

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of March 1, 2011

The City Council of the City of Davis met in regular session beginning at 5:40 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Krovoza.

Roll Call: Councilmembers Present: Sue Greenwald, Joe Krovoza, Stephen Souza, Rochelle Swanson, Dan Wolk

Councilmembers Absent: None

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

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

City Council / Natural Resources Commission Joint Discussion Natural Resources Commission members present: Herman Boschken, Mary Greaves, Dean Newberry, William Shapiro, Eugene Wilson.

NRC Staff Liaison Jacques De Bra: Commission accomplishments include Solid Waste Annual Report and related efforts, wood burning ordinance/policy development, involvement in City Climate Action and Adaptation Plan (CAAP) process, review of City utility rates.

NRC Subcommittee scopes/workplan:

- Water Conservation: Track annual per capita water use patterns; review/ recommend water conservation program actions; evaluate water rate structures that meet City revenue requirements and encourage efficient water use over time; consider impacts of water use on utility rates.
- Energy: Evaluate community choice aggregation opportunities; identify energy-related actions that will reduce greenhouse gas emissions; integration of alternative energy sources and/or measures on utility infrastructure investments; coordinate energy work with CAAP.
- Zero Waste: Monitor effectiveness of new Plastics (#1-7) recycling program; assess pilot commercial organics program results and recommend future program actions; review/recommend recycling program actions; monitor and consider legislative efforts; consider impacts of increased recycling efforts on utility rates.

NRC priority work plan efforts: Drafting a Zero Waste Resolution establishing a goal for zero waste by 2025 and a Plastic Bag Ban Ordinance.

Woodburning Update: Change in emphasis for commission, evaluating health effects of smoke with a focus on nearest neighbor impact.

City Council recessed at 6:27 p.m. and reconvened at 6:37 p.m.

Ceremonial
Presentations

Councilmember Dan Wolk who was sworn in by Senator Lois Wolk.

Swearing in of
Councilmember
Dan Wolk

D Wolk: Thanked family, friends and community for support during the Council appointment process.

2010 Business
and Economic
Development
Awards

City Council presented the 2010 Business and Economic Development Awards – Recognizing Outstanding Local Business, Organizations or Individuals Making Extraordinary Contributions to Their Industry and Community, Strengthening the City’s Business and Economic Development Climate to the following recipients: David Taormino and Doug Arnold, Coldwell Banker Doug Arnold Real Estate, Inc.; and Nugget Markets

City Council recessed at 6:54 p.m. and reconvened at 7:21 p.m.

Brief Communi-
cations

S. Souza: State Water Resources Control Board approved the Woodland-Davis Clean Water Agency water rights permit.

R. Swanson and J. Krovoza attended an event recognizing Mori Seiki.

Long Range
Calendar

S. Greenwald requested Council agenda a goal setting session. Council concurred.

P. Navazio: Budget workshops will be held March 15 and 29. Parks Tax discussion agenda for April 5.

Public Com-
ments

- Dennis Dingemans and Mont Hubbard, Davis Bicycles!: Requested Council speed up implementation of the Fifth Street realignment project; most hazardous traffic area within Davis for pedestrians and cyclists; citizen support for project; consider completing design of medians & crosswalks with Redevelopment Agency funds.
- David Greenwald: Con Agra site development proposal lacks sustainability/energy efficiency and does not comply with senior housing guidelines; suggest Council consider whether or not development should occur now.
- Cathy Haskell, Davis Teachers Association: Request Council consider impacts on schools when making decisions regarding Redevelopment Agency funds.
- Michael Bisch: Request Council adopt a pass resolution in support of Measure A, the School District parcel tax measure.
- Kemble Pope: Provides live blogging at www.Davisvoice.com; announced the UC Davis Chorus will be performing this upcoming weekend.

Consent Calen-
dar

Resolution No. 11-022 - Authorizing the Necessary Contracts with the County of Yolo and Davis Community Meals to Continue the Foster Youth Transitional Housing Plus Program, through June 2011 and to expand the program to a maximum of thirteen total participants

Approved

Davis Youth Softball Association (DYSA) Proposal to Locate a Storage Container at Slide Hill Park

Approved Recreation and Park Commission Recommendation as follows:

