



**DAVIS CITY COUNCIL MEETING
COMMUNITY CHAMBERS
23 RUSSELL BOULEVARD, DAVIS, CA 95616
TUESDAY, JUNE 1, 2010
6:00 P.M.
AGENDA**

This meeting will include teleconference participation by one Councilmember (Gov. Code Section 11125.4(c)). The teleconference location, in addition to the address above, is:

161 Georgia Way, San Leandro, CA 94577

*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 Session pursuant to Government Code §54954.5: Conference with Legal Counsel – Existing Litigation:

- A. Newpath Networks, LLC v. City of Davis, Federal District Court, Eastern District Case No. 2:10 CV-00236-GEB-KJM
- B. City of Davis v. Newpath Networks, LLC, California Public Utilities Commission Case No. C. 10-03-011

Item 2

Ceremonial Presentation: Proclamation Recognizing June 23, 2010 as Olympic Day

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 Interlocal Agreement Between the City of Davis and the County of Yolo to Reallocate the 2010 Byrne Justice Assistance Grant (“JAG”) Toward the Continuation of the Yolo Narcotics Team Unit Administered by the Yolo County District Attorney (*Police Chief Landy Black*)

Recommendation: Approve

- B. Contract Award for Second Street Corridor Improvements, CIP No. 8163 [ESPL 5238 (052)] (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Michael Mitchell*) Item also on the Redevelopment Agency Board Consent Calendar

Recommendation:

1. Reject the low bid from Lister Construction, Inc. and the bid from Teichert Construction due to their non-responsive bids
2. Approve Budget Adjustment #103 (\$98,030) – Allocating Road Impact and Storm Sewer/Drainage Funds to the project
3. Approve Resolution Awarding Contract of \$830,933.50 to North Bay Construction, Inc., and approving a contingency amount of \$83,093

- C. Second Reading of Ordinances Setting Utility Rates Effective August 1, 2010:

1. Ordinance Amending Chapter 33.04.050 (a) and (b) of the Davis Municipal Code Relating to Sewer Rates
2. Ordinance Amending Chapter 39 of the Davis Municipal Code Related to Water Rates

Recommendation: Adopt (Introduced 5/25/2010)

- D. Budget Adjustment #97 (\$83,286) – Allocating Funds for the City / UC Davis Water Intertie Project, CIP No. 8193 (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Michael Lindquist*)

Recommendation: Approve

- E. Budget Adjustment #98 (\$58,047) – Allocating Funds for the Purchase of a Para-Transit Bus (*Assistant Public Works Director Sue Gedestad/Fleet Services Manager Dan Doolan*)

Recommendation: Approve

- F. Commission Minutes:

1. Recreation and Park Commission Meeting of April 15, 2010

Recommendation: Informational

2. Senior Citizens Commission Meeting of April 8, 2010

Recommendation: Receive minutes as informational with exception of the following action item: Approve Fiscal Year 2010/2011 Commission Work Plan

G. City Council Minutes from the Meetings of January 27, February 10 and September 8, 2009, and May 11 and 18, 2010 (*City Clerk Zoe Mirabile*)

Recommendation: Approve

Regular Calendar

Item 5

Davis Climate Action and Adaptation Plan (*City Manager Bill Emlen/Community Development Director Ken Hiatt/Sustainability Program Manager Mitch Sears*)

Recommendation:

1. Approve Resolution Adopting the Davis Climate Action and Adaptation Plan
2. Direct staff to process a General Plan amendment establishing local GHG reduction targets and the development and implementation of a local plan to achieve the targets and prepare the community for a transitioning climate

Item 6

Fiscal Year 2010/11 Proposed Budget – Continued Discussion and Council Direction (*City Manager Bill Emlen/Assistant City Manager Paul Navazio*) (Item will also be discussed by Redevelopment Agency Board)

Recommendation:

1. Provide feedback on staff recommendations including: General Fund Budget-Balancing Plan, Transportation Funding, Capital Improvement Program, Redevelopment Agency Budget
2. Provide direction on potential amendments to the budget within specific issue areas raised by the Council during budget deliberations: Police Staffing, RDA Support for Street Rehabilitation, Water and Wastewater Operations and Maintenance, and General Fund Support for Staffing in Community Development and Sustainability
3. Direct staff to return on June 15, 2010 with the Appropriations Ordinance and other related actions required to adopt the FY2010/11 Budget

Item 7

Public Hearing: Verona Subdivision Project Amendments – Revised Affordable Housing Plan, Final Planned Development and Supplement and Amendment to Development Agreement (*Community Development 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. Consider recommendation of the Recreation and Park Commission to eliminate the 1.087 acres of parkland dedication and direct applicant to submit a new tentative map

and other necessary entitlements to designate the parcel from parkland to residential and/or commercial use

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 June 1, 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 May 27, 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.

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, 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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**DAVIS REDEVELOPMENT AGENCY
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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

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 2

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Recommendation: Approve

Regular Calendar

Item 3

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Recommendation:

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I declare under penalty of perjury that the foregoing agenda for the June 1, 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 May 27, 2010 and made available to the public during normal business hours.
Zoe S. Mirabile, CMC, City Clerk

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