

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 21, 2011

The City Council of the City of Davis met in regular 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:

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 6:37 p.m. Mayor Krovoza announced that City Council unanimously approved the City Attorney defending the City's position in the lawsuits Twin Pines v. DACHA and Neighborhood Partners v. DACHA.

Approval of Agenda

S. Souza moved, seconded by S. Greenwald, to approve the agenda amended as follows:

1. Defer to July 5: Pacifico Affordable Housing Project / 1752 Drew Circle - Property Management & Predevelopment. Request staff report to include recommendations from California Center for Cooperative Development.
2. Move the following to before public comment: Items submitted by Council Members:
 - A. (Krovoza): Resolution to Support CARB's Leadership in Promoting Clean and Energy Efficient Motor Vehicles
 - B. (Swanson): Resolution in Support of Proposed Berryessa Snow Mountain National Conservation Area

Motion passed unanimously.

Brief Communications

Interim City Manager Paul Navazio: City scheduled a series of informational meetings on water/utility rates; first meeting is June 23 at Stonegate Country Club.

R. Swanson: Attended Sacramento Area Council of Government meeting on June 16; discussed options for multi transit funding.

AB1234 Reporting:

R. Swanson: Attended League of California Cities (LOCC) Legislative Policy meeting; discussed pending Redevelopment Agency bills and housing policies. Also attended forum regarding life sciences in Redwood City; focus on locating new technologies emerging from universities and how cities can provide support.

S. Greenwald: Attended LOCC policy committee meeting

Items Submitted by Councilmembers: Deputy City Manager Kelly Stachowicz: Proposed resolutions are in line with Climate Action Plan activities and promote open space.

Public comments:

A. (Krovoza): Support CARB's Leadership in Promoting Clean and Energy Efficient Motor Vehicles

- Bob Snyder, Policy Director of Tuleyome: Working to protect 5,000 acres of public lands north of County and manage impacts of recreation
- Ben Holstein, California Plant Society: Nearly 5,000 plant species under pressure from people; unusual geologically, unique environment for life.

S. Souza moved, seconded by R. Swanson, to approve Resolution No. 11-078 – Supporting the California Air Resources Board's Leadership in Promoting Clean and Energy Efficient Motor Vehicles, Energy Independence, Zero Emission Technologies and Improved Quality of Life in California. Motion passed unanimously.

B. (Swanson): Support Proposed Berryessa Snow Mountain National Conservation Area

R. Swanson moved, seconded by D. Wolk, to approve Resolution No. 11-079 – Supporting Proposed Berryessa Snow Mountain National Conservation Area. Motion passed unanimously.

By consensus, Council waived their policy regarding two readings of resolutions regarding actions related to outside jurisdictions.

Public Comments

- Pam Pacelli, Anna Heller and Tim Hoban spoke in support of the Cannery Park development proposal (regular item on agenda). Comments included: Development will bring in new families and help school; support urban farm concept and universal design features; all ages should be represented.
- Cecilia Greenwald: Oppose Cannery Park proposal; City needs business park, not additional homes
- Hailey Sue, Megan Hollander, Shane Hughes, Elaine Clark, Chris Chan, and Carolee Gregg spoke in opposition to the proposed closure of Community Pool. Comments included: May impact Summerdarts and Aquadarts; 70% of work for Summerdarts is at Community Pool; Manor Pool not sufficient replacement pool; teams bring business into town when they hold meets.
- Matthew Wise introduced himself as an applicant for the Social Services

Commission.

- Bryan Horsfield, current Business & Economic Development Commission alternate member, applying for regular member status.
- Matt Muller: City employees affected by budget cuts.

Consent Calendar

Chemical Analysis of Source and Treated Drinking Water for Fiscal Year 2011-2012

Approved Resolution No. 11-080 - Authorizing the Interim City Manager to Execute Laboratory Agreement with BSK Analytical Laboratories for Drinking Water Analysis

Wastewater Treatment Plant Instrumentation Calibration and Repair Services, Program No. 7313

Approved Resolution No. 11-081 - Authorizing the Interim City Manager to Execute Agreement with Valley Instrumentation for Equipment Instrumentation Services of the Wastewater Treatment Plant Program No. 7313

Cooperative Agreement to Provide Dispatch Services to UC Davis Fire Department

Approved Resolution No. 11-082 - Authorizing the Interim City Manager to Execute a Cooperative Agreement to Provide Dispatch Services to UC Davis Fire Department

