The City Council of the City of Davis met in regular session beginning at 5:00 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 Labor Negotiators:
   Agency Designated Representatives: City Manager Bill Emlen, Assistant City Manager Paul Navazio, Human Resources Administrator Melissa Chaney, City Attorney Harriet Steiner
   Employee Organization: Davis Police Officers Association (DPOA)

2. Conference with Legal Counsel – Existing Litigation:
   A. In re Davis Area Cooperative Housing Association, United States Bankruptcy Court, Eastern District of California, Sacramento Division, Case No. 10-30314-E-11
   B. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424

3. Conference with Real Property Negotiators:
   Property: Stanley Easement; APN 033-110-059-000
   Negotiating Parties: Lance Jeffrey Stanley and Sarah Hilea Stanley, as Trustees of the Stanley Revocable Living Trust
   Agency Negotiators: City Attorney Harriet Steiner and Sustainability Program Manager Mitch Sears
   Under Negotiation: Price and terms of payment

City Council returned to open session at 6:30 p.m. Mayor Asmundson announced there was no reportable action.

Approval of Agenda

L. Heystek moved, seconded by D. Saylor, to approve the agenda, amended as follows: City and Davis Community Church Memorandum of Understanding and Interfaith Rotating Winter Shelter Temporary Use Permit will be discussed before Continued Public Hearing: Verona Subdivision Project Amendments. Motion passed unanimously.

Ceremonial

Mayor Asmundson presented the following proclamations:
L. Heystek read Council Ground Rules into the record.

Steve Tracy, Old North Davis Neighborhood Association, spoke regarding regular item: City and Davis Community Church MOU and Interfaith Rotating Winter Shelter Temporary Use Permit. He requested the item be continued in order to accommodate neighborhood involvement.

Tim Randstrom spoke regarding consent calendar item: Second Reading of Ordinance Approving the First Supplement and Amendment to the Development Agreement Regarding the Willowbank Park Subdivision Project. He requested the item be removed from consent for full discussion by Council; remaining neighborhood issues include the location and outside edge of pedestrian path and agricultural buffer.

Norbie Kumagai thanked Mayor Asmundson for her many years of public service and wished her well following her final meeting as a Councilmember next week.

Mary Tsu requested Council consider alternatives to PG&E, including SMUD and community choice aggregates (CCA).

Resolution No. 10-081 - Authorizing the City Manager to Execute Agreement with Valley Instrumentation for Equipment Instrumentation Services of the Wastewater Treatment Plant, Program No. 7313
Approved

Resolution No. 10-082 - Authorizing the City Manager to Execute Consultant Agreement with Cunningham Engineering Corporation for Drummond Bicycle Crossing, CIP No. 8207
Approved

Plans, Specifications and Estimate; and Contract Award for Concrete Replacement, Program No. 7259 and CIP No. 8126
1. Approved plans and specifications
2. Approved Resolution No. 10-083 - Awarding Contract of $313,470.10 to Nor-Cal Concrete, Inc., and approving a construction contingency of $80,000

Resolution No. 10-084 - Authorizing the City Manager to Execute Contract with Robert Aaronson to Provide Police Ombudsman Services, for Fiscal Year 2010-11 in the amount of $50,000
Approved

Resolutions Fixing Tax Rates and Requesting Collection of Charges on Tax Roll
for Community Facilities Districts for Fiscal Year 2010/11:

1. Resolutions Fixing Tax Rates:
   A. No. 10-085 - Community Facilities District 1990-1
   B. No. 10-086 - Community Facilities District 1990-2
   C. No. 10-087 - Community Facilities District 1990-3
   D. No. 10-088 - Community Facilities District 1990-4
   E. No. 10-089 - Community Facilities District 1990-5
   F. No. 10-090 - Community Facilities District 1991-2
   G. No. 10-091 - Community Facilities District 2007-2

2. Resolutions Requesting Charges on Tax Rolls:
   A. No. 10-092 - Community Facilities District Series 2003 and 2009
   B. No. 10-093 - Community Facilities District 1991-2
   C. No. 10-094 - Community Facilities District 2007-2

Approved Resolutions and authorized Mayor to sign Certifications of Special Tax

Resolutions Nos. 10-095 – Determining Excess Funds and Directing Application Thereof University Research Park Assessment District and 10-096 – Requesting Collection of Charges on Tax Roll for the University Research Park Assessment District #1, Series 1993

Approved Resolutions and authorized Mayor to sign Certification of Assessment

Resolution No. 10-097 - Approving Award of the Davis Climate Change Art Competition and Location of Art Piece and Authorizing the City Manager to Enter Into Contract with Art and Environment for “Solar Filling Station”

