



**DAVIS CITY COUNCIL MEETING
COMMUNITY CHAMBERS
23 RUSSELL BOULEVARD, DAVIS, CA 95616
TUESDAY, JUNE 29, 2010
5:00 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*

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 Sessions pursuant to Government Code §54954.5:

A. Conference with Labor Negotiators:

Agency Designated Representatives: City Manager Bill Emlen, Assistant City Manager Paul Navazio, Human Resources Administrator Melissa Chaney, City Attorney Harriet Steiner

Employee Organization: Davis Police Officers Association (DPOA)

B. Conference with Legal Counsel – Existing Litigation:

1. In re Davis Area Cooperative Housing Association, United States Bankruptcy Court, Eastern District of California, Sacramento Division, Case No. 10-30314-E-11

2. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424

C. Conference with Real Property Negotiators:

Property: Stanley Easement; APN 033-110-059-000

Negotiating Parties: Lance Jeffrey Stanley and Sarah Hilea Stanley, as Trustees of the Stanley Revocable Living Trust

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

Under Negotiation: Price and terms of payment

Item 2

Ceremonial Presentations:

A. Proclamation Recognizing July 2010 as Parks and Recreation Month

B. Proclamations of Appreciation to Mike Levy and Greg Clumpner for Outstanding Service to the City of Davis as Members of the Planning Commission

Purposes of Permanently Protecting the Agricultural Values and Open Space Character of the Property

2. Approve Budget Adjustment #127 (\$82,000) – Allocating funding for acquisition

E. Resolution Authorizing the City Manager to Execute Contract with Robert Aaronson to Provide Police Ombudsman Services, for Fiscal Year 2010-11 in the amount of \$50,000 (*Deputy City Manager Kelly Stachowicz*)

Recommendation: Approve

F. Resolutions Fixing Tax Rates and Requesting Collection of Charges on Tax Roll for Community Facilities Districts for Fiscal Year 2010/11 (*Financial Services Manager Gail Buller/Financial Supervisor Pamela Day*):

1. Resolutions Fixing Tax Rates:

- A. Community Facilities District 1990-1
- B. Community Facilities District 1990-2
- C. Community Facilities District 1990-3
- D. Community Facilities District 1990-4
- E. Community Facilities District 1990-5
- F. Community Facilities District 1991-2
- G. Community Facilities District 2007-2

2. Resolutions Requesting Charges on Tax Rolls:

- A. Community Facilities District Series 2003 and 2009
- B. Community Facilities District 1991-2
- C. Community Facilities District 2007-2

Recommendation: Approve Resolutions and authorize Mayor to sign Certifications of Special Tax

G. Resolutions Determining Excess Funds and Directing Application Thereof and Requesting Collection of Charges on Tax Roll for the University Research Park Assessment District #1, Series 1993 (*Financial Services Manager Gail Buller/Financial Supervisor Pamela Day*)

Recommendation: Approve Resolutions and authorize Mayor to sign Certification of Assessment

H. Resolution Approving Award of the Davis Climate Change Art Competition and Location of Art Piece and Authorizing the City Manager to Enter Into Contract with Art and Environment for “Solar Filling Station” (*Community Services Director Elvia Garcia-Ayala/Community Services Supervisor Carrie Dyer*)

Recommendation: Approve Resolution, which does the following:

- 1. Ratifies recommendation by the Civic Arts Commission to designate the art piece titled “Solar Filling Station” as the winner of the Davis Climate Change Art Competition
- 2. Locates the “Solar Filling Station” art piece on the concrete patio located next to the tennis courts at the entrance to Community Park, as recommended by the Civic Arts and Recreation and Park Commissions
- 3. Authorizes City Manager to enter into contract with Art and Environment for “Solar Filling Station”

- I. Authorization to Sell or Lease Surplus Property at 921 Sycamore Lane (*Community Development and Sustainability Director Ken Hiatt/Property Management Coordinator Anne Brunette/Principal Civil Engineer Dianna Jensen*)

Recommendation:

1. Make the following findings:
 - A. That the disposition of surplus property at 921 Sycamore Lane is consistent with the adopted General Plan for location, purpose and extent of use as required by Government Code section 65402
 - B. That the vacant property at 921 Sycamore Lane is Surplus Property and shall be disposed of following City of Davis Administrative procedure - 12.4a
2. Approve Resolution Declaring the Property at 921 Sycamore Lane Surplus and Authorizing the City Manager to Dispose of the Property
3. Direct staff to:
 - A. Offer the property to agencies and bidders as outlined in the Administrative Procedure - 12.4a
 - B. Record the Notice of Exemption for this action
 - C. Return the sale proceeds from this vacant property to the Water Capital Replacement Fund and reimburse the Property Management program for the appraisal