Commission Minutes:

1. Recreation and Park Commission Meeting of February 17, 2011 and Joint Meeting with Finance and Budget Commissions of March 17, 2011

Informational

2. Safety and Parking Advisory Commission Meeting of April 7, 2011

Informational

3. Senior Citizens Commission Meeting of May 12, 2011

Received minutes as informational and approved the 2011 Commission Work Plan

Proclamation Celebrating the Certification of the Richard E. Lyng Building as Leadership in Energy Efficiency and Design “Gold” by the United States Green Building Council

Ceremonial

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

Public Hearing:
Expression Systems / 603

Planner Cathy Camacho: Request from applicant for multiple entitlements to development the 1.24 acre vacant parcel located at the northwest corner of Second Street and Cantrill Drive; project proposal includes construction of an

Cantrill Drive – Proposed Development of the 1.24 Acre Vacant Parcel Located at the Northwest Corner of Second Street and Cantrill Drive

approximately 27,484 square foot two-story building for laboratory, manufacturing and office uses. Project is exempt from further environmental review because it is an infill project; Planning Commission voted unanimously to recommend support.

Mayor Krovoza opened the public hearing.

David Hadeen, applicant: Complimented city staff, easy to work through process

Mayor Krovoza closed the public hearing.

D. Wolk moved, seconded by R. Swanson, as follows:

1. Introduce Ordinance Amending Chapter 40 of the Davis Municipal Code Amending General Requirements for the Parcels Located at 602 Cantrill Drive (APN #71-404-09), 603 Cantrill Drive (APN #71-405-07), and 2401 Second Street (APN #71-405-08), a Portion of Planned Development #2-99C to Planned Development #2-99D, to establish reduced building setbacks and increase allowable building height zoning standards for the subject site and similarly situated adjacent parcels
 2. Approve Final Planned Development #6-10, Minor Modification #4-10, and Design Review #15-10 based on the findings and subject to the conditions contained in Recommended Findings and Conditions of Approval
- Motion passed unanimously.

Cannery Park Development Proposal - Follow-up to April 5, 2011 Workshop and Next Steps

Community Development & Sustainability Director Ken Hiatt: Con Agra submitted a pre-application in September 2010 for analysis of site as potential mixed use of residential and commercial; in October 2010, Council directed staff to process the pre-application. Staff engaged with community and applicant on proposed land plan. In April 2011 a summary of feedback was presented to City Council with refinements to project proposal. Applicant would like to submit full application for community consideration.

George Phillips, representing Con Agra: Request Council authority to move from pre-application status to formal application, request city to engage environmental consultant to assist staff and applicant to identify any issues regarding potential development of site and provide further refinements of scope; summarized modifications already made to land plan based on input from staff, commissions, community organizations and citizens; will return to Council with specific project description and fiscal impact analysis.

Public comments:

- John Quick, Colliers International: Site is infill, not viable business park due to location.
- Elaine Roberts-Musser; Bill Ritter; Holly Bishop; Tia Will; Pam Neiberg; Jim Watson; Matt Williams; and Starr Walton Hurley and Mary Jo Bryan, Choice for Healthy Aging spoke in opposition to the project. Comments

included: preliminary fiscal modeling results in neutral to modest negative net fiscal impact; will force future development toward periphery of city; no specific plan for a senior housing complex; project should be tabled until next General Plan revision; existing business parks along freeway with occupancy at only 50%; fiscal studies should be available for public consideration before further effort; no demonstrated need for more housing, backlog of undeveloped housing.

- John Buckle, Renee Myer, Jenna Templeton, Jack Chapman, Sharlene Saylor, Steve Hayes, Eileen Samitz and Bill Streng spoke in support of project moving to the next step. Comments included: Proposed housing will benefit variety of buyers; developers have worked with community to develop project components; opportunity for affordable housing for families; meets critical needs of aging population with universal design features; site infeasible for high tech business park development.
- Francisco Gomez: Site should be developed without a commercial component, residential housing only.

