

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of April 19, 2011

The City Council of the City of Davis met in regular session beginning at 6:00 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

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following:
A. Conference with Legal Counsel – Existing Litigation: Lewis v. Russell, Federal District Court Civ.S – 032646 WBSKJM
B. Public Employment: City Attorney

City Council returned to open session at 6:43 p.m. with no reportable action.

Approval of Agenda S. Greenwald moved, seconded by R. Swanson, to approve the agenda modified as follows: Reception will be held following the Sustainability Program Update. Motion passed unanimously.

Ceremonial Presentation Proclamation Declaring May 2011 as May is Bike Month was presented by Mayor Krovoza.

Proclamation Recognizing April 17-23, 2011 as Earth Week was presented by Mayor Pro Tem Swanson.

Proclamations Presenting the Year 2011 City of Davis Environmental Recognition Awards were presented to the following recipients:

- Individual Category—Judy Moores and Lynne Nittler. Presented by Councilmember Greenwald.
- Business Category—Waste Busters. Presented by Councilmember Souza.
- Non-Profit Category—Holmes Junior High Green Team. Presented by Councilmember Wolk.

Sustainability Program Update Sustainability Program Manager Mitch Sears: City and community/regional partners engaged in projects and programs related to community sustainability; activities include Property Assessed Clean Energy (PACE) financing program, community scale solar facilities, solar gardens legislation SB383, Cool Davis Initiative (CDI) – community engagement, Mobility Plan, General Plan Sustainability Element, and community food systems analysis.

CDI members presented information regarding CDI missions, goals, community activities to reduce local greenhouse gas emissions, and future needs. Members present: Nick Buxton, Judy Moores, Lynne Nittler, Asha Byrd, Alan Pryor, Shar Katz, and Will Kline.

S. Greenwald moved, seconded by S. Souza, to approve Resolution No. 11-048 – of Support for the City of Davis to Participate in the Institute for Local Government’s Beacon Award: Local Leadership Toward Solving Climate Change Recognition Program. Motion passed unanimously.

City Council recessed at 7:35 p.m. and reconvened at 7:52 p.m.

Brief Communi-
cations

Interim City Manager Paul Navazio: Woodland Davis Clean Water JPA board meeting will be held on April 20.

Police Chief Landy Black: Staff is in the process of analyzing Picnic Day 2011; update agendized for April 20 Council meeting.

S. Souza: Picnic day—look at ways to minimize disturbance to businesses that don’t serve alcohol; many closed or are considering closing in the future.

S. Greenwald and J. Krovoza: Met with Randy Newflet, professional bicycle advocate; discussed possible improvements in traffic calming and bike infrastructure.

Public Comments

- David Greenwald: Attended Picnic Day and observed Police Department activities; while Davis Police were friendly and kind, outside assisting agencies were not; lack of water and bathrooms available downtown; suggest city consider whether to extend Picnic Day into town and how it can be controlled.
- Alan Pryor: Suggest awards receptions only use compostable products.
- Juliette Beck: April 20, 2011 is the 1-year anniversary of BP oil spill in the Gulf of Mexico; people and ecosystem still suffering.
- Christopher: Participate in recycling and salvage work in Davis; medications are thrown into trash bins and readily available to anyone who sorts through bins; community should be aware of issue and consider another way to dispose of medications.
- Jan Troost, Finance & Budget Commission: Last FBC agenda included Comprehensive Economic Development Strategy developed by the Business and Economic Development Commission, request extension of timeline so that FBC can review further at next meeting; FBC also discussed the city’s Budget Balancing Plan, request FBC be provided with time to weigh in appropriately at next meeting on May 9.

Long Range Cal-
endar

P. Navazio: Staff and BEDC will be able to accommodate FBC request for additional time to analyze the Comprehensive Economic Development Strategy and Budget Balancing Plan.

Consent Calendar

Facility Use Agreement with the Senior Citizens of Davis, Inc.

Approved Resolution No. 11-049 - Authorizing the Interim City Manager to Enter into a Co-Sponsored Facility Use Agreement with the Senior Citizens of Davis, Inc., with an effective expiration date of April 30, 2016 (5 year term)

Aquatics Facility Use Agreement with the Davis Joint Unified School District
Approved Resolution No. 11-050 - Authorizing the Interim City Manager to Enter into a Co-Sponsored Aquatic Facility Use Agreement with DJUSD, with an expiration date of March 30, 2016 (5 year term)

CalTrans Program Supplement No. N028, Community Design Grant for Fifth Street Corridor Improvements
Approved Resolution No. 11-051 - Authorizing the City Manager to Execute Program Supplement to Administering Agency-State Agreement

Open Space Staib 72 - Fee Title Resale Request for Proposals
Approved Resolution No. 11-052 - Approving the Issuance of a Request for Proposals for the Sale of the Fee Title of the Agricultural Easement Encumbered Staib 72 Property

Staib 72 Property - County Road 98 Shoulder Widening Project - Agreement for Purchase of Right-of-Way Easement by Yolo County
Item removed from agenda and deferred to May 3, 2011.

