

MINUTES

JOINT CITY COUNCIL OF THE CITY OF DAVIS AND THE CITY OF WOODLAND

SPECIAL STUDY SESSION

JULY 28, 2009

5:00 P.M.

CALL TO ORDER

At 5:03 p.m. the joint special meeting of the Mayors of the City Councils of the Cities of Davis and Woodland called the joint Special Study Session to order.

PLEDGE OF ALLEGIANCE

Mayor Asmundson invited all in attendance to join in the Pledge of Allegiance.

ROLL CALL

DAVIS CITY COUNCIL MEMEBERS PRESENT:	Ruth Asmundson, Don Saylor, Lemar Heystak, Stephen Sousa, Sue Greenwald (arrived at 5:05}
WOODLAND CITY COUNCIL MEMBERS PRESENT:	Marlin Davies, Martie Dote, William Marble, Jeff Monroe, Art Pimentel
DAVIS STAFF MEMBERS PRESENT:	Bill Emlen, Bob Weir, Zoe Mirable
WOODLAND STAFF MEMBERS PRESENT:	Mark Deven, Andrew Morris, Greg Meyer, Doug Baxter, Dick Donnelly, Sue Vannucci

PUBLIC COMMENT

Council Member Heystak aid he works with the Youth Coalition and a student representative indicated they had been trying to get the City of Woodland to adopt an



Ordinance regarding smoke free Cities and had not been able to move forward. City Manager Deven will work with the Coalition on this issue.

COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Saylor indicated that Council Member Marble had been appointed as Second Vice-President to the League of California Cities. This appointment should boost our representation in the League on issues of importance.

REPORT OF THE CITY MANAGER

DAVIS-WOODLAND WATER SUPPLY PROJECT

Davis City Manager Emlen issued a statement on the purpose of the Joint Powers Agency and Woodland City Manager Deven went through the process and indicated it is currently under review by the State.

Woodland Public Works Director Meyer said that Alan Lilly and the City Attorney's from Davis and Woodland have been working on this for quite some time and feel we are very close to finalizing the JPA.

Vice Mayor Pimentel said the Council supports the JPA as presented. He has a question in the cost estimate J-10 and asked what is the existing structure and why are we going to buy it. Director Meyer said this is the existing intake on the Sacramento River. We must remove it if there will be no one participating in the project. It is currently owned by District 2035 and we are working with them on an Agreement.

Vice Mayor Pimentel said there is a 20% contingency included and asked for clarification. Director Meyer said since we are so early this contingency will give us some latitude because it will take so long to finish the project.

Council Member Monroe agrees the group should contain four members. The alternate should be another Council Member.

Council Member Marble said the Flood Control District and the University of California at Davis should be commended on starting this process. We have two remaining Boards with Fish and Game and the Fishermen's Association who want to be a part of the JPA. At the last meeting with Fish and Game on July 21st, it was very productive and he feels the tasks will be met. He asked if we would be purchasing water rights. Alan Lilly presented a visual that indicates the water rights for the year and the available water throughout the year.



Mayor Davies said we would not be shutting down the well system during the summer months. He asked if we would have the ability to go back to the well water and Director Meyer indicated to the affirmative.

Council Member Heystak asked about the options on the design-build. Director Weir said the project team has been getting information on the pros and cons of the various options and presenting them to Council. One of the positive aspects of design-build is that it eliminates conflict that can arise between the designer and the builder. Council Member Heystak mentioned a sub-contract with the Center for Cooperative Process at California State University, Sacramento. City Manager Emlen feels this is so important we need to get additional expertise in the process. Director Meyer said there are different demographics for each City and the understanding of the concept is critical for the citizens to know.

Council Member Sousa said on the senior water rights question of the Woodland/Davis project, the EIR has five elements for water and asked when they were last contacted. Alan Lilly said they were contacted when they began to prepare the EIR and have not been contacted since. Council Member Sousa said Section 4 said the alternate should be elected. City Manager Deven said the Project Manager could be the tie breaker. We should see how the JPA progresses and he feels we should be able to come to an Agreement. The City Attorneys said this is not a good way to deal with this issue. The clear structure allows for movement but each agency should work to break the tie.

