



**DAVIS CITY COUNCIL MEETING  
COMMUNITY CHAMBERS  
23 RUSSELL BOULEVARD, DAVIS, CA 95616  
TUESDAY, SEPTEMBER 15, 2009  
6:00 P.M.  
AGENDA**

*Members of the City Council:  
Ruth Uy Asmundson, Mayor  
Don Saylor, Mayor Pro Tempore  
Sue Greenwald  
Lamar Heystek  
Stephen Souza*

*Bill Emlen, City Manager  
Harriet Steiner, City Attorney*

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**PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Councilmembers.**

Roll Call

Approval of Agenda

**Item 1**

Closed Session pursuant to Government Code §54954.5: Conference with Real Property

Negotiators:

Property: Beoshanz Easement; APNs 037-010-23, 037-010-24

Negotiating Parties: Ed and Carol Beoshanz

Property: Koontz Easement; APN 041-100-23

Negotiating Parties: Wallis Koontz

Property: Kerr Easement; APN 041-100-24

Negotiating Parties: Lorraine Kerr Trust

Property: Staib 72 Easement; APN 040-200-15

Negotiating Parties: Georgette Staib Trust

Property: McIsaac Easement; APN 037-030-17

Negotiating Parties: McIsaac Farms, Inc.

Agency Negotiators: City Attorney Harriet Steiner and Sustainability Program Manager  
Mitch Sears

Under Negotiation: Price and terms of payment

**Item 2**

Ceremonial Presentation: Proclamation Declaring September 28, 2009 as Family Day – a Day to Eat Dinner with Your Children

Item 3

**Public Comments**

At this time, any member of the public may address the City Council on matters which are not listed on this agenda. Speakers will be asked to state their name for the record. Citizens should reserve their comments for matters listed on this agenda at the time the item is considered by the Council. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. City Council may not take action on any item not explicitly listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

Item 4

**Consent Calendar**

All matters listed under the Consent Calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council support and may be enacted by the City Council in one motion in the form listed below. There will be no separate discussion of these items; however, before the City Council votes on the motion to adopt, members of the City Council, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Item(s) removed will be discussed later in the meeting as time permits.

A. Resolution Authorizing the City Manager to Execute Consultant Agreement with MatriScope Engineering Laboratories, Inc, for Material Testing and Special Inspection Services for East Area Tank, CIP No. 8172 (*Public Works Director Bob Weir/City Engineer Robert Clarke*)

Recommendation: Approve

B. Resolution Approving Sole Source Rehabilitation Work on Well #30 to Layne Christensen (*Public Works Director Bob Weir/Principal Civil Engineer Dianna Jensen*)

Recommendation: Approve

C. Agreement with First Five Yolo to Administer Quality Enhancement Program to Provide Education Services to Child Care Providers for Fiscal Year 2009-2010 (*Community Services Director Elvia Garcia-Ayala/Child Care Manager Laura Ivans*)

Recommendation:

1. Approve Resolution Authorizing the City Manager to Enter into Agreement
2. Approve Budget Adjustment #10 (\$14,617) – Allocating increase in grant funds

D. Resolution Authorizing the City Manager to Enter into Agreement with First Five Yolo to Administer the Comprehensive Approaches to Raising Educational Standards (CARES) Program and Submit All Reporting Requirements for Fiscal Year 2009-2010 (*Community Services Director Elvia Garcia-Ayala/Child Care Manager Laura Ivans*)

Recommendation: Approve

- E. Agreement with University of California, Davis to Provide Child Care Subsidies and other Child Care Support Services for Fiscal Year 2009-2010 (*Community Services Director Elvia Garcia-Ayala/Child Care Manager Laura Ivans*)

Recommendation:

1. Approve Resolution Authorizing the City Manager to Enter into Contract Amendment to Administer the UC Davis Child Care Subsidy Program and Provide Other Child Care Support Services and Submit all Reporting Requirements
2. Approve Budget Adjustment #9 (#12,855) – Allocating increase in grant funds

- F. Second Reading: Ordinance Reinstating the Collection of Business License Taxes for Certain Residential Units

Recommendation: Adopt (Introduced 09/08/09)