1. Approved request from DYSA to locate an 8' x 20' storage container adjacent to the existing well site at the South-West Corner of Slide Hill Park with the following mitigation measures:
 - a. The container will be fenced and gated with similar material (green vinyl coated slats woven into the chain link) as the existing well site
 - b. The container will be painted green to blend in with the surrounding fence
2. Approved Resolution No. 11-023 - Authorizing the City Manager to Enter Into Amended Field Use Agreement Between the City of Davis and the Davis Youth Softball Association Regarding the Use of City Fields, to include two in-field renovations by city staff similar to DYSA agreement for the Community ball fields, one each at the beginning and end of the softball season
3. Approved use of City park impact fees in the amount not to exceed \$2,600 to assist DYSA with the construction of a concrete pad for proper placement of the storage container at Slide Hill Park

Allocation of 2009 Energy Efficiency and Conservation Block Grant Program (EECBG) Funds for a Residential Toilet Rebate Program

Approved the use of \$51,000 of 2009 EECBG grant funds (\$591,000 total allocation) to fund the program.

Budget Adjustment #58 (\$30,000) – Appropriating the Balance of Funds Collected for the Downtown Business Improvement District

Approved

Annual Financial Reports for the Fiscal Year Ending June 30, 2010 – Transportation Development Act (TDA) Transit and Non-Transit Audits, Management Letter and City Response; Memorandum of Internal Control; and Single Audit Report
Received reports

Update on 2010-2012 City Council Goals
Informational

Commission Minutes:

1. City-UCD Student Liaison Commission Meeting of January 12, 2011
2. Finance and Budget Commission Meeting of January 10, 2011
3. Planning Commission Minutes of June 9 and 23, 2010

Informational

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

Removed from
Consent Calen-

Item removed by D. Wolk.

dar Arborist Rob Cain: Outlined cooperative bid process; yearly renewal on contract.

Agreement for Maintenance of Public Trees Through a Cooperative Purchasing Arrangement with West Coast Arborist, Inc. S. Souza moved, seconded by R. Swanson, to approve Resolution No. 11-024 - Authorizing the City Manager to Execute the Professional Services Agreement for Maintenance Services of Public Trees Through a Cooperative Purchasing Arrangement – Five Year Agreement Through 2016 with West Coast Arborist, Inc. Council notes that concerns have been expressed; the agreement includes a provision that after a one-year period if Council desires they may direct staff to seek bids for part of or the entire contract. Motion passed unanimously.

Update on Picnic Day Efforts Item removed by J. Krovoza.

Deputy City Manager Kelly Stachowicz: Response to request from Council for list of signators to alcohol covenant; outlined next steps.

Public comment:

- Elaine Roberts-Musser: Businesses need to take responsibility, all should sign alcohol covenant; thanked city for proactive stance.

By consensus, Council received item as informational.

Proposition 218 Notice of Proposed Water, Sewer and Sanitation Rates Interim Public Works Director Robert Clarke: Proposed utility rates: Water = 28% increase, Sewer = 3.5% increase, Sanitation = 3% increase.

Public comment:

- Elaine Roberts Musser: Proposed rates will severely impact seniors on fixed income; citizens need to understand the projects and regulations driving the increases; suggest explanatory information be included in utility bill.

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

1. Return to Council with the Proposition 218 Notice to include an educational piece regarding the rate increases.
2. Provide an analysis of the current utility billing system, contract deadlines and potential options.
3. Provide an analysis of options for rate relief, tiered rates, water conservation and the Water Management Fund.

Motion passed unanimously.

City Council recessed at 9:20 p.m. and reconvened at 9:39 p.m.

Wastewater Upgrade Capital Improvement Project Update (CIP No. 8219) Senior Civil Engineer Michael Lindquist: Status of City’s wastewater treatment plant upgrade project and regionalization discussions; staff recommends conventional design-bid-build to deliver the project.

Public comments:

- Rob Arragon, Brian Callinan and Johannes Perk, all from Perk Water: Consider design-build-operate-finance delivery method; use every opportunity to minimize cost to ratepayer.
- Kevin Kennedy, HTR Engineering: Discharge permit requirements will change over time; support traditional design-bid-build, provides options.

R. Swanson moved, seconded by S. Souza, to direct staff to draft a Request for Qualifications (RFQ)/Request for Proposals (RFP) to include but not be limited to design-bid, design-bid-build, progressive design-build, construction management at risk, design-build-operate, design-build-finance, design-bid-build-own-operate, design-bid-build-operate-transfer. Direct staff to return to Council within 60 days with options, to include presentations by vendors.

M. Lindquist: Difficult to draft RFP within 60 days. To lock in cost of project, need more detailed design or put risk on designer or design-build team. Cost would probably be very high and method comparison difficult.

S. Greenwald moved substitute motion to continue to advance the preferred project—upgrade local facilities, and to deliver the project using conventional low bid process (design-bid-build). No second.

