

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of April 21, 2009

The City Council of the City of Davis met in regular and closed session beginning at 5:15 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, Sue Greenwald, Lamar Heystek, 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 Legal Counsel – Existing Litigation pursuant subdivision (a) of Government Code §54956.9: Union Pacific v. City of Davis, CV05-903
2. Conference with Labor Negotiators:
Agency Designated Representatives: City Manager Bill Emlen, Assistant City Manager Paul Navazio, Human Resources Administrator Melissa Chaney, City Attorney Harriet Steiner
Employee Groups/Organizations: Davis City Employee Association, Davis Police Officers Association, Department Heads, Executive and General Management, Firefighters Local 3494, Police Lieutenants, Professional and Support Employee Association

City Council returned to open session at 6:30 p.m. and Mayor Asmundson announced there was no reportable action and closed session will continue following regular calendar items.

Approval of Agenda D. Saylor moved, seconded by S. Greenwald, to approve the agenda.

L. Heystek moved substitute motion, seconded by S. Souza, to reorder the agenda to discuss the Teen Center/US Bicycling Hall of Fame item earlier. Motion passed unanimously.

Ceremonial Presentations City Council presented the following proclamations:
1. Proclamation Recognizing April 19-25, 2009 as National Volunteer Week
2. Proclamation Recognizing April 20-24, 2009 as Mosquito and West Nile Virus Awareness Week
3. Proclamation Recognizing April 22, 2009 as Arbor Day
4. Proclamations Presenting 2009 Environmental Recognition Awards Honoring Contributions Toward Improving the Environmental Quality of Life in and Around Davis. Awards will be presented in three categories: Business,

recognizing Kiwi Tree; Individual, recognizing John Mott-Smith and Sid England; and Non-Profit Organization, recognizing Solano County Water Agency (SCWA)

City Council recessed at 6:53 p.m. and reconvened at 7:15 p.m.

Public Comments

Youth In Government student shadows introduced themselves.

Bob Schneider, Conservation District in Woodland, spoke in opposition to the power lines proposed by TANC in Yolo County and requested public discussion on the issue.

John Swan spoke regarding a dispute he has with a neighbor relating to wall height and requested the Planning Commission to hear the specifics of the case prior to rendering a decision. City Manager Bill Emlen explained the applicant is appealing an administrative decision to the Planning Commission.

Ken Wagstaff, Citizens Who Care, introduced supporting citizens in the audience.

Gail Rubin spoke in support of the Resolution Regarding Advisory Actions – Preferred Process and Vote Threshold.

Adam Hensle, President Digital Technology Laboratories, thanked the city for working with their business, which is the first privately funded LEED certified building in Yolo County.

Tony Burnhardt announced a conference to be held in Davis on Saturday regarding the economy and its impact on everyday lives.

Joe Sherman spoke regarding religious institutions and the justice system.

An unidentified woman spoke regarding Davis economics and small business.

Consent Calendar

Plans and Specifications for Production Well 34, and Resolution No. 09-036 - Authorizing the City Manager to Execute Consultant Agreement with Wood Rodgers for Technical Inspection Services During Well Construction, CIP No. 8174, in an amount not to exceed \$48,000

1. Approved plans and specifications and authorized bid advertisement
2. Approved Resolution No. 09-036

Resolution No. 09-037 - Authorizing the City Manager to Execute a Lease for the City Property at 512 Fifth Street with Davis Community Meals for its Use of the Property as Transitional Housing for Up to Ten Individuals and Administrative Office Space from April 23, 2009 Until May 10, 2009, returning to use as a transitional unit for up to one family thereafter through 2010

Approved resolution and directed staff to make the necessary lease amendments to reflect this approval

Resolution No. 09- 038 - Authorizing the City Manager to Enter Into a Settlement Agreement with Union Pacific Railroad for Damages to Landscaping on the Old Lincoln Highway

Approved resolution and authorized staff to continue discussions with Union Pacific regarding billboards

Civic Arts Commission Recommendation: Resolution No. 09-39 - for Acquisition of the Valley Seasons Bench and the East West Stones into the City of Davis Public Art Inventory

Approved

Budget Adjustment #114 (\$44,000) – Transferring Replacement Funds for Purchase of a Police Department Computer System Server

Approved

Draft City Comments in Response to Western Area Power Association Regarding the Proposed Transmission Agency of Northern California (TANC) Transmission Project

Approved draft letter and directed staff to respond by April 30, 2009 deadline

Early Implementation of Selected FY2009/10 General Fund Cost-Savings Measures

Removed from agenda by City Manager and continued to May 5, 2009

Fiscal Year 2008/09 Third Calendar Quarter Administratively Approved Budget Adjustments