Approved

Authorization to Sell or Lease Surplus Property at 921 Sycamore Lane

1. Made the following findings:
   A. That the disposition of surplus property at 921 Sycamore Lane is consistent with the adopted General Plan for location, purpose and extent of use as required by Government Code section 65402
   B. That the vacant property at 921 Sycamore Lane is Surplus Property and shall be disposed of following City of Davis Administrative procedure - 12.4a

2. Approved Resolution No. 10-098 - Declaring the Property at 921 Sycamore Lane Surplus and Authorizing the City Manager to Dispose of the Property

3. Directed staff to:
   A. Offer the property to agencies and bidders as outlined in the Administrative Procedure - 12.4a
   B. Record the Notice of Exemption for this action
   C. Return the sale proceeds from this vacant property to the Water Capital Replacement Fund and reimburse the Property Management program for the appraisal

Transportation Development Act Claims for Fiscal Year 2009-10

1. Approved Resolution No. 10-099 - Approving the City of Davis’ Claim for Transportation Development Act - Local Transportation Funds
2. **Approved Budget Adjustment #118**  
   (-$529,217) – Adjusting Revenues, Expenditures, and Sources of Funding to Reflect TDA Claim

   Budget Adjustments #102 ($234,709) and #109 ($6,792,271) – Allocating Pass Through Grant Funding to Unitrans and UC
   **Approved**

   Budget Adjustment #117 ($244,725) – Appropriating Interest Expenditures for Fiscal Year 2009-10 for Wastewater Treatment Plant and Cal I-Bank Debt Service Obligations
   **Approved**

   Budget Adjustment #123 ($57,648) – Allocating Funds to Fleet Services for Unbudgeted Repairs and Replacement for Five City Vehicles
   **Approved**

   Budget Adjustment #124 ($29,577) – Allocating Funds for Reimbursement of Centro Properties for Completion of Street Improvements
   **Approved**

   Budget Adjustment #126 ($19,375) – Allocating Funds to Support Project Development and Oversight of Planned Lighting and Energy Efficiency Upgrades in Selected Parking Facilities
   **Approved**

   Second Reading: Ordinance No. 2365 - Approving and Adopting the Final Budget of the City of Davis for Fiscal Year 2010/2011, 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 (Item also on Redevelopment Agency Board Consent Calendar)
   **Adopted** ( Introduced 06/15/2010 )

   Revised Job Specification – Code Compliance/Residential Resale Inspector I/II
   **Approved**

   Appointment of Inter-Commission Liaison from the Recreation and Park Commission to the Finance and Budget Commission
   **Ratified appointment of Charles Russell as liaison**

   Report on First Year Results from Playfields Park All Weather Field
   **Informational**

   Commission Minutes:
   1. Finance and Budget Commission Meeting of May 10, 2010
   2. Safety and Parking Commission Meeting of April 1, 2010
   3. Senior Citizens Commission Meeting of May 13, 2010
   4. Tree Commission Meeting of May 20, 2010
Informational

City Council Minutes from the Meetings of March 17, April 7, 14 and 21, May 5, 19 and 26, July 7, 14 and 21, and September 15, 2009; and January 12 and 19, and February 2 and 16, 2010

Approved

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

Item removed from consent calendar by staff.

Sustainability Program Manager Mitch Sears explained the Stanley Family offered to donate a farm easement to the City and Yolo Land Trust.

Michelle Clark, Yolo Land Trust Executive Director, stated this is an opportunity to conserve 80 acres of farm grounds less than 1 acre from the city limits.

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

1. Approve Resolution No. 10-100 - Approving the Acquisition of a Conservation Easement on the Stanley Farm and Authorizing the City Manager to Complete the Acquisition for the Purposes of Permanently Protecting the Agricultural Values and Open Space Character of the Property

2. Approve Budget Adjustment #127 ($82,000) – Allocating funding for acquisition

Motion passed unanimously.

Item removed from consent calendar by staff.

Principal Planner Mike Webb presented a diagram of the pedestrian path, explaining that the key reason for the location is to accommodate a shallow drainage swale effort to minimize runoff and sediment into drainage channel.

City Attorney Harriet Steiner indicated that the agendized item under discussion is only the Developer Agreement amendments related to modifications to affordable housing plan, and not a discussion of the path.

