



**DAVIS CITY COUNCIL MEETING
COMMUNITY CHAMBERS
23 RUSSELL BOULEVARD, DAVIS, CA 95616
TUESDAY, JANUARY 19, 2010
6:30 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*

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 Public Comments (will begin at 6:30 p.m.)

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 2

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 on Behalf of the City of Davis All Documents Related to the Submission of an Application to the California Infrastructure and Economic Development Bank for Financing the East Area Tank (CIP 8172) and Other Components of the Davis Well Capacity Replacement EIR, the Declaration of Official Intent to Reimburse Certain Expenditures from Proceeds of Obligation, and Approving All Other Matters Necessary to Comply with the Require-

ments of the Loan Application (*Interim Public Works Director Robert Clarke /Utilities Manager Jacques DeBra*)

Recommendation: Approve resolution, which authorizes the re-allocation of the I-Bank loan proceeds for projects contained in the Well Replacement Capacity EIR including the east Davis water storage tank, Well 32 wellhead treatment and Well 34 production well development costs

B. Ordinance Amending Section 22.04.010 of the Davis Municipal Code Relating to the Decrease of Prima Facie Speed Limit – Proposed Speed Limit Increase One-Year Pilot Program: Increase Speed Limits from 25 mph to 30 mph for the following:

1. J Street between E. Eighth Street and Covell Boulevard
2. Anderson Road between Covell Boulevard and Corona Drive
3. Sycamore Lane between Antelope Avenue and north City Limit

(*Interim Public Works Director Robert Clarke/Senior Civil Engineer Roxanne Namazi*)

Recommendation: Introduce ordinance

C. Ordinance Amending Section 22.04.010 of the Davis Municipal Code Relating to the Decrease of Prima Facie Speed Limit – Proposed Change in Speed Survey Boundary and Speed Limit Reduction:

1. Decrease speed limit on Second Street from a point 2,500 feet west of Mace Boulevard to Mace Boulevard, from 45 mph to 35 mph
2. Change the speed limit segment boundaries on Second Street between the Pole Line Road overcrossing and Mace Boulevard

(*Interim Public Works Director Robert Clarke/Senior Civil Engineer Roxanne Namazi*)

Recommendation: Introduce ordinance

D. Proposed Job Specification – Waste Water Treatment Plan Superintendent (*Human Resources Administrator Melissa Chaney*)

Recommendation: Approve

E. Commission Minutes:

1. City / UCD Student Liaison Commission Meeting of December 9, 2009
2. Finance and Budget Commission Meetings of November 9 and December 14, 2009
3. Planning Commission Meeting of August 26, 2009

Recommendation: Informational

Regular Calendar

Item 3

Public Meeting: Appeal of City Manager Action to Revoke and Rescind Encroachment and Building Permits for NewPath Network, LLC's Distributed Antenna System (PA #30-09, Appeal #1-09) (*Assistant City Manager Paul Navazio/Deputy City Attorney Kimberly Hood*)

Recommendation:

1. Consider NewPath Network, LLC's ("NewPath") appeal of the City Manager's 12/5/09 decision to rescind NewPath's encroachment permits, and related building permits, for its proposed distributed antenna system ("DAS") project
2. Approve Resolution Adopting Findings and Determinations Re: Newpath Networks, LLC's Appeal of Permit Rescission, affirming that the City Manager did not err in rescinding NewPath's permits for the DAS project
3. Determine that rescission of the permits does not preclude NewPath from submitting an application for its DAS project pursuant to the City's Wireless Ordinance; nor does it require NewPath to remove any of the facilities installed thus far while that application process is completed, provided that the application is submitted within 120 days of adoption of the attached resolution and findings (or such other period as the City Council may determine)

Item 4

Aesthetic Considerations for East Area Tank, CIP No. 8172 (*Interim Public Works Director/City Engineer Robert Clarke/Senior Civil Engineer Michael Mitchell*)

Recommendation:

1. Review and comment on the base rendering and visual simulations
2. Determine if one of the two rendering options depicted provides an acceptable level of aesthetic treatment for the tank
3. Provide feedback to staff as to whether to pursue additional aesthetic options, separate from the current construction contract. Other options that might be considered include
 - a. Additional landscaping to further soften the mass of the tank
 - b. A mural or other artistic embellishment of the Davis community
 - c. Other art forms or sign messages that would enhance knowledge of some part of the Davis community, such as the downtown

Item 5

Public Hearing: Ordinance Amending Article 15.19 of Chapter 15 of the Davis Municipal Code Relating to Re-Authorizing and Extending the One-Half Cent Transactions and Use Tax for General Purposes Through and Including December 16, 2016 Subject to the Approval of the Voters to Continue to be Administered by the State Board of Equalization (*Budget Manager Kelly Fletcher*)

Recommendation:

1. Introduce ordinance
2. Review draft ballot language and recommend changes to be included in upcoming election resolutions

Item 6

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 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

Adjournment

I declare under penalty of perjury that the foregoing agenda for the January 19, 2010, 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 January 15, 2010, and made available to the public during normal business hours. Zoe S. Mirabile, CMC, City Clerk

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Review: Davis Branch Library, 315 E 14th Street; Peter Shields Library, Government Documents Section, UC Davis; City Hall, main hallway, 23 Russell Boulevard; During Council meetings: rear of Community Chambers
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)

City Council meetings are televised live on City of Davis Government Channel 16 (available to those who subscribe to cable television) and replayed at the following schedule: Wednesday at 9:00 a.m.; Thursday at 7:00 a.m., 1:00 p.m. and 7:00 p.m.; and Saturday at 1:00 p.m. Meetings are also televised live on the web at www.cityofdavis.org/media/. Meetings from the previous three months are also available for review. Videotapes of City Council meetings since 1995 are available for review at the Davis Branch of the Yolo County Library. The tape of the most recent meeting will normally be available by the Monday following the meeting. If you have any questions regarding televised meetings or the Government Channel in general, please call 757-5667 or visit <http://www.cityofdavis.org/pcs/>

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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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