

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of May 4, 2010

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 Kara Ueda, 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

Unrepresented Employees: Assistant City Manager and Individual Department Heads (Community Development Director, Community Services Director, Fire Chief, Parks & General Services Director, Police Chief, Public Works Director)

Employee Groups/Organizations: Davis Police Officers Association and Police Lieutenants

City Council returned to open session at 6:35 p.m. and Mayor Asmundson announced there was no reportable action.

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

L. Heystek read Council Ground Rules 3-5 and 8-12 into the record.

S. Greenwald requested Councilmembers consider not crafting a motion in advance of discussion. R. Asmundson stated the request would be referred to the Council Subcommittee on Ground Rules.

Ceremonial Presentations Mayor Asmundson presented Proclamation Recognizing May 2010 as National Preservation Month.

All City Councilmembers presented awards recognizing the 2010 Art Contract Recipients.

City Council recessed at 6:56 p.m. and reconvened at 7:13 p.m.

Public Comments

Jennifer Anderson spoke regarding the Update of Historical Resources Management Commission Efforts to Re-evaluate Potential Historic Resources in the Core Area, and opposed consideration of the property at 238 G Street. She also spoke in opposition to the proposed water and sewer rates.

Dan Wolk, Social Services Commissioner, spoke in support of the proposed resolution from the Social Services Commission: Resolution Opposing Budget Solutions Targeting Low-Income, Elderly, and Disabled Californians.

Sean Gear, Sunrise Cooperative/Solar Community Housing Association; Justin Ogilvie and Ben Pearl, Solar Community Housing Association; and Scott Fuller, Pacifico Student Cooperative, spoke in support of housing cooperatives. Comments included: community has a high demand for healthy, well-organized cooperatives, appreciation for city support, working towards a cooperative community network; and shared energy and resources among cooperatives.

Consent Calendar

Resolution No. 10-054 - Authorizing the City Manager to Sign Agreements with Maze & Associates for Independent Annual Audit Services for Fiscal Year 2009-10, extending the current agreement for one additional year
Approved

D. Saylor recused himself from the following item because he is a member of the ACME Board of Directors:

Resolution No. 10-055 - Adopting City of Davis Facility and Theatre Equipment Rental Policy

1. Approved Resolution
2. Authorized staff to amend the Co-Sponsorship User Agreement with ACME Theatre Company to include a stipulation that provides ACME Theatre Company with exclusive off-site use of a limited number of the City's theatrical lighting fixtures for their annual Memorial Day theatre production at no cost to ACME

Motion passed by the following vote:

AYES: Greenwald, Heystek, Souza, Asmundson

NOES: None

ABSENT: Saylor

Proposed Resolution from the Social Services Commission: Resolution Opposing Budget Solutions Targeting Low-Income, Elderly, and Disabled Californians (action item from April 19, 2010 commission meeting)

Reviewed proposed resolution

Resolution in Support of the League of California Cities Initiative *Local Taxpayer, Public Safety, and Transportation Protection Act of 2010*

Reviewed proposed resolution

Second Reading: Ordinances Amending the Zoning Code Regarding Fence Standards and for Minor Technical Corrections:

1. Ordinance No. 2358 - Amending Chapter 40 of the Davis Municipal Code to

Add Definitions for Fences and Walls and to Clarify Fence Standards Within the Buildable Area of a Lot

2. Ordinance No. 2359 - Amending Chapter 40 of the Davis Municipal Code for Minor Technical Zoning Corrections to Eliminate Redundant Language, Delete and Update Outdated References, Add Language to Conditional Use Permits to Allow Denials Without Prejudice, Update Minor Modification Time Periods to Be Consistent With Other Entitlements, and Other Non-Substantive Clarifications

Adopted (Introduced 4/27/2010)

Treasurer's Report for the Quarter Ended March 31, 2010

Accepted report

Proclamation Declaring May 2010 as "May is Bike Month" in the City of Davis Ceremonial

City Council Minutes from the Meeting of November 10, 2009

Approved

L. Heystek moved, seconded by R. Asmundson, approval of consent calendar as listed above. Motion passed unanimously.

Item Removed from Consent Calendar:

Item removed by D. Saylor.

Update of Historical Resources Management Commission (HRMC) Efforts to Re-evaluate Potential Historic Resources in the Core Area

S. Greenwald recused herself due to a conflict of interest because she owns real property on Rice Lane and left the dais.

Planner\Historical Resources Manager Ike Njoku explained the Historical Resources Management Commission has initiated the re-evaluation of 11 properties within the Conservation Overlay District as the first group of potential historic resources meriting reassessment. He indicated that property owners will be involved in the Commission's deliberations.

Jennifer Anderson stated the Davis Hardware property on G Street has already been surveyed multiple times and been declined. She questioned when the process will be finally concluded.

By consensus, City Council accepted the report as informational.

Public Hearing: Water and Sanitary Sewer Rates

Mayor Asmundson opened the public hearing.

Bess Carolina and Dana Conner spoke in opposition to the proposed increases. Comments included: insufficient reasons for increase, fee should reflect decreased water use throughout region; and fees negatively affect small businesses that are already struggling during economic downturn.

Mayor Asmundson continued the public hearing to May 11, 2010.

Public Hearing:
Weed Abate-
ment – Removal
of Weeds and
Grasses to
Eliminate Po-
tential Fire Haz-
ards

Interim Fire Chief William Weisgerber explained that on April 6, 2010, City Council approved a resolution declaring weeds a public nuisance, directing the Fire Chief to provide notification of intent to destroy weeds, and setting a date for a public hearing to hear any objections. Any property not compliant by June 6, 2010 will be abated by the city and charged accordingly.