D. Saylor moved, seconded by R. Asmundson, to adopt Ordinance No. 2366 - Approving the First Supplement and Amendment to the Development Agreement Regarding the Willowbank Park Subdivision Project. Motion passed by the following vote:

AYES: Saylor, Souza, Asmundson

NOES: Greenwald, Heystek

S. Souza requested a review of the location of the path at a later date.

M. Webb summarized the improvements to the site grading and drainage work commencing, and explained that staff has authority to review and approve im-
plementation plans. If Council wants to explore moving the pathway further to the south, that will present a challenges, but is doable.

S. Souza moved, seconded by D. Saylor, to direct staff to locate path as far south as possible without creating any environment degradation of the channel by having runoff occur that would be more of a problem than the path being more to the north.

S. Greenwald moved substitute motion, seconded by L. Heystek, that the location of the path be agendized and brought back to Council for full discussion and Council decision. Substitute motion failed by the following vote:
AYES: Greenwald, Heystek
NOES: Saylor, Souza, Asmundson

Main motion passed by the following vote:
AYES: Saylor, Souza, Asmundson
NOES: Greenwald, Heystek

City and Davis Community Church (DCC) Memorandum of Understanding (MOU) and Interfaith Rotating Winter Shelter (IRWS) Temporary Use Permit (TUP)

Human Services Superintendent Danielle Foster explained that on January 12, 2010, Council directed the Council Subcommittee to revisit the MOU with Davis Community Church and review the Interfaith Rotating Winter Shelter’s Temporary Use Permit to consider eliminating service caps, basing any limitations on safety/fire code restrictions, and to consider removing reporting requirements of these services. She outlined the provisions of the proposed updated MOU.

S. Greenwald moved to postpone discussion of this item until September. No second.

Public Comments:
• Dorrie Rudd - DCC zoning history: conditional use status from 1939-1996--same as all other churches in town, permitted use for 13 years due to oversight by City Council in 1996. Oversight needs to be corrected. Subcommittee was not able to meet with D Street neighborhood representatives, resulting in neighborhood left out of process. Item should be tabled and placed on future agenda.
• Unidentified individual - Supports providing lockers for homeless at DCC.
• Ken Swicker – Proposed changes strip MOU of any and all benefits and protections to neighborhood. Homeless service programs should be spread throughout city; concentrated services create an impact too great for D Street neighborhood.
• Amanda Kimble and Nate Strickland - Supports homeless services provided by DCC and other groups downtown.
• Mary Lynn Tobin, DCC Pastor - Thanked Councilmembers Asmundson and Greenwald (subcommittee members) and city staff for help in working through MOU process. Thanked community members for support of DCC. DCC prepared to assist in any way possible for future endeavors of
• Bernie Goldsmith - City shouldn’t interfere between private charitable organizations and the needy that are being served.
• Emily Henderson and Alex Vockle - Supports MOU, removes limitations and creates process for developing new programs.
• Norbie Kumagai – Supports inter-faith shelter program. Request limitations regarding expansion of social services be removed from MOU.

City Council recessed at 8:00 p.m. and reconvened at 8:10 p.m.

D. Saylor moved, seconded by R. Asmundson, as follows:
1. Approve Resolution No. 10-101 - Repealing Resolution No. 09-190 and Adopting a Revised Memorandum of Understanding with Davis Community Church Regarding Social Services for Persons Who Are Homeless or At-Risk of Homelessness
2. Direct staff to return to Council in June 2011 for review of experience after all stakeholders/participants have the opportunity to experience the MOU in practice.

S. Greenwald proposed a substitute motion to postpone item a few weeks until Brad Schaffer (neighborhood representative) returns to town. No second.

D. Saylor amended motion: Check-in no later than June 2011. Accepted by second. Main motion passed by the following vote:
AYES: Heystek, Saylor, Souza, Asmundson
NOES: None
ABSTAIN: Greenwald

By consensus, Council requested a report from the Police Department on methamphetamine use downtown and impact on neighbors.

D. Saylor moved, seconded by L. Heystek, as follows:
1. Indicate support for the proposed changes to the Temporary Use Permit for the Interfaith Rotating Winter Shelter when it is filed for the upcoming year
2. Direct the Fire Marshall to provide further analysis on capacities (maximum occupant load)
Motion passed unanimously.

D. Saylor moved, seconded by L. Heystek, that with the end of Mayor Asmundson’s term, amend the existing City Council Subcommittee membership to include Councilmember Souza (subject to 2010-12 liaison assignments), and direct Subcommittee to continue work on broader questions, concerns, and planning needs regarding local households who are homeless and at-risk of homelessness. Motion passed unanimously.

