

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of July 9, 2013

The City Council of the City of Davis met in regular session beginning at 5:30 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California and via teleconference at Hyatt Place Hotel, 9161 Winchester Rd., Germantown, TN 38138. The meeting was called to order by Mayor Joe Krovoza.

Roll Call: Councilmembers Present: Lucas Frerichs, Joe Krovoza, Brett Lee (via teleconference), Rochelle Swanson, Dan Wolk

Councilmembers Absent: None

Other Officers Present: City Manager Steve Pinkerton, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda D. Wolk moved, seconded by L. Frerichs, to approve the agenda. Motion passed unanimously.

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following:

A. Conference with Labor Negotiators:

Agency Designated Representatives: City Manager Steve Pinkerton; Assistant City Manager/Administrative Services Director Yvonne Quiring; City Attorney Harriet Steiner; Human Resources Administrator Melissa Chaney; Tim Yeung, Renne Sloan Holtzman Sakai, LLP

Employee Groups/Organizations (under discussion): Davis City Employees Association and Firefighters Local 3494

B. Public Employee Performance Evaluation: City Manager

City Council returned to open session at 6:48 p.m. with no reportable action.

Ceremonial Presentation Proclamation Designating July 2013 as National Parks & Recreation Month was presented by L. Frerichs.

Mayor Krovoza received California Air Resources Board Cool City Challenge Award – City of Davis “Coolest California City.”

City Council recessed at 7:02 p.m. and reconvened at 7:12 p.m.

City Manager Brief Communications

- Yolo Solano Mosquito Vector Control District currently spraying.
- Police Department summer program will be held July 15-August 19.
- Chief Innovation Officer Rob White visiting Washington, DC; showcasing Davis as example of city-UCD collaboration related to manufacturing hub.

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| Public Comments | None |
| Consent Calendar | <p>Amendment to Sole Source Agreement – Streetlight Conversion Project Phase II, CIP No. 8212</p> <p><u>Approved Resolution No. 13-104</u> - Authorizing the City Manager to Execute Amendment to the Sole Source Agreement with PG&E for LED Streetlight Turnkey Replacement Service, and to process a budget adjustment in an amount to equal approximately \$1,200,000 to fund the effort with unallocated local Road Impact Fee funds</p> <p>Professional Services Contract for Value Engineering Services for the Secondary and Tertiary Improvements Phase for Wastewater Treatment Plant Improvements Project, CIP No. 8219</p> <p><u>Approved Resolution No. 13-105</u> - Authorizing the City Manager to Execute Professional Services Agreement with Brown and Caldwell for Value Engineering Services of the Secondary and Tertiary Improvements Phase of the Wastewater Treatment Plant Improvements Project, CIP No. 8219</p> <p>Professional Engineering Services Contract for Management and Technical Support of the Wastewater Treatment Plant Improvements Project, CIP No. 8219</p> <p><u>Approved Resolution No. 13-106</u> - Authorizing the City Manager to Execute a Consultant Agreement with Michael Gritzuk for Management and Technical Support for the Wastewater Treatment Plant Improvements Project</p> <p>Consultant Agreement for Environmental Services for the Water Quality Improvement Project, CIP No. 8224</p> <p><u>Approved Resolution No. 13-107</u> - Authorizing the City Manager to Execute Consultant Agreement with Environmental Science Associates for Completion of Environmental Impact Report (EIR) for the Water Quality Improvement Project</p> <p>Property Liens for Unpaid Administrative Citations, Abatement Penalties and Re-inspection Fees</p> <p><u>Approved Resolution No. 13-108</u> - Certifying the Code Enforcement Cost Accounting Report of Unpaid Administrative Citation Fines, Abatement Penalties, and Re-inspection Fees and Assessing Affected Parcels for Penalties and Requesting Inclusion of the Charges on the Yolo County Secured Tax Roll in the Same Manner as General Taxes</p> <p>Fee Deferral Request from Davis Diamonds</p> <p><u>Approved Resolution No. 13-109</u> - Authorizing the City Manager to Execute Loan Agreement Allowing Payment Plan for Development Fees for Davis Diamonds</p> |