- J. Transportation Development Act Claims for Fiscal Year 2009-10 (*Financial Services Manager Gail Buller*)

Recommendation:

1. Approve Resolution Approving the City of Davis' Claim for Transportation Development Act - Local Transportation Funds
2. Approve Budget Adjustment #118 (-\$529,217) – Adjusting Revenues, Expenditures, and Sources of Funding to Reflect TDA Claim

- K. Budget Adjustments #102 (\$234,709) #109 (\$6,792,271) – Allocating Pass Through Grant Funding to Unitrans and UC Davis (*Interim Public Works Director Robert Clarke/Assistant Public Works Director Sue Gedestad*)

Recommendation: Approve

- L. Budget Adjustment #117 (\$244,725) – Appropriating Interest Expenditures for Fiscal Year 2009-10 for Wastewater Treatment Plant and Cal I-Bank Debt Service Obligations (*Financial Services Manager Gail Buller*)

Recommendation: Approve

- M. Budget Adjustment #123 (\$57,648) – Allocating Funds to Fleet Services for Unbudgeted Repairs and Replacement for Five City Vehicles (*Assistant Public Works Director Sue Gedestad/Fleet Services Manager Dan Doolan*)

Recommendation: Approve

- N. Budget Adjustment #124 (\$29,577) – Allocating Funds for Reimbursement of Centro Properties for Completion of Street Improvements (*Community Development and Sustainability Director Ken Hiatt/Administrative Analyst Stacey Winton*)

Recommendation: Approve

O. Budget Adjustment #126 (\$19,375) – Allocating Funds to Support Project Development and Oversight of Planned Lighting and Energy Efficiency Upgrades in Selected Parking Facilities (*Assistant City Manager Paul Navazio/Sustainability Program Manager Mitch Sears*)

Recommendation: Approve

P. Second Reading: Ordinance Approving the First Supplement and Amendment to the Development Agreement Regarding the Willowbank Park Subdivision Project

Recommendation: Adopt (Introduced 06/15/2010)

Q. Second Reading: Ordinance Approving and Adopting the Final Budget of the City of Davis for Fiscal Year 2010/2011, Providing for the Post-Auditing of Paid Demand Certified or Approved as Conforming to Such Approved Budget and Determining the Appropriations Limit of the City of Davis Pursuant to Article XIII-B of the State Constitution (Item also on Redevelopment Agency Board Consent Calendar)

Recommendation: Adopt (Introduced 06/15/2010)

R. Revised Job Specification – Code Compliance/Residential Resale Inspector I/II (*Human Resources Technician Christen Snyder*)

Recommendation: Approve

S. Appointment of Inter-Commission Liaison from the Recreation and Park Commission to the Finance and Budget Commission (*Community Services Director Elvia Garcia-Ayala*)

Recommendation: Ratify appointment of Charles Russell as liaison

T. Report on First Year Results from Playfields Park All Weather Field (*Community Services Director Elvia Garcia-Ayala/Community Development and Sustainability Director Ken Hiatt/Parks & General Services Superintendent Jim Newman/Property Management Coordinator Anne Brunette*)

Recommendation: Informational

U. Commission Minutes:

1. Finance and Budget Commission Meeting of May 10, 2010
2. Safety and Parking Commission Meeting of April 1, 2010
3. Senior Citizens Commission Meeting of May 13, 2010
4. Tree Commission Meeting of May 20, 2010

Recommendation: Informational

V. City Council Minutes from the Meetings of March 17, April 7, 14 and 21, May 5, 19 and 26, July 7, 14 and 21, and September 15, 2009; and January 12 and 19, and February 2 and 16, 2010 (*City Clerk Zoe Mirabile/Deputy City Manager Kelly Stachowicz*)

Recommendation: Approve

Regular Calendar

Item 5

Continued Public Hearing: Verona Subdivision Project Amendments – Revised Affordable Housing Plan, Revised Final Planned Development, and Supplement and Amendment to Development Agreement (*Community Development and Sustainability Director Ken Hiatt/Principal Planner Michael Webb/Planner Cathy Camacho*)

Recommendation:

