

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of May 1, 2012

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. The meeting was called to order by Mayor Krovoza.

Roll Call: Councilmembers Present: Sue Greenwald, Joe Krovoza, Stephen Souza, 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 S. Souza moved, seconded by S. Greenwald, 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: Conference with Legal Counsel – Existing Litigation:
1. Davis Depot At Grade Crossing Application Proceeding; CPUC Case No. A.11-08-14
2. People’s Vanguard of Davis, Inc. v. City of Davis, Yolo County Superior Court Case No. PT12-480

City Council returned to open session at 6:13 p.m. with no reportable action.

Council/HRMC Joint Discussion: Historical Resources Management Commissioners present: Mark Beason, Rand Herbert, Scott Miltenberger, Rich Rifkin, Gale Sosnick, Linda Zablony-Hurst
Commission

Duties and Responsibilities, 2012 Work Plan and City Council Goals

Commissioner comments included:

- HRMC Goals 2012-2014: (1) Update definition of historical building; (2) historical building survey; (3) historical building markers; (4) funding mechanism for historical resources
- Most carbon friendly structure is one that is already there. Consider adaptive use of buildings.

Councilmember comments included:

- Updated historical building survey could bring greater set of data from which to make decisions
- Concern regarding expense to broadening group of properties; already piling on costs to homeowners, unfair burden
- Historic properties can be difficult to maintain for older homeowners; suggest Council discuss cost benefit analysis
- Consider goal of completing survey by city’s 100 birthday

By consensus, Council directed the Commission to provide more details for goals

related to historical definition, building survey and building markers. Return to Council with analysis to include cost cost to city as well as cost to current and future homeowners before proceeding.

Council directed staff to prepare an analysis of the Municipal Arts Fund.

City Manager Steve Pinkerton: Staff will bring back analysis of what projects contribute to fund and details of fund expenditures, to include administration cost. Will go to commissions for input before final deliberation by Council. Council concurred.

City Council recessed at 6:50 p.m. and reconvened at 7:00 p.m.

Ceremonial
Presentation

Proclamation Recognizing May 2012 as May is Bike Month was presented by Mayor Krovoza.

Proclamation Recognizing May 2012 as National Preservation Month was presented by Councilmember Souza.

Proclamation Recognizing May 2012 as Older Americans Month was presented by Councilmember Wolk.

Brief Commun-
ications

City Manager Steve Pinkerton: C Street will be closed most of the weekend around Central Park to accommodate a bike race on Sunday.

Police Chief Landy Black: Picnic Day update--good police presence, very happy there were no tragedies or disasters. Very little enforcement in expanded safety enhancement zone expansion. Still going thru data, determining how many citations were Davis residents, students, etc.

R. Swanson: Attended April 30 opening of Davis Roots. Traveled to Washington, D.C. for the "Cap to Cap Program."

J. Krovoza: Recognized passing of former Davis Councilmember Myles Nicholson, served on City Council from 1957 to 1964.

Update on Sentate Bill 843, ability for communities to create renewable energy gardens, more cities are joining in support as well as environmental groups, bill now in second year.

Public
Comments

- Alan Pryor: Yes on Measure D Committee Treasurer; if parks tax not passed, budget cuts will include significant drop in service level in parks, greenbelts and streetscapes.
- Roman Nelson: Support proposed increase to Council compensation.
- Christopher Hogan: Thank Council for supporting alternative recreation program; concern that program might be faciang budget cuts; program means a lot to group of friends that use services.

