

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of October 14, 2008

The City Council 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 Mayor Asmundson.

Roll Call: Councilmembers Present: Ruth Asmundson, Lamar Heystek, Don Saylor, Stephen Souza, Sue Greenwald

Councilmembers Absent: None

Other Officers Present: City Manager Bill Emlen, City Attorney Harriet Steiner, Deputy City Clerk Zoe Mirabile

Approval of Agenda City Manager Bill Emlen stated staff recommends the following regular agenda item discussion be tabled: Urgency Interim Zoning Ordinance Restricting New or Expanded Uses in the Core Residential Infill (C-RI) Zoning District That May Be Inconsistent With the Public/Semi-Public (P-SP) Zoning for the Period from October 1, 2008 through and Including November 27, 2008 Unless Extended By Further Action of the City Council to Take Effect Immediately. Additionally, staff will further consider issues relative to the Core Residential Infill Zoning District and related issues regarding homelessness, and recommends City Council consider appointing a Council Subcommittee to engage directly with the community.

S. Souza moved, seconded by D. Saylor, to approve the agenda as amended to table the Urgency Ordinance.

R. Asmundson moved substitute motion, seconded by D. Saylor, to table discussion of the Urgency Ordinance and appoint a City Council Subcommittee consisting of R. Asmundson and S. Souza to hold discussions with Davis Community Church, neighborhood residents and staff.

L. Heystek moved substitute, substitute motion, seconded by S. Greenwald, to approve the agenda as amended to table the Urgency Ordinance, open public comment on the item during the appropriate time on the agenda, and to ensure that the City Council Subcommittee includes S. Greenwald as a member. Motion passed by the following vote:

AYES: Greenwald, Heystek, Souza

NOES: Saylor, Asmundson

L. Heystek moved, seconded by S. Greenwald, to appoint R. Asmundson to the Council Subcommittee. Motion passed unanimously.

S. Souza moved, seconded by D. Saylor, to approve the agenda as amended. Motion passed unanimously.

Ceremonial Presentations

Mayor Asmundson presented the following:

- Proclamation Recognizing October 24, 2008 as United Nations Day and October 24-31 as Support UNICEF Week. Davis High School Advanced Treble Choir performed.
- Proclamation in Recognition of October 2008 as Domestic Violence Awareness Month
- Proclamation Congratulating Davis Media Access as They Celebrate 20 Years of Community Service

Public Comments

John Oakley, Davis Community Church (DCC) legal counsel, spoke regarding the tabled Urgency Interim Zoning Ordinance and requested City Council include DCC in zoning review discussions. He stated the Religious Land Use and Institutionalized Persons Act (RLUIPA) substantially limits the City Council's discretion when zoning decisions burden the free exercise of religion in a land use context. Further, DCC seeks to build community and neighborhood consensus regarding the scope and content of its homeless services.

Alan Brownstein, Congregation Bet Haverim; Bill Habich and Mary Lynn Tobin, Davis Community Church; Natasha Foquin, Interfaith Rotating Winter Shelter; Chris Farry and Cindy Burger, Grace in Action; Hamza El-Nakhal, Islamic Center of Davis; Christen Stone-King, Cal Aggie Christian Center; and Alex Cook spoke in opposition to the tabled Urgency Interim Zoning Ordinance. Comments included: city should respect autonomy of religious institutions and acknowledge roles of church in building community through charity acts; DCC programs are in response to reality of homelessness in downtown areas; DCC has worked to respond to neighborhood and city staff concerns; 65-70% of homeless people are homeless in the city where they grew up; neighborhood vandalism and robbery are not caused by the homeless programs of church; conversation regarding homeless activities should be community-wide; and concentration of homeless services is a benefit to people who need help from multiple agencies.

Brad Schaefer and Dorrie Rudde, D Street neighborhood residents, spoke in support of the tabled ordinance. Comments included: increase of homeless population over the last five years in the D Street neighborhood; high concentration of homeless activities between Fourth and Fifth Street, with five independent programs on one block; every church in Davis should be treated equally; zoning is discriminatory and arbitrary; and City Council Subcommittee should include neighbors from the 400 block of D Street.

Kevin Danly stated homeless residents are striving to solve their own problems instead of involving the police.

Janice Ott, Davis Downtown Business Association, stated the business community has questions and concerns regarding homeless activities.

Steve Greenfield, Chamber of Commerce, expressed appreciation for city participation in the Celebrate UC Davis event. Also, he stated the Chamber generally supports the housing element goals, specifically regarding local workforce and senior housing.

Wanda Winton, Bill Wheeler, Jan Bridge, Robert Chassum and Dorothy Peterson spoke regarding senior housing. Comments included: request for city to provide adequate, affordable housing and health care for seniors; aging people are often forced out of their homes because their residence is not prepared for lack of mobility, and are not ADA accessible or within access of necessary services; request for city to allow the senior community a chance to voice their long terms needs before any decision is made on development applications; currently 1 out of 5 residents of Davis is over 60 if you exclude the rotating student population; if age appropriate housing for seniors is provided, then current residences will be available for young families with children. Also, request to remove the following consent calendar item: Follow-up to the July 22, 2008 Workshop Regarding the Housing Steering Committee Recommendations – Staff Response to Issues Raised and Analysis of Possible “Mid Course Corrections” to 1% Growth Cap Resolution.

Elaine Roberts-Musser, Senior Citizens Commission, invited the community to attend the Eleanor Roosevelt Circle Fun Time Follies event on October 25, 2008.

Terry Cook spoke regarding safety issues in the bike path from UC Davis to Putah Creek to Mace Boulevard to the Interstate-80 overcrossing. He requested signage that labels the paths for pedestrians as well as bicyclers.

