

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of October 13, 2009

The City Council of the City of Davis met in regular session beginning at 5:15 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Pro Tem Saylor.

Roll Call: Councilmembers Present: Sue Greenwald, Lamar Heystek, Don Saylor, Stephen Souza

Councilmembers Absent: Ruth Asmundson

Other Officers Present: City Manager Bill Emlen, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Closed Session City Council convened a closed session for a Conference with Labor Negotiators pursuant to Government Code §54954.5:  
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 Employees Association; Davis Police Officers Association; Department Heads; Executive and General Management; Firefighters Local 3494; Police Lieutenants; Program, Administrative and Support Employees Association.

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

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

Ceremonial Presentations Councilmember Greenwald presented Proclamation Recognizing HopeWalks Davis was presented by Councilmember

Councilmember Heystek presented Proclamation Recognizing United Nations Day 2009. Davis High School Advanced Treble Choir performed "Somewhere Out There."

Public Comments Ernie Head spoke regarding the consent calendar item Recreation and Park Commission Recommendation to Install Photographs of Former Veterans of Foreign Wars Post Commanders in the Veterans Memorial Center Club Room; stated this item was agendized prematurely, as it had not been discussed at a meeting of the VFW membership, and requested Council postpone considera-

tion of this item.

Janice and Adam Bridge announced that they were appointed to serve as citizen liaisons to Davis for the Census 2010.

Elaine Roberts-Musser stated commissions should have the opportunity to weigh in early regarding housing development proposals, and that the city should have a clear process for developers to follow.

Francis Resta, VFW Post 6949, stated he was officially representing the VFW Post and Commander, and requested Council approve the recommendation regarding the VFW photograph installation.

David Thompson and Luke Watkins, Neighborhood Partners, spoke regarding city funding commitments to Davis Area Cooperative Housing Association (DACHA). They stated DACHA Board activities have not been monitored properly and requested the city to perform an audit of recent financial statements.

Consent Calendar

Resolution No. 09-168 - Adopting the City of Davis Bicycle Plan  
Approved resolution and directed staff to pursue all opportunities to implement the Bicycle Plan goals

SACOG Bicycle/Pedestrian Grant Application Priorities – 2009/10 Funding Cycle

1. Directed staff to submit applications for the Drummond Bikeway Grade-Separated Crossing and the Fourth and Eighth St Railroad Crossings Bike/Ped Improvements for the SACOG Grant Program
2. Approved Resolution No. 09-169 - Approving the Application for Grant Funds from SACOG Bicycle and Pedestrian Program for the Drummond Undercrossing and the Railroad Crossings at Fourth and Eighth Streets

Resolution No. 09-170 - Authorizing the City Manager to Enter into a Temporary Lease with the Redevelopment Agency for the 3<sup>rd</sup> and B Building Located at 303 Third Street. Item also on Redevelopment Agency Consent Calendar  
Approved

New Job Specification – Irrigation Specialist  
Removed from agenda by staff

Commission Minutes (informational only):

1. Business and Economic Development Commission Meetings of June 22 and July 27, 2009
2. Civic Arts Commission Meeting of July 13, 2009
3. Historical Resources Management Commission Meeting of July 20, 2009
4. Human Relations Commission Meeting of July 23, 2009

5. Open Space and Habitat Commission Meeting of June 1, 2009
6. Social Services Commission Meetings of May 18, June 15 and July 20, 2009

Informational

Commission Minutes (action item): Civic Arts Commission Meeting of September 14,  
Accepted minutes as informational and approved Commission recommendation to not renew the City’s contract with the Pence Gallery past the expiration date of October 31, 2009

Proclamation in Recognition of October as Fire Prevention Month  
Informational

Budget Adjustment #7 (\$363,086) – Allocating Federal Byrne Justice Assistance Grant (“JAG”) Award Funds  
Approved

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

Removed from  
 Consent Calendar:

Item removed by S. Greenwald.

Recreation and  
 Park Commission  
 Recommendation to  
 Install Photographs  
 of Former Veterans  
 of Foreign Wars  
 Post Commanders  
 in the Veterans  
 Memorial Center  
 Club Room

Community Services Superintendent Christine Helweg explained VFW Post 6949 representatives presented a proposal seeking authorization to rename the Veterans Memorial Center Club Room to “Commanders Room” and install framed photographs (approximately 43) of their former Post Commanders along the top perimeter of the room. The Recreation and Park Commission reviewed the proposal and recommended conditions.