City Attorney Harriet Steiner clarification: If issue RFQ, should request qualifications from firms that are interested in a design or other alternative method, but not include performance specs. City will probably only receive bids from firms that are able to perform design-build because many firms may not be able to provide all aspects of project.

J. Krovoza proposed a friendly amendment that Council does not require vendor presentations when item returns for deliberation. Accepted by maker and second.

S. Greenwald moved substitute motion, seconded by R. Swanson, to schedule a Council workshop on delivery methods and how to proceed with construction and process of approach.

R. Swanson amended the main motion as follows: Remove reference to RFQ/RFP. Direct staff to return to Council with an analysis of alternative delivery methods and recommendation. Accepted by second.

Substitute motion withdrawn. Main motion passed unanimously.

Response to UC Davis Chancellor Katehi's Innovation Hub *Concept Request*

Community Development & Sustainability Director Ken Hiatt: UC Davis released a Concept Request seeking expressions of interest to explore creation of an innovation hub to advance economic prosperity of the region, accelerate commercialization of campus research, and support a culture of entrepreneurship.

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

1. Work to form a partnership with Yolo County, interested property owners, lo-

- cal business community, and other stakeholders to submit a proposal for collaboration with UC Davis on the (re)development of Downtown - Nishi/Gateway as an integrated and dynamic mixed-use innovation district.
2. Return to City Council with the draft proposal on or prior to March 29.
 3. Continue to encourage, and support as needed, the efforts of other local entities seeking to respond to the Request with concepts to strengthen the transfer of UC Davis related research into the local economy consistent with the City's economic development goals
- Motion passed unanimously.

Removed from Consent Calendar:

Item removed by D. Wolk.

Reducing Child Care Services Revenue from State Contract

D. Wolk moved, seconded by R. Swanson, to approve Budget Adjustment #59 (-1,362,802) – Reducing Child Care Services Revenue from State Contract as a Result of Reductions Implemented by the California Budget Act of 2010. Motion passed by the following vote:

AYES: Souza, Swanson, Wolk, Krovoza
 NOES: None
 ABSENT: Greenwald

Redevelopment Agency Pass-Through Repayments to Other Taxing Jurisdictions

Item removed by D. Wolk.

R. Swanson moved, seconded by S. Souza, to Approve Resolution No. 11-025 - Electing to Receive a Portion of the Tax Increments Pursuant to Health and Safety Code Section 33607.5. Motion passed unanimously.

(Also on RDA consent calendar)

Closed Session

The following closed session was deferred until the next Council meeting:

(Also on RDA Agenda)

A. Conference with Legal Counsel – Existing Litigation:

1. Citizens Alliance for Regional Environmental Sustainability v. County of Yolo, et al., Yolo County Superior Court Case No. PT11-200
2. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424

B. Liability Claims:

1. Claimant: Twin Pines Cooperative Foundation
 Agencies Claimed Against: City of Davis and Redevelopment Agency
2. Claimant: Neighborhood Partners, LLC
 Agencies Claimed Against: City of Davis and Redevelopment Agency

Adjournment

Meeting was adjourned at 11:48 p.m.

Zoe S. Mirabile, CMC
 City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of March 1, 2011

The Redevelopment Agency Board of the City of Davis met in regular and special session beginning at 6:30 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Chair Krovoza.

Roll Call: Board Members Present: Sue Greenwald, Joe Krovoza, Stephen Souza, Rochelle Swanson, Dan Wolk

Board Members Absent: None

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

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

Public Comments Cathy Haskell, Davis Teachers Association: Request Council consider impacts on schools when making decisions regarding Redevelopment Agency funds.

Consent Calendar Commercial Rehabilitation Loan and Facade Grant for 135 F Street / Boschken Family Trust
1. Approved RDA Resolution No. 1251 - Approving Agreement for Commercial Rehabilitation Loan and Façade Grant
2. Approved Budget Adjustment #60 (\$37,000) – Allocating \$24,500 loan and \$12,500 grant

US Bicycling Hall of Fame Funding Request for Efforts to Advance the Mission of the Hall of Fame and Museum
Approved RDA Resolution No. 1252 - Authorizing the Executive Director to Amend the Existing Funding Agreement with the United States Bicycle Hall of Fame

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

Removed from Consent Calendar: Item removed by D. Wolk.

