

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of September 29, 2009

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: Sue Greenwald, Lamar Heystek, Don Saylor, Stephen Souza, Ruth Asmundson

Councilmembers Absent: None

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

Approval of Agenda L. Heystek moved, seconded by S. Souza, approval of the agenda. Motion passed unanimously.

Ceremonial Presentation Mayor Asmundson presented a Proclamation Recognizing Yolo Hospice.

Public Comments Alan Pryor, Yolo Sierra Club Executive Management Committee, spoke in support of Measure P Wildhorse Ranch development proposal. Reasons included: sustainable neighborhood, environmentally responsible housing, reduction in carbon footprint, and development would provide a model for Davis and the Sacramento region.

Trudy Richards spoke in support of the World March for Peace and Non-Violence which will take place from October 2009 to January 2010.

Carl Burges requested City Council consider agendizing a resolution endorsing a reduction to the California House and Senate voting threshold required to pass a budget.

David Greenwald spoke regarding city funding commitments to the Davis Area Cooperative Housing Association (DACHA), and requested City Council consider soliciting an independent legal opinion regarding the share stabilization and other activities of the DACHA Board. Further, he requested City Council determination on future actions.

Consent Calendar Resolution No. 09-163 – Supporting 2010 Amgen Tour of California Stage Start in Davis  
Approved

1. Resolution to Partner with Yolo County to Assist with Restoration, Operation and Maintenance of Grasslands Regional Park
2. Budget Adjustment #13 (\$49,425) – Allocating City's Contribution to Costs

(first of two equal payments-next payment fiscal year 2010-2011 budget)  
Item removed from agenda upon request from Yolo County

Resolution No. 09-164 – Authorizing the City Manager to Execute Amendment No. 2 to Consultant Agreement with A T.E.E.M. Electrical Engineering Inc. for Electrical Engineering Services, Water Well 32 - Well Pump and Motor, CIP No. 8129

Approved

Resolution No. 09-165 – Authorizing the City Manager to Enter into Contract with Yolo County Visitors Bureau to Provide Visitor Attraction Services for 2009-2010

Approved

Fiscal Year 2008-2009 Budget Adjustments Correcting Funding Sources as a Result of Modifications to Expected Revenues and Expenditures:

1. #194 – Federal/State Hwy Grants
2. #195 – Enterprise Funds
3. #196 – General Operating Grants
4. #197 – Capitol Project Funds
5. #198 – Capitol Project Funds
6. #199 – Water Fund
7. #200 – Cable TV Fund

Approved

Budget Adjustment #14 (\$25,000) – Allocating Park In-Lieu Funds for Play-fields Park Lighting Maintenance

Approved

Update on Climate Action and Adaptation Plan (CAAP)

Informational

Commission Minutes (informational only):

1. City-UCD Student Liaison Commission Meeting of July 8, 2009
2. Finance and Budget Commission Meeting of July 13, 2009
3. Open Space and Habitat Commission Meetings of February 5 and March 5, 2007
4. Planning Commission Minutes of May 27 and June 3, 2009
5. Senior Citizens Commission Meeting of July 9, 2009

Informational

Commission Minutes (action item): Recreation and Park Commission Meeting of September 17, 2009

Accepted minutes as informational with exception of the following: Approved Resolution No. 09-166 – Amending the Special Events Policy to Include Registered UC Davis Student Groups Hosting Community-Wide Events

Proposed Review of Fiscal Model for New Development

Requested the Finance and Budget Commission take the following actions:

1. Review the City's model used to evaluate the fiscal impacts of new development projects, including consideration of methodology, general assumptions, and adaptability of the model to different types of development projects
2. Provide recommendations relative to a working definition of "fiscal neutrality" in an effort to promote objective conclusions from the results of the City's fiscal model for new development projects

Second Reading of Ordinances Regarding the Wildhorse Ranch Development Project:

1. Ordinance No. 2346 – Amending Section 40.01.090 of Chapter 40 of the Davis Municipal Code to Rezone Approximately 25.8 Gross Acres of the Parcel Located at 3003, 3027, and 3075 East Covell Boulevard, at the Intersection of East Covell Boulevard and Monarch Lane from Planned Development (P-D) #3-89 (Horse Ranch) to Planned Development #4-05 (Residential and Open Space Uses)
2. Ordinance No. 2347 – Approving a Development Agreement with Parlin Wildhorse Ranch, LLC Regarding the Project Commonly Known as Wildhorse Ranch

Adopted (Introduced 09/15/09) by the following vote:

AYES: Heystek, Saylor, Souza, Asmundson

NOES: Greenwald

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

Item Removed from Consent Calendar: Update on Teen Programming

Community Services Director Elvia Garcia-Ayala provided an update on activities to date and next steps. Staff will return to City Council with periodic updates after the Youth Task Force efforts are underway, which will include input into the Parks Facility Master Plan in regards to a Teen Center.

L. Heystek moved, seconded by S. Souza, to accept the report as informational. Motion passed unanimously.

Public Hearing: Resolution Authorizing the Program Year 2008-09 CAPER - Required Reporting on CDBG and HOME Funds

Administrative Analyst Patrick Conway summarized the Consolidated Annual Performance and Evaluation Report (CAPER), a report to inform citizens, government officials and community groups regarding federally funding activities during Program Year 2008 (July 1, 2008 to June 30, 2009) and to evaluate how the activities assisted very-low and low income residents.

