

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of February 20, 2018

The City Council of the City of Davis met in regular session beginning at 6:00 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Davis.

Roll Call:

Councilmembers Present: Will Arnold, Lucas Frerichs, Brett Lee, Rochelle Swanson, Robb Davis

Councilmembers Absent: None

Other Officers Present: City Manager Mike Webb, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda City Manager Mike Webb: Amend Agenda—Cannery Marketplace Revisions Public Hearing will be continued to March 13 per applicant request.

L. Frerichs moved, seconded by W. Arnold, to approve the agenda as amended. Motion passed unanimously.

Ceremonial Presentations Proclamation Recognizing Unitrans on Their 50th Anniversary. Presented by L. Frerichs.

2018 Golden Heart Awards – Recognizing Outstanding Youth in the Community: Community Service: Sithmi Jayasundara (presented by R. Davis) and Elijah Smith (W. Arnold)

Personal Challenge: Nora (Nargiz) Abduli (presented by R. Swanson)

City Council recessed at 6:26 p.m. for a reception and reconvened at 6:37 p.m.

City Manager Announcements M. Webb: Upcoming project—Central Park ironwork being installed at the Oak Tree. Re-openings of park equipment playgrounds at Pioneer Park, Oxford Circle Park and Arroyo Park. Downtown Plan Update—Friday, March 9 open house format. Community discussion at 207 E Street, coincide with Friday Art About.

City Council Announcements B. Lee: Attended Bicycling, Transportation, and Street Safety Commission meeting, topics included proposed traffic calming regimen for selecting which segments of roadway will be prioritized for traffic calming.

R. Davis: Met with staff regarding allocating resources to provide medical resources for interfaith Rotating Winter Shelter. Will be providing full briefing to Council within a few months.

Public Com-
ments

- Tom Jobst, Froggy’s Bar & Grill/Tommy’s Bar: Entertainment Permit—Support eliminating soft closure. Last hour of business 1-2am is a very busy time.
- Connor Gorman: Support UCD Unions that are currently in bargaining.
- Tony Tenbroeck and Tammy Tenbroeck, Davis Swim & Fitness and Yolo Crossfit; Matt Caserra, Davis Swim & Fitness; Joe Check; Nicholas Wallajesky, Rachel Wallajesky, and Colin Schmidt, Get Fit Davis Sport; Francesca Wright; Dennis Allen; Steve Kochler, Goal Getters Soccer; and Donna Russell: Oppose proposed athletic club at Cannery Marketplace.
- Gabriel Queyar, Property Manager Bartlett Commons, Mackenna Michaels, resident at Bartlett Commons, and Diane Cassey, parent of Bartlett resident: Pool and community room at Cannery development is not affordable for low income residents at Bartlett Commons.
- Gloria Partida: Request Council consider resolution against assault weapons. Also, suggest postponing action on the Affordable Housing Ordinance until after analysis comes back from consultant.
- Mill Cohn, Manager A&B Taxi, Jeremy Bishaloffsky, A&B taxi driver, Tanya Pashovsky: Request Council agendaize discussion of taxi services and business impacts from ride-share companies.
- Alan Pryor: Support small and local businesses.
- Eric Gudz: City should work to package improvement projects and streamline contract procedures.

Consent Calen-
dar

Third Street Improvements Phase V, CIP No. 8164 – Surface Improvements Pack-
age – Re-Bid

1. Approved Resolution No. 18-025 - Awarding Contract to Teichert Construction for Construction of the Third Street Improvements Project – Surface Improvements Package, CIP 8164 and Authorizing the City Manager to Execute Contract, and Approving Task Order No. 7 with Willdan Engineering for Construction Management and Inspection Services
2. Approved Budget Adjustment #89 (\$350,000) – transferring transportation infrastructure funds

Consultant Services Agreement for Professional Engineering Services for the
Fourteenth Street/Villanova Drive Improvements Project, CIP No. 8282

1. Approved Resolution No. 18-026 - Authorizing the City Manager to Execute a Professional Services Agreement with Alta Planning + Design to Provide Professional Engineering Services for the Fourteenth Street/Villanova Drive Improvements Project
2. Approved Budget Adjustment #88 (\$20,000) – transferring road impact funds