Redevelopment Agency Pass-Through Re-payments to Other Taxing Jurisdictions R. Swanson moved, seconded by S. Souza, to approve Budget Adjustment #63 (\$1,773,849) – Allocating payment of \$1,352,091 to Yolo County for fiscal years 07-08 to 09-10; \$2,774,659 to Yolo County for the current fiscal year (of which \$2,223,214 has already been or will be withheld by the County); and \$333,117 to other agencies, including \$132,519 to the City of Davis for AB1290 Pass-Through payments that were not collected. Motion passed unanimously.

(Also on City
Council Consent
Calendar)

Closed Session The following closed session was deferred until the next RDA meeting:
(Also on City A. Conference with Legal Counsel – Existing Litigation: Twin Pines Cooperative
Council Agenda) Foundation v. Davis Area Cooperative Housing Association, Yolo County Su-
perior Court Case No. CV PO 08-3424

- B. Liability Claims:
1. Claimant: Twin Pines Cooperative Foundation
Agencies Claimed Against: City of Davis and Redevelopment Agency
 2. Claimant: Neighborhood Partners, LLC
Agencies Claimed Against: City of Davis and Redevelopment Agency

Adjournment Meeting was adjourned at 11:48 p.m.

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS CITY COUNCIL, REDEVELOPMENT AGENCY BOARD AND
PUBLIC FACILITIES FINANCING AUTHORITY SPECIAL MEETING

March 1, 2011

The City Council, Redevelopment Agency Board and Public Facilities Financing Authority of the City of Davis met in special session beginning at 11:48 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Krovoza.

Roll Call: Councilmembers Present: Sue Greenwald, Joe Krovoza, Stephen Souza, Rochelle Swanson, Dan Wolk

Councilmembers Absent: None

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

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

Public Comment Bob Blatner, Brian Sway and Michael Holsizer: Council should consider how city actions affect school funding

Update on State Legislation and Potential Impacts to City and Agency Budget Interim City Manager Paul Navazio: Summarized initial bill language from the Governor's proposal to eliminate Redevelopment Agencies. Staff is reluctant to recommend bonding at this time because it is uncertain how the bill will play out in the legislature, and if the original proposal to eliminate RDAs does not preserve any housing set aside funds, it is possible that vast majority of funds would no longer be available. There is risk associated with not moving forward, but it may be too early to tell whether bonding action is necessary. Staff recommends deferring action on issuance of housing bonds and will return to Council with recommendations should they need arise.

Possible Action on Authorized Debt and/or Bond Issuance – Redevelopment Increment Financing (Non-Housing Funds) and Agency Housing Set Aside Funds; and Priority Projects and Capital/Operating Funds S. Souza moved, seconded by S. Greenwald, to take no action on Redevelopment Agency issuance of housing set aside bond. Motion passed unanimously.

Consideration and Possible Action on Existing and Pending Affordable Housing Housing & Human Services Superintendent Danielle Foster: Summarized current and proposed future programs.

R. Swanson moved, seconded by D. Wolk, to approve City Resolution No. 11-026 and Redevelopment Agency Board Resolution No. 1253 - Increasing the Com-

Project Funding Requests and Programs bined Commitment of Redevelopment Housing Set-Aside Funds and City HOME Investment Partnerships Program (HOME) Funds by \$3,100,000 for the Purpose of Improving the Project's Competitiveness in Obtaining 9% Tax Credit Funding. This action is taken with the caveat that the funding commitment is strictly to acquire tax credit financing; if project is unsuccessful in obtaining said financing, then the Agency will not provide funding.

Deputy City Attorney Ethan Walsh: Council should approve the funding commitment and direct staff to return to Council with bid results and any potential cost savings that may be achieved through value engineering.

By consensus, Council directed staff to return on March 15 with bid results. Council will then consider whether to withdraw funding commitment or reduce.

Motion passed by the following vote:

AYES: Greenwald, Swanson, Wolk, Krovoza

NOES: Souza

D. Foster requested Council direction on other pending programs. By consensus, Council decided not to deliberate on other programs at this time.

Consideration and Possible Action on Transferring Real Property and Other Assets of the Agency from Agency to City Community Development & Sustainability Director Ken Hiatt: Staff recommends the Redevelopment Agency Board and City Council authorize transfer of the Agency's major assets to the City of Davis, including real estate, cellular telephone facility leases, and loans repayable for both the capital/economic development and capital programs.

S. Souza moved, seconded by R. Swanson, to approve Resolution No. 11-027 and Redevelopment Agency Board Resolution No. 125 – Authorizing the Transfer of Real Property and Agreements from the Redevelopment Agency of the City of Davis to the City of Davis. Motion passed unanimously.

Adjournment Special meeting was adjourned at 12:59 a.m.

Zoe S. Mirabile, CMC
City Clerk