City Council recessed at 8:44 p.m. and reconvened at 8:47 p.m.
City Manager Bill Emlen explained that the Verona project was originally approved in July 2008 with 83 housing units, anticipated to begin construction in August 2010. The developer is seeking modifications prior to construction start date including reduced supplemental fees, modifications to the affordable housing plan, inclusion of greenhouse gas emission features and deferring water and sewer connection fees.

Planner Cathy Camacho outlined the application submitted by Regis Homes and staff recommendation. She indicated staff and developer are seeking guidance from Council regarding future development of parkland.

Mayor Asmundson opened the public hearing.

Public Comments:

- Bill Hartman, Regis Homes - Support staff recommendation except for amount of supplemental fees. Projects approved since Verona have substantially lowered fees. Current supplemental fee is $12,000 per market rate unit—subsequent projects approximately $1,000-$3,000/unit. Request parity on supplemental fees for comparative projects.

S. Greenwald requested neighborhood representative receive equal time as developer (10 minutes allotted; only used 6 ½ minutes). R. Asmundson overruled request. Neighborhood representative to receive 5 minutes.

S. Greenwald moved to override ruling of Chair to designate 5 minutes for public comment from neighborhood resident. Motion failed due to lack of second.

- Mark Siegler – Neighborhood Association was not contacted regarding proposed changes. Request wider greenbelt. Support safe traffic access for bicycles and pedestrians.
- Dan Ramos, Mace Ranch Investors – Project has been almost 8 years in the making. Ideal infill site.
- David Greenwald – Concerned over proposed modifications. Developer will make a lot of money from project. Council needs to carefully consider finances of City before authorizing concessions to developers.
- Carolyn Wilson, neighbor – Project too dense for neighborhood. Request wider greenbelt.
- Chuck Cunningham, Cunningham Engineering – Supplemental fees: Chiles Ranch project is similar to Verona. Verona’s supplemental fees are 4 times higher. Project will help support local businesses and jobs.

D. Saylor moved, seconded by S. Greenwald to:
1. Introduce Ordinance Approving an Eighth Supplement and Amendment to the Mace Ranch Development Agreement Regarding the “Verona Parcel”
2. Approve Revised Affordable Housing Plan #5-04B and Revised Final Planned Development #13-04B, based on findings and subject to conditions of approval
3. Accept the Recreation and Park Commission recommendation to eliminate the 1.087 acres of parkland dedication required for the project and require payment of park in-lieu fees for the 83 approved units and any additional units developed in the parkland parcel. Direct applicant to submit a new application for Lot “O” that incorporates the following:
   A. Up to 13 residential units (96 total units for the subdivision) with a commercial/mixed use parcel at entry on Alhambra Drive
   B. Modify or eliminate lots 75, 76 and 77 in order to widen the greenbelt to be more consistent with the average width of the rest of greenbelt

With exceptions as follows:
Developer agrees to increase supplemental contribution to $12,000 for 17 units previously designed as middle income and 4 low/moderate income units re-designated to market rate. Significant increase to greenbelt buffer for lots 75, 76 and 77.

L. Heystek moved to separate the question. Motion failed due to lack of second.

Phil Hartman, Regis Homes, stated that reconfiguring lots 75, 76 and 77 is problematic; plans already submitted to city and agreement may depend somewhat on how lots are reconfigured.

R. Asmundson suggested separate the question. D. Saylor concurred. Motion withdrawn.

D. Saylor moved, seconded by L. Heystek, to modify Development Agreement as follows: Development Agreement should include $12,000 supplemental fee for 17 units previously designated as middle income.

L. Heystek proposed a substitute motion, seconded by S. Souza, to require $12,000 supplemental fee for 17 units previously designated as middle income and 4 low/moderate income units re-designated as market rate, and require re-configuration or elimination of lots 75, 76 and 77. Substitute motion passed by the following vote:
   AYES: Greenwald, Heystek, Saylor, Souza
   NOES: Asmundson

D. Saylor moved, seconded by S. Souza, as follows:
1. Introduce Ordinance Approving an Eighth Supplement and Amendment to the Mace Ranch Development Agreement Regarding the “Verona Parcel”
2. Approve Revised Affordable Housing Plan #5-04B and Revised Final Planned Development #13-04B, based on findings and subject to conditions of approval

Motion passed by the following vote:
   AYES: Greenwald, Saylor, Souza, Asmundson
   NOES: Heystek

L. Heystek moved, seconded by S. Greenwald, to retain the parkland dedication requirement of 1.087 acres.
D. Saylor moved substitute motion, seconded by R. Asmundson, to accept the Recreation and Park Commission recommendation to eliminate the 1.087 acres of parkland dedication required for the project and require payment of park in-lieu fees for the 83 approved units and any additional units developed in the parkland parcel. Direct applicant to submit a new application for Lot “O” that incorporates the following:

1. Up to 13 residential units (96 total units for the subdivision) with a commercial/mixed use parcel at entry on Alhambra Drive
2. Modify or eliminate lots 75, 76 and 77 in order to widen the greenbelt to be more consistent with the average width of the rest of greenbelt with direction to staff to look at additional housing, some commercial and consider a community amenity such as neighborhood garden incorporated into site.

