



**DAVIS CITY COUNCIL MEETING  
COMMUNITY CHAMBERS  
23 RUSSELL BOULEVARD, DAVIS, CA 95616  
TUESDAY, MARCH 30, 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*

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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 Sessions pursuant to Government Code §54954.5:

A. Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 case

B. Conference with Real Property Negotiator:

Property: 1752 Drew Circle

Negotiating Parties: Davis Campus Cooperatives, a Subsidiary of North American Students of Cooperation (NASCO)

Agency Negotiators: City Attorney Harriet Steiner, City Manager Bill Emlen, Housing & Human Services Superintendent Danielle Foster

Under Negotiation: Price and terms of payment

C. Conference with Labor Negotiators pursuant to Government Code §54954.5:

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

Unrepresented Employees: Assistant City Manager, City Manager, and Individual Department Heads (Community Development Director, Community Services Director, Fire Chief, Parks & General Services Director, Police Chief, Public Works Director)

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 the Caltrans Program Supplement No. N026 to Administering Agency-State Agreement No. 03-5238R for Project ESPLE 5238(052), Second Street Pedestrian Improvements, CIP No. 8163, amending the City's Master Agreement with Caltrans for this CIP (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Michael Mitchell*)

Recommendation: Approve

B. Resolution Authorizing City Manager to Execute Contract with Sungard Public Sector (formally known as HTE) to Move Hosting of City's Main Financial Computer Programs Offsite (*Information Technology Administrator Rick Guidara/IS Administrative Manager Susan Errington*)

Recommendation: Approve

C. Resolution Authorizing City Manager to Execute Agreement for Cooperative Communication Cooperative Projects Among the Cities of Davis, West Sacramento, Winters, Woodland, the County of Yolo, and the Yolo Emergency Communications Agency (*Information Technology Administrator Rick Guidara*)

Recommendation: Approve resolution, with attorney recommended clarification language

D. Resolution Approving and Authorizing the City Manager to Sign Third Amendment to the Subdivision Agreement for Willowbank Unit No. 10, Subdivision No. 4880 (Community Property Trust Agreement and Declaration of Trust, Consisting of Survivor's Trust, Bypass Trust, and Disclaimer Trust) (*Assistant City Engineer William Marshall/Associate Civil Engineer-Pavement Management Nancy McKee*)

Recommendation: Approve

E. Second Reading: Ordinance Amending Section 40.01.090 of Chapter 40 of the Davis Municipal Code Rezoning the Vacant Parcel Located on the West Side of Mace Boule-

ward (APN #069-490-35) Between San Marino Drive and Redbud Drive, to Planned Development (P-D) #2-08 (Residential Use) – Willowbank Park Subdivision

Recommendation: Adopt (Introduced 03/16/2010)

F. Second Reading: Ordinance Approving a Development Agreement Regarding the Willowbank Park Subdivision Project

Recommendation: Approve (Introduced 03/16/2010)

G. Budget Adjustment #66 (\$15,568) – Appropriating additional assessment district revenue collected by the city for the Downtown Business Improvement District (DBID) (*Assistant City Manager*)

Recommendation: Approve

H. Commission Minutes (informational only):

1. Finance and Budget Commission Meeting of February 8, 2010
2. Recreation and Park Commission Meeting of January 21, 2010
3. Senior Citizens Commission Meeting of February 11, 2010

Recommendation: Informational

I. Commission Minutes (action items): Recreation and Park Commission Meeting of February 18, 2010 (*Community Services Superintendent Christine Helweg*)

Recommendation: Receive minutes as informational with exception of the following:

1. Approve request from Girl Scouts of Davis to use Slide Hill Park for their annual overnight camp, and authorize staff to administratively approve future requests from this group for this annual event
2. Approve Commission work plan for calendar year 2010

J. General Plan Annual Progress Report For Calendar Year 2009 (*Principal Planner Bob Wolcott/Housing & Human Services Superintendent Danielle Foster*)

Recommendation:

1. Accept annual progress report required by State of California
2. Direct staff to forward the report to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD)

K. Residential Development Status Report as of January 1, 2010 (*Principal Planner Bob Wolcott*)

Recommendation:

1. City Council finds that:
  - a. The tables provided in the staff report reasonably project anticipated development through 2013
  - b. The actual/anticipated residential development is in compliance with the growth cap and substantial compliance with the housing type targets
  - c. Additional "yellow light" sites do not need to be considered at this time
2. Direct staff to:
  - a. Continue to encourage and process applications on the remaining 16 "green light" sites
  - b. In consultation with the property owners, initiate preliminary planning efforts on the two potential infill sites of DJSUD Headquarters site ("green light" site 1) and

- PG&E Service Center site (“green light” site 8), consistent with Council goals for 2009-2010. The intended end product of such efforts would be a set of development objectives and a conceptual plan for each site for review by City Council. Explore grants or other funding sources to help fund such efforts.
- c. Return in January 2011 with the next residential development status report

### Regular Calendar

Item 4

Public Hearing: Resolution to Adopt the Updated Housing Element and Direct Staff to Submit the Updated Housing Element to the State Department of Housing And Community Development for Final State Certification (*Housing & Human Services Superintendent Danielle Foster*)

Recommendation: Open and continue to April 13, 2010

Item 5

Budget Workshop: Preliminary Fiscal Year 2010/11 Budget Projections, Five-Year Forecast and Budget-Balancing Framework (*City Manager Bill Emlen/Assistant City Manager Paul Navazio*)

Item 6

Item Submitted by Councilmember (*Saylor/Souza*): Proposed Additions to the Council Meeting Ground Rules and Procedures Manual

Recommendation: Add language to the “Council Meeting Ground Rules” and the “Procedures Manual for Council Members” to address 1) circumstances when Ground Rules and Procedures are not adhered to and 2) the range of possible sanctions that may be applied in the event of violation

Item 7

Item Submitted by Councilmember (*Heystek*): Resolution Condemning Recent Hate Crimes and Other Manifestations of Intolerance in the Greater Davis Community

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 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 30, 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 March 25, 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/](http://www.cityofdavis.org/meetings/); Davis Branch Library, 2801 2<sup>nd</sup> 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.

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/](http://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, 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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*Bill Emlen, Executive Director  
Harriet Steiner, Agency Counsel*

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Roll Call

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Item 1

Closed Session:

A. Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 case

B. Conference with Real Property Negotiators:

1. 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

2. Property: 1752 Drew Circle  
Negotiating Parties: Davis Campus Cooperatives, a Subsidiary of North American Students of Cooperation (NASCO)

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.

### Adjournment

I declare under penalty of perjury that the foregoing agenda for the March 30, 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 March 25, 2010 and made available to the public during normal business hours.

Zoe S. Mirabile, CMC, City Clerk

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