

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 16, 2009

The City Council of the City of Davis met in regular session beginning at 6:33 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 (teleconference participation), Don Saylor, Stephen Souza,

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, to approve the agenda. Motion passed by the following vote:
AYES: Heystek, Saylor, Souza, Asmundson
NOES: None
ABSENT: Greenwald

Ceremonial Presentation Mayor Asmundson presented the 2009 Thong Hy Huynh Memorial Awards:
Lifetime Achievement Dorothy Foytik
Humanitarian Verena Borton
Civil Rights Advocacy Kristin Stoneking
Community Education and Awareness David Greenwald
Excellence in Community Involvement St. Martins Episcopal Church
Peace Officer of the Year Darren Pytel

Council recessed at 6:55 p.m. and reconvened at 7:13 p.m.

Public Comments Howard Zochlinski stated the city inspected his house for code compliance complaints and that there has been an unfair enforcement of codes.

Jan Murray-Garcia, Javier, and Nancy Modelling spoke in support of Davis Media Access (DMA) activities and city funding. Comments included: announce screening of film made via DMA, free public access to high level equipment, skills learned from professionals, and support programs available to community.

Bill Smith, KDRT and volunteer at DCTV, expressed support for full media funding.

George Moore questioned the reduced number of handicapped parking spots in the City Hall parking lot. By consensus, City Council referred to City Attorney

for question of compliance with American Disabilities Act.

Consent Calendar

Resolution No. 09-071 - Authorizing the City Manager to Enter into a Wireless Telecommunications Agreement Between the City of Davis and Comsites West, LLC for the Use of City Property at 3003 John Jones Road
Approved

Resolution in Support of AB 1121, a Bill to Allow a Pilot Ranked Voting Systems
Reviewed resolution (per Council policy, resolution will appear on the next agenda for actual approval)

Budget Adjustment #151 (\$43,224) – Allocating Office of Emergency Services Funding for Reimbursement of Fire Department Strike Team Response
Approved

Commission Minutes:

1. Civic Arts Commission Meeting of May 11, 2009
 2. Social Services Commission Meetings of March 16 and April 20, 2009
- Informational

Yolo County Referral – Grower’s Air Service Runway Extension at 41167 County Road 27
Find that no comments on the proposed project are necessary to be provided to Yolo County for its consideration in reviewing the use permit

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

Public Hearing:
Visitor Attraction Business Improvement District Annual Reauthorization

Deputy City Manager Kelly Stachowicz outlined the assessment process and proposed fees.

Mayor Asmundson opened the public hearing.

Reed Youmans and Diane Parro, Yolo County Visitor Attraction District, spoke regarding changes to Bureau’s focus: bringing events to city and participating with public liaison regarding city events.

Mayor Asmundson closed the public hearing.

S. Souza moved, seconded by S. Greenwald, to approve Resolution No. 09-073 - Confirming the Assessment Report and Approving the Levy of an Assessment for the Visitor Attraction District Pursuant to the Parking and Business Improvement Area Law of 1989. Motion passed unanimously.

Public Hearing:

Planner Catchy Camacho summarized proposed project for a medium-density

Chiles Ranch
Subdivision /
2411 E. Eighth
Street

residential subdivision of 108 dwelling units on 12.1 acres.

Mayor Asmundson opened the public hearing.

Don Fouts, applicant New Urban Development (NUD), LLC, spoke in support of the project. Comments: project utilizes guiding principles from SACOG process, includes mixed housing types, makes creative and effective use of open spaces; outlined outstanding issues with neighborhood: buffers, visitability/accessability, and green building measures; Lot N should remain as a public greenbelt.

Ken Murray, Sunrise Neighborhood Association (SNA), reported that members have reached some compromises with developer but that the project is not ready for approval; density should not exceed 107 units, current development plan submitted without input by association.

Jerry Mackan supports a greenbelt buffer between city and privately owned houses.