Council Member Sousa said with the current application and the JPA, we have a much better position to get those grants.

Council Member Greenwald said the cost in 2009 was an estimate. Director Weir referenced section G where the \$325 million is including the intake cost. Council Member Greenwald said referred to Table 5 and asked if Davis will be coming up with the 3.5%. Sid England from UCD said they are reviewing the dollars and will be coming to Council at the end of September with the final decision. They are looking at how much water they need. Council Member Greenwald asked about the regional facilities and why is the City of Davis having all of the cost. Director Meyer said those are the regional facilities that are being paid for by each agency. It needs more study and clarification. City Attorney Steiner said the percentage is the portion that only benefits those agencies will be paid by the entity that benefits. That will be in the final JPA documents. Council Member Greenwald said in Table 5 it shows that Woodland is not paying their fair share.

Council Member Saylor said Planning will be constructing the cost estimates. He asked if this breaks out the costs by district. Director Weir agreed. Council



Member Saylor asked if this will open areas that the City Managers believe need to be addressed. City Manager Emlen said there are some minor issues that we are still working on. Director Weir said there is one issue on cost allocation that is still being worked on. Council Member Saylor said the JPA will be approved in October but it appears we will target September. He asked what we see as the goal of flood protection. Director Meyer said one of the agreements will decide the difference between and assure that municipal and agricultural water will be split. Council Member Saylor asked if there is a goal for flood control in the summer and Director Meyer said there is and they will be working with the affected entities on this issue.

Council Member Saylor asked if the routes for the pipelines will have approved rights and Director Meyer said there are and we have been looking at various forms of alignment before finalizing those discussions preliminarily. Council Member Saylor would like an update of the status of negotiations.

Mayor Asmundson said a 2 X 2 needs to be in place with elected officials. They would like the dates from July 1 through June 30 in the fiscal year rather than calendar year. She would like to have an ex-officio person be the tie breaker.

Council Member Greenwald said Davis is facing problems that Woodland is not, as they must rebuild an entire treatment plant. The cost will be high to Davis residents and she does not want to go forward until a plan is in place. Council and staff have not been proactive enough in looking at this. They are looking at \$500 million to do all of these upgrades. They are also re-building their groundwater. The also will be building a \$4 million water tank. She does not want to go forward with publicity until after they get the answers they need. They will need to postpone this project.

Council Member Souza said we missed our first opportunity to get surface water and he does not want to do that again. The water we could be getting is up stream from any areas of concern.

Council Member Heystak said meeting should be televised when working on this large of a project. How will issues be discussed at the Council level? Director Weir said when the JPA is formed Council will be brought updates as the

Council wishes. The members should be able to make reports if they have information to present. Council Member Heystak said our representative should be able to bring this up to Council and receive input from them.



Council Member Saylor said now is the time to do something. We need to include the other agencies. He wants to approve the Agreement in principle.

Mayor Asmundson said we should be bringing the Policy discussion to the JPA as well.

On a motion Council Member Saylor, seconded by Council Member Heystak and carried the Davis City Council approved the conceptual Agreement and directed the staff to bring the item back to Council. Council Member Greenwald does not want to move forward and abstained from the vote.

Mayor Asmundson said she is ready to recommend the Water Sub-Committee with herself as the primary and Council Member Heystak as the alternate. Council Member Greenwald said she wanted to serve on this Sub-Committee. Mayor Asmundson said she is recommending the appointments as stated because they have been working on with the City of Woodland and done some groundwork already.

Council Member Greenwald said she and Council Member Heystak do not serve on significant commissions because the Council will not appoint them.

On a motion by Council Member Saylor, seconded by Council Member Souza and carried, Council moved to table this item. Council Members Greenwald and Heystak voted no.

Mayor Davies indicated that the Woodland City Council cannot take any action out of their jurisdiction.

ADJOURN

At 7:02 p.m., Mayor Asmundson adjourned the joint regular meeting of the Davis and Woodland City Council.

Respectfully submitted,

SS Sue Vannucci, Director of
Administrative Services

Adopted by Council: September 7, 2010