Budget Adjustment #84 (\$80,000) – Allocating Grant Revenue Increase for Child Care Services Stage 2 Subsidy Program
Approved

Plans, Specifications and Estimate for Fiscal Year 2010/11 Annual Concrete Contract Project, Program No. 7259 and CIP No. 8126
Approved the plans, specifications and estimate for the project; and authorized bid advertisement

Plans and Specifications for Richards Boulevard and Cowell Boulevard Lane Re-configuration Project, CIP No. 8718
Approved the plans and specifications for the project, and authorized bid advertisement

Yolo County Draft Solar Facilities Ordinance – Comment Letter
Authorized the Mayor to send the comment letter on the Draft Solar Facilities Ordinance to the Yolo County Board of Supervisors

City Council Minutes from the Meetings of June 29 and July 6, 2010; March 15 and 29, April 5 and 12, 2011

1. Ratified vote for Resolution No. 11-040: March 29, 2011 Consent Calendar Item 4A – Resolution Authorizing the Interim City Manager to Enter into the Second Extension to the Lease with National Railroad Passenger Corporation to Extend the Lease Agreement for Five Years. R. Swanson recused from this

- item due to real property interest within 500 feet of the property.
2. Approved minutes. D. Wolk abstained from voting on minutes for meetings prior to his appointment: June 29 and July 6, 2010

Commission Minutes:

1. City-UCD Student Liaison Commission Meeting of March 9, 2011
2. Civic Arts Commission Meeting of February 14, 2011
3. Natural Resources Commission Meetings of January 24 and February 28, 2011
4. Planning Commission Meeting of August 25, 2010

Informational

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

Public Hearing:
CDBG and
HOME 2011-
2012 Funding
Recommendations

Administrative Analyst Patrick Conway: Request for proposals released in January, 17 organizations submitted 25 proposals. The 2011-2012 allocation is unknown at this time; staff has been advised by the U.S. Department of Housing and Urban Development to use last year's allocation amounts for making funding decisions.

Mayor Krovoza opened the public hearing.

(Joint discussion
with Redevelopment
Agency)

Sharlene Simmons, Yolo Family Services Agency: Organization provides mental health services; appreciate City support.

Tracy Favr, Yolo County Court Appointed Special Advocate (CASA): Social Services Commission recommended against funding request; current roster of 53 individuals from Yolo County act as mandated reporters of abuse or neglect; requesting funding to increase number of advocates that are trained.

Sara Grande: Applied for funding through Teach Peace Foundation in order to rehabilitate single family home to accommodate disability, not recommended to receive CDBG or HOME funds; no program is available in Davis to rehab buildings for disabled residents, support proposal to develop program using RDA funds.

Wendy Carter, Sacramento-Yolo Mutual Housing Association: Thank Council for continued support of New Harmony project; will keep city informed of progress.

Christopher: Support program to provide accessibility home repairs if funds used efficiently.

Mayor Krovoza closed the public hearing.

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

1. Approve Resolution No. 11-053 - Committing Additional Home Funds Towards the City and Agency's Existing \$8,434,391 Commitment to Yolo Mutual Housing Association and Sacramento Mutual Housing Association for the

Construction of the New Harmony Project at the Southwest Corner of Cowell Boulevard and Drummond Avenue

2. Direct staff to utilize \$400,000 of Housing Investment Partnerships Program (HOME) funds along with \$400,000 in matching Redevelopment Agency funds, including use of administration funds to administer program, to initiate a housing rehabilitation program. Consider modifying existing stock including multi-family and single family housing, rental or owner occupied unit.

P. Conway clarification: HOME program requires at least 15% of funds be provided to a qualified Community Housing Development Organizations; SYMHA is the only qualified CHDO at the present time, so 15% must be allocated to the New Harmony project.

R. Swanson amended motion: New Harmony project will receive no more than 15% of HOME funds, remainder will be allocated to the rehabilitation program.

Motion passed by the unanimously.

S. Souza moved, seconded by R. Swanson, to authorize the submittal of a one-year Action Plan to the Department of Housing and Urban Development (HUD) based on the approved funding awards contained in the approved resolution.