Maria Arnett, Steve Goldstein, Richard Green, Gayle Srevidenovick, Karen Neecey, Craig Mohare, Pam Nieberg, Tom Jankowsky, Steven Hall, Jim Watson, Jim Rivers, and Tom Lockley spoke in support of neighborhood association proposal and request for further negotiations. Reasons: agreement between neighbors and developer should be honored; concerned over secondary units, non-contiguous bike paths, density and secondary units, tandem parking and overflow parking, construction hours;

Mark Rutheiser stated residential developments cannot satisfy everyone and this project has been a long process with many groups providing input.

Mark Lancett stated collaborate developments should reflect comments expressed and city should express minimum standards.

Rodney Robinson stated development will contribute to greenhouse gases which can't be mitigated by sustainable design.

Steve Sherman, developer, shared three outstanding issues: addition of 1 unit from 107 to 108, rounding difference regarding affordable units; secondary units added; and buffer of 50 feet from house to fence of neighbors.

Steve Goldstein explained that NUD agrees it will advocate on behalf of SNA.

Mayor Asmundson closed the public hearing.

City Council recessed at 8:59 p.m. and reconvened at 9:11 p.m.

S. Greenwald moved to allow Councilmembers to ask as many questions as they want to ask. No second.

S. Greenwald moved to allow Councilmembers to ask questions in order to come to a reasonable decision. No second.

S. Greenwald moved to allow for questions and time for discussion as necessary. No second.

L. Heystek moved, seconded by S. Greenwald, to extend discussion in this round of questioning to 10 minutes for each councilmember. Motion failed by the following vote:

AYES: Heystek, Souza

NOES: Saylor, Asmundson

ABSTAIN: Greenwald

D. Saylor moved, second by Ruth Asmundson, as follows:

1. Determine that Mitigated Negative Declaration #1-08 prepared for this project adequately addresses the environmental impacts associated with the proposed project
2. Approve Resolution of Intent to Amend the General Plan Land Use Map to Redesignate 2411 E. Eighth Street (APN# 71-020-15) and the Abutting Parcel to the East (APN #7-71-401-02) Located West of Mesquite Drive, and the Abutting Parcel to the South (APN #071-401-03) Location North of E. Eighth Street, from “Residential Low-Density” to “Residential Medium-Density”
3. Introduce Ordinance Approving a Development Regarding the Chiles Ranch Subdivision Project
4. Introduce Ordinance Amending Section 40.01.090 of Chapter 40 of the Davis Municipal Code Rezoning 2411 E. Eighth Street (APN #071-010-15), the Abutting Parcel to the East (APN #7-071-401-02) Located West of Mesquite Drive, and the Abutting Parcel to the South (APN# 071-401-03) Located North of E. Eighth Street Consisting of Approximately 12.1 Acres, Zoned Agriculture (A) and Residential One and Two Family (R-2), to Planned Development (P-D) #8-07 (Residential Use)
5. Approve the following entitlement applications, based on the findings and conditions for each application:
 - A. Tentative Subdivision Map to merge the three parcels into a single lot and re-subdivide the merged parcel for creation of residential lots; city greenbelt; public streets; private drives and common open space
 - B. Final Planned Development to establish development standards for the lot including building setbacks, building heights, lot coverage, floor area ratio parking, and usable open space
 - C. Affordable Housing Plan to govern the affordable housing component of the development
 - D. Design Review for site plan and architectural review of proposed building elevations

with the addition that the bike path component will not be final until after review by the Bicycle Advisory Commission and return to Council for final adoption, and hours of operation modified to reduce construction noise with hours to be agreed upon by builder and staff.

S. Greenwald moved substitute motion, seconded by L. Heystek, that developers and staff work with the neighborhood association to implement the Letter of Agreement and come up with a plan so that construction hours are not unduly drawn out and they respect the quality of life of the neighbors.

S. Souza moved substitute, substitute motion, seconded by D. Saylor, to allow for a two week timeframe to ask neighbors and developers to work on the three major outstanding issues (Accessory Dwelling Units and Secondary Dwelling Units; 3 feet, 3 inches discrepancy on the proposed 50 foot buffer on eastern portion of project; and termination of bike path) and any other issues the developer and neighborhood wish to discuss and bring back to Council for final decision.