Support Rapid Ultra Light Rail Transit
Approved Resolution No. 13-110 - in Support of CyberTran International,
Inc. Implementing a Rapid Ultra Light Rail Transit Pilot Test Track

Ordinance Adding a Section to Article 15.02 of the Davis Municipal Code
Relating to the City Manager's Authority to Award Contracts for Profes-
sional Services

Introduced Ordinance Adding Section 15.02.055 to Article 15.02 of the Da-
vis Municipal Code Relating to Solicitation for and the Approval of Profes-
sional Services Contracts

Follow-up to June 25, 2013 Budget Presentations

1. Responses to Council Questions
2. Update on OpenGov Software

Informational

SACOG Grant Applications – Transportation Projects

Authorized the City Manager to make final determinations on submittal of
the following transportation projects for grant funding through SACOG
within the 2013 application cycle, subject to further refinement after consul-
tation with SACOG and Caltrans staff:

A. Bicycle and Pedestrian Program: Bicycle wayfinding program

B. Community Design Program

- Construction of H Street Tunnel Improvements combined with pre-
construction engineering for a grade-separated crossing of Covell
Boulevard near L Street; or
- Pre-construction engineering for a connection from the Olive Drive
US 40 bicycle path to the Pole Line Road Overcrossing
- Third Street Corridor Improvements (A to B Street)

C. Regional/Local Program

- Mace Boulevard, Chiles Road to Blue Oak Place (higher priority);
and
- L Street, Second Street to Covell Boulevard

City Council Minutes from the Meetings of July 17, August 24, September
25, October 9 and 30, November 13 and December 18, 2012; and February
26, March 19 and 26, 2013

Approved

Commission/Board Minutes:

1. Natural Resources Commission Meetings of April 22 and May 20, 2013
2. Planning Commission Meeting of January 23, 2013
3. Woodland Davis Clean Water Agency Board Meeting of April 18, 2013

Informational

D. Wolk moved, seconded by R. Swanson, to approve the consent calendar as listed above. Motion passed unanimously.

Removed from
Consent Calendar:

Item removed by D. Wolk.

Public comment:

- Joe Leviach, Yolo County: Expect to go live with Yolo County program by August or September. Program website www.cleanenergyyolo.com

Inclusion of
City of Davis
Land in the
County of Yolo
Community Facilities District
2013-1

D. Wolk moved, seconded by L. Frerichs, to approve Resolution No. 13-111 - Granting Consent to Inclusion of Land within the Territorial Jurisdiction of the City of Davis in the County of Yolo Community Facilities District 2013-1 (Clean Energy). Motion passed unanimously.

Adoption of
Fiscal Year
2013-14 Annual
Budget

Budget Manager Kelly Fletcher: Overview of FY 2013-14 budget.
City Manager Steve Pinkerton: Highlights; amendments to budget since introduction.

D. Wolk moved, seconded by R. Swanson, to adopt Urgency Ordinance Approving and Adopting Final Budget of the City of Davis and for the Former Davis Redevelopment Agency for the Fiscal Year 2013-2014, Providing for the Post-Auditing of Paid Demands Certified or Approved as Conforming to Such Approved Budget and Determining the Appropriations Limit of the City of Davis Pursuant to Article XIII-B of the State Constitution. Motion passed unanimously.

Public Hearing:
Revisions to
Housing Element and Affordable Housing Ordinance

Community Development & Sustainability Director Mike Webb: History of affordable housing provisions since General Plan adoption 1987-present—mix of for-sale and rental affordable units; lottery system for purchasers and renters; rental units monitored annually for income qualification; ownership units, initial qualification only. Changing environment—housing market emphasis on infill and sustainable, compact development. Goals of revisions: sustainable affordability for community at large, greater mix of housing types, reduced administration, mechanism to generate funds in lieu of RDA.

