

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of August 2, 2010

The City Council of the City of Davis met in regular session beginning at 8:30 a.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. This meeting included teleconference participation by one Councilmember (Government Code §54953). The teleconference location, in addition to the address above: Twiddy Properties, 1142 Ocean Trail, Corolla, NC 27927. The meeting was called to order by Mayor Saylor.

Roll Call: Councilmembers Present: Sue Greenwald, Joe Krovoza (teleconference participation), Don Saylor, Stephen Souza, Rochelle Swanson

Councilmembers Absent: None

Other Officers Present: Assistant City Manager Paul Navazio, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda D. Saylor requested Council defer until September 7, 2010 the following consent calendar items:
1. Resolution Authorizing the City Manager to Execute Agreement Between County of Yolo and City of Davis for Animal Control Services
2. Proposed Updates to Entitlement Review Processes

S. Greenwald moved to discuss how to proceed with item regarding Proposed Updates to Entitlement Review Processes, would like to propose changes to staff recommendation. No second.

S. Souza moved, seconded by R. Swanson, to approve the agenda as modified to remove item regarding Animal Control Services Agreement and moving Proposed Updates to Entitlement Review Processes to inclusion with discussion for long range calendar.

S. Greenwald proposed friendly amendment for discussion of calendar to include suggestions as to how staff should proceed. Accepted by mover and second. Motion passed unanimously.

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 for a Conference with Legal Counsel to discuss the following 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
C. California Public Utilities Commission: Woodland-Davis 115 kV Pole Replacement Project Advice Letter 3688-E. Protest from the City of Davis.

City Council returned to open session at 9:20 a.m. with no reportable action.

Public Comments

- Dan Berman – support Council consideration of public power
- Casey Wallace - submitted correspondence for Council consideration regarding the Animal Control Services Agreement

Consent Calendar

Resolution No. 10-123 - Establishing City Council Priority Goal Areas for 2010-2012

Approved

Administration of UCD Child Care Subsidy Program

1. Approved Resolution No. 10-124 - Authorizing the City Manager to Enter Into an Amendment with the University of California, Davis
2. Approved Budget Adjustment #3 (\$52,333) – Increasing FY2010-11 Budgeted Revenue Based on Actual Amount Received (more than estimated)

Administration of Yolo County CalWORKs Child Development Services Program

1. Approved Resolution No. 10-125 - Authorizing the City Manager to Enter Into an Agreement with the Yolo County Department of Employment and Social Services
2. Approved Budget Adjustment #4 (-\$427,461) – Reducing FY2010-11 Budgeted Revenue Based on Actual Amount Received (less than estimated)

Sixth and G Streets Maintenance Hole Rehabilitation, CIP No. 8204

1. Approved Resolution No. 10-126 - Awarding Contract of \$66,130 to Arrow Construction for, with a construction contingency of \$6,613
2. Approved Budget Adjustment #6 (\$37,000) – Allocating Sanitary Sewer Line Rehabilitation Funds for Remainder of Construction Costs

2010 Road Rehabilitation, Program No. 7252 [STPL 5238(054)]

1. Approved Budget Adjustments #142-FY09/10 (-\$116,231) and #7 (\$116,231) - Transferring funds budgeted for the project from FY09/10 to FY10/11
2. Approved Resolution No. 10-127 - Awarding Contract of \$408,231.10 to Teichert Construction, with a construction contingency of \$28,000

Bike Path Reconstruction and Rehabilitation-2010, Program No. 7252

1. Rejected bid from Hemington Landscape Services as non-responsive
2. Approved Budget Adjustments #141-FY09/10 (-\$956,000) and #8-FY10/11 (\$956,000) – Transferring funds budgeted for the project from FY09/10 to FY10/11
3. Approved Resolution No. 10-128 - Awarding Contract of \$824,000 to Lister Construction, with a construction contingency of \$82,000]

Budget Adjustment #143-FY09/10 (\$551,623) – Appropriating Capital Replacement Funds for Water Well 34, CIP No. 8174

Approved

New/Revised Job Specifications

New: Accountant, Accounting Technician, Budget Specialist I/II, and Accounting Assistant/Senior Account Assistant

Revised: Financial Supervisor and Financial Planning Specialist

Approved

R. Swanson moved, seconded by S. Souza, to approve consent calendar as listed above. Motion passed unanimously.

Removed from Consent Calendar:

Removed from consent by S. Greenwald.

Interim Agreement for City Attorney Services

Interim City Manager Paul Navazio outlined the agreement and explained this will ensure continuity of attorney services.

D. Saylor stated that Council Subcommittee (Saylor/Swanson) is actively evaluating options regarding city attorney services.

D. Saylor moved, seconded by S. Souza, to approve Resolution No. 10-129 - Authorizing the City Manager to Enter Into Interim Agreement for City Attorney Services . Motion passed unanimously.

Consideration of Phased Implementation of Facility Rental Fees for Ongoing Facility User Community Organizations for Fiscal Year 2010-2011

Community Services Superintendent Christine Helweg explained that the city received a request from a community organization to consider postponing implementation of the approved facility rental fees, adopted on May 4 with effective date of July 1. Staff recommends the increased fees be phased in over the next 12 months for ongoing user community groups in order to allow groups time to make adjustments to their annual budgets; 50% of the approved fee to be effective from July 1 through December 31, 2010 and the remaining 50% on January 1, 2011.

S. Souza moved, seconded by R. Swanson, as follows:

1. Re-affirm the FY2010-11 facility rental fees as previously approved by Council on May 4, 2010 per the amended Facilities Cost Recovery Policy for community organizations and private users
2. Approve Resolution No. 10-130 - Authorizing Phased Implementation of Facility Rental Fees for Ongoing Community Groups for FY2010-2011

Motion passed unanimously.