Mayor Asmundson opened the public hearing, and after no comments, closed the public hearing.

S. Souza moved, seconded by L. Heystek, approval of Resolution No. 09-167 – Authorizing the City Manger to Submit the Program Year 2008-2009 Consoli-

dated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD) to Fulfill Required Reporting on City Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Funds. Motion passed unanimously.

Measure J Renewal and Possible Business Park Exemption

Principal Planner Michael Webb explained that on June 9, 2009, City Council directed staff to outreach to the Business and Economic Development, Open Space and Habitat, and Planning Commissions to ascertain their position on the concept of a business park exemption in the Measure J renewal. Webb relayed consensus opposition from the commissions.

Elaine Roberts-Musser spoke in support of the Measure J language as it is currently written, with no exemptions.

S. Souza moved, seconded by S. Greenwald, to direct staff to return with necessary ordinance and resolutions prior to the end of the year to place renewal of Measure J on the June 2010 ballot for voter consideration with technical edits only and no provision for a business park exemption. Motion passed unanimously.

City Council recessed at 7:37 p.m. and reconvened at 7:45 p.m.

Senior Housing Survey

Principal Planner Bob Wolcott explained that on June 2, 2009, City Council directed staff to proceed with a "Strategy for Housing Seniors in Davis." One of the preliminary objectives of the strategy is to determine the interest levels of seniors. Wolcott summarized staff recommendation to conduct a senior housing survey after soliciting input from the Senior Citizens and Social Services Commissions in development of survey question concepts.

Elaine Roberts-Musser spoke in support of the proposed survey and input from commissions. She stated the survey should include responses from the entire community.

D. Saylor moved, seconded by R. Asmundson, to not proceed with a telephone survey at this time; instead, if the city is awarded any grant funds (staff submitted an application for a possible \$7,500 grant), direct staff to use those funds for various survey-type activities in social media (facebook, twitter, etc.).

S. Greenwald moved substitute motion, seconded by L. Heystek, to approve the following:

1. Direct staff to proceed with the survey with a target date completion date in early Spring (maximum cost of \$20,000)
2. Reduce participant age to 47 years
3. Participants to be asked questions regarding specific preferences in order

L. Heystek proposed friendly amendment to lower the budget amount to \$10,000, and to include other modes of survey techniques. Not accepted by

mover. Motion failed by the following vote:  
AYES: Greenwald, Heystek  
NOES: Saylor, Souza, Asmundson

Main motion passed by the following vote:  
AYES: Saylor, Souza, Asmundson  
NOES: Greenwald, Heystek

Council Sub-  
committee on  
Commissions  
Report: Review  
of Role of Coun-  
cil Liaisons to  
Commissions

Councilmember S. Souza explained that on September 15, 2009, City Council directed the Council Subcommittee on Commissions (Asmundson/Souza) to respond to citizen concerns regarding conduct at a commission meeting and to return with recommendations regarding the role of the Council liaison. Souza stated the Subcommittee determined there was a violation of the guidelines; however, the Council Procedures Manual does not contain language to address such a violation.

R. Asmundson moved, seconded by S. Souza, to add the following wording in the Council Procedures Manual in Chapter 5 at the end of the section entitled "Role of Commission Liaison":

Council members who fail to adhere to the guidelines set forth for Council liaisons in Chapter 5 may be removed from the Council liaison role by a simple majority of the Council. Council liaison assignments may also change by a majority vote of the Council if the Council feels a liaison is no longer serving the needs of the Council or the commission.

Motion passed by the following vote:  
AYES: Saylor, Souza, Asmundson  
NOES: Greenwald, Heystek

R. Asmundson moved, seconded by D. Saylor, to replace the regular and alternate Council liaisons to the Finance and Budget Commission. D. Saylor stated he will not be in consideration for appointment. S. Greenwald stated she voluntarily resigns as the regular liaison. R. Asmundson withdrew the motion.

S. Souza moved, seconded by D. Saylor, to appoint L. Heystek as the regular Council liaison to the Finance and Budget Commission, with R. Asmundson to continue as alternate liaison. Motion passed by the following vote:

AYES: Greenwald, Saylor, Souza, Asmundson  
NOES: None  
ABSTAIN: Heystek

AB1234 Report-  
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R. Asmundson, L. Heystek, S. Saylor and S Souza attended the League of California Cities conference in San Jose from September 16-18, 2009.

Long Range Cal-  
endar

L. Heystek proposed agendizing review of the Davis Area Cooperative Housing Association (DACHA) share stabilization. Council concurred.

R. Asmundson proposed agendizing an affordable housing workshop. Council

concurrent.

L. Heystek and D. Saylor proposed agenda review of the Council California Forward reform package. Council concurred.

L. Heystek proposed agenda review of a Proclamation recognizing the World March for Peace and Non-Violence. Council concurred.

Adjournment            The meeting was adjourned at 9:21 p.m.

Zoe S. Mirabile, CMC  
City Clerk