



**DAVIS CITY COUNCIL MEETING  
COMMUNITY CHAMBERS  
23 RUSSELL BOULEVARD, DAVIS, CA 95616  
TUESDAY, APRIL 13, 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 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 Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 case
- C. 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

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

Ceremonial Presentation: Proclamation Recognizing April 18-24, 2010 as National Volunteer Week

Item 3

International House Annual Update (*Board President Sean Duggin*)

Item 4

Water Resources Association of Yolo County (WRA) Update on Regional Activities and the Flood Safe Yolo Program

Item 5

**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 6

**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 a Memorandum of Understanding (MOU) Between the City of West Sacramento, the City of Davis, the City of Woodland, Yolo County Economic Development Division, the West Sacramento Chamber of Commerce, the Northeastern California – Greater Sacramento Small Business Development Center and the Yuba Community College District for the Administration of Workforce Investment Act Rapid Response Funding From Yolo County to Provide Rapid Response to Employee Layoffs and Other Business Support Services for the Davis Business Community (*Community Development Administrator Katherine Hess/Economic Development Coordinator Sarah Worley*)

Recommendation: Approve

B. Resolution Accepting a Loan of \$1.6 Million Under the Pacifico Project Cooperative Agreement With the Redevelopment Agency of the City of Davis for the Purpose of Advancing Funds Under the City of Davis Loan to Pacifico for the Payoff of Senior Liens to Ensure Preservation of the Pacifico Affordable Housing Project (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*) (Item also on Redevelopment Agency Board Consent Calendar)

Recommendation:

1. Affirm acceptance of the \$1.6 million loan from the Redevelopment Agency's Housing Set-Aside Fund and authorization of the budget amendment to utilize its proceeds as an advance under the City's existing Housing Trust Fund loans to Pacifico to stop First Northern's foreclosure of Pacifico by paying the discounted settlement amount of \$1.6 million, resulting in the release of First Northern's first and second liens, confirmation of the subordinate status of its third, the termination of First Northern's

foreclosure and the protection of the City's liens, collateral and affordability restriction

2. Approve resolution, formally authorizing this loan and the associated agreement, as presented and approved in closed session on March 30, 2010
  
- C. Ordinance Repealing Section 26.01.010 of the Davis Municipal Code Addressing Annoying Persons on Streets and Amending Section 26.01.100 Addressing Obscene Language (*City Attorney Harriet Steiner*)  
Recommendation: Introduce
  
- D. Budget Adjustment #76 (\$138,634) – Transferring Funds for FY08/09 ADA Parking and Facility Compliance (*Budget Manager Kelly Fletcher*)  
Recommendation: Approve
  
- E. 2010 California Alcoholic Beverage Control (ABC) Grant Application for “LEADER” project (Law Enforcement Alcohol Deterrence and Education Response) (*Police Chief Landy Black*)  
Recommendation: Approve
  
- F. City Council Minutes from the Meetings of December 16, 2008 and January 10 and March 30, 2010 (*City Clerk Zoe Mirabile*)  
Recommendation: Approve
  
- G. Appointment of Current Alternate Commissioners to Regular Commission Terms for the Business and Economic Development, Finance and Budget, Natural Resources, and Tree Commissions (*City Clerk Zoe Mirabile/Deputy City Clerk Ann Waid*)  
Recommendation: Approve
  
- H. Commission Minutes:
  1. Civic Arts Commission Meetings of January 11 and February 8, 2010
  2. Open Space and Habitat Commission Meeting of January 4, 2010
  3. Planning Commission Meetings of January 6 and 13, 2010
  4. Tree Commission Meeting of February 18, 2010Recommendation: Informational
  
- I. 2009/10 Third Quarter Administratively Approved Budget Adjustments (*Budget Manager Kelly Fletcher*)  
Recommendation: Informational

### Regular Calendar

#### Item 7

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 27, 2010

Item 8

Public Hearing: Community Development Block Grant (CDBG) and Housing Investment Partnerships Program (HOME) 2010-2011 Funding Recommendations (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster/Administrative Analyst Patrick Conway*) (Item also discussed by Redevelopment Agency Board)

Recommendation:

1. Approve Resolution Awarding 2010-2011 Community Development Block Grant (CDBG) Funds in the Amount \$873,693 and \$170,098 of CDBG Funds from Prior Years Allocating and Awarding 2010-2011 Home Investment Partnerships Program (HOME) Funds in the Amount of \$578,485
2. Resolution Committing Additional Home Funds Towards the City and Agency's Existing \$5,950,000 Commitment to Yolo Mutual Housing Association and Sacramento Mutual Housing Association and Amending Resolution 09-042 to Extend the Construction Start Deadline to January 1, 2011 for the Construction of the New Harmony Project at the Southwest Corner of Cowell Boulevard and Drummond Avenue
3. Approve submission of final recommendations as a one-year Action Plan to the Department of Housing and Urban Development (HUD)

