



**DAVIS CITY COUNCIL MEETING  
COMMUNITY CHAMBERS, 23 RUSSELL BOULEVARD  
TUESDAY, MARCH 10, 2009  
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*

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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

Ceremonial Presentation: Proclamation Declaring the City of Davis as a “One” City

Item 2

**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 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 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 Forsgren Associates, Inc. for Well 32 Analysis and Modification, CIP No. 8129 – Analysis of Pumping Capacity and Water Quality, and Preparation of Plans,

Specifications and Estimates for a Contract to Replace Pumping Equipment (*Public Works Director Bob Weir*)

Budget Adjustment # 88 (\$500,000) – Allocating Water Enterprise Funds

Recommendation: Approve

B. Solano Transportation Authority State Route 113 Major Investment Study – City Response to Proposed Options for Realignment and Improvements to State Route 113 from Highway 12 to Interstate 80 (*City Engineer Robert Clarke/Community Development Director Katherine Hess*)

Recommendation: Authorize Mayor to sign a letter to the Solano Transportation Authority with comments on the SR 113 Major Investment Study Draft Final Report

C. Second Reading: Ordinance Amending Chapter 40 of the Davis Municipal Code for Planned Development 12-87 to Rezone Approximately 3.38 Acres Located at the Southwest Corner of Cowell Boulevard and Drummond Avenue from “Industrial Research” to “Multi-Family”

Recommendation: Adopt (Introduced 03/03/2009)

D. Second Reading: Ordinance Granting an Eighteen-Month Extension of Specified Land-Use Entitlements

Recommendation: Adopt (Introduced 03/03/2009)

E. Second Reading: Ordinance Amending Chapters 33 and 39 of the Davis Municipal Code Relating to Sewer and Water Connection Charges

Recommendation: Adopt (Introduced 03/03/2009)

F. Commission Minutes:

1. Human Relations Commission Meeting of January 22, 2009
2. Natural Resources Commission Meetings of November 24, 2008 and January 26, 2009
3. Planning Commission Meeting of June 19, 2008

Recommendation: Informational

## Regular Calendar

### Item 4

Proposition 218 Mail Notification of Utility Rate Increases – Notice of Public Hearing to Set Rates for Sanitation, Water and Sewer Scheduled for May 5, 2009 (*Public Works Director Bob Weir/Operations Administrator Sue Gedestad*)

Recommendation: Approve mailing the notification that reflects the following proposed rates:

1. Sanitation: 2.6% rate increase which equates to a \$0.74 per month increase for residential customers effective August 1, 2009
2. Water: 10% rate increase which equates to an approximately \$3.30 monthly increase for average water usage effective August 1, 2009
3. Sewer: No net revenue increase, but customers may see changes to individual rates based on adjusting the rate methodology

Item 5

- A. Consideration of Urgency Interim Zoning Ordinance Establishing a Moratorium and Requiring a Conditional Use Permit on the Establishment, Commencement, Relocation or Conversion of an Existing Use to A Tobacco Paraphernalia Retail Use from March 10, 2009 Through and Including April 23, 2009 Unless Extended by Further Action of the City Council, to Take Effect Immediately
- B. Discussion of Chapter 40.26.410 of Davis Municipal Code Regarding Sex-Oriented Businesses

Item 6

Budget Workshop: Review of Fiscal Year 2009/10 Budget Model and Updated Five-Year Forecast; and Discussion of Budget-Balancing Framework (*City Manager Bill Em-len/Assistant City Manager Paul Navazio*)

Item 7

Item Submitted by Councilmember (*Don Saylor*):

Consider Amending the Noise Ordinance to Exempt Schools and Day Care Centers Within Normal Business Hours

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

Adjournment

I declare under penalty of perjury that the foregoing agenda for the March 10, 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 March 6, 2009, 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 – U.C. Davis; City Hall, main hallway - 23 Russell Boulevard; During Council meetings: left rear side 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)

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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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