1. Introduce Ordinance Approving an Eighth Supplement and Amendment to the Mace Ranch Development Agreement Regarding the “Verona Parcel”
2. Approve Revised Affordable Housing Plan #5-04B and Revised Final Planned Development #13-04B, based on findings and subject to conditions of approval
3. Accept the Recreation and Park Commission recommendation to eliminate the 1.087 acres of parkland dedication required for the project and require payment of park in-lieu fees for the 83 approved units and any additional units developed in the parkland parcel. Direct applicant to submit a new application for Lot “O” that incorporates the following:
 - A. Up to 13 residential units (96 total units for the subdivision) with a commercial/mixed use parcel at entry on Alhambra Drive
 - B. Modify or eliminate lots 75, 76 and 77 in order to widen the greenbelt to be more consistent with the average width of the rest of greenbelt

Item 6

City and Davis Community Church (DCC) Memorandum of Understanding (MOU) and Interfaith Rotating Winter Shelter (IRWS) Temporary Use Permit (TUP) (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*)

Recommendation:

1. Approve Resolution Repealing Resolution No. 09-190 and Adopting a Revised MOU with DCC Regarding Social Services for Persons Who Are Homeless or At-Risk of Homelessness
2. Indicate support for the proposed changes to the Temporary Use Permit for the Interfaith Rotating Winter Shelter (IRWS) when it is filed for the upcoming year
3. With the end of Mayor Asmundson’s term, amend the existing City Council Subcommittee membership to include Councilmember Souza, and direct them to continue work on broader questions, concerns, and planning needs regarding local households who are homeless and at-risk of homelessness

Item 7

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 June 29, 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 June 24, 2010 and made available to the public during normal business hours. Zoe S. Mirabile, CMC, City Clerk

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City Council agenda packets are available for review or copying at the following locations: Review: View on the internet: www.cityofdavis.org/meetings/; Davis Branch Library, 2801 2nd Street; Peter Shields Library, Government Documents Section, UC Davis; City Hall, main hallway, 23 Russell Boulevard; During Council meetings: rear of Community Chambers. Copying: City Hall, City Clerk's Office, 23 Russell Boulevard.

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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, City Clerk's Office, 23 Russell Blvd. 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.
- The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.
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Roll Call

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Item 1

Closed Sessions pursuant to Government Code §54954.5:

A. Conference with Legal Counsel – Existing Litigation.

1. In re Davis Area Cooperative Housing Association, United States Bankruptcy Court, Eastern District of California, Sacramento Division, Case No. 10-30314-E-11
2. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424

B. Conference with Real Property Negotiators:

Properties: 5524 Marden Street
3159, 3165, 3186, 3192, & 3198 Albany Circle
2019 Arena Drive
5503, 5509, 5515, 5521, 5527, 5533 & 5539 Tufts Street
2301, 2303, 2305, 2307, 2309 & 2311 Glacier Place
Negotiating Parties: Davis Area Cooperative Housing Association (DACHA)
Agency Negotiators: City Attorney Harriet Steiner, City Manager Bill Emlen, Housing & Human Services Superintendent Danielle Foster
Under Negotiation: Price and terms of payment

Item 2

Public Comments

At this time, any member of the public may address the Agency Board on matters which are not listed on this agenda. Citizens should reserve their comments for matters listed on the agenda when that matter is considered by the Agency. No formal action may be taken on any issue unless it is included on this agenda.

Item 3

Consent Calendar

All matters listed under the CONSENT CALENDAR are considered routine and non-controversial, require no discussion and are expected to have unanimous Agency Board support and may be enacted in one motion in the form listed below. There will be no separate discussion of these items; however, before the Agency Board votes on the motion to adopt, members of the Agency, staff, or the public may request specific items be removed from the Consent Calendar for separate action. Item removed will be discussed later on the agenda.

- A. Budget Adjustment #122 (\$150,000) – Allocating Redevelopment Agency Housing Set-Aside funds for Agency legal expenses related to the production and preservation of affordable housing (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*)

Recommendation: Approve

- B. Second Reading: Ordinance Approving and Adopting the Final Budget of the City of Davis for Fiscal Year 2010/2011, Providing for the Post-Auditing of Paid Demand Certified or Approved as Conforming to Such Approved Budget and Determining the Appropriations Limit of the City of Davis Pursuant to Article XIII-B of the State Constitution (Item also on City Council Consent Calendar)

Recommendation: Adopt (Introduced 06/15/2010)

- C. Redevelopment Agency Board Minutes from the Meetings of March 17, April 7, 14 and 21, May 5 and 19, and July 7, 2009; and February 16, 2010 (*City Clerk Zoe Mirabile*)

Recommendation: Approve

I declare under penalty of perjury that the foregoing agenda for the June 29, 2010 regular meeting of the Davis Redevelopment Agency was personally delivered to each Board Member and posted on the outside public bulletin board at City Hall, 23 Russell Boulevard, on June 24, 2010 and made available to the public during normal business hours. Zoe S. Mirabile, CMC, City Clerk

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