

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 1, 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. This meeting included teleconference participation by one Councilmember (Gov. Code Section 11125.4(c)). The teleconference location, in addition to the address above, is: 161 Georgia Way, San Leandro, CA 94577.

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 the following: Conference with Legal Counsel – Existing Litigation:
A. Newpath Networks, LLC v. City of Davis, Federal District Court, Eastern District Case No. 2:10 CV-00236-GEB-KJM
B. City of Davis v. Newpath Networks, LLC, California Public Utilities Commission Case No. C. 10-03-011

Council returned to open session at 6:34 p.m. Mayor Asmundson announced there was no reportable action.

Approval of Agenda S. Greenwald moved, seconded by D. Saylor, to approve the agenda. Motion passed by the following vote:
AYES: Greenwald, Saylor, Souza, Asmundson
NOES: None
ABSENT: Heystek

Mayor Pro Tem D. Saylor read an excerpt from the Council Ground Rules into the record.

Ceremonial Presentation Mayor Asmundson presented a Proclamation Recognizing June 23, 2010 as Olympic Day.

Public Comments Joseph Richardson spoke about the reduction of greenhouse gases by utilizing human power.

Ashley Thomas, CalPIRG, advocated for a community-wide ban on styrofoam containers.

Richard Sieman spoke regarding the Verona project proposal to reduce fees to developer for infill. He stated a reduction in fees should result in more afford-

able housing, reduce greenhouse gasses, etc.

Consent Calendar

Resolution No. 10-071 - Authorizing the Interlocal Agreement Between the City of Davis and the County of Yolo to Reallocate the 2010 Byrne Justice Assistance Grant ("JAG") Toward the Continuation of the Yolo Narcotics Team Unit Administered by the Yolo County District Attorney

Approved

Contract Award for Second Street Corridor Improvements, CIP No. 8163 [ESPL 5238 (052)]

1. Rejected the low bid from Lister Construction, Inc. and the bid from Teichert Construction due to their non-responsive bids
2. Approved Budget Adjustment #103 (\$98,030) – Allocating Road Impact and Storm Sewer/Drainage Funds to the project
3. Approved Resolution No. 10-072 - Awarding Contract of \$830,933.50 to North Bay Construction, Inc., and approving a contingency amount of \$83,093

Second Reading of Ordinances Setting Utility Rates Effective August 1, 2010:

1. Ordinance No. 2363 - Amending Chapter 33.04.050 (a) and (b) of the Davis Municipal Code Relating to Sewer Rates
2. Ordinance No. 2364 - Amending Chapter 39 of the Davis Municipal Code Related to Water Rates

Adopted (Introduced 5/25/2010)

Budget Adjustment #97 (\$83,286) – Allocating Funds for the City / UC Davis Water Intertie Project, CIP No. 8193

Approved

Budget Adjustment #98 (\$58,047) – Allocating Funds for the Purchase of a Para-Transit Bus

Approved

Commission Minutes:

1. Recreation and Park Commission Meeting of April 15, 2010

Informational

2. Senior Citizens Commission Meeting of April 8, 2010

Received minutes as informational and approved the Fiscal Year 2010/2011

Commission Work Plan

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

AYES: Greenwald, Saylor, Souza, Asmundson

NOES: None

ABSENT: Heystek

Removed from
Consent Calendar:

Item removed by R. Asmundson.

City Council
Minutes

R. Asmundson moved, seconded by D. Saylor, to approve City Council Minutes from the Meetings of January 27, February 10 and September 8, 2009, and May 11 and 18, 2010. Motion passed by the following vote:

AYES: Greenwald, Saylor, Souza, Asmundson

NOES: None

ABSENT: Heystek

Davis Climate
Action and Ad-
aptation Plan

City Manager Bill Emlen stated the Climate Action and Adaptation Plan (CAAP) was prepared through a community based public input process utilizing the Davis Climate Action Team, the Natural Resources Commission, and staff. The CAAP identifies objectives/actions for the next five years to reverse local greenhouse gas (GHG) emission growth and establishes a foundation for longer term reductions beyond 2015.

Sustainability Program Manager Mitch Sears presented an overview of the CAAP including priorities and workplan. He explained the plan includes objectives and actions in nine sectors: (1) Mobility, (2) Energy, (3) Land use and buildings, (4) Consumption and waste, (5) Food and agriculture, (6) Community engagement, (7) Government operations, (8) Advocacy, and (9) Climate change preparation (adaptation).

L. Heystek joined via teleconference participation at 7:20 p.m.

7:34 public comments

Kemble Pope and Stacey Frerichs, Climate Action Team; Shula Shoop, Lynne Nittler and Dorothy Petersen, Cool Davis Initiative; Judy Moores; Carolyn Kopper; Ashley speaking on behalf of Will Kline; Carolyn Hinshaw; and Lisa Mercatroy spoke in support of the CAAP. Comments included: request Council authorize making the Sustainability Coordinator a full time position (in addition to Open Space Coordinator) and more resources be invested into sustainability and climate change issues; realistic plan with the ability to scale up as financial resources become available; plan should be a living document; broad based community process with representation from diverse groups in community; plan will re-establish community as leader in this area and empower citizens to use tools available to reduce their own greenhouse gas; plan should be a top priority for implementation; and suggest looking at personal comfort level and see where changes can be made.

Saylor moved, seconded by S. Souza, to approve Resolution No. 10-072 - Adopting the Davis Climate Action and Adaptation Plan with the following addition after the Now Therefore Be It Resolved clause:

Be It Further Resolved, there will be quarterly reports or such other timeframes as Council may direct, to the City Council on status and

necessary implementation measures.