Informational

Update on Human Relations Commission Action Regarding the Gaza Strip

Informational

Commission Minutes:

1. Recreation and Park Commission Meetings of January 15 and February 19, 2009

Informational with the following exception (action item from January 15 minutes): Received commission recommendation to direct the Community Services Department to prepare budget reduction scenarios reflecting 3% and 5% reductions instead of the 7% and 10% previously proposed, in light of the fact that the Community Services Department has been fiscally responsible for the past three years by fully implementing multiple cost recovery policies and procedures that have reduced the general fund subsidy by \$168,000

2. Safety and Parking Advisory Commission Meeting of March 5, 2009

Informational

Proclamation Declaring May 2009 as May is Bike Month: Moving Our Community Forward

Ceremonial

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

Removed from Consent Calendar:

Items removed by S. Greenwald.

Resolution to Comply with All Guidelines and Requirements Related to the Submission of the Application to the California Infrastructure and Economic Development Bank for Financing of the East Davis Water Storage Tank

D. Saylor moved, seconded by R. Asmundson, as follows:

1. Approve Resolution No. 09- 040 - Authorizing the City Manager to Execute the Resolution to Comply with All Guidelines and Requirements Related to the City of Davis Submission of the Application to the California Infrastructure and Economic Development Bank for Financing of the East Davis Water Storage Tank (CIP 8172), Declaration of Official Intent to Reimburse Certain Expenditures from Proceeds of Obligation, and Approving Certain Other Matters in Connection Therewith, to complete the \$10 million loan application process required for construction of the water tank
2. Direct staff to agendize Plans and Specifications for East Area Tank as a regular discussion item on a future agenda.

D. Saylor amended his motion to include the determination that the East Area Tank item, when it returns to Council, is necessary and the timing is critical. Accepted by second. Motion passed unanimously.

Plans and Specifications for East Area Water Tank

Update on US Bicycling Hall of Fame Headquarters

City Manager Bill Emlen explained that the concept of a bicycling museum has been a high priority for City Council and it is a significant accomplishment for the city to be accepted as the site for the US Bicycling Hall of Fame.

(Item discussed by both City Council & Redevelopment Agency Board)

John Meyer, Board California Bicycle Museum, congratulated City Council and staff on leadership in the project, and noted that bicycling is a brand for Davis.

Susan Sabatier, Recreation and Park Commission, voiced concern over locating the Hall of Fame at the 3rd and B Teen Center, as the city should be enhancing teen programming. She requested City Council consider the impact on teen programming if the Hall of Fame is located at 3rd and B, and not to displace programming until an alternative site is located.

D. Saylor moved, seconded by S. Souza, as follows:

1. Receive correspondence confirming the US Bicycling Hall of Fame's decision to establish its new headquarters in Davis, California
2. Direct staff to work with the US Bicycling Hall of Fame and California Bicycle Museum to develop the necessary agreements to establish the Hall's headquarters and a nationally prominent bicycle museum in Davis,

including the use of a city facility to house the museum
Motion passed by the following vote:

AYES: Greenwald, Saylor, Souza, Asmundson

NOES: None

ABSTAIN: Heystek

Public Hearing:
Community De-
velopment Block
Grant (CDBG)
and Housing In-
vestment Part-
nerships Program
(HOME)
2009-2010 Fund-
ing Recommen-
dations

Administrative Analyst II Kathleen Cames and Community Services Director Elvia Garcia-Ayala summarized the Community Development Block Grant (CDBG) and Housing Investment Partnerships Program (HOME) process and staff and Social Services Commission recommendations related to funding allocations.

S. Souza recused himself due to a conflict of interested regarding Twin Pines, a business client, and left the room.

Mayor Asmundson opened the public hearing and specifically requested comments regarding Twin Pines, and hearing no comments, closed the public hearing.

(Item discussed
by both City
Council & Rede-
velopment
Agency Board)

L. Heystek moved, seconded by S. Greenwald, to approve Resolution No. 09-041 - Committing \$100,000 in Housing Trust Funds to Yolo Mutual Housing Association for the Completion of Renovation Activities at Twin Pines Community Apartments Located at 3333 F Street. Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Asmundson

NOES: None

ABSENT: Souza

S. Souza returned to the dais. Mayor Asmundson re-opened the public hearing.

Luke Watkins, Neighborhood Partners, suggested the city should put in a condition on projects to competitively bid general contractors, limit developer fees and tighten up budgets.

