

MINUTES OF THE DAVIS CITY COUNCIL AND REDEVELOPMENT AGENCY
Meeting of September 27, 2011

The City Council and Redevelopment Agency of the City of Davis met in regular session beginning at 6:36 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: City Manager Steve Pinkerton, Deputy City Attorney Kimberly Hood, City Clerk Zoe Mirabile

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

Brief Communications R. Swanson: Energy Upgrade California will be at Farmers Market on September 28; citizens eligible to receive homes assessment at no cost. Movies in the Park event hosted by Rotary Club on September 24.

S. Greenwald: Capitol Corridor JPA announced that free wireless will be provided on trains by end of the year. Attended League of California Cities Conference in San Francisco; primary focus was unfunded liabilities.

D. Wolk: Attended Yolo Land Trust Day event. Would like to discuss streamlining Council meetings.

J. Krovoza: Request Councilmembers provide individual comments to City Manager and Mayor re agenda management. Krovoza and Greenwald hosted Mayor of Sanjou, Korea this past weekend with Sister City Committee. Delegation from Davis will travel to Sanjou in October.

AB1234 Reporting:

R. Swanson: Attended LOCC Conference in San Francisco and workshops on design-build-operate process.

Long Range Calendar S. Pinkerton: Crown Castle and Central Park Restrooms moved to November 1.

R. Swanson: Requested Council agendize principles of compensation, community values and how resources are allocated, and improving relationships between Council and staff; will provide models for City Manager to hand out to Council to analyze. Council consensus.

S. Souza: Discussion on meeting efficiency was topic from previous Council;

will provide information.

- Public Comment
- Matt, Anthony Pinto, Alexandra Olivia, Kate Raymond, Bill Lead, Susan Miller, Leah Julian, Elena Lussebrink, Cazzh McCavitts, Holly Loburr, Emily Henderson, David Burmester, Bill Julian, Robert Canning, Sarah Patten, Ben Canning, Tony Dela Bruce, Taos Club, Karen Pelz, Emma Kurtz, and Sara Remus, all from or on behalf of ACME Theatre Company: ACME gives back to the community; young are given respect and supportive community outside of immediate family; provides youth teaching opportunities and life skills; program completely youth run; ACME facing financial challenges in upcoming year; request Council to support theatre and other youth programs; teens are most underserved group in Davis.
 - Jon Li: Davis is in a leadership crisis; should focus on Council working together and respecting staff.
 - Rick Gonzales, Mexican American Concillio of Yolo County: Invite community to the 27th annual dinner dance and fundraiser at Yolo County fairgrounds on October 15; honoring 2 students from each high school in Yolo County.

- Consent Calendar
- (CC) Resolution Supporting Amtrak and Urging Congress to Reject the Budget Proposal of the U.S. House of Representatives Appropriations Subcommittee on Transportation, Housing and Urban Development that would End Amtrak Service
1. Approved Resolution No 11-155 - Supporting Amtrak and Urging Congress to Reject the Budget Proposal of the U.S. House of Representatives Appropriations Subcommittee on Transportation, Housing and Urban Development that would end Amtrak Service.
 2. Waived City Council policy requiring two readings of resolutions establishing a City position on matters not directly related to City affairs

(CC) Treasurer's Report for the Quarter Ended June 30, 2011
Accepted the report

- (CC) Increase in Grants Revenue for Child Care Services and Agreement with UC Davis to Administer the UCD Child Care Subsidy Program for 2011/12
1. Approved Budget Adjustment #025 (\$745,617) - Allocating Revenue from UCD, State and Federal Grants to the Child Care Services budget
 2. Approved Resolution No. 11-156 - Authorizing the City Manager to Enter Into Agreement with University of California, Davis Related to the Administration of the UC Davis Child Care Subsidy Program for 2011-2012 Academic Year

S. Greenwald moved, seconded by R. Swanson, to approve the consent calendar. Motion passed unanimously.

- (CC) Continued Public Hearing: Deputy City Attorney Kimberly Hood: Most prudent course of action is to continue the public hearing to February 7, 2012.

Application of
Dissolution by
Davis Area Co-
operative Hous-
ing Association
(DACHA) under
California Civil
Code 817.2

Mayor Krovoza opened the public hearing.