Ernie Head questioned how a decision can be made before the VFW membership has decided on a final product.

Francis Resta stated the membership has voted to support the Recreation and Parks Commission recommendations.

S. Greenwald moved, seconded by L. Heystek, to approve Recreation and Park Commission recommendation to authorize the installation of photographs of former Veterans of Foreign Wars (VFW) Post Commanders in the Club Room of the Veterans Memorial Center with the following conditions:

- Photograph display is consistent and complimentary in nature to the existing décor of the Club Room
- Photograph display excludes the 8x10 photographs along the top perimeter

of the Club Room in lieu of an alternate design yet to be determined by the VFW and city staff

- The full cost of the photographic display and installation is to be assumed in whole by the VFW

Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza

NOES: None

ABSENT: Asmundson

Public Hearing:  
Resolution Au-  
thorizing the  
City Manager to  
Execute a Power  
Purchase  
Agreement and  
Associated Fi-  
nancing Docu-  
ments with  
SunEdison, LLC,  
for the City of  
Davis Solar  
Photovoltaic Pro-  
ject

Senior Civil Engineer Michael Lindquist provided details of the power purchase agreement (PPA), the city hosts the system and contracts with a vendor to design/build/own/operate the system; no capital outlay required, city purchases electrical energy produced by the solar project for a fixed term at a specified rate.

Mayor Pro Tem Saylor opened the public hearing, and after no comments, closed the public hearing.

S. Souza moved, seconded by S. Greenwald, to approve Resolution No. 09-171 - Authorizing the City Manager to Execute a Power Purchase Agreement and Associated Financing Documents with SunEdison, LLC, for the City of Davis Solar Photovoltaic Project. Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza

NOES: None

ABSENT: Asmundson

D. Saylor requested Council agenda review of selection process and whether city wants to incentivize locally owned companies and employees for larger scaled projects. Council concurred.

Resolution No.  
09-172 - Ap-  
proving the  
Davis-Woodland  
Alternative  
Transportation  
Corridor Final  
Feasibility Study

Senior Civil Engineer Roxanne Namazi outlined the potential routes for an alternative transportation corridor, and presented amended staff recommendation to include both options in environmental review and preliminary design.

Petrea Marchand, City-County Affairs Yolo County, explained the pursuit of a route along the rail road tracks may run into problems, Option 2 only requires the acquisition of 12 parcels (as opposed to Option-1, requiring the acquisition of 18 parcels.). Potential for SACOG grant funding; recommends Council approves both options tonight, then possibly scale back project at a later date.

S. Souza moved, seconded by D. Saylor, approve Resolution No. 09-172 - Approving the Davis-Woodland Alternative Transportation Corridor Final Feasibility Study, which takes the following actions:

1. Confirms that the City is willing to be the lead agency for the acquisition of necessary rights-of-way to provide for the proposed corridor improvements
2. Confirms that the City is willing to be the lead agency for environmental

clearance of the project

Further, direct staff to amend the proposed resolution for equal weight alternative for 2 options, align recommendation with that of the County Board of Supervisors. Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza

NOES: None

ABSENT: Asmundson

City Council recessed at 8:17 p.m. and reconvened at 8:24 p.m.

General Plan  
Update Options

Principal Planner Bob Wolcott presented information on previous Council discussions/actions related to a General Plan update and outlined options to consider.

James Kidd suggested Council consider “wards” of the city when prioritizing long range planning efforts. Is downtown still the most important commercial center? Determine answer through questionnaires.

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

1. Continue to explore grants or other funding sources for a General Plan update or parts of an update
2. Continue to monitor the requirements evolving from the State of California climate change legislation and their effect on General Plan updates and related environmental impact reports
3. Acknowledge and continue the long range planning efforts underway which may lead to General Plan amendments or be incorporated into a future long-range comprehensive update including but not limited to the Climate Action and Adaptation Plan, Parks Master Plan, Business Park Strategy, and Senior Housing Strategy
4. Return in early 2010 to re-visit potential funding options as part of the 2010-2011 budget cycle

S. Greenwald moved substitute motion, seconded by L. Heystek, to agendaize discussion regarding implementing a climate action element of the General Plan and postpone all other elements.

