	R	R	R	R	R	5R	Regular
Social Services Commission 1 Regular (4-year term)								
Adler	Dawn						0	
Chaykin	Elaine						0	
Delaini	Larenda						0	
Wolk	Dan	R	R	R	R	R	5R	Regular

S. Souza moved, seconded by R. Asmundson, to appoint the Finance and Budget Commission Alternate as a Regular member. Motion passed unanimously.

D. Saylor moved, seconded by R. Asmundson, to approve the appointments as shown in the voting chart. Motion passed unanimously.

Status Report on Wastewater Treatment Issues Public Works Director Bob Weir outlined the fiscal impacts of project costs for various alternatives, provided information on next steps, and explained that the Regional Water Quality Control Board granted the city two additional years to complete improvements to wastewater treatment system in order to comply with the NPDES permit.

Utilities Engineer Keith Smith stated alternatives to the wastewater treatment plant upgrade include a combination Woodland/Davis wastewater treatment and disposal system or tying in to the Sacramento County Regional Sanitation District. Principal Civil Engineer Diane Phillips explained value engineering is focused on the preliminary design report, and identified project savings as much as \$40 million to secondary and tertiary projects while meeting the goals and objectives previously established.

Staff evaluated four different alternative project delivery methods to allow for better control of available resources, including staff, finances, and time:

1. design-bid-build
2. design-build
3. design-build-short term operate
4. construction management at risk delivery methods

Bob Weir stated staff is pursuing development of a project description and negotiation for an agreement with Conaway Preservation Group (CPG) and Reclamation District 2035 for the wastewater re-use project.

Doug Fetterly stated he assumed there is a certain amount of groundwater recharge current.

Vijay Kumar stated the city needs to move forward with the Conaway portion of the project.

D. Saylor moved, seconded by S. Souza, to concur with staff's assessment that wastewater treatment alternatives, including connection to Sacramento Regional or the Woodland treatment facilities, are not economically feasible or practical and should receive no further consideration.

S. Greenwald proposed friendly amendment to wait for expert analysis before deciding on Woodland facilities.

D. Saylor agreed to withdraw the Woodland portion of the motion until after the experts appear before Council. Amendment accepted by second. Motion passed unanimously.

S. Souza moved, seconded by D. Saylor, to accept the updated cost estimates for the secondary and tertiary wastewater treatment facilities as developed by Brown and Caldwell in their Value Engineering report and to direct staff to continue to refine the estimates and take other necessary steps to be prepared to initiate design and construction of upgraded treatment facilities, but hold off on actual design work until results of the Conaway Reuse option are fully evaluated.

S. Greenwald proposed friendly amendment to continue to refine the estimates and to remove language "and take other necessary steps." Friendly amendment not accepted by mover.

Original motion passed by the following vote:

AYES: Saylor, Souza, Asmundson

NOES: Greenwald, Heystek

D. Saylor moved, seconded by S. Souza, to approve Resolution No. 09-035 - Authorizing the City Manager to Sign Agreement with Conaway Preservation Group (CPG) and Reclamation District 2035 for Exploration of Reuse of Treated Wastewater from the Davis Wastewater Treatment Plant to Conaway Ranch, with further direction to staff to look at future cost sharing for phase II. Motion passed unanimously.

S. Souza moved, seconded by L. Heystek, to direct staff to return to Council with a contract for replacement and rehabilitation work on existing equipment and facilities at the current plant that will be required regardless of the future alternative chosen (i.e. the Conaway reuse option or the full upgrade to the existing facility). Motion passed unanimously.

S. Greenwald moved, seconded by L. Heystek, to direct City Manager and Public Works staff to discuss with authors any potential suggestions on how to proceed with any possible less expensive alternatives for wastewater treatment. Motion passed unanimously.

Brief Communi-  
cations / Long  
Range Calendar

D. Saylor distributed May is Bike Month promotional materials and challenged the School Board to ride more miles than City Council.

D. Saylor requested staff to provide analysis on SB 12, a bill to assist water resources association, and SB777, a bill regarding state budget reform issues.

D. Saylor requested Council to consider support of a bill which would allow counties to charge fees commensurate with the cost of providing service. Council concurred.

L. Heystek requested information on “near miss” traffic accidents on Third and C Streets. S. Souza suggested analyzing “near miss” accidents in the context of multiple intersections. Council consensus to add the issue to the long range calendar.

Adjournment

The meeting was adjourned at 11:21 p.m.

Zoe S. Mirabile, CMC  
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD  
Meeting of April 14, 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: Board Members Present: Ruth Asmundson, Sue Greenwald, Lamar Heystek, Don Saylor, Stephen Souza

Board Members Present: None

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

Approval of Agenda L. Heystek moved, second by D. Saylor, approval of the agenda. Motion passed unanimously.

Public Comments None

Consent Calendar Status Update on Varsity Theatre Addition, CIP Nos. 8195 and 8197 – Rejecting All Bids for the Project and Authorizing Rebidding  
Informational

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

Adjournment The meeting was adjourned at 11:21 p.m.

Zoe S. Mirabile, CMC  
City Clerk