- Evan Schmidt: Former resident and DACHA Board member; moved into DACHA in good faith, no knowledge of any conflict or law suit in the works; loss of money, time and energy has been significant and undeserved; request Council allow DACHA to dissolve immediately.
- Stephanie Teague: Resident and former DACHA President; know Council's hands are tied; Twin Pines is claiming they were not notified because the mail was not addressed properly.
- David Thompson, Neighborhood Partners: DACHA meetings held without legal quorum, did not proceed according to process, alleged self dealing transactions; will provide information to staff for public hearing; request Council to conduct fair and impartial hearing and/or suggest contracting with County to conduct hearing.
- Luke Watkins, Neighborhood Partners: NP received judgment against DACHA, arbitrator made finding that there was nothing wrong with cooperative; Council should step up and admit that staff has made errors and provide recompense.
- Elaine Roberts-Musser: Pro bono attorney for Ethan Ireland; city is claiming it gave proper statutory notice but as a courtesy will continue 120 days, this shows no courtesy to DACHA; interested parties are provided via the California Center for Cooperative Development list, it is up to Neighborhood Partners and Twin Partners to make sure they are correctly addressed on CCCD list.

Mayor Krovoza closed the public hearing.

J. Krovoza moved, seconded by S. Greenwald, to continue the public hearing to February 7, 2012, as a courtesy to provide additional notice to potentially interested parties. Motion passed by the following vote:

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

City Council recessed at 8:43 p.m. and reconvened at 8:57 p.m.

(CC) Budget
Workshop: Ad-
dressing City's
Unfunded Liabil-
ities – PART I

City Manager Steve Pinkerton: Outstanding liabilities and funding strategies under consideration including organizational restructuring, targeted position reductions, alternative delivery/shared services and program/service reductions; framework for implementing \$2.5 million in current year budgetary savings; aligning future strategies with Council priorities.

Assistant City Manager Paul Navazio: Recent CalPERs assumptions; historical trends/forecasts of employer contribution rates; impact of potential for change in actuarial rate of return assumption (change from 7.75% to 7.5 or 7.25%). Issues facing City: How to pay for cost of current plans and how to move to better structure.

Public comment:

- Dave Owen, Davis City Employee Association: Questioned the PERs data; employee unions negotiated in the past to bypass raises to pay for increased PERs, staff already has 2 tiers of retiree medical benefits, pre and post 1996; requested City provide information on cost to provide retiree medical benefit for City Council.

Council comments included:

- Suggest staff coincide projections with employee contracts, mostly 3 year contracts, so need information on projections over 3 years.
- Concerned over too much program reductions
- Request staff provide information regarding pre 1996 and post 1996 employee retiree medical benefit.
- Request information on impact of increasing Council salaries
- Reductions should be methodical and well planned.
- Need to make sure that funding is in place for spring streets and roads maintenance contracts
- Need appropriate timeline that achieves goals over a couple years, not months.
- Support pursuing economic diversity.
- Want to keep basic safety net in place for staff that earn below median income, should retain retiree health and pension through shared sacrifices.

City Council recessed at 11:03 p.m. and reconvened at 11:13 p.m.

(CC) Potential Topics of Significance to be Discussed by the Woodland Davis Clean Water Agency (WDCWA) – Next Meeting Scheduled on September 29, 2011

Interim Public Works Director Robert Clarke: Next WDCWA agenda topics:

- Contract for New General Manager, which May Include Direction to the Technical Committee and Ad Hoc Committee
- Updates on Davis Woodland Water Supply Project, Finance Plans and Cost Estimate
- Water Treatment Plant Capacity and City Dedicated Capacity Shares under the Joint Powers Agreement
- Water Supply Project Design-Build-Operate Procurement Statements of Qualification; Consideration of Approving Fourth Firm to Receive Design-Build-Operate (DBO) Request for Proposals
- Update on Facilities Procurement Committee – Consider Draft Request for Proposals for DBO Contract Procurement and Draft DBO Service Contract
- Memorandum of Understanding with Reclamation District 2035 Concerning Advance Funding under Joint Intake Agreement

Council comments included:

- Request to agendaize discussion of apportionment of cost share; specifically raw water pipeline cost attributed to Davis.
- Bylaws adopted in 2009 set out basis of cost sharing.
- Request to agendaize discussion of Joint Powers Authority and water pro-

ject

- Request staff provide documents to JPA re update on case law and specific contract provisions relative to design-build-operate.
- Request Councilmembers become briefed on process; benefits of design-build, design-build-operate, reduction of risks, modeling of Request for Proposal process after other successful agencies.
- Crucial, significant decisions should be brought to Council and vetted by the Water Advisory Committee.

R. Clarke: JPA made decision to proceed with design-build-operate; if Council wants to reconsider, staff should meet with individual councilmembers and go over key issues. JPA could consider shortening timeframe for contract, and move to public operations at later date (10-15 years).

Adjournment Meeting was adjourned at 12:21 a. m.

Zoe S. Mirabile
City Clerk