



**DAVIS CITY COUNCIL MEETING
COMMUNITY CHAMBERS
23 RUSSELL BOULEVARD, DAVIS, CA 95616
TUESDAY, FEBRUARY 16, 2010
5:30 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

Closed Sessions pursuant to Government Code §54954.5: Conference with Legal Counsel – Existing Litigation:

- A. Lewis v. Russell, Federal District Court Civ.S – 032646 WBSKJM
- B. Davis Enterprise, Inc. v. Fairfield Publishing Company, et al, Yolo County Superior Court Case No. CV06-68
- C. Newpath Networks, LLC v. City of Davis, Federal District Court, Eastern District 2:10 CV-00236-GEB-KJM

Item 2 (will begin at 6:30 p.m.)

Ceremonial Presentation:

- A. Proclamation Recognizing March 1-7, 2010 as Peace Corps Week
- B. Proclamation Recognizing Local Filmmakers Robert Machoian and Rodrigo Ojeda-Beck and Their Sundance Film Festival Featured Short Film, “Charlie and the Rabbit”
- C. Golden Heart Awards Recognizing Outstanding Youth in Grades 7 - 12 in the Community. Two award categories will be presented: service and personal challenge. The service award recognizes individuals who have given significant service to the community, their peers, and/or their school. The personal challenge award recognizes individuals who have overcome a significant challenge in their life.

Reception will follow presentations

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 the Agricultural Lease with Richard Dettling for Use of the Howat Ranch (*Interim Public Works Director Robert Clarke/Wildlife Resource Specialist John McNerney*)

Recommendation: Approve

B. Resolution Authorizing the City Manager to Enter into Field Use Agreements Between the City of Davis and the Davis Youth Soccer League and the Davis Youth Softball Association Regarding the Use of City Fields (*Community Services Director Elvia Garcia-Ayala/Community Services Specialist Dennis Hubbard*)

Recommendation: Approve

C. Second Reading: Ordinance Amending Chapter 40 of the Davis Municipal Code, Rezoning the Parcel Located at 2726 Fifth Street, Consisting of Approximately 2.52 Acres, from Planned Development #4-88, Industrial Subarea, to Public-Semi-Public (P-SP) (Rezone/Preliminary Planned Development #04-08)

Recommendation: Adopt (Introduced 02/02/2010)

D. Budget Adjustment #50 (\$250,643) – Allocating Office of Emergency Services Funding for Reimbursement of Fire Department Strike Team Response (*Fire Chief Rose Conroy*)

Recommendation: Approve

E. Central Park Master Plan Update (*Parks & General Services Director Donna Silva/Property Management Coordinator Donna Silva*) Item also on Redevelopment Agency Consent Calendar

Recommendation:

1. Direct staff to consolidate the various Central Park improvement projects and prepare a draft updated master plan
2. Approve Budget Adjustment #56 (\$25,000) – Allocating funding for use in contracting with Royston Hanamoto, Alley & Abey “RHAA”

F. Budget Adjustment #57 (\$240,000) – Allocating Funding For Payment of Election Services Provided by Yolo County for the Special Election on November 3, 2009 and Refunding Remaining Developer Deposit to the Applicant (*City Clerk Zoe Mirabile*)

Recommendation: Approve

G. Business and Economic Development Award Recipients for 2009 – Recognizing Contributions to Local Economic Development (*Community Development Director Katherine Hess/Economic Development Coordinator Sarah Worley*)

Recommendation: Approve award recipients (to be honored at the March 16, 2010 City Council meeting)

H. Fiscal Year 2009/10 Second Calendar Quarter Treasurer's Report (*Assistant City Manager Paul Navazio/Financial Analyst Sheila McCrory*)

Recommendation: Accept report

I. Fiscal Year 2009/10 Second Calendar Quarter Administratively Approved Budget Adjustments (*Budget Manager Kelly Fletcher*)

Recommendation: Informational

J. Fiscal Year 2008/09 Audited Comprehensive Annual Financial Reports (*Assistant City Manager Paul Navazio*) Item also on Redevelopment Agency Consent Calendar

Recommendation: Informational

K. Citywide Sign Design Guidelines Update (*Community Development Director Katherine Hess/Principal Planner Mike Webb*)

Recommendation: Informational

L. Resolution Approving Award of the 2010 Civic Arts Contracts Under the City's Civic Arts Contracts Program and Authorizing the City Manager to Enter into Contracts With Award Recipients; Minutes from the Civic Arts Commission Meetings of January 11 and February 8, 2010 (*Community Services Director Elvia Garcia-Ayala/Community Services Supervisor Carrie Dyer*)