Susan Brown requested City Council consider the needs of disabled and mobility impaired citizens when discussing future land use with housing close to transportation. Additionally, she stated several downtown sidewalks are in need of repair and are often impassable due to overgrown yards.

Eileen Samitz stated the Covell Village site is not appropriate for senior housing, and the community should assess and resolve housing issues together.

City Council recessed at 8:21 p.m. and reconvened at 8:30 p.m.

Consent Calendar

Resolution No. 08-151 – Ordering the Summary Vacation of a Public Utilities Easement on a Portion of the Remainder Parcel Shown on the Map of Subdivision No. 4439, Mace Ranch Light Industrial/Business Park and Authorizing the City Manager to Execute a Quitclaim Deed for a Portion of Lot 3 of Said Subdivision
Approved

Commission Minutes:

1. Finance and Budget Commission Regular Meeting of July 14, 2008
 2. Historical Resources Management Commission Regular Meeting of June 16, 2008
 3. Social Services Commission Regular Meeting of July 21, 2008
- Informational

Proclamation in Recognition of October 2008 as Fire Prevention Month Ceremonial

Ordinance No. 2327 – Adding Chapter 15.20 to the Davis Municipal Code Establishing a Living Wage Requirement for Specified City Funded Contracts and City Employees

Adopted by the following vote (Introduced 10/07/2008):

AYES: Greenwald, Heystek, Souza

NOES: Saylor, Asmundson

Fee Waiver Request for Interfaith Rotating Winter Shelter

Approved waiver of fees (up to \$1,100) for processing Temporary Use Permit applications

Community Sustainability Program Update

Informational

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

Items Removed from Consent Calendar:

Item removed by D. Saylor.

F Street Crossing and Fire Station 33 Improvements

By consensus, City Council directed staff to provide appropriate backup documentation for future approvals of plans and specifications.

D. Saylor moved, seconded by L. Heystek, to approve the following:

1. Plans and Specifications for F Street Crossing Improvements, CIP No. 8194; and Resolution No. 08-152 – Authorizing the City Manager to Award Construction Contract to the Low Bidder
2. Plans and Specifications for Fire Station 33 Improvements, CIP No. 8153; and Resolution No. 08-153 – Awarding Contract of \$49,314.45 to Abide Building, Inc.

Motion passed unanimously.

Follow-up to 07-22-08 Workshop Regarding Housing Steering Committee Recommendations

Item removed by S. Souza and R. Asmundson.

City Manager Bill Emlen stated the following report is an informational item only: Follow-up to the July 22, 2008 Workshop Regarding the Housing Steering Committee Recommendations – Staff Response to Issues Raised and Analysis of Possible “Mid Course Corrections” to 1% Growth Cap Resolution.

City Council will receive a full presentation of the report on November 5, 2008.

Mace Ranch Land Trust Project at 2990 Fifth Street – Funding Update and Construction Deadline

Item removed by S. Souza.

S. Souza moved, seconded by D. Saylor, to direct staff to return to City Council and Redevelopment Agency after the November 1, 2008 construction start deadline to provide an update on the project and recommend next steps given project options. (Item also heard by Redevelopment Agency)

Motion passed by the following vote:

AYES: Greenwald, Heystek, Saylor, Souza

NOES: Asmundson

Downtown and Citywide Sign Design Guidelines

Item removed by D. Saylor

D. Saylor moved, seconded by L. Hystek, to defer the item for no longer than one month to allow staff time to formally request comments from Davis Downtown Business Association and Chamber of Commerce. Motion passed unanimously.

New Harmony Affordable Apartment Community

City Manager Bill Emlen requested City Council continue the item until November 5, 2008 to allow for further discussions with the applicant.

S. Souza moved, seconded by D. Saylor, to continue the following item to November 5, 2008: New Harmony Affordable Apartment Community – Appeal of Planning Commission Decision; General Plan and Specific Plan Amendments; Rezone; Final Planned Development; Design Review; Tentative Map; Minor Modification; Negative Declaration. Motion passed unanimously.

Follow-up to 10-07-08 City Council Appointments to Advisory Commissions

City Council voted to appoint advisory commissioners through use of a grid system. After votes were tallied, applicants were appointed as follows:

APPLICANT		RA	SG	LH	DS	SS	TOTAL	APPOINTMENT
Last Name	First Name							
City / UCD Student Liaison Commission -- Vote for 1: Regular (4-year term)								
Howard	Jonathon		X	X			2	
Sharp	Ryan	X			X	X	3	Regular 4-yr term
Natural Resources Commission -- Vote for 1: Alternate (4-year term)								
Hinshaw	Carolyn		X	X			2	Runoff Vote Required
Lubell	Mark	X				X	2	

Madison	Charles						0	
Mitchell	John				X		1	
Pryor	Alan						0	
RUNOFF VOTE								
Natural Resources Commission -- Vote for 1: Alternate (4-year term)								
Hinshaw	Carolyn		X	X			2	
Lubell	Mark	X			X	X	3	Alternate

S. Souza moved, seconded by D. Saylor, the following:

1. Approval of appointments to the Civic Arts Commission as follows: Steve Bonnel as a regular member to complete a term ending September 30, 2010, and Nikhil Joshi as the alternate
 2. Confirm commission appointments as outlined above
- Motion passed unanimously.

Workshop: Employee Compensation

Assistant City Manager Paul Navazio presented information regarding employee compensation – organizational goals, elements of compensation package, role of comparative market studies, recruitment and retention, historical trends of personnel costs, comparative agency data, and overview of collective bargaining process.

Adjournment

The meeting was adjourned at 12:35 a.m.

Zoe S. Mirabile, CMC
Deputy City Clerk