S. Greenwald clarified substitute motion: direct staff to pursue funds only for limited updates, not comprehensive.

L. Heystek proposed friendly amendment to clarify the motion as follows: develop strategy for limited General Plan update that incorporates existing planning efforts. Accepted by mover. Motion failed by the following vote:

AYES: Greenwald, Heystek

NOES: Saylor, Souza

ABSENT: Asmundson

D. Saylor proposed friendly amendment to the main motion to remove the following: Continue to explore grants or other funding sources for a General Plan update or parts of an update. Accepted by mover. Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza

NOES: None

ABSENT: Asmundson

## Freeway Sign Options

(Joint Discussion with Redevelopment Agency Board)

Community Development Director Katherine Hess explained the owner of the Olive Drive sign has proposed to convert that sign to a “tri-vision” configuration and expand advertising opportunities to businesses other than those in South Davis Plaza.

Matt Rogers, Rogers Greening Company, stated tri-visions have changeable feel, downtown businesses will have signage on one façade for life of development agreement, and willing to entertain negotiations for content of signs.

S. Greenwald moved, seconded by L. Heystek, to direct staff to apply to Caltrans for removal or pruning of trees blocking visibility of the Chiles Road sign, and then proceed to look at ways to improve visitability of that sign which may or may not include zoning changes

D. Saylor proposed friendly amendment to direct staff to pursue the application to Caltrans (or to the City of Davis) for removal or pruning of the trees blocking visibility of the Chiles Road sign. Accepted by mover and second.

S. Souza moved substitute motion, seconded by D. Saylor, to direct staff to pursue:

1. Zoning ordinance changes necessary to allow modification of existing freeway signs that allow use as Redevelopment Agency signs and limit advertising to businesses located within the Redevelopment Area consistent with Caltrans regulations
2. Negotiations with the owner of the Olive Drive sign to amend the settlement agreement to allow the sign to be used as a Redevelopment Agency sign
3. Negotiations with the media company to evaluate opportunities for converting the existing Redevelopment Agency sign to a tri-vision sign
4. Submitting an application to Caltrans to re-designate the Chiles Road sign from a directional sign to a Redevelopment Agency sign, and to a tri-vision sign
5. Application to Caltrans (or to the City of Davis) for removal or pruning of the trees blocking visibility of the Chiles Road sign

D. Saylor proposed friendly amendment to include fee and content provisions in the negotiations with the owner of the sign. Accepted by mover.

L. Heystek moved substitute, substitute motion, seconded by S. Greenwald, to direct staff to pursue:

1. Submitting an application to Caltrans to re-designate the Chiles Road sign from a directional sign to a Redevelopment Agency sign, and to a tri-vision sign
2. Application to Caltrans (or to the City of Davis) for removal or pruning of the trees blocking visibility of the Chiles Road sign

D. Saylor proposed friendly amendment to include negotiations with the media company to evaluate opportunities for converting the existing Redevelopment Agency sign to a tri-vision sign. Accepted by mover and second. Motion passed by the following vote:

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

S. Souza moved, seconded by D. Saylor, to direct staff to pursue:

1. Zoning ordinance changes necessary to allow modification of existing free-way signs that allow use as Redevelopment Agency signs and limit advertising to businesses located within the Redevelopment Area consistent with Caltrans regulations
2. Negotiations with the owner of the Olive Drive sign to amend the settlement agreement to allow the sign to be used as a Redevelopment Agency sign

Motion failed by the following vote:

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

Brief Communi-  
cations

S. Souza stated he was nominated by local LAFCO board to be a candidate for California LAFCO, running for city member slot.

Long Range Cal-  
endar

L. Heystek relayed Finance and Budget Commission request for Council to decide if they want FBC input as to whether existing Measure P language should be placed on June ballot or some other incarnation of the sales tax.

S. Souza requested Council agendaize discussions on green energy vision and community solar farm concept. B. Emlen stated staff will return with possible dates.

L. Heystek requested Council consider rescheduling budget workshop from December 8 to 15 in order to receive input from FBC. B. Emlen stated staff will review the schedule.

D. Saylor requested Council agendaize a resolution regarding California Forward.

Adjournment      The meeting was adjourned at 9:44 p.m. in memory of Elizabeth Uy.

Zoe S. Mirabile, CMC  
City Clerk