Recommendation: Approve resolution and accept minutes as informational

M. Commission Minutes:

1. Historical Resources Management Commission Meeting of November 16, 1009
2. Human Relations Commission Meeting of September 24, October 22 and November 19, 2009
3. Open Space Commission Meetings of April 7 and September 8, 2008
4. Telecommunications Commission Meetings of July 2, August 6, September 3, October 1, November 5, November 13 and December 10, 2008; and January 14, February 11, March 18, May 6, June 10, September 16, October 14 and December 2, 2009

Recommendation: Informational

N. City Council Minutes from January 5, 2010 (*City Clerk Zoe Mirabile*)

Recommendation: Approve

Regular Calendar

Item 5

Public Hearing: University Retirement Community at Davis (URCAD) / 1515 Shasta Drive – Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing (*Community Development Director Katherine Hess/Planner Cathy Camacho*)

Recommendation:

1. Approve Resolution Approving the Issuance by the California Statewide Communities Development Authority of its Revenue Refunding Bonds, Series 2010 (University Retirement Community at Davis, Inc. Project) in One or More Series, in an Aggregate Principal Amount Not to Exceed \$45,000,000 for the Purpose of Financing and Refinancing a Retirement Community Facility and Certain Other Matters Relating Thereto
2. Approve Resolution Approving a Subordination Agreement in Favor of U.S. Bank National Association as Master Trustee

Item 6

Streetlight Conversion Pilot Project (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Michael Mitchell/City Electrician Butch Breault/Associate Civil Engineer Terry Jue*)

Recommendation:

1. Receive presentation by Dr. Michael Siminovitch, Director of the California Lighting Technology Center, on recent innovations in the lighting industry
2. Approve a pilot project to install LED lights on a small-scale basis at selected locations throughout the city
3. Approve Resolution Authorizing the City Manager to Execute an Agreement with PG&E for LED Streetlight Turnkey Replacement Service, CIP No. 7257
4. Approve Budget Adjustment #58 (\$206,000) – Allocating Energy Efficiency and Conservation Block Grant (EECBG) funding
5. Approve the ongoing effort to assess the lighting technologies and to collect feedback from the community on the LED and induction light pilot projects

Item 7

Teen Programming Update (*Community Services Director Elvia Garcia-Ayala/ Community Services Superintendent Christine Helweg*)

Recommendation: Informational

Item 8

Appeal of November 19, 2009 Tree Commission Decision to Retain the River She-Oak Located at 1624 Tamarack Lane (*Urban Forest Manager Rob Cain*)

Recommendation: Uphold Tree Commission decision

Item 9

Fiscal Year 2009/10 Mid-Year Budget Update – Revenue and Expenditure Results and General Fund Forecast (*City Manager Bill Emlen/Assistant City Manager Paul Navazio/Budget Manager Kelly Fletcher*)

Recommendation: Informational

Item 10

Telecommunication Commission Roles and Responsibilities (*Information Technology Administrator Rick Guidara*)

Recommendation:

1. Approve Resolution Revising the Structure and Purpose of the Telecommunications Commission
2. Approve Resolution Formalizing the Cable Franchise Revenue Allocations

Item 11

Consider Request for an Annual Exemption from Playfields Park Rules for the Davis High School Freshman Baseball Team Pre-Game Warm-Up (*Community Services Superintendent Christine Helweg/Deputy City Manager Kelly Stachowicz/Parks & General Services Superintendent James Newman*)

Recommendation: Approve Resolution Authorizing the City Manager to Enter into a Field Use Agreement Between the City of Davis and the Davis Joint Unified School District to Provide an Exemption from the Conditions of Use for a One-Hour Pre-Game Warm Up at Playfields Park

Item 12

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 February 16, 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 February 12, 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: 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/>

General Notes:

- Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, contact the City Clerk by calling 757-5648 (voice) or 757-5666 (TDD).
- 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.
- 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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Don Saylor, Vice Chair
Sue Greenwald
Lamar Heystek
Stephen Souza*

*Bill Emlen, Executive Director
Harriet Steiner, Agency Counsel*

Roll Call

Approval of Agenda

Item 1

Public Comments

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Item 2

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Recommendation:

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2. Approve Budget Adjustment #56 (\$25,000) – Allocating funding for use in contracting with Royston Hanamoto, Alley & Abey “RHAA”

B. Fiscal Year 2008/09 Audited Comprehensive Annual Financial Reports (*Assistant City Manager Paul Navazio*) Item also on City Council Consent Calendar

Recommendation: Informational

Adjournment

I declare under penalty of perjury that the foregoing agenda for the February 16, 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 February 12, 2010 and made available to the public during normal business hours.

Zoe S. Mirabile, CMC, City Clerk

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