Harriet Steiner stated that the decision on parkland dedication does not have to be made tonight.

D. Saylor withdrew his motion.

S. Souza moved, seconded by R. Asmundson, to direct staff and developer to work on plan for Lot O that incorporates a neighborhood-serving amenity, along with residential units as well as payment of park in-lieu fees.

S. Souza clarified motion: neighborhood-serving amenity shall not be commercial in nature. R. Asmundson accepted clarification. Motion passed by the following vote:
AYES: Saylor, Souza, Asmundson
NOES: Greenwald, Heystek

S. Greenwald moved, seconded by L. Heystek, to specify that greenbelt shall be a minimum of 50 feet. Motion failed by the following vote:
AYES: Greenwald, Heystek
NOES: Saylor, Souza, Asmundson

S. Souza suggested that the city should develop a supplemental fee policy that would be applicable to every project and understandable by applicants. B. Emlen stated staff will have to analyze the legal issues.

B. Emlen indicated the ordinance will come back for a second reading if developer agrees to modifications. If developer does not agree, item will have to return to Council.

Brief Communications
B. Emlen: The City has until next Tuesday to file a protest regarding the PG&E proposal to upgrade transmission lines between Davis and Woodland.

H. Steiner: PG&E applied to change out most poles on transmission line from wood to metal, approximately 15 feet higher. Currently in contact with City of Woodland regarding a potential joint protest.
S. Souza: DJUSD Board swore in new Superintendent Winfred Roberson.

R. Asmundson: Visited Sister City Wuxi, China

B. Emlen: Wastewater Treatment Plant workshop scheduled on July 20

S. Souza: November ballot includes Prop 16 Water Bond. Request consideration of resolution in opposition to water bond. Sample prepared already.

S. Souza: Consider forming an Energy Task Force. Need evaluation of potential tasks = community choice aggregation or municipal utility district.

L. Heystek: Item submitted by Councilmember. Amendment to Records Retention Schedule.


Adjournment The meeting was adjourned at 10:59 p.m.

Zoe S. Mirabile, CMC
City Clerk
The Redevelopment Agency Board of the City of Davis met in regular session beginning at 5:00 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor 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

Closed Session The Redevelopment Agency Board convened a closed sessions pursuant to Government Code §54954.5 to discuss the following:

A. Conference with Legal Counsel – Existing Litigation.
   1. In re Davis Area Cooperative Housing Association, United States Bankruptcy Court, Eastern District of California, Sacramento Division, Case No. 10-30314-E-11
   2. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424

B. Conference with Real Property Negotiators:
   Properties: 5524 Marden Street
   3159, 3165, 3186, 3192, & 3198 Albany Circle
   2019 Arena Drive
   5503, 5509, 5515, 5521, 5527, 5533 & 5539 Tufts Street
   2301, 2303, 2305, 2307, 2309 & 2311 Glacier Place

   Negotiating Parties: Davis Area Cooperative Housing Association (DA-CHA)

   Agency Negotiators: City Attorney Harriet Steiner, City Manager Bill Emlen, Housing & Human Services Superintendent Danielle Foster

   Under Negotiation: Price and terms of payment

The Board returned to open session at 6:30 p.m. Mayor Asmundson announced there was no reportable action.

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

Public Comments None

Consent Calendar Budget Adjustment #122 ($150,000) – Allocating Redevelopment Agency Housing Set-Aside funds for Agency legal expenses related to the production and preservation of affordable housing (Community Services Director Elvia
Approved

Second Reading: Ordinance No. 2365 - Approving and Adopting the Final Budget of the City of Davis for Fiscal Year 2010/2011, 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 (Item also on Redevelopment Agency Board Consent Calendar)

Adopted (Introduced 06/15/2010)

Redevelopment Agency Board Minutes from the Meetings of March 17, April 7, 14 and 21, May 5 and 19, and July 7, 2009; and February 16, 2010

Approved

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

Adjournment

The meeting was adjourned at 10:59 p.m.

Zoe S. Mirabile, CMC
City Clerk