Item 9

Residential Development Status Report as of January 1, 2010 (*Community Development Director Ken Hiatt/Community Development Director Katherine Hess/Principal Planner Bob Wolcott*)

Recommendation:

1. City Council finds that:
  - a. The tables provided at the end of 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. Consistent with Council goals for 2009-2010, initiate preliminary planning efforts on the two potential infill sites of DJUSD Headquarters site ("green light" site 1) and PG&E Service Center site ("green light" site 8) in cooperation with the property owners. 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.  
As first steps:
    - Direct staff to prepare, for the Mayor's signature, a letter to the property owners requesting confirmation of their agreement with the planning effort and their cooperation
    - Subject to the agreements, return to Council with work programs including steps, timeframes and costs
  - c. Encourage representatives of the Nishi property ("green light" site 18) to submit a pre-application for City review

- d. Explore grants or other funding sources to help fund parts of the planning efforts related to the sites in items 2b and 2c above
- e. Return in January 2011 with the next residential development status report

Item 10

Third and B Building Purchase and Sale Agreement (*Assistant City Manager Paul Navazio/Community Development Director Ken Hiatt/Property Management Coordinator Anne Brunette*) (Item also discussed by Redevelopment Agency Board)

Recommendation:

1. Approve the creation of a parcel of land for the Third and B Building
2. Approve Resolution Approving the Agreement of Purchase and Sale to Transfer the Third and B Building Located at 303 Third Street From the City of Davis to the Redevelopment Agency of the City of Davis

Item 11

Appointment of Representative to Serve on the Executive Commission for the Yolo County 10 Year Plan to End and Prevent Homelessness (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*)

Item 12

Item Submitted by City Council Subcommittee on Commissions (*Asmundson/Souza*):  
Commission Review of Development Proposals

Recommendation: Approve Resolution Amending Commission Handbook to Include Section on Commission Review of Development Proposals

Item 13

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 April 13, 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 April 9, 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/>

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- 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.
- For questions about this agenda, please call the City Clerk's Office (530) 757-5648.



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Sue Greenwald  
Lamar Heystek  
Stephen Souza*

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

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Roll Call

Approval of Agenda

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.

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. Resolution Approving a Loan of \$1.6 Million Under the Pacifico Project Cooperative Agreement With the City of Davis for the Purpose of Advancing Funds Under the City of Davis Loan to Pacifico for the Payoff of Senior Liens to Ensure Preservation of the Pacifico Affordable Housing Project (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*) (Item also on City Council Consent Calendar)

Recommendation:

1. Affirm authorization of a loan and related budget appropriation allocating \$1.6 million from the Redevelopment Agency's Housing Set-Aside Fund (fund 954) to the City's Housing Trust Fund (fund 160), as approved in closed session on March 30, 2010; the purpose of the loan is to enable the City to stop First Northern's foreclosure of Pacifico by paying the discounted settlement amount of \$1.6 million, resulting in the release of First Northern's first and second liens, confirmation of the subordinate status of its third, the termination of First Northern's foreclosure and the protection of the City's liens, collateral and affordability restriction
2. Approve resolution, formally authorizing this loan and the associated agreement, as presented and approved in closed session on March 30, 2010

B. Redevelopment Agency Board Minutes from the Meetings of December 16, 2008, January 9, 2009 and March 30, 2010 (*City Clerk Zoe Mirabile*)

Recommendation: Approve

**Regular Calendar**

Item 4

Public Hearing: Community Development Block Grant (CDBG) and Housing Investment Partnerships Program (HOME) 2010-2011 Funding Recommendations (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster/Administrative Analyst Patrick Conway*) (Item also discussed by City Council)

Recommendation: Approve Resolution Amending Resolution 1225 to Extend the Construction Start Deadline to January 1, 2011 for the Yolo Mutual Housing Association and Sacramento Mutual Housing Association Construction of the New Harmony Project at the Southwest Corner of Cowell Boulevard and Drummond Avenue

Item 5

Third and B Building Purchase and Sale Agreement (*Assistant City Manager Paul Navazio/Community Development Director Ken Hiatt/Property Management Coordinator Anne Brunette*) (Item also discussed by Redevelopment Agency Board)

Recommendation:

1. Approve Resolution Approving the Agreement of Purchase and Sale to Transfer the Third and B Building Located at 303 Third Street From the City of Davis to the Redevelopment Agency of the City of Davis
2. Approve Budget Adjustment # 79 (\$1,500,000)

Adjournment

I declare under penalty of perjury that the foregoing agenda for the April 13, 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 April 9, 2010 and made available to the public during normal business hours.

Zoe S. Mirabile, CMC, City Clerk

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