



**CITY OF DAVIS
CITY COUNCIL AGENDA
COMMUNITY CHAMBERS, 23 RUSSELL BOULEVARD, DAVIS, CA 95616
TUESDAY, FEBRUARY 5, 2019
6:30 P.M.**

Members of the City Council:

Brett Lee, Mayor

Gloria Partida, Mayor Pro Tem

Will Arnold

Dan Carson

Lucas Frerichs

Mike Webb, City Manager

Harriet Steiner, City Attorney

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 or Council Members. A 4/5 vote of the Council is required to begin consideration of a new item of business after 11:30 p.m.

Roll Call

Approval of Agenda

Item 1

- 6:30 A. City Manager Brief Announcements
B. City Council Brief Announcements and Liaison Reports from Various 2x2 Meetings and Commission/Board/Inter-jurisdictional Assignments
C. City Council Indication of Intent to Pull Item(s) from the Consent Calendar for Discussion

Item 2

6:40 **Public Comments**

At this time, any member of the public may address the City Council on matters not listed on this agenda, or are listed on the consent calendar. Speakers will be asked to line up at the podium and state their name for the record. Comments are usually limited to no more than 3 minutes per speaker. Up to 5 minutes may be granted if an individual is speaking on behalf of 5 or more people present, a recognized organization, or a jurisdictional partner.

If possible, citizens should reserve their comments for regular matters listed on this agenda at the time the item is considered by the Council. However, members of the public who are not able to stay until their item is heard are welcome to speak during the general Public Comments period. (Please note: comments for official Public Hearings should only occur during the hearing.)

The Public Comments section is for the City Council to receive comments; except for brief questions for clarification, no discussion or action may be taken on any item that is not listed on the agenda. Public comment may be continued to the end of the meeting if the time allotted for public comment expires.

Item 3

Consent Calendar

- 6:55 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 Council in one motion in the form listed below. There will be no separate discussion of these items; however, before the Council votes on the motion to adopt, members of the 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. Agreement to Improve Fiber-Optic Infrastructure (*IS Administrator Jason Best*)
Recommendation: Approve Resolution Authorizing the City Manager to Execute Agreement with Astound for Fiber Optic Services

- B. Selection of Independent Police Auditor (*Assistant City Manager Kelly Stachowicz/ Police Accountability Commission Liaisons Frerichs/Partida*)
Recommendation: Approve Resolution Authorizing City Manager to Execute Contract with Michael Gennaco of OIR Group for Independent Police Auditor Services

- C. “Think Outside the Box” Public Art Commissions (*Arts & Culture Manager Rachel Hartsough*)
Recommendation:
 - 1. Receive recommendation from Civic Arts Commission of selected artists for the “Think Outside the Box” public art call
 - 2. Approve Resolution Authorizing the City Manager to Execute Agreements with Angela Tannehill, Brian Alexander, Ianna Frisby, Jennifer McGuire, Jessica Eastburn, Kent Smith, Kerri Warner, Lily Therens, Melissa Uroff, Philip Hua, Sandy Fong Whetstone, Susan Silvester, Will Durkee for Design of a Vinyl Wrapped Traffic/Utility Box as Part of the Think Outside the Box Public Art Call

- D. Proposition 68 Grants (*Parks & Community Services Director Dale Summersille*)
Recommendation: Informational

- E. 2018-2020 Council Focus Items Update (*Assistant City Manager Kelly Stachowicz*)
Recommendation: Informational

- F. City Council Minutes from the Meetings of January 8 and 22, 2019 (*City Clerk Zoe Mirabile*)
Recommendation: Approve

- G. Commission/Task Force Minutes:
 - 1. Broadband Advisory Task Force Meeting of December 19, 2018
 - 2. Historical Resources Management Commission Meeting of December 17, 2018
 - 3. Human Relations Commission Meetings of June 28, September 27, October 22, and November 15, 2018
 - 4. Open Space and Habitat Commission Meeting of December 3, 2018Recommendation: Informational

Regular Calendar

Item 4

7:00 Public Hearing: Solid Waste Rate Proposition 218 Hearing and Rate Recommendations (*Public Works Director Robert Clarke/Assistant PW Director Stan Gryczko/ Environmental Resources Manager Richard Tsai/Management Analyst Adrienne Heinig*)

Recommendation:

1. Conduct final count of written protests, including any written protests submitted prior to the close of the public hearing, and determine if there is a majority protest
2. If no majority protest exists, approve Resolution Establishing City of Davis Customer Rates for Solid Waste Service Fees Effective March 1, 2019
3. Direct staff to return to Council before each subsequent rate adjustment within the Proposition 218 period, with a report on the fiscal health of the solid waste fund, and a recommendation for the next year's rate adjustment, as adopted by this Proposition 218 process

8:00 *Mid-meeting break; approximate 15-minute duration*

Item 5

8:15 Solid Waste Program Yard Material Pile Collection Service Options (*Public Works Director Robert Clarke/Assistant PW Director Stan Gryczko/ Environmental Resources Manager Richard Tsai/Conservation Coordinator Jennifer Gilbert*)

Recommendation:

1. Receive feedback from solid waste service customers and Commissions on yard material pile collection schedule alternatives
2. Based on feedback and Council discussion, select a yard material pile collection schedule for implementation
3. Direct staff to work with Recology and return within the next few months with an amendment to the Agreement for Collection and Handling of Solid Waste and an Ordinance update to the Municipal Code to implement the chosen collection schedule

Item 6

9:15 Urgency Ordinance Requiring Design Review for New Construction of Larger Homes and Additions That Considerably Expand One and Two Family Dwellings (*Assistant City Manager Ashley Feeney/Community Development Administrator Katherine Hess*)

Recommendation

Adopt Urgency Ordinance Amending Sections 40.04.070 and 40.31.040 of the Davis Municipal Code to Require Architectural and Design Review for Construction of Two-Story Single Family Dwellings, Two-Story Duplexes or Two Family Dwellings, Additions to Single Family Dwellings, Duplexes or Two Family Dwellings Exceeding Forty Percent, and Two-Story Additions to Single-Story Single Family Dwellings, Duplexes or Two Family Dwellings for the Immediate Preservation of the Public Peace, Health and Safety, and Declaring Same to Be an Urgency Measure to Take Effect Immediately

Item 7

10:00 A. City Council Communications:

1. Council Announcements/Communications continued as needed

2. AB 1234 reporting of meetings attended at City expense
- B. City Council Long Range Calendar. The calendar is a fluid working document used to support efficient and effective meetings and is subject to change. At this time, Council may request items be placed on a future meeting agenda.

Item 8

- 10:15 Closed Session pursuant to Government Code §54954.5: Conference with Legal Counsel
- A. Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956:9: 1 case
 - B. Existing Litigation:
 1. Robert Weist v. City of Davis, U.S. District Court, Eastern District of California, Case No. 2:16-CV-1683-LEK
 2. Old East Davis Neighborhood Association v. City of Davis et al, Yolo Superior Court Case No. PT17-2111
 3. Susan Rainier v. City of Davis et al, Yolo County Superior Court Case No. PT18-639
 4. Davis Coalition for Sensible Planning v. City of Davis et al, Yolo County Superior Court Case No. PT18-433

Adjournment

The foregoing agenda for the February 5, 2019 regular meeting of the Davis City Council was delivered to each Councilmember and posted on the outside public bulletin board at City Hall, 23 Russell Boulevard on January 31, 2019 and made available to the public during normal business hours.

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