Barbara Ridgeway, Penny Anderson, Kelly Ramos, Perry Alger, and Brian Johnson, Rancho Yolo Community Association Board; and Pearl Carpenter, Pat Brown, Doris Rassey, and Ron Hall, Rancho Yolo residents, spoke in support of pursuit of ownership for Rancho Yolo Mobile Home Park. Comments included: request Council fully fund revised proposal for \$43,000 grant, residents need security of knowing they have a permanent home, concern over possibility of being priced out of home, majority of residents is satisfied with efforts to purchase park, Board has high integrity, residents and city staff need to be on the same page, disappointed that staff considers Rancho Yolo not moving along fast enough, and request for the Board and consultants to have autonomy to talk to the owner regarding the purchase.

David Thompson, Neighborhood Partners, stated the means of meeting affordability are specialized for mobile home parks and that RDA funds are limited for

senior housing, and questioned why staff believes seniors at Rancho Yolo cannot supervise a management company.

Scott Shepard, California Housing Opportunities Corporation (CHOC), stated their project is out for competitive bid and the developer fee is \$35,000 per unit; CHOC does not stand to gain profit on the project.

Donna Provenza, Citizens Who Care, supports funding for Citizens Who Care and purchase of park by Rancho Yolo residents.

Wendy Carter, Sacramento Mutual Housing Association, stated the best way to proceed with New Harmony is with competitive bidding for a general contractor.

Jim Provenza, County Supervisor, and Eileen Samitz also spoke in support of the Rancho Yolo grant proposal.

Mayor Asmundson closed the public hearing.

City Council recessed at 10:25 p.m. and reconvened at 10:33 p.m.

D. Saylor moved, seconded by L. Heystek, that Community Development Block Grant funding recommendations regarding public services be reallocated as follows:

Citizens Who Care	\$ 5,429
Communicare Health	\$21,000
Davis Community Meals – Cold Weather Shelter	\$10,000
Davis Community Meals – Shelter Resource Center	\$15,000
Food Bank of Yolo County	\$ 8,000
Inclusive Recreation	\$ 8,000
People Resources-Elderly Nutrition Program	\$10,000
Sexual Assault & Domestic Violence Center	\$ 9,000
S.T.E.A.C.	\$14,000
Yolo Adult Day Health Center	\$ 6,000
Yolo Community Care - PS	\$ 7,000
Yolo Family Service Agency	\$ 6,000

Motion passed unanimously.

L. Heystek moved, seconded by S. Souza, to direct the Social Services Commission in the future to award amounts rounded to the nearest \$500 and that future rewards not exceed requests. Motion passed unanimously.

Danielle Foster clarified motion as follows: if actual funding amount received is different from proposed, staff will award funding based on the proportionality approved by the Council.

D. Saylor moved, seconded by L. Heystek, to authorize \$43,900 from the Housing Trust Fund for the pre-purchase offer stage of the Rancho Yolo Community

Association request. Motion passed unanimously.

David Thompson, Neighborhood Partners, stated the Rancho Yolo Community Association will not return to Council with any additional funding requests unless a purchase offer is under negotiation.

D. Saylor moved, seconded by L. Heystek, as follows:

1. Approve final staff recommendations, as amended above, for use of 2009-2010 CDBG and HOME funds
2. Approve Resolution No. 09-042 – Committing \$468,560 in HOME Funds Towards the City and Agency’s Existing \$5,950,000 Commitment to Yolo Mutual Housing Association and Sacramento Mutual Housing Association for the Construction of the New Harmony Project at the Southwest Corner of Cowell Boulevard and Drummond Avenue
3. Approve Redevelopment Agency Resolution No. 1225 – Extending the Construction Deadline of Sacramento Mutual Housing Association for the Construction of the New Harmony Project at the Southwest Corner of Cowell Boulevard and Drummond Avenue to August 3, 2010

L. Heystek proposed a friendly amendment to modify the resolution condition 1c by adding “general contracting” as follows: YMHA and SMHA will use their standard ranking system for considering construction bids for “general contracting” for the New Harmony project... Accepted by mover. Motion passed unanimously.

D. Saylor moved, seconded by L. Heystek, to approve submission of final recommendations as a one-year Action Plan to the Department of Housing and Urban Development (HUD). Motion passed unanimously.

S. Souza moved, seconded by D. Saylor, to set aside \$2,000,000 in potential funding for the Mace Parke Land Trust Project, for final review and approval once cost-cutting measures can be completed in the project pro-forma. Motion passed unanimously.

Greenhouse Gas Emission Thresholds and Standards for New Residential Development

Sustainability Program Manager Mitch Sears presented the recommended framework for beginning to reduce greenhouse gas (GHG) emissions produced by new residential development projects, with standards designed to achieve critical long-term reductions while maintaining the economic viability of new residential development.

L. Heystek moved, seconded by S. Souza, to extend the meeting until all items are heard. Motion passed unanimously.

Mark Rutheiser commended staff on progress made since November 2008 when reduction targets were adopted, but expressed concern over the accumulation of policies from last 5 years and the overall effect on development projects. He suggested greenhouse gas reductions should be prioritized over other requirements.