Motion passed unanimously.

J. Krovoza moved, seconded by S. Souza, as follows:

1. Approve Resolution No. 11-054 - Awarding Anticipated 2011-2012 Allocation and Prior Year CDBG Funds in the Amount of \$1,133,791 and Awarding Anticipated 2011-12 Allocation and Prior Year HOME Funds in the Amount of \$766,174
2. Recommended funding allocations shall be reduced in order to provide \$5,000 to Yolo County CASA. Direct staff to reduce allocations by an appropriate percentage in order to accommodate funding for CASA; retain as is any allocation that may be at \$5,000.

Motion passed unanimously.

Removed from Consent Calendar:

Item removed by R. Swanson.

Pricing for Affordable Low-Moderate Units in the Verona Subdivision at Fifth Street and Alhambra Drive

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

1. Approve Resolution No. 11-055 - Establishing Unit Prices for Two and Three Bedroom Low/Moderate Income Affordable Ownership Units in the Verona Subdivision.
2. To determine household income qualification: the occupancy standard of bedroom count plus one used in determining household income for the price calculation shall not be used for unit sales, effectively ensuring there is no minimum occupancy standards for the affordable ownership housing units in the Verona subdivision

Motion passed unanimously.

Exclusive Negotiating Agreement with the Yackzan Group

Item removed by S. Souza.

S. Souza moved, seconded by R. Swanson, to approve Resolution No. 11-056 - Approving Agreement to Negotiate Exclusively with the Yackzan Group, parking structure with ground-floor retail space on the city parking lot between 3rd, 4th, E and F Streets. Motion passed unanimously.

Hyatt Place Hotel Expansion and Old Davis Road Extension – Response to Campus Tiered Initial Study

Item removed by S. Greenwald.

S. Souza recused himself due to a conflict of interest from a business interest and left the room.

S. Greenwald moved, seconded by D. Wolk, to authorize and direct the Mayor to send an amended letter to UC Davis regarding the proposed hotel expansion and Old Davis Road.

P. Navazio clarification: Scope of letter to contain comments to UC Davis on proposed environmental review of potential hotel expansion on campus.

Motion passed by the following vote:

AYES: Greenwald, Swanson, Wolk, Krovoza

NOES: None

ABSENT: Souza

S. Greenwald moved, seconded by R. Swanson, to authorize S. Greenwald, J. Krovoza and staff to draft a letter, to be brought back to Council, expressing general feeling about expansion and interest in working with university and meeting needs; importance of working collaboratively on development of world class facilities. Motion passed by the following vote:

AYES: Greenwald, Swanson, Wolk, Krovoza

NOES: None

ABSENT: Souza

City Council recessed at 9:42 p.m. and reconvened at 9:53 p.m.

Follow-up from April 5, 2011 Budget Workshop - Baseline Fiscal Year 2011/12 Budget, Long-Range Forecast, Budget-Balancing Framework

Interim City Manager Paul Navazio: Options to address projected \$340,000 shortfall in the FY2010/11 General Fund reserve.

City Council comments included:

- Reserve should be maintained at 15%, shortfall does not have likelihood of being made up in next year
- Support accelerating implementation of selected FY11/12 expenditure reductions
- Consider allocating an amount in budget for unanticipated needs

R. Swanson moved, seconded by J. Krovoza, as follows:

1. Direct staff to move forward with implementing accelerated plan for FY11/12

- expenditure reductions.
2. Approve Budget Adjustment #90 (\$292,335) to correct for under-recovery of General Fund expenses in support to Non-General Fund activities, consistent with the City's approved Indirect Cost Allocation Plan.
 3. Direct staff to proceed with addressing any remaining shortfalls in conjunction with the development of the City's FY2011112 budget, to include full restoration of General Fund reserves consistent with the City's current reserve policy.
- Motion passed unanimously.

Wastewater Upgrade Capital Improvement Project (CIP No. 8219) - Project Delivery Method

Project Manager Michael Lindquist: Staff issued a Request for Information from individuals and businesses to gather information about the advantages and disadvantages of project delivery methods, contract operations, and private financing. Alternative project delivery methods include design-bid-build, design-build, design-build-operate, and design-build-finance-operate. Staff recommends using predominately prescriptive requirements for the project, continuing operation of the wastewater plant with city staff, and delivering the project using the design-bid-build method.