S. Greenwald proposed friendly amendment to reschedule City Council meeting for a time when all Councilmembers can be present. Not accepted by mover and second.

By consensus, City Council agenda discussion for June 30, 2009.

Motion passed unanimously.

City Council recessed at 10:11 p.m. and reconvened at 10:17 p.m.

Review of Fire Department Operations

City Manager Bill Emlen explained the city contracted with Citygate Associates to review Fire Department staffing and management structures, as well as the response time standards.

Citygate consultants Stu Gary and Dwayne Milnes shared the results of their review and made the following recommendations:

1. Develop a single operational model with UCD
2. Update response time measures to be consistent with National Best Practices: on scene arrival within 7 minutes of 911 notification, 90% of the time
3. Reduce firefighter relief staffing from 3 per shift to 2 per shift, via layoff, normal attrition, or use of some relief staffing funding to fund the incident command function
4. Do not build a fourth station in the north until there is significant growth in that area
5. After these actions are taken and the economy begins to recover, prepare a Fire Master Plan based on a realistic view of growth in the fire service area

B. Emlen stated staff will take next steps as necessary, continue to review department operations.

East Area Water Tank and Booster Pump Station, CIP No. 8172

City Engineer Robert Clarke outlined project specifications.

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

1. Approve Resolution No. 09-074 - Awarding Construction Contract of \$6,200,009 to Gateway Pacific Contractors, Inc., and approving a contingency amount of \$620,000
2. Approve Budget Adjustment #157 (\$10,000,000) – Allocating I-Bank Loan Funds
3. Approve Resolution No. 09-075 - Authorizing the City Manager to Execute Consultant Agreement with Consolidated Construction Management for Construction Management Services – contract administration and project inspection services in the amount of \$523,336
4. Approve Resolution No. 09-076 - Authorizing the City Manager to Execute Amendment No. 1 to the Consultant Agreement with West Yost & Associates for Construction Engineering Support Services, in the amount of \$199,828

Motion passed by the following vote:

AYES: Saylor, Souza, Asmundson

NOES: Heystek, Greenwald

Continued Discussion of FY2009/10 Proposed Budget

R. Asmundson moved to extend discussion in order to finish budget item. No second.

D. Saylor moved, seconded by L. Heystek, to extend the meeting for 5 minutes. Motion passed unanimously.

D. Saylor moved, seconded by L. Heystek, to table full discussion of the budget until June 23, with exception to direct staff to find another funding source in order to retain \$27,000 for Davis Media Access (DMA). Motion withdrawn.

S. Souza moved to extend the meeting until 12:25 a.m. No second.

L. Heystek moved, seconded by S. Souza, to extend meeting as long as it takes to fully discuss DMA issue. Motion passed unanimously.

Andrea Jones explained DMA funding was reduced via franchise agreement signed in 2005 and that the organization had just begun to regroup from cut, further reductions will severely impact services.

B. Emlen stated staff will return to Council with a proposal for a “reduced” proposed reduction in funding for DMA/DJUSD media services.

Adjournment The meeting was adjourned at 12:28 a.m.

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of June 16, 2009

The Redevelopment Agency Board of the City of Davis met in regular session beginning at 6:33 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 (teleconference participation), Don Saylor, Stephen Souza,

Board Members 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, to approve the agenda. Motion passed by the following vote:
AYES: Heystek, Saylor, Souza, Asmundson
NOES: None
ABSENT: Greenwald

Public Comments None

Consent Calendar Yolo County Referral – Grower’s Air Service Runway Extension at 41167 County Road 27
Find that no comments on the proposed project are necessary to be provided to Yolo County for its consideration in reviewing the use permit

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

Adjournment The meeting was adjourned at 12:28 a.m.

Zoe S. Mirabile, CMC
City Clerk