



**CITY OF DAVIS**

**CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**CONCURRENT AGENDA**

**COMMUNITY CHAMBERS, 23 RUSSELL BOULEVARD, DAVIS, CA 95616**

**TUESDAY, SEPTEMBER 20, 2011**

**5:30 P.M.**

*Members of the City Council/Redevelopment Agency:*

*Joe Krovoza, Mayor/Chair*

*Rochelle Swanson, Mayor Pro Tempore/Vice Chair*

*Sue Greenwald*

*Stephen Souza*

*Dan Wolk*

*Steven Pinkerton, City Manager/Executive Director*

*Harriet Steiner, City Attorney/Agency Counsel*

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PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference; **times listed are estimates**. Items may be taken out of order upon request of the Mayor/Chair or Council/Agency Members. A 4/5 vote of the Council/Agency is required to begin consideration of a new item of business after 11:30 p.m.

Roll Call (CC & RDA)

Approval of Agenda (CC & RDA)

Item 1 (CC & RDA)

5:30 Closed Session pursuant to Government Code §54954.5:

- A. Conference with Legal Counsel—Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of § 54956.9: 1 case
- B. Conference with Legal Counsel – Existing Litigation:
  - 1. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424
  - 2. Neighborhood Partners, LLC v. Davis Area Cooperative Housing Association, et al., Yolo County Superior Court Case No. CV11-649

Item 2 (CC)

6:30 Ceremonial Presentation: Proclamation Recognizing September as Senior Center Month

Item 3 (CC & RDA)

6:35 City Manager/Executive Director, City Attorney/Agency Counsel and City Council/Redevelopment Agency 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

Item 4 (CC & RDA)

6:45 **Public Comments**

At this time, any member of the public may address the City Council/Redevelopment Agency 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/Agency. 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/Agency 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 5

**Consent Calendar**

7:15 All matters listed under the Consent Calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council/Agency support and may be enacted by the Council/Agency in one motion in the form listed below. There will be no separate discussion of these items; however, before the Council/Agency votes on the motion to adopt, members of the Council/Agency, 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. (CC) Consultant Agreement with R Robertson – Bryan, Inc. (RBI) for Evaluating and Implementing the 2011 Toxicity Reduction Evaluation (TRE) as required by National Pollutant Discharge Elimination System (NPDES), Program No. 7320 (*Interim Public Works Director Robert Clarke/WWTP Superintendent Stan Gryczko*)  
Recommendation: Approve Resolution Authorizing the City Manager to Execute Consultant Agreement with RBI, in the amount of \$54,610
  
- B. (CC) Consultant Agreement with KD Anderson & Associates, Inc., for Engineering Design Services for the Fifth Street Corridor Improvements Project, CIP No. 8138 (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Roxanne Namazi*)  
Recommendation: Approve Resolution Authorizing the City Manager to Execute Consultant Agreement with KD Anderson & Associates, Inc., in the amount of \$125,000
  
- C. (CC & RDA) Lender-Required Affordable Housing Covenant Modifications for the New Harmony Affordable Housing Project at the Intersection of Drummond and Cowell (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*)  
Recommendation: Approve Resolutions Approving Lender and Investor-Required Modifications to the Affordable Housing Covenant for New Harmony, to ensure permanent affordability of the housing units

- D. (CC) Corrections to Funding Sources and Expenditures for Street Maintenance (*Financial Services Manager Gail Buller*)  
Recommendation: Approve Budget Adjustment #133-FY10/11 (10,862)
- E. (CC) Appropriating Fiscal Year 2010/11 Self Insurance Expenditures and Offsetting Insurance Premium Revenues (*Assistant City Manager Paul Navazio/Budget Manager Kelly Fletcher*)  
Recommendation: Approve Budget Adjustment #134-FY10/11 (4,247,399)
- F. (CC) Management and Maintenance Expenses of Pacifico Affordable Housing Project- 1752 Drew Circle – Allocating Rent Payments and Corresponding Project Expenditures Through June 2011 (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*)  
Recommendation: Approve Budget Adjustment #140-FY10/11 (70,130)
- G. (CC) Allocation of Open Space Program Reserve Funds for Prior Year Easement Costs (*Sustainability Programs Coordinator Mitch Sears*)  
Recommendation: Approve Budget Adjustment #142-FY10/11 (28,704)
- H. (CC) Re-appropriation of Unencumbered Appropriations from Fiscal Year 2010/11 to 2011/12 for Specific Projects in Support of Departmental Programs and Capital Improvement Projects (*Assistant City Manager Paul Navazio/Budget Manager Kelly Fletcher*)  
Recommendation: Approve Budget Adjustments #147-FY10/11 (-\$5,287,177) and #001-FY11/12 (\$5,287,177)
- I. (CC) Traffic Calming on J Street between E. Eighth Street and Covell Boulevard - One-Year Pilot Program (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Roxanne Namazi*)  
Recommendation:
1. Approve installation of a “bike buffer” on J Street between E. Eighth Street and Covell Boulevard, as a one-year pilot program, to reduce traffic speeds.
  2. Approve Budget Adjustment # 022-FY11/12 (\$15,000)
- J. (CC) Plans, Specifications and Estimate, and Contract Award for Patwin Elementary School Frontage Improvements, CIP No. 8220 (*Interim Public Works Director Robert Clarke/Senior Civil Engineer Roxanne Namazi*)  
Recommendation:
1. Approve plans and specifications
  2. Approve Budget Adjustment #023-FY11/12 (\$38,600)
  3. Approve Resolution Awarding Contract of \$79,115 to Abide Builders, Inc., and approving a construction contingency of \$8,000
- K. (CC) 2010-11 Fourth Quarter Administratively Approved Budget Adjustments (*Budget Specialist Kathy McIntire*)  
Recommendation: Informational