Public comments:

- Web Owen, Somas Engineers: Support charrette plan and design-bid-build process
- Steven Owen and Erin Hubbard, Perk Water: Specialize in creating public/private partnerships utilizing design-build, design-build-operate, and design-build-finance-operate methods; staff report does not address DBFO; final decision in this process needs to include tolerance of risk.
- Larry Johnson, HDR Engineering: Support staff conclusion for city project.
- Bruce West, West Yost Associates: Currently working on water supply project; don't overlook conventional method of DBB, conventional delivery has merits for this project.
- Steve Greenfield, Cunningham Engineering: Benefits of DBB method, lends itself to most collaborative and gives Council the most control during design; meet goals of Council and staff.

J. Krovoza moved, seconded by S. Greenwald, as follows:

1. Select the Charrette Panel's recommended conceptual plan as the preferred project for upgrading the wastewater treatment plant to meet regulatory permit requirements
2. Select the design-bid-build (DBB) method as the preferred project delivery method.

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

1. Select the Charrette Panel's recommended conceptual plan as the preferred project for upgrading the wastewater treatment plant to meet regulatory permit requirements
2. Select the design-bid (DB) method as the preferred project delivery method

Motion passed by the following vote:

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

Second Street
Striping – Bicy-
cles

Interim Public Works Director Robert Clarke: Council directed staff to provide options for bicycle-related roadway striping related to the Second Street Corridor Improvements Project, including the use of Sharrow legends.

Bicycle Pedestrian Coordinator Tara Goddard: Staff does not consider placement of sharrows on Second Street to result in safer conditions; request more time to assess appropriate use throughout downtown.

Public comment

- Mont Hubbard, Davis Bicycles!: Sharrows are a way to provide guidance; placing sharrows in the middle of the lane will communicate clearly that the safest place to ride is in the middle of the street.
- Kemble Pope: City should encourage alternate forms of transportation on every roadway; transient population changes every year, cannot rely on education methods to notify residents of transportation options.

J. Krovoza moved, seconded by S. Souza, to direct staff to implement sharrows on Second Street and return to council with a resolution that makes appropriate findings that they increase safety on Second Street. Motion withdrawn

J. Krovoza moved, seconded by S. Souza, as follows:

1. Direct staff to implement sharrows on Second Street at this time
2. Approve Resolution No. 11-056A – to Improve Bicycle Safety Through Use of “Sharrows” on Second Street

Motion passed by the following vote:

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

Adjournment

The meeting was adjourned at 1:07 a.m.

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE DAVIS REDEVELOPMENT AGENCY BOARD
Meeting of April 19, 2011

The Redevelopment Agency Board of the City of Davis met in regular 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. Greenwald moved, seconded by R. Swanson, to approve the agenda. Motion passed unanimously.

Public Comments None

Consent Calendar Commercial Rehabilitation Loan to Case Verde Designs for a Leased Space at 912 5th Street
Approved Resolution No. 1257 - Approving Agreement for Commercial Rehabilitation Loan

Redevelopment Agency Board Minutes from the Meetings of June 29 and July 6, 2010; and March 15, 2011
Approved

S. Souza moved, seconded by D. Wolk, to approve the consent calendar. Motion passed unanimously

Public Hearing: CDBG and HOME 2011-2012 Funding Recommendations Administrative Analyst Patrick Conway: Request for proposals released in January, 17 organizations submitted 25 proposals. The 2011-2012 allocation is unknown at this time; staff has been advised by the U.S. Department of Housing and Urban Development to use last year's allocation amounts for making funding decisions.

Mayor Krovoza opened the public hearing.

(Joint discussion with City Council)

Sharlene Simmons, Yolo Family Services Agency: Organization provides mental health services; appreciate City support.

Tracy Favr, Yolo County Court Appointed Special Advocate (CASA): Social Services Commission recommended against funding request; current roster of 53 individuals from Yolo County act as mandated reporters of abuse or neglect; requesting funding to increase number of advocates that are trained.

Sara Grande: Applied for funding through Teach Peace Foundation in order to rehabilitate single family home to accommodate disability, not recommended to receive CDBG or HOME funds; no program is available in Davis to rehab buildings for disabled residents, support proposal to develop program using RDA funds.

Wendy Carter, Sacramento-Yolo Mutual Housing Association: Thank Council for continued support of New Harmony project; will keep city informed of progress.

Christopher: Support program to provide accessibility home repairs if funds used efficiently.

Mayor Krovoza closed the public hearing.

R. Swanson moved, seconded by S. Souza, to approve Resolution No. 1258 - Committing \$400,000 of Redevelopment Agency Low and Moderate Income Housing Funds for the Creation of a Housing Rehabilitation Program. Motion passed by the unanimously.

Adjournment The meeting was adjourned at 1:07 a.m.

Zoe S. Mirabile, CMC
City Clerk