- G. Second Reading: Ordinance Modifying Article 18.06 of the Davis Municipal Code to Suspend the “Middle Income Housing” Requirement (*Housing and Social Services Superintendent Danielle Foster/Community Services Director Katherine Hess*)

Recommendation: Adopt (Introduced 09/08/09)

## Regular Calendar

### Item 5

Wildhorse Ranch Development Project / 3003-3075 East Covell Boulevard, Generally North of the Intersection of East Covell Blvd. and Monarch Lane – Rezoning and Preliminary Planned Development, Affordable Housing Plan and Development Agreement (*Community Development Director Katherine Hess/Principal Planner Michael Webb/Planner Ike Njoku*)

Recommendation:

1. Introduce Ordinance 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. Approve Affordable Housing Plan #2-05, which establishes the conceptual affordable housing plan for the project attached to this report
3. Introduce Ordinance Approving a Development Agreement with Parlin Wildhorse Ranch, LLC Regarding the Project Commonly Known as Wildhorse Ranch

### Item 6

Continued Discussion Regarding Wood Burning Restrictions and Continued Air Quality Data Monitoring (*Assistant Public Works Director Sue Gedestad*)

Recommendation: Approve Resolution Establishing “Voluntary No Burn” Days for the Curtailment of All Wood Burning Devices to Protect Public Health from Wood Burning Smoke Emissions, based on recommendations from the July 21, 2009. Elements in the Resolution are as follows:

- Establish voluntary no burn days, based on a forecasted average of particulate matter (PM) 2.5 concentration of 25 ug/m3 or higher
- Work with Dr. Cahill to continue the data collection and analysis during the next burn season

- In conjunction with YSAQMD, log resident complaints
- Evaluate program after one year

Item 7

Davis-Woodland Water Authority Joint Powers Authority Agreement (DWWA), CIP 8543 (*Public Works Director Bob Weir/Utilities Engineer Keith Smith/Utilities Manager Jacques DeBra*)

Recommendation:

1. Approve Resolution Authorizing the Mayor to Execute the Joint Powers Authority (JPA) Agreement Establishing the Davis-Woodland Water Authority
2. Elect two (2) City Councilmembers and one (1) alternate to serve on the DWWA Governing Board
3. Approve the City's FY2009-10 JPA budget contribution of \$958,000

Item 8

City Council, City Manager and City Attorney Brief Communications:

- A. This item includes brief announcements, questions to be referred to staff and reports on various 2X2 meetings with other agencies
- B. City Council/Redevelopment Agency Long Range Calendar. The Council/ Agency calendar is a fluid, working document used by the Mayor and City Manager to support efficient and effective Council meetings. The calendar is subject to change to best fit items into the time schedule of the Council meetings. At this time, Council may request items be placed on a future meeting agenda.
- C. AB 1234 Reporting of Meetings Attended at City Expense

Item 9

Closed Session pursuant to Government Code §54954.5: Conference with Real Property Negotiators

Property: Conaway Ranch  
Negotiating Party: Conaway Preservation Group (CPG)  
Agency Negotiator: Public Works Director Bob Weir; City Manager Bill Emlen; Property Management Coordinator Anne Brunette; City Attorney Harriet Steiner  
Under Negotiation: Price and terms of payment

Adjournment

I declare under penalty of perjury that the foregoing agenda for the September 15, 2009, regular meeting of the Davis City Council was personally delivered to each Councilmember and posted on the outside public bulletin board at City Hall, 23 Russell Boulevard on September 11, 2009, and made available to the public during normal business hours.

Zoe S. Mirabile, CMC  
City Clerk

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**Copying:** Kinko's Copy – 313 F Street (corner of F & Third Streets); Navin's Copy Shop – 231 Third Street (corner of Third Street & University Avenue); Postmark's - 417 Mace Boulevard (in the El Macero Shopping Center)

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- Any writing related to an agenda item for the open session of this meeting distributed to the City Council less than 72 hours before this meeting is available for inspection at City Hall, 23 Russell Blvd., Davis in the City Clerk's Office. These writings will also be available for review at the City Council meeting in the public access binder in the rear of the Community Chambers.
- Staff recommendations are guidelines to the City Council. On any item, the Council may take action which varies from that recommended by staff.
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