City Council comments included:

- Business park development solely along periphery is an old model
- Housing types should accommodate needs of entire community
- Consider universal design in every unit
- Service demands on City should be minimized to extent possible
- Consider Home Owners Associations instead of Community Facilities Districts
- Consider larger lots for seniors and growing families
- Need to complete bike route, connectivity to adjacent properties
- University is driving force for what drives demand in community
- Site not appropriate for a large business park model, opportunity for mixed use.
- Project should be fiscally neutral; request additional information on project finances
- Need safe crossings over railroad tracks and at Covell intersection
- Project should be phased so as not to flood market
- more information on finances of project
- Need viable grade separated crossing southeast and southwest of project

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

1. Direct staff to accept, and begin review and processing, a full entitlement application from the project proponents
2. Approve Resolution No. 11-083 - Authorizing the Interim City Manager to execute an Agreement Between DeNovo Planning Group and City of Davis
3. Direct staff to return to City Council in September with:
 - a. Project review timeline
 - b. Refined site plan reflecting input received to date including:
 1. refinements outlined at the April 5th Council Workshop and staff report

2. refinements discussed in this report, including returning with a square footage goal for commercial floor area in the approximately 20 acre business park
- c. Updated project description for purposes of initiating an EIR
- d. Proposed alternatives to be evaluated in the EIR

S. Greenwald moved substitute motion to include the following as an equal weight alternative analysis in the EIR: 50% of the developable land as a neighborhood compatible, carefully designed and landscaped, design reviewed, and performance standard controlled high tech business park, phased in such a way that the park must be in place first.

P. Navazio suggested limiting motion to how Council wants the EIR structured, phasing is a different conversation.

S. Greenwald amended substitute motion, seconded by J. Krovoza, to include an equal weight alternative analysis for 50% of the land be developed as a business park. Substitute motion failed by the following vote:

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

Main motion passed by the following vote:

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

City Council recessed at 10:20 p.m. and reconvened at 10:29 p.m.

Continuing Discussion of FY2011/12 Proposed Budget; Preliminary Response to Council Direction from June 14, 2011 Relative to the General Fund

(Joint Discussion with Redevelopment Agency)

Interim City Manager Paul Navazio: Options/impacts for reductions totaling \$2.5 million in general fund savings; potential amendments to the FY2011/12 budget balancing plan; transportation funding needs.

Public comments:

- Bobby Weist, Local 3494: staff is closely watching budget discussions; city should not have laid off staff in order to preserve reserve funds; employees have stepped up every time to help city
- Jeff York, Davis Police Officer Association: layoffs should be last resort; level of service to citizens is high.
- Billy Doughty Davis Aquadarts: City should work with Aquatic Council to address impacts if Community Pool closed; request Council expedite creating new opportunities.
- Larry Kieny: City should consider contesting increased regulations that result in large cost to city
- Josie Tellers: Davis provide high level of service to community
- Kurt Talon: Salaries to employees reduced last contract, employees understand sacrifice

Council comments included:

- Request staff return with options to keep Community pool open thru end of calendar year; include cost details
- Consider public/private relationship with aquatic groups
- Need more lead time and notice to aquatic groups to discuss possible closure of Community Pool
- Consider accelerating Parks and Facilities Master Plan
- Need to accelerate community outreach, consider town hall meetings in various neighborhoods.
- Transportation funding should come from proposed reductions, not one-time funds.
- Should not make reductions in advance of proposed PERs rates that may never be realized.
- Request OPEB liability be a line item in the budget, look at fully funding retiree medical as soon as possible.

City / Redevelopment Agency
Public Works
Agreement

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

City Council recessed at 12:52 a.m. and reconvened at 12:54 a.m.

(Joint Discussion
with Redevelopment
Agency)

Community Development & Sustainability Director Ken Hiatt: Proposed amendment to agreement that transfers assets from Redevelopment Agency to City. Suggest adding the following projects: acquisition and rehabilitation of restaurant facility and downtown streetscape improvements.

R. Swanson moved, seconded by S. Greenwald, to approve Resolution No. 11-084 - Approving and Authorizing the Execution of the First Amendment to Public Works Agreement by and Between the City of Davis and the Redevelopment Agency of Davis for the Funding of Services and Projects within the Davis Redevelopment Project. Motion passed by the following vote:

AYES: Greenwald, Swanson, Wolk, Krovoza

NOES: None

ABSENT: Souza

Appointments to
Advisory Commission

Item postponed to July 5, 2012.

Adjournment

The meeting was adjourned at 1:00 a.m.

Zoe S. Mirabile, CMC
City Clerk