Consultant Services Agreement for Downtown Paid Parking, CIP No. 8252

1. Approved Resolution No. 18-027 - Authorizing the City Manager to Execute a Professional Services Agreement with Nelson/Nygaard for Consulting Services for Downtown Paid Parking Project
2. Approved Budget Adjustment #85 (\$165,000) – transferring downtown paid parking revenue funds

Amendment to Professional Services Agreement for the Wastewater Treatment Plant Improvement Project, CIP No. 8219

1. Approved Resolution No. 18-028 - Authorizing the City Manager to Execute Amendment No. 4 to the Professional Services Agreement with Robertson-Bryan, Inc. for the Wastewater Treatment Plant Improvements Project
2. Approved Budget Adjustment #87 (\$120,000) – allocating wastewater reserve funds

Well 34 Site Improvements, CIP No. 8174 and Conversion of Wells 31 and 33 to Adjustable Frequency Drive Pumps, Program No. 7522

1. Approved Resolution No. 18-029 - Authorizing an Increase of Contingency Funds for Well 34 Site Improvements and Conversion of Wells 31 and 33 to Variable Frequency Drive Pumps
2. Approved Budget Adjustment #86 (\$25,000) – transferring water operations funds

Second Reading of Ordinances Relating to the Nishi Project:

1. Adopted Ordinance No. 2523 - Approving an Agreement By and Between the City of Davis and Nishi Gateway, LLC, Relating to the Development of the Property Commonly Known as the Nishi Property (Introduced 02/06/2018)
2. Adopted Ordinance No. 2524 - Amending Section 40.01.090 of Chapter 40 of the Davis Municipal Code By Rezoning the Nishi Property (APN #036-170-018) Located Southeast of the Union Pacific Railroad (UPRR) Tracks and University of California Davis Campus, Southwest of Putah Creek, and North/Northwest of Interstate 80 (I-80), of Approximately 46.9± Acres, to Planned Development (PD) #6-14 Upon Annexation to the City of Davis as Outlined in Section 40.01.110 of Chapter 40 (Introduced 02/06/2018)

Commission/Task Force Minutes:

1. Bicycling, Transportation, and Street Safety Commission Meeting of January 11, 2018
2. Broadband Advisory Task Force Meeting of December 20, 2017
3. Open Space & Habitat Commission Meeting of January 8, 2018

Informational

L. Frerichs moved, seconded by W. Arnold, to approve consent calendar as listed above.

Removed from
Consent Calendar:

Item removed by W. Arnold.

W. Arnold: Request clarification for language in ordinance related to Council discretion.

Second reading of Rental Inclusionary Housing Ordinance

City Attorney Harriet Steiner: If Council receives an application with less than 15% affordable units, Council can review and look at 9 factors contained in ordinance and make determination with appropriate findings.

W. Arnold moved, seconded by R. Swanson, to adopt Ordinance No. 2525 - Amending the City of Davis Municipal Code Article 18.05 to Provide Discretion to Approve Project Specific Affordable Housing Plans for Multifamily Rental Developments (Introduced 02/06/2018). Motion passed unanimously.

City of Davis Flag

Item removed by R. Swanson.

Public Relations Manager Bob Bowen: Over many years, city logo has been used as city flag. One of the most recognizable brands for a city in United States.

Public comment:

- Aden Ramey: Over past 3 months, have worked to develop a city flag. Developed survey to have people vote on 8 designs at www.votedavisflag.com. Ask Council to sponsor resolution to adopt a community designed city flag.

R. Swanson moved, seconded by W. Arnold, to formally adopt the existing city flag design featuring the City of Davis logo as the official city flag. Motion passed unanimously.

Continued Public Hearing: Cannery Marketplace Project Revisions

Mayor Davis opened and continued the following public hearing to March 13, 2018: The Cannery Marketplace Project Revisions – Proposal to Add 54 Apartment Units and Allow Up to 193,000 sq. ft. of Mixed-Use Development.

Davis Waste Removal Franchise Agreement, Right of First Refusal; Franchise Transfer

Environmental Resources Manager Richard Tsai: Previously, Council determined that initial proposal was not a bona-fide offer. On January 22, new request received to waive right of first refusal. City is required to respond by February 22. Next steps: February 22-March 13, city and Recology negotiate terms of franchise transfer. March 2018 to March 2020, analysis of relocating the Material Recovery Facility from 2nd Street.

