MINUTES OF THE DAVIS CITY COUNCIL
Meeting of May 24, 2011

The City Council of the City of Davis met in special session beginning at 5:30 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. Public Employment: City Manager.
B. Conference with Legal Counsel – Existing Litigation: (Also discussed by Redevelopment Agency)
   1. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424
   2. Neighborhood Partners, LLC v. Davis Area Cooperative Housing Association, et al., Yolo County Superior Court Case No. CV11-649

City Council returned to open session at 6:44 p.m. with no reportable action.

Approval of Agenda

S. Greenwald requested the following items be postponed:

- Affordable Housing Workshop Follow-up – Affordable Housing Goals and Action Steps for 2011-2012
- Housing Needs and Existing and Anticipated Housing Types.

Interim City Manager Paul Navazio: The following item has been removed from the agenda by staff and will be rescheduled: Follow-up to May 17, 2011: Third Street Improvements Project (CIP #8164)–Streetscape Design and Construction Project of the Two-Block Segment of Third Street between A Street and B Street as well as the B Street Alley between Second Street and Fourth Street.

S. Greenwald moved, seconded by R. Swanson, to approve agenda as amended. Motion passed unanimously.

Ceremonial Presentation

Proclamation Recognizing May 2011 as National Preservation Month was presented by Mayor Krovoza.

Brief Communi-

R. Swanson: Attended League of California Cities (LOCC) Legislative Action

cations	Days, discussion included possible Redevelopment Agency and pension reforms.
	S. Greenwald: Participated in the Chamber of Commerce event Celebrate Davis and Sister City Sang-ju delegation activities.
	D. Wolk and J. Krovoza: Attended celebration of United Methodist Church 50th Anniversary.
	J. Krovoza: 2nd annual Loopalooza was held on May 22, members of community riding Davis bike loop; City staff repainted the bike loop.
Long Range Calendar	P. Navazio: June 7 agenda will include the Open Space and Habitat Commission joint discussion and Third St Improvements. May need to consider scheduling a special meeting on either June 14 or 28.
	J. Krovoza: Affordable housing workshop, housing needs and DACHA management should be scheduled together at the same meeting.
	By consensus, Council scheduled a special meeting for June 28.
	AB1234 Reporting: J. Krovoza attended a SACOG subcommittee meeting.
Public Comments	None
	J. Krovoza: Confusion as to language regarding public comments at special meetings.
	City Attorney Harriet Steiner: Will bring back suggestions as to alternative language for public comment and options for scheduling legislative calendar.
Consent Calendar	Social Services and Senior Citizens Commissions Action Item: Proposed Resolution of Support for Yolo Adult Day Health Center Reviewed proposed resolution (According to City Council policy, this resolution will return on the next Council Agenda for action)
	Thong Hy Huynh Memorial Award Nominations for 2011 Approved Human Relations Commission nominations (awards will be presented at the May 31, 2011 City Council meeting)
	Commission/Board Minutes: 1. Human Relations Commission Meeting of April 28, 2011 2. Planning Commission Meeting of October 27, 2010 3. City/UCD Student Liaison Commission Meeting of April 13, 2011 Informational
	R. Swanson moved, seconded by D. Wolk, to approve consent calendar as

listed above. Motion passed unanimously.

Continued Public Hearing: Proposed Pedestrian/Bike At-Grade Crossing; Update on Activities Related to the Submittal of an Application to the California Public Utilities Commission (CPUC)

R. Swanson: Recused herself due to a conflict of interest as she owns real property within 500 feet of the project.

Property Management Coordinator Anne Brunette: Provided status report on activities to date; staff recommends at-grade crossing application contain 2 crossing locations, survey work currently underway, total cost of project will probably exceed $1 million.

Bill Schulte, Government and Consumer Affairs Consultant: Application to construct at-grade crossing activates quasi-judicial process, takes minimum 5-7 months. If case proceeds thru full hearing process, may take up to 1-2 years, determined by expert testimony and adequacy of safety devices proposed by City.

(Joint Discussion with Redevelopment Agency)

Public comments:

- Roger Litkgee: Union Pacific hasn't cited any injuries or death at site presently; easement established by Southern Pacific across tracks, abridged illegally.
- Michael Bartolic: Residents deserve safe crossing by whatever methodology city chooses. Staff should also provide information on what would be needed to install a non at-grade crossing to have comparison figures.