Mayor Asmundson opened the public hearing, and after no comments, closed the public hearing.

S. Souza moved, seconded by R. Asmundson, to authorize the weed abatement as proposed. Motion passed by the following vote:

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

Public Hearing:
Resolution Es-
tablishing Fees
for Facility
Rental Use for
Fiscal Year
2010/11 and
Amending the
Facility Cost
Recovery Policy

D. Saylor recused himself from the discussion because he is a member of the ACME Board of Directors and left the dais.

City Attorney Kara Ueda directed City Council to first consider separately the fees for the Veterans Memorial Center, Veterans Memorial Theatre and media support services/theatrical support equipment, and then Councilmember Saylor may return to the dais.

Community Services Superintendent Christine Helweg summarized the proposed facility rental fees, with increases ranging from 2% to 14%, with the majority of fees increasing by 8-9%, and amendments to the Facility Cost Recovery Policy, geared towards discontinuing multiple discounts that many of the current facility rental users receive.

Mayor Asmundson opened the public hearing for comments on the Veterans Memorial Center, Veterans Memorial Theatre and media support services/theatrical support equipment, and after no comments, closed the public hearing.

L. Heystek moved, seconded by S. Souza, approval of Resolution No. 10-056 - Establishing Fees for Facility Rental Use for Fiscal Year 2010/11 and Amending the Facility Cost Recovery Policy for the Community Services Department, specifically Fees and Charges Exhibit A - Section A, B and G. Motion passed by the following vote:

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

D. Saylor returned to the dais.

Mayor Asmundson opened the public hearing on all remaining fees and the cost recovery policy, and after no comments, closed the public hearing.

D. Saylor moved, seconded by L. Heystek, approval of Resolution No. 10-056 - Establishing Fees for Facility Rental Use for Fiscal Year 2010/11 and Amending the Facility Cost Recovery Policy for the Community Services Department, specifically Fees and Charges Exhibit A - Section C, D, E, F and H. Motion passed unanimously.

L. Heystek moved, seconded by R. Asmundson, approval of Resolution No. 10-056 - Establishing Fees for Facility Rental Use for Fiscal Year 2010/11 and Amending the Facility Cost Recovery Policy for the Community Services Department, specifically the Cost Recovery Policy. Motion passed unanimously.

Public Hearing:
Resolution Au-
thorizing Sub-
mittal of the
Five-Year Con-
solidated Plan to
HUD to Allow
Continued Par-
ticipation in the
CDBG and
HOME Pro-
grams

Administrative Analyst Patrick Conway explained that as an entitlement community, the city annually receives an allocation of approximately \$850,000 of Community Development Block Grant (CDBG) funds and \$550,000 of Home Investment Partnerships Program (HOME) funds from US Department of Housing and Urban Development (HUD). As a condition of participation in these programs, HUD requires the submittal of a Consolidated Plan every five years.

Mayor Asmundson opened the public hearing, and after no comments, closed the public hearing.

L. Heystek moved, seconded by R. Asmundson, approval of Resolution No. 10-056A - Authorizing Submittal of the Five-Year Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD) to Allow Continued Participation in the Community Development Block Grant Program (CDBG) and Home Investment Partnerships Program (HOME), with inclusions of the first year action plan and any comments received during the public hearing. Motion passed unanimously.

City Council recessed at 8:15 p.m. and reconvened at 8:24 p.m.

Presentation of
City Manager's
Fiscal Year
2010/11 Pro-
posed Budget

City Manager Bill Emlen and Assistant City Manager Paul Navazio summarized the proposed budget and outlined a series of workshops to be conducted in order to allow Council to discuss budget issues and priorities, staff recommendations including department reorganizations and budget-balancing measures, department/program impacts, modifications/additions to city fees, etc.

By consensus, City Council accepted the presentation as informational.

Brief Commu-
nications

S. Greenwald reported that the Bicycle Advisory Commission requests City Council guidance on whether or not they should be involved in the early stages of planning the Fifth Street Corridor redesign. City Manager stated he will discuss the request with appropriate staff.

Long Range
Calendar

L. Heystek and R. Asmundson requested City Council agendaize an update of the temporary signage ordinance before or on July 6, 2010.

L. Heystek requested City Council agendaize staff analysis of an initiative petition circulating with the intent of qualifying for the November 2010 election: Initiative Statute-Suspends Air Pollution Control Laws Requiring Major Polluters to Report and Reduce Greenhouse Gas Emissions That Cause Global Warming Until Unemployment Drops Below Specified Level for Full Year.

Continued
Closed Session

City Council returned to closed session at 9:25 p.m. for a continued 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

Unrepresented Employees: Assistant City Manager and Individual Department Heads (Community Development Director, Community Services Director, Fire Chief, Parks & General Services Director, Police Chief, Public Works Director)

Employee Groups/Organizations: Davis Police Officers Association and Police Lieutenants

There was no reportable action.

Adjournment

The meeting was adjourned at 9:50 p.m. in memory of Barbara Frankel.

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of May 4, 2010

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

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

Consent Calendar Budget Adjustment #84 (\$3,202,971) – Appropriating Redevelopment Agency Tax Increment Revenue to Comply with Provisions of AB 26 4x – State Raid on Local RDA Fund
Approved

Redevelopment Agency Board Minutes from the Meetings of November 10, 2009 and March 16, 2010
Approved

L. Heystek moved, seconded by R. Asmundson, approval of consent calendar as listed above. Motion passed unanimously.

Adjournment The meeting was adjourned at 9:50 p.m. in memory of Barbara Frankel.

Zoe S. Mirabile, CMC
City Clerk