Memorandum of Understanding with Davis Police Officers Association (DPOA)

Human Resources Administrator Melissa Chaney outlined specifics of the proposed two-year labor contract with DPOA, includes both sworn and civilian employees.

S. Souza moved, seconded by R. Swanson, as follows:

1. Approve Resolution No. 10-131 - Adopting Memorandum of Understanding with DPOA
2. Approve new/revised job descriptions - New: Police Corporal; Revised: Police Officer and Sergeant

Motion passed by the following vote:

AYES: Krovoza, Souza, Swanson, Saylor
NOES: Greenwald

Designation of Voting Delegate and Alternate(s) for the League of California Cities Annual Conference – September 15-17, San Diego

S. Greenwald moved, seconded by R. Swanson, to appoint R. Swanson as the regular voting delegate with S. Greenwald and J. Krovoza as alternates. Motion passed unanimously.

Saylor requested Council agenda discussion of the proposed League of California Cities Conference Resolutions on September 7, 2010. Council concurred.

Removed from Consent Calendar:

Removed from consent by S. Greenwald.

Establishing a Sister City Ambassador to Represent & Coordinate Davis Sister City Activities & Appointing Ruth Asmundson as the First Ambassador

Deputy City Manager Kelly Stachowicz outlined the proposal for a Sister City Ambassador, and explained that staff has been reduced and can no longer fulfill time commitments.

S. Greenwald moved, seconded by S. Souza, to approve Resolution No. 10-132 - Establishing a Sister City Ambassador to Represent and Coordinate City of Davis Sister City Activities and Appointing Ruth Asmundson as the First Ambassador, as amended to modify language in Resolve 1B as follows: change “dispatching” to “planning.”
Motion passed unanimously.

Second Reading: Ordinance Amending Chapter 22, Article 16 of the Davis Municipal Code Relating to the Parking of Electric and Car Share Vehicles in Specially Designated Parking Spaces – Zipcar Car Sharing Pilot Program

Removed from consent by S. Greenwald.

S. Greenwald moved, seconded by S. Souza, to reconsider the Zipcar contract (approved on July 27, 2010) and add discussion item to the agenda on an emergency basis.

Motion failed by the following vote (required 4/5th vote):

AYES: Souza, Swanson, Greenwald
NOES: Krovoza, Saylor

S. Souza moved, seconded by D. Saylor, to adopt Ordinance No. 2368 - Amending Chapter 22, Article 16 of the Davis Municipal Code Relating to the Parking of Electric and Car Share Vehicles in Specially Designated Parking Spaces – Zipcar Car Sharing Pilot Program (Introduced 07/27/2010).

Motion passed by the following vote:

AYES: Krovoza, Souza, Swanson, Saylor
NOES: None
ABSTAIN: Greenwald

- Long Range Calendar S. Greenwald moved, seconded by R. Swanson, to direct staff to schedule a Council workshop regarding the Proposed Updates to Entitlement Review Processes, to discuss proposals to streamline the process and maintain planning control. Motion passed unanimously.
- R. Swanson moved, seconded by S. Greenwald to approve the Long Range Calendar. Motion passed unanimously.
- Brief Communications D. Saylor attended the ceremony to relocate homes from B Street to J Street for the Solar Community Housing Association project.
- Adjournment The meeting was adjourned at 11:13 a.m.

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of August 2, 2010

The Redevelopment Agency Board of the City of Davis met in regular session beginning at 8:30 a.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. This meeting included teleconference participation by one Councilmember (Government Code §54953). The teleconference location, in addition to the address above: Twiddy Properties, 1142 Ocean Trail, Corolla, NC 27927. The meeting was called to order by Board Chair Saylor.

Roll Call: Board Members Present: Sue Greenwald, Joe Krovoza (teleconference participation), Don Saylor, Stephen Souza, Rochelle Swanson
Board Members Absent: None
Other Officers Present: Assistant Executive Director Paul Navazio, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda S. Souza moved, seconded by R. Swanson, to approve the agenda. Motion passed unanimously.

Public Comments None

Consent Calendar RDA Resolution No. 1242 - Approving a Tenant Selection Process for Initial Occupancy of the Solar Community Housing Association Cooperative Affordable Housing Project at 233 and 239 J Street
Approve

R. Swanson moved, seconded by S. Souza, to approve consent calendar as listed above. Motion passed unanimously.

Consideration of Providing Automotive Dealer Financing to Hanlees Volkswagen Administrative Analyst Stacey Winton explained the city received a request for assistance with the financing of a new dealership and rehabilitation of the Hanlees Ford Dealership site at 5000 Chiles Road.

RDA Counsel Brent Hawkins explained the loan will be made by RDA, but the city receives all sales tax; when sales tax is generated in excess of \$100,000, that amount will be credited to loan payment.

Public Comment:

- Elaine Roberts-Musser - support commercial development, city needs more details

R. Swanson moved, seconded by S. Souza, as follows:

1. Council received options for the Agency to provide financial assistance for locating a new auto dealership at a vacated/blighted parcel within the project area

2. Approve RDA Resolution No. 1243 - Authorizing the Executive Director to Execute an Owner Participation Agreement with Hanlees Partners; with a caveat that the loan will be for a 10-yr term, 3.5% interest, with principal and interest payments to be paid the first year
3. Approve Budget Adjustment #5 (\$1,000,000) – Allocating Redevelopment-Economic Development funds

Motion passed unanimously.

Adjournment The meeting was adjourned at 11:13 a.m.

Zoe S. Mirabile, CMC
City Clerk