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

1. Concur with the proposed locations and type of crossings that will be included in the California Public Utilities Commission "CPUC" application at the Depot and at L Street.
2. Direct staff to return on June 7, 2011 for a public hearing to certify the Mitigated Negative Declaration and approve a resolution authorizing the Interim City Manager to submit an application to the CPUC for two at-grade crossings as described in the staff report.

Motion passed by the following vote:

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

City Council recessed at 7:50 p.m. and reconvened at 8:04 p.m.

Proposition 218 Notice of Proposed Utility Rates – Five Year Rates for Water and Sanitary Sewer and One Year Rates

Interim Public Works Director Bob Clarke: Council directed staff to return with multi-year rates, 4 key issues: cost, financing, demand per capita, and managing internal operations cost.

Utilities Manager Jacques DeBra: Presented proposed rates. Need to issue Prop 218 notice by early June in order with a public hearing to adopt rates scheduled in September.

for Sanitation to be Effective December 2011

Public comment:

- David Greenwald: Notice will not catch public's attention, suggest additional outreach. The larger the rate increase, the less chance that people will pass other taxes in the future.

Councilmember comments included:

- Notice should explain the major benefit of the surface water project will be long term supply of adequate quality water
- Request analysis of possible low income rebate

B. Clarke requested Council provide any additional comments to staff for incorporation.

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

1. Approve the Proposition 218 Notice which includes proposed five-year utility rates for water and sanitary sewer, and one-year rates for sanitation to be effective on the December 2011 utility bill; schedule proposes a utility rate ordinance introduction on September 6, 2011. Notice shall include Council proposed verbiage changes.
2. Direct staff to return to Council on June 7 with a process timeline for a low income rate subsidization program.

Motion passed unanimously.

Adjournment — Meeting was adjourned at 9:36 p.m.

Zoe S. Mirabile, CMC
City Clerk

MINUTES OF THE REDEVELOPMENT AGENCY BOARD
Meeting of May 24, 2011

The Redevelopment Agency Board of the City of Davis met in special session beginning at 5:30 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, Board Secretary Zoe Mirabile

Closed Session (Joint Discussion with City Council)

Redevelopment Agency convened a closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel – Existing Litigation:

1. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424
2. Neighborhood Partners, LLC v. Davis Area Cooperative Housing Association, et al., Yolo County Superior Court Case No. CV11-649

Redevelopment Agency returned to open session at 6:44 p.m. with no reportable action.

Approval of Agenda

S. Greenwald requested the Affordable Housing Workshop Follow-up–Affordable Housing Goals and Action Steps for 2011-2012 be postponed.

Interim City Manager Paul Navazio: The following item has been removed from the agenda by staff and will be rescheduled: Follow-up to May 17, 2011: Third Street Improvements Project (CIP #8164)–Streetscape Design and Construction Project of the Two-Block Segment of Third Street between A Street and B Street as well as the B Street Alley between Second Street and Fourth Street.

S. Greenwald moved, seconded by R. Swanson, to approve agenda as amended. Motion passed unanimously.

Public Comments

None

Continued Public Hearing: Proposed Pedestrian/Bike At-Grade Crossing;

R. Swanson: Recused herself due to a conflict of interest as she owns real property within 500 feet of the project.

Property Management Coordinator Anne Brunette: Provided status report on activities to date; staff recommends at-grade crossing application contain 2

Update on Activities Related to the Submittal of an Application to the California Public Utilities Commission (CPUC)	crossing locations, survey work currently underway, total cost of project will probably exceed $1 million. Bill Schulte, Government and Consumer Affairs Consultant: Application to construct at-grade crossing activates quasi-judicial process, takes minimum 5-7 months. If case proceeds thru full hearing process, may take up to 1-2 years, determined by expert testimony and adequacy of safety devices proposed by City.
(Joint Discussion with City Council)	Public comments: • Roger Litkgee: Union Pacific hasn't cited any injuries or death at site presently; easement established by Southern Pacific across tracks, abridged illegally. • Michael Bartolic: Residents deserve safe crossing by whatever methodology city chooses. Staff should also provide information on what would be needed to install a non at-grade crossing to have comparison figures. S. Souza moved, seconded by D. Wolk, to approve Budget Adjustment #102 ($50,000) to provide sufficient funds to prepare the necessary documents for the CPUC process. Motion passed by the following vote: AYES: Greenwald, Souza, Wolk, Krovoza NOES: None ABSENT: Swanson
Adjournment	Meeting was adjourned at 9:36 p.m.

Zoe S. Mirabile, CMC
Board Secretary