L. (CC) Commission Minutes:

1. City/UCD Student Liaison Commission Meeting of May 11, 2011
2. Civic Arts Commission Meetings of March 14 and April 11, 2011

Recommendation: Informational

### Regular Calendar

Item 6 (CC)

7:20 Public Hearing: Application of Dissolution by Davis Area Cooperative Housing Association (DACHA) under California Civil Code 817.2 (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster*)

Recommendation: Open and continue the public hearing to January 24, 2012 as a courtesy to provide additional notice to potentially interested parties

Item 7 (CC)

7:30 Public Hearing: Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2010 Community Development Block Grant (CDBG) and Home Investment Partnerships (Home) Funds (*Community Services Director Elvia Garcia-Ayala/Housing & Human Services Superintendent Danielle Foster/Administrative Analyst Patrick Conway*)

Recommendation: Approve Resolution Authorizing the City Manger to Submit Program Year 2010 CAPER to the U.S. Department of Housing and Urban Development (HUD) to Fulfill Required Reporting on City CDBG and Home Funds, with inclusion of comments received in writing and verbally during the review period for the report and the public hearing

Item 8 (CC)

7:40 Proposed City Arts GATEway Project (Gardens, Arts, and the Environment) to Serve as a Portal to Mark the Pedestrian Passage between Downtown Davis and the Eastern Entry to the UC Davis Arboretum South of First and D Streets (*Community Services Director Elvia Garcia-Ayala/Community Services Supervisor Carrie Dyer*)

Recommendation:

1. Receive Civic Arts Commission Meeting Minutes of May 9, 2011
2. Approve Resolution Authorizing Funding from the Municipal Arts Fund to Commission and Install a Public Art Piece as Part of the City Arts GATEway Project, Release of a Request for Qualifications for Artist to Design and Install the Art Piece, in the amount of \$40,000, and Formation of an Artist Selection Committee

Item 9 (CC)

7:50 Second Reading: Ordinances Establishing Five Year Rates for Sanitary Sewer and Water to be Effective December 2011 (*Interim Public Works Director Robert Clarke/Utilities Manager Jacques DeBra*)

Recommendation:

1. Adopt Ordinance Amending Chapter 33.04.050 (a) and (b) of the Municipal Code Relating to Sewer Rates (five year rates), consistent with the rates published in the Proposition 218 Notice of Public Hearing (introduced 09/06/2011)
2. Adopt Ordinance Amending Chapter 39 of the Municipal Code Related to Water Rates to Increase the Base Rates and Metered Rates (five year rates), consistent with

Council action at the September 6, 2011 meeting setting rates below those published in the Proposition 218 Notice of Public Hearing (introduced 09/06/2011)

Item 10 (CC)

8:30 Fiscal Year 2011/12 Final Budget and Future Reductions (*City Manager Steve Pinkerton/Assistant City Manager Paul Navazio/Budget Manager Kelly Fletcher*)

Recommendation: Direct staff to complete the following workplan items:

- Continue meetings with Labor groups
- Recommend City Negotiator to Council within 3 weeks
- Conduct a closed session with Council on labor negotiations within 3 weeks
- Refine Organizational Studies and implement where feasible over the next 60 days
- Reschedule the September 27<sup>th</sup> meeting to a November 29<sup>th</sup> Budget workshop to discuss FY 10/11 Actual, FY 11/12 1<sup>st</sup> Quarter, and FY12/13 Planning

Item 11 (CC)

9:30 Proposed Resolutions to be Considered at the League of California Cities Annual Conference – September 21-23, San Francisco (*Assistant City Manager Paul Navazio*)

Recommendation:

1. Review the six resolutions introduced for consideration at LOCC's 2011 Annual Conference, consider whether to take a position on the resolutions, and direct the appointed voting delegate(s) to represent the position of the City of Davis
2. Waive City Council policy requiring two readings of resolutions establishing a City position on matters not directly related to City affairs
3. Authorize the City's voting delegate(s) to represent the City of Davis on any additional "petitioned" resolutions that may be presented to the General Assembly for consideration

Item 12 (CC)

9:40 Potential Topics of Significance to be Discussed by the Woodland Davis Clean Water Agency – Next Meeting Scheduled on September 29, 2011 is Anticipated to Include:

- Water Treatment Plant Capacity and City Dedicated Capacity Shares Under Joint Powers Agreement
- Release of Draft RFP to Qualified Bidders for Final RFP Review Process

Adjournment

I declare under penalty of perjury that the foregoing concurrent agenda for the September 20, 2011 regular meeting of the Davis City Council/Redevelopment Agency was delivered to each Council/Agency Member and posted on the outside public bulletin board at City Hall, 23 Russell Boulevard on September 15, 2011 and made available to the public during normal business hours.

Zoe S. Mirabile, CMC, City Clerk

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[www.cityofdavis.org/meetings/](http://www.cityofdavis.org/meetings/); E-mail subscription: [www.cityofdavis.org/email/](http://www.cityofdavis.org/email/); Hard copies available at City Hall, main hallway, 23 Russell Boulevard. An agenda summary is printed in the Davis Enterprise newspaper.

**City Council/Redevelopment Agency 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/); City Hall, main hallway, 23 Russell Boulevard; During Council/Redevelopment Agency meetings: rear of Community Chambers. Copying: City Hall, City Clerk's Office, 23 Russell Boulevard.

City Council/Redevelopment Agency 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/Redevelopment Agency 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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- Any writing related to an agenda item for the open session of this meeting distributed to the City Council/Redevelopment Agency 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/Redevelopment Agency meeting in the public access binder in the rear of the Community Chambers.
- Staff recommendations are guidelines to the City Council/Redevelopment Agency. On any item, the Council/Agency 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.