Proposed revisions: Focus on rental housing for low and very-low income households. Provide graduated scale for for-sale obligation consistent with planning policies. Allow Accessory Dwelling Units to count toward requirement with limitations/standards. Allow in-lieu fee as option to for-sale (\$50,000-55,000/unit) on a discretionary basis. Retain land dedication option for larger projects.

Proposed Policy Adjustment: Review of the Affordable Housing Ordinance at least every five years. Specific review of the credit for accessory dwelling units to occur no than January 2016.

Mayor Krovoza opened the public hearing.

Jim Kidd: Support. Address needs in the downtown area—stacked flat and vertical mixed use.

Greg Sparks; Jessica Marrell, Sacramento Housing Alliance, and Oly Ottinger, Legal Services Northern CA; Michael Drain and Fernando Silbrien, Mutual Housing CA: Oppose in lieu fees and ADUs. ADUs will not serve low income families or disabled individuals who may need caretaker living with them. Housing needs assessment contains no analysis of what needs will be met by ADUs. Request staff work with community members to address broad range of needs.

Jonathon London and Russell Naches: Davis has 29% of households paying more than 50% of income for housing. Biggest cohort of Davis residents are 22-26 year olds in very low income category. Median home price in Davis is triple national average.

Haddy Thiel: Question exemptions, can exclude lower incomes. Greater diversity leads to greater learning experiences in schools.

Sarah Barnes and Carla Kinney: Support ADU proposal.

Kemble Pope, Chamber of Commerce: Support flexibility, including ADUs and in-lieu fees. Need data driven process; suggest appoint task force that represents all perspectives.

Jason Taormino: Support focus on rental housing instead of for sale units.

Kary Fry: Should look at issue long term. Concern that long term priorities won't be covered by proposed fees.

Mindy Romero: Staff has not provided enough evidence to eliminate concerns expressed by Social Services and Planning Commissions. Need to think about impact of proposed changes on very low income families.

Dave Taormino: Generally support. Oppose 2 items: Projects with 10 units or more, should build within project; if require for fewer than 10 units, should allow in lieu fees. Object to amount of in lieu fees; recommend looking at again, possibly \$30,000. In lieu fee should be developer choice without having to go through hearing process.

George Phillips, Cannery project: Support. Secondary units viable infill component; minimal expenditure of public funds.

Don Fouts, Chiles Ranch project: Support. Currently have 10, hope to expand to

20 ADUs. Would be willing to self regulate ADUs in Chiles Ranch, serve as test period, who is renting, how much.

Mayor Krovoza closed the public hearing.

M. Webb: In lieu fees intended as a proactive measure to keep funding mechanism in place. ADUs should provide housing for working adults, grad students, retired individuals. Other types of units trying to encourage by graduated scale—small units, attached units will fill niche needed by families. Proposal is focusing on providing wider array of housing types. Summarized staff proposed amendments to Ordinance: language needed to clarify proposed ADU requirements consistent with staff report and policy adjustment review.

L. Frerichs moved, seconded by D. Wolk, as follows:

1. Approve Resolution No. 13-112 Amending the General Plan Text Related to Affordable Housing Requirements
2. Introduce Ordinance Repealing in its Entirety and Reenacting Article 18.05 of the Davis Municipal Code Relating to Affordable Housing Requirements; amended to include a performance standard for accessory dwelling units (provide common usable interior space to accommodate family living), and technical corrections to menu of housing options

B. Lee moved, seconded by R. Swanson, substitute motion as follows:

1. Approve Resolution No. 13-112 Amending the General Plan Text Related to Affordable Housing Requirements
2. Introduce Ordinance Repealing in its Entirety and Reenacting Article 18.05 of the Davis Municipal Code Relating to Affordable Housing Requirements; amended to include a performance standard for accessory dwelling units (shall provide common usable interior space to accommodate family living), and technical corrections to menu of housing options
3. Direct staff to provide analysis of providing separate meters for utilities to ADUs. Staff will return with in-lieu fee public hearing and discussion of metering.