Public comments:

- Kirk McGregor, Connor Gorman, Caroline Higgen-Webb, Larry Guenther, Elizabeth Lassensky, and Robin Coslow: Oppose transfer. Support local control of utilities. Deal not financially viable. Need more time for analysis. Citizens not aware of facts.
- Alan Pryor, Anya McCann, and John Johnston, Natural Resources Commission; Richard McCann, Elaine Roberts-Musser, Johannes Troost, Gerry Braun, and Jacques Franco, Utility Rate Advisory Commission (URAC); Matt Williams, Linda Deos, and Donna Russell: URAC provided recommendation to

Council that should be considered before proceeding. Other Commissions should have opportunity to review and weigh in.

- Sal Cornello, Recology; Paul Hart, Davis Waste Removal (DWR); and Doug Koball: Support. Recology will be good fit for Davis.

City Attorney Harriet Steiner: City currently has long term franchise agreement with DWR. DWR has ability to sell franchise or sell equipment and transfer franchise with city approval. Right of first refusal stays with franchise. If transfer isn't approved and closed within 90 days, waiver concludes.

B. Lee moved, seconded by R. Swanson, to approve Resolution No. 18-030 - Waiving the City's Right of First Refusal to Purchase Davis Waste Removal Company, Inc. Business and/or Property for One Time Only Related to the Proposed Transfer to Recology. Motion passed unanimously.

City Council recessed at 9:36 p.m. and reconvened at 9:47 p.m.

Entertainment
Permit Ordinance
Update

Police Chief Darren Pytel: Downtown conditions have improved since entertainment permit was initiated. Request from business owners to modify soft closure requirements.

Public comments:

- Connor Gorman: Support soft close for some businesses, maybe consider changing time to 1:30.
- Allan Miller: Situation is better. Caution against changing too much, may undue positive changes.

By consensus, Council supported modifying soft closure requirements for businesses in good standing and providing discretion to implement changes to Police Chief. Return to Council with update if modification results in any changes in downtown culture.

D. Pytel: If behavior deteriorates, will change conditions accordingly.

R. Davis: Request update to Council when/if that happens.

Capital Improvement
Projects Mid-Year
Update for Fiscal
Year 2017/2018

City Engineer Dianna Jensen: Summarized projects; total cost of CIPS for 2017/18: \$79,583,492.

Public comments:

- Connor Gorman: Support projects: connection between Olive Dr. and Pole Line as well as Richards Blvd. interchange, public restrooms downtown.
- Gloria Partida: Support Tulip and Ponteverde multi-use path project?

City Manager Mike Webb: Moving forward, intent for signage at project locations to be included in city's larger communication strategy. How to communicate and

with what protocols will be part of process. Will come up with standardized practices.

PG&E Street Light Conversion Update

Assistant City Engineer Brian Mickelson: PG&E conducted pilot project; received only 2 comments. PG&E received go ahead to proceed with project. Upon concerns from citizens, project placed on hold.

Jeff Collard, PG&E Outreach Program Manager: PG&E agreed to change lights to warmer lights. Now have option for lower wattage fixture; 15 watt light output same as other residential areas, 2700 same color light. Can provide trial for week or two.

Public comments:

- Alan Miller, Jim Benya, Rhonda Reed, and Kiersten Young: Support proposed trial.
- Larry Guenther: Don't need pilot, just provide same as elsewhere in city.

Fire Department Overview

Fire Chief Daryl Arbuthnott: Provided department overview. Next steps include: analysis of fire facility/infrastructure needs, standards of cover study, discussions of department autonomy, contracting with Yolo County Dispatch Center, upgrading EMS services to ALS (advance life support).

City Council Brief Communications

None

Tentative Meeting Schedule

City Manager Mike Webb: Will confer with staff on which items are scheduled for March 13 and March 20.

R. Davis: Need to look at times on agenda. Reflect longer public comment period.

Public comments:

- Alan Hirsch: Should move CIP project funding earlier; construction in June rather than July.
- Eric Gudz: Suggest Cannery item be agendized March 20
- Connor Gorman: Suggestion discussion of possible community center

B. Lee: Bartlett Commons pool fee—surprised at amounts quoted for entrance to facility. Request agendize item for discussion prior to Cannery small builder lot exemption issue.

M. Webb: Staff has begun engagement with New Home Company and CFY Development, owner/manager of Bartlett Commons, discussion of facts, who has control over fees, and possible solutions.

Adjournment

Meeting was adjourned at 11:47 p.m.

Zoe Mirabile
City Clerk