Dave Taormino spoke in opposition to any additional burden on new home development, and requested Council wait before adopting required standards.

Bill Streng requested Council consider the total impact of fees on development since 2003.

Don Fouts suggested builders should get credits on what new homes have contributed to greenhouse savings because of building improvements since 1990.

Jason Taormino stated 57% of all greenhouses gases come from transportation and current housing structures have reduced greenhouse gases.

Mark Braly stated it is technically and economically feasible to build a net zero carbon house today, and is concerned that the city isn't slated to reach that goal until 2050.

L. Heystek moved, seconded by S. Souza, as follows:

1. Approve Resolution No. 09-043 - Adopting Greenhouse Gas Reduction Thresholds, and Standards for New Residential Development Projects
2. Direct staff to use the thresholds and standards to determine project GHG emission impacts and for negotiating development agreements
3. Direct staff to return with an ordinance based on the thresholds and standards as soon as practical after having received feedback from the Natural Resources and Planning Commissions

Motion passed unanimously.

D. Saylor moved, seconded by R. Asmundson, to examine the series of additional policies placed on builders and to work with the Chamber of Commerce to analyze when City Council reviews the middle income ordinance. Motion passed unanimously.

S. Souza moved, seconded by L. Heystek, to approve policy guidelines for expenditure of transportation funds prioritizing transportation projects that minimize GHG emissions. Motion passed unanimously.

Creation of an Energy Efficiency, Solar Energy, and Water Conservation Financing Program

Mitch Sears explained this is a voluntary program where property owners choose upgrades permanently fixed to their housing, and the city serves as financing agency through bonds, which property owners borrow against and pay back over time.

Eric Rasmussen, Yolo County Association of Realtors, suggested the details of plans need to work in the housing market and suggested gathering stakeholders together.

S. Souza moved, seconded by S. Greenwald, to approve the concept of the Davis Energy Efficiency, Solar Energy, and Water Conservation Financing

Program to allow property owners to finance energy efficiency improvements, solar installations, and water conservation projects as a voluntary assessment on their individual property tax bills and direct staff to continue work developing the program. Motion passed by the following vote:

AYES: Greenwald, Heystek, Souza, Asmundson

NOES: None

ABSTAIN: Saylor

D. Saylor moved, seconded by S. Souza, to approve issuance of a request for proposals to evaluate options and develop the specific program. Motion passed unanimously.

S. Souza moved, seconded by L. Heystek, to direct staff to return with the specifics of a program and design, and any necessary Council action to implement the recommended program. Motion passed unanimously.

D. Saylor moved, seconded by S. Souza, to direct staff to follow closely the developments of the California Communities Program, SB279 and SACOG regional approach to determine if there are advantages to participating in other efforts. Motion passed unanimously.

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| Brief Communi-
cations | The following item was deferred to the May 5, 2009 meeting: Item Submitted by Councilmember (<i>Don Saylor</i>): Resolution Regarding Advisory Actions – Preferred Process and Vote Threshold |
| Closed Session | City Council reconvened closed session at 12:52 a.m. There was no reportable action. |
| Adjournment | The meeting was adjourned at 1:43 a.m. |

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of April 21, 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 President 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 D. Saylor moved, seconded by S. Greenwald, to approve the agenda.

L. Heystek moved substitute motion, seconded by S. Souza, to reorder the agenda to discuss the Teen Center/US Bicycling Hall of Fame item earlier. Motion passed unanimously.

Public Comments None

Update on US Bicycling Hall of Fame Headquarters City Manager Bill Emlen explained that the concept of a bicycling museum has been a high priority for City Council and it is a significant accomplishment for the city to be accepted as the site for the US Bicycling Hall of Fame.

(Item discussed by both City Council & Redevelopment Agency Board) John Meyer, Board California Bicycle Museum, congratulated City Council and staff on leadership in the project, and noted that bicycling is a brand for Davis.

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NOES: None
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Public Hearing: Administrative Analyst II Kathleen Cames and Community Services Director Elvia Garcia-Ayala summarized the Community Development Block Grant (CDBG) and Housing Investment Partnerships Program (HOME) process and staff and Social Services Commission recommendations related to funding allocations.

Community Development Block Grant (CDBG) and Housing Investment Partnerships Program (HOME)
S. Souza recused himself due to a conflict of interested regarding Twin Pines, a business client, and left the room.

2009-2010 Funding Recommendations
Mayor Asmundson opened the public hearing and specifically requested comments regarding Twin Pines, and hearing no comments, closed the public hearing.

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Adjournment The meeting was adjourned at 1:43 am.

Zoe S. Mirabile, CMC
City Clerk