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, 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 for a 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.

Approval of Agenda D. Saylor moved, seconded by S. Souza, to approve the agenda as amended to remove the following items from the agenda: Resolutions Adopting Amendments to the Memorandums of Understanding with Davis Police Officers Association and Individual Police Lieutenants and Consideration of Wood Burning Restrictions and UC Davis Delta Group Aerosol Monitoring in Davis Neighborhoods, Winter 2008-2009. Motion passed unanimously.

Ceremonial Presentation Mayor Asmundson introduced a delegation from the Republic of Moldova and presented Honorary Citizen Certificates.

Mayor Asmundson presented a Proclamation Recognizing July as Parks and Recreation Month.

Public Comments Francis Resta requested Council consider an ordinance prohibiting gas powered leaf blowers within city limits.

Alan Pryor stated discussion of the wood burning issue should not be deferred until September because timing is critical and staff will need up to two
months to fully develop and implement an ordinance, which should be in place before burn season.

Jake Hoffert announced the opening of the Cookie Connection at 2191 Cowell Boulevard.

Kevin Dellamar stated if wood burning restrictions were to be adopted, wood pellet stoves should be exempt.

Francis Resta spoke regarding cell phone use while bike riding, and recommended enforcing laws the same laws for bicycling that prohibit cell phone use while driving.

Barbara Linderhalt spoke in support of a full service grocery store in West Davis.

Rita Eisenstan spoke in opposition to any wood burning restrictions.

Darrio Sanchez, owner of pastry shop in Westlake Plaza, spoke in support of a grocery store in the Plaza because it will increase business traffic.

Consent Calendar

Resolution No. 09-106 - Accepting Bid of $305,245.48 from Municipal Maintenance Equipment for Purchase of a Two Axle, Five Yard, Vac-Con Combination Sewer and Storm Drain Cleaner, utilizing a cooperative inter-agency purchasing agreement
Approved

Resolution No. 09-107 - Authorizing the City Manager to Execute the Agricultural Lease with Gregory Schmid for Use of the Clayton Ranch
Approved

L. Heystek recused himself from the following item due to a conflict of interest as he owns property that is subject to the Right of First Refusal Program:
Resolution No. 09-108 - Authorizing the Release of a Request for Proposals in Order to Identify a Qualified Organization for the Administration of the City’s Right of First Refusal of Affordable Low/Moderate and Future Middle Income Ownership Housing Units
Approved by the following vote:
AYES: Greenwald, Saylor, Souza, Asmundson
NOES: None
ABSENT: Heystek

Resolution No. 09-109 - in Support of SB 777, a Bill to Require the State of California to Use Performance Based Budgeting
Approved
Budget Adjustment #169 ($2,353,581) – Allocating Receipt of Additional FTA Grant Funds and Pass-Through to Unitrans

Approved

Second Reading: Ordinance No. 2340 - 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)

Adopted (Introduced 06/30/2009) by the following vote:
AYES: Greenwald, Saylor, Souza, Asmundson
NOES: Heystek

Second Reading: Ordinance No. 2341 - Approving and Adopting the Final Budget of the City of Davis for Fiscal Year 2009/2010, Providing for the Post-Auditing of Paid Demand Certified or Approved as Conforming to Such Approved Budget and Determining the Appropriations Limit of the City of Davis Pursuant to Article XIII-B of the State Constitution

Adopted (Introduced 06/30/2009) by the following vote:
AYES: Greenwald, Saylor, Souza, Asmundson
NOES: Heystek

Federal Byrne Justice Assistance Grant (JAG) Award

Informational

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

Removed from Consent Calendar:

Item removed by S. Souza.

S. Souza moved, seconded by D. Saylor, to adopt Ordinance No. 2342 - Approving a Development Agreement Regarding the Chiles Ranch Subdivision Project (Introduced 06/30/2009). Motion passed by the following vote:

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

Community Development Director Katherine Hess presented a revised recommendation to City Council to uphold the appeal of the Planning Commission decision and adopt an ordinance rezoning the property to require a minimum 10,000 square foot food store. Hess summarized the background on the project site and planning applications.
Mayor Asmundson opened the public hearing.

Darrio Hosseinyoun, representing property owner, requested City Council rezone the property with no contingencies to hold back development.

Harly Delano, Delano Retail Partners, LLC, stated their grocery store intends to meet with the neighbors to determine their needs and wants in a grocery store.

Eric Nelson and Russell Snyder, Davis Advocates for Neighborhood Groceries (DANG); Marcello Campos; Kathryn West; Robert Wolraven, Stonegate Board of Directors; Rosemary Shahan; Betty Wheeler; Pam Nieberg; Miriam Hirby; Rita Eisenstat; and Karen Whetter spoke in support of a grocery store in the Westlake Plaza shopping center. Comments included: Council should preserve the concept of neighborhood grocers and adhere to smart growth principles; local family-owned stores strengthen sense of community; grocers bring tax revenue to city, serve those with limited mobility, and are necessary for vibrant shopping centers; 10,000 square foot market is a reasonable size; and General Plan requires shopping centers to have a grocery store as anchor.

Mayor Asmundson closed the public hearing.

D. Saylor moved, seconded by R. Asmundson, to uphold the appeal of the Planning Commission decision to deny the Westlake Plaza General Plan Amendment and Rezoning Application, to include the application itself, and to introduce an Ordinance Amending Chapter 40 of the Davis Municipal Code Rezoning Property at the Northeast Corner of Lake Boulevard and Arlington Boulevard From Planned Development #10-81 to Planned Development #04-07. Motion passed unanimously.

Eric Nelson, DANG, spoke in support of the resolution and invited other neighborhood groups to contact DANG and avail themselves of research and experience.

Russ Snyder reported that DANG has members throughout city.

L. Heystek read the resolution in its entirety for the record. City Council proposed amendments to the resolution as follows: add language regarding the recently amended zoning for the Westlake Plaza Shopping Center, specifying the inclusion of a full service grocery store, and City pledges to expedite its processes.

L. Heystek moved, seconded by S. Greenwald, to approve Resolution 09-110 Reaffirming City Council Support for the General Plan’s Neighborhood Shopping Center Concept, as amended. Motion passed by the following vote:
AYES: Greenwald, Heystek, Saylor, Souza  
NOES: Asmundson  

City Council recessed at 8:37 p.m. and reconvened at 8:49 p.m.

Brief Communications  
D. Saylor reported that Sacramento Municipal Utility District (SMUD) has withdrawn from the Transmission Agency of Northern California (TANC) Project. SMUD equaled 37% of the financing. Efforts with ad hoc coalition continue.

Long Range Calendar  
D. Saylor requested Council agendize staff analysis of SCA 22 and SB 460 for the April 14 or April 21 Council meeting.

Adjournment  
Adjourn at 8:59 p.m.

Zoe S. Mirabile, CMC  
City Clerk
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 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. Motion passed unanimously.

Public Comment None

Feasibility to Amend the Current Redevelopment Area Boundaries to Include Westlake Shopping Center S. Souza moved, seconded by L. Heystek, to determine not to proceed with further analysis at this time. Motion passed unanimously.

Adjournment The meeting was adjourned at 8:59 p.m.

Zoe S. Mirabile, CMC
City Clerk