R. Swanson proposed friendly amendment: Council discretion to allow in-lieu fees as an option in any project over 200 units for up to 50% of affordable housing requirement. Accepted by mover. Motion passed by the following vote:

AYES: Swanson, Lee, Krovoza

NOES: Frerichs, Wolk

J. Krovoza moved, seconded by B. Lee, to provide the ability to use ADUs to satisfy a portion of affordability 2:1 requirement; shall sunset December 31, 2015. Motion passed by the following vote:

AYES: Swanson, Lee, Krovoza

NOES: Frerichs, Wolk

Council recessed at 11:01 p.m. and reconvened at 11:10 p.m.

Public Hearing: Mayor Krovoza opened and continued the following public hearing to August 27, 2013: Mission Residences, 225-229 B Street; Planning Application #12-72—General Plan Amendment #1-12, Core Area Specific Plan Amendment #1-12.

Agreement for Collection and Handling of Solid Waste Item deferred to after Council recess in August.

Prop 218 Notices for FY 2013-14 Solid Waste Service Fees – Utilities Manager Jacques DeBra: Reviewed Prop 218 notification schedule: July 26 notices mailed, Sept 24 public hearing, December rates effective.

Single Family Residential & Commercial/ Multi-Family Residential L. Frerichs moved, seconded by D. Wolk to approve the Proposition 218 Notices containing the proposed increases FY13-14 to the rates for the solid waste service fees to be effective beginning December 1, 2013 and future adjustments to such rates for residential, multi-family, and commercial customers. Motion passed unanimously.

Consolidation of the North Davis Meadows Water System General Manager Utilities, Development & Operations Herb Neiderberger: City approached by CA Dept. of Public Health with proposal to consolidate water system for North Davis Meadows County Service Area. Offer included enabling Davis's application for Drinking Water State Revolving Fund financing of the Davis Woodland Water Supply Project to be ranked within a fundable range.

J. Krovoza moved, seconded R. Swanson, to authorize staff to continue negotiations with North Davis Meadows County Service Area with goal of city providing domestic water and meeting objective of qualifying for state revolving loan funds. Tentative agreement will return to Council. Motion passed unanimously.

City Council Liaison Assignments Deputy City Manager Kelly Stachowicz: Reviewed proposed liaison assignments

Council made the following revisions:

Historical Resources Management Commission: R. Swanson regular appointment; J. Krovoza remain alternate.

Natural Resources Commission: L. Frerichs regular, J. Krovoza alternate

Comments included:

B. Lee: Scheduling conflict for Water Resources Association

D. Wolk: Lower Putah Creek Coordinating Committee—Consider sending

staff.

J. Krovoza: Economic development & business interests—request assessment on advisability of staff to serve. Consider whether Chair or a seasoned commissioner would be willing to serve as liaison.

H. Steiner: Need to review enabling documents, determine if rules allow staff or commissioners to serve instead of elected officials.

R. Swanson: Chamber of Commerce, Government Relations Committee attended by staff. Can be on call.

Designation of
Voting Delegate
for League of
CA Cities Con-
ference

D. Wolk moved, seconded by R. Swanson to appoint L. Frerichs as voting delegate and B. Lee as alternate for 2013 League of California Cities Annual Conference – September 18-20, Sacramento. Motion passed unanimously.

Long Range
Calendar

S. Pinkerton: August 27 meeting items to be determined, will include DWR Agreement. Transportation Element postponed to October 8

J. Krovoza: Discussion of affordable housing 10 units or less

B. Lee: Request discussion of sponsorship/naming rights early in fall, idea to have Central Park fountain back by next summer.

D. Wolk: Schedule fluoridation discussion soon

S. Pinkerton: Tentatively schedule fluoridation October 1

L. Frerichs: Will not be able to attend October 30. Request postponing joint discussions with commissions—liaison to both commissions.

R. Swanson: Reschedule workshop to October 15

Adjournment

Meeting was adjourned at 12:01 a.m.

Zoe S. Mirabile, CMC
City Clerk