Be It Further Resolved, that the first quarterly update shall include identification of resources necessary to update the plan.

Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza, Asmundson

NOES: None

S. Greenwald moved, seconded by S. Souza, to direct staff to process a General Plan amendment establishing local greenhouse gas reduction targets and the development and implementation of a local plan to achieve the targets and prepare the community for a transitioning climate. Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza, Asmundson

NOES: None

City Council recessed at 9:19 p.m. and reconvened at 9:30 p.m.

Removed from Consent Calendar:

Resolution No. 10-073 - Authorizing the Interlocal Agreement Between the City of Davis and the County of Yolo to Reallocate the 2010 Byrne Justice Assistance Grant ("JAG") Toward the Continuation of the Yolo Narcotics Team Unit Administered by the Yolo County District Attorney

Item removed by B. Emlen.

Police Chief Landy Black explained that the grant funds will be reallocated by the city, along with all other participating/allocated Yolo County law enforcement agencies, to the Yolo County District Attorney's Office in support of narcotics enforcement.

David Greenwald spoke in opposition reallocating the grant funds. He stated a tremendous amount of resources are spent to put people into jail for offenses better treated as health issues; funding should be put towards counseling programs.

L. Black explained the grant closing period is June 30, 2010.

R. Asmundson suggested staff return with analysis and alternatives to finding solutions. L. Black stated he will collect data and return to Council with full scope of the issue.

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

1. Approve Resolution No. 10-073 - Authorizing the Interlocal Agreement Between the City of Davis and the County of Yolo to Reallocate the 2010 Byrne Justice Assistance Grant ("JAG") Toward the Continuation of the Yolo Narcotics Team Unit Administered by the Yolo County District Attorney
2. Direct staff to return to Council with details regarding operations of the Yolo Narcotics Enforcement Team (YONET) and crime statistics

Motion passed unanimously.

Fiscal Year 2010/11 Pro- posed Budget – Continued Dis- cussion and Council Direc- tion	<p>Assistant City Manager Paul Navazio provided an overview of the recommenda- tions included in the City Manager's FY2010/11 Proposed Budget.</p> <p>Council provided direction to staff on potential amendments to the proposed budget, including police staffing, RDA support for street rehabilitation, water and wastewater operations and maintenance and General Fund support for staff- ing in Community Development and Sustainability.</p> <p>City Manager Bill Emlen stated that based on direction, staff will come forward with a final budget proposal on June 15, 2010.</p> <p>L. Heystek left the meeting at 11:11 p.m.</p>
Public Hearing: Verona Subdi- vision Project Amendments – Revised Afford- able Housing Plan, Final Planned Devel- opment and Supplement and Amendment to Development Agreement	<p>B. Emlen recommended Council open and continue the public hearing to June 15, 2010.</p> <p>Mayor Asmundson opened the public hearing.</p> <p>Mark Siegler requested Council direct the Finance and Budget Commission to review the proposed amendments. Also, suggested the project should be fewer than 83 units and have no fee reductions.</p> <p>Bill Hartman, Regis Homes, stated the company started on the project in 2002, and it took until 2008 to get to 83 units approved. A modified supplemental fee is consistent with the last three projects approved and Regis is simply asking for parity of recent projects approved. Regis is ready to move forward this year if Council agrees to the proposed project modifications</p> <p>Mayor Asmundson closed the public hearing and continued it to June 15, 2010.</p>
Brief Commu- nications	<p>S. Souza spoke regarding pedestrian safety on bike paths, specifically seniors who have been hurt by bicyclists. Implored individuals to be courteous when biking.</p>
Long Range Calendar	<p>S. Greenwald requested staff bring back to Council a discussion on proposed regulations for bicyclists as related to pedestrian safety. Council concurred.</p>
Adjournment	<p>The meeting was adjourned at 11:24 p.m.</p>

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of June 1, 2010

The Redevelopment Agency Board of the City of Davis met in regular session beginning at 6:34 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Board Chair Asmundson. This meeting included teleconference participation by one Councilmember (Gov. Code Section 11125.4(c)). The teleconference location, in addition to the address above, is: 161 Georgia Way, San Leandro, CA 94577.

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

Public Comments None

Consent Calendar Contract Award for Second Street Corridor Improvements, CIP No. 8163 [ESPL 5238 (052)]
Informational

Redevelopment Agency Board Minutes from the Meetings of January 27, February 10 and September 8, 2009, and May 4, 11 and 18, 2010
Approved

D. Saylor moved, seconded by S. Souza, to approve the consent calendar as listed above. Motion passed by the following vote:
AYES: Greenwald, Saylor, Souza, Asmundson
NOES: None
ABSENT: Heystek

Fiscal Year 2010/11 Proposed Budget – Continued Discussion and Redevelopment Agency Board Direction L. Heystek joined via teleconference participation at 7:20 p.m.
Assistant City Manager Paul Navazio provided an overview of the recommendations included in the City Manager's FY2010/11 Proposed Budget.
Council provided direction to staff on potential amendments to the proposed budget, including police staffing, RDA support for street rehabilitation, water and wastewater operations and maintenance and General Fund support for staff-

ing in Community Development and Sustainability.

City Manager Bill Emlen stated that based on direction, staff will come forward with a final budget proposal on June 15, 2010.

Adjournment The meeting was adjourned at 11:24 p.m.

Zoe S. Mirabile, CMC
City Clerk