- Kyle Thomas: Founding mobile food truck company soon to be called Zen Tacos; want to provide services mainly around campus; understand that mobile businesses are required to move every 10 minutes, not feasible for larger food trucks; request Council consider addressing food truck regulations.
- Danny Tomasello: Music Only Makes Sense, local non-profit, will be hosting second annual Davis Music Fest; 7 venues and 40 bands booked so far; beneficiary is Davis Schools Arts Foundation.
- Alan Fernandes: Concerned over tenor of debate in our community regarding the value of public service; honorable profession and pursuit; wide public support for firefighters and first responders.
- Norbie Kumagai: Support public safety personnel; understand city is in process of filling division chief; midway through process, city wrote new job description, should negotiate fairly and in good faith.
- Dennis Dingemans and Peter Gabriel, Hattie Weber Museum: regarding consent calendar item regarding the Central Park restroom; Historical Resources Management Commission supports museum position; request Council to reconsider vote on WPA restroom in Central Park and provide building to Museum to use as storage, staging and display.
- Ron Goerber, Kaiser Permanente Sacramento: Involved in HEAL cities campaign in partnership with California Public Health Advocacy and League of California Cities; City of Davis passed resolution to support healthy and active lifestyle choices, adopted nutritional standards for city events.

Council recessed at 7:57 p.m. and reconvened at 8:10 p.m.

Consent
Calendar

Operating Memorandum for Timing of Construction for Willowbank Park Subdivision Affordable Housing Units
Approved Resolution No. 12-052 - Approving and Authorizing the City Manager to Sign Operating Memorandum, Willowbank Park Development Agreement (Brix & Mortar, etal)

North Davis Riparian Greenbelt Restoration Project – Fiscal Agent
Approved Resolution No. 12-053 - Approving and Authorizing the City of Davis to Serve as Fiscal Agent for Grant Funds for the North Davis Riparian Greenbelt Project that Received Funding Under the Urban Greening Grant Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84)

Davis Youth Soccer League (DYSL) AKA Davis Legacy Soccer Club Lease Amendments
Approved Resolution No. 12-054 - Authorizing the City Manager to Enter into the First Amendment to the Ground Lease and Sublease Associated with the Temporary Expansion of the Davis Youth Soccer League “DYSL” Soccer Fields East of Davis

Program Supplement Agreement No. 030-N to Administering Agency-State Agreement for Federal-Aid Projects, Safe Routes to School Cycle 3

Resolution No. 12-055 - Authorizing the City Manager to Execute Local Agency-State Agreements for Transportation Project Federal Grant Funds

Conforming and Technical Updates to the Davis Municipal Code
Introduced Ordinance of the City of Davis Amending Various Sections of the City of Davis Municipal Code to Clarify and Update Certain Specified Provisions in Articles 1, 2, 4, 5, 7, 8, 8A, 10, 11, 15, 17, 19, 20, 22, 29, 32, 36, 39 and 40 and Amending the Entire Municipal Code to Change Certain Position Titles to Accurately Reflect the Current Titles

Second Reading: Ordinance No. 2588 - Amending Certain Sections of Article 15.11 of the Davis Municipal Code Relating to Public Contracting Procedures - Relating to the City Manager's Authority to Award Contracts and the City Engineer's Authority to Approve Plans and Designs for Public Works Projects
Adopted (Introduced 04/17/2012)

Second Reading: Ordinance No. 2589 - Amending Section 22.07.030 of the Davis Municipal Code Relating to Stop Intersection Designation
Adopted (Introduced 04/17/2012)

Fiscal Year 2011/12 Third Quarter Administratively Approved Budget Adjustments
Informational

Residential Development Status Report for Calendar Year 2011
Informational

Annual Housing Element Progress Report for Calendar Year 2011
Approved the annual progress report required by the State of California and directed staff to forward the report to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD)

City Council Minutes from the Meetings of September 20 and 27, October 4, November 1 and December 6, 2011
Approved

Commission/Committee Minutes (informational only):
1. Historical Resources Commission Meeting of April 16, 2012
2. Safety and Parking Advisory Commission Meeting of February 2, 2012
Informational

Support for SB 1220, the HOMeS Act
Authorized Mayor to sign letter on behalf of the City Council in support of SB 1220, the HOMeS Act, which will require a \$75 document recording fee on real estate transactions to provide funding for affordable housing. Staff recommends waiving the internal Council policy to require an item come before Council twice prior to approval.

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 R. Swanson.

Expanded Use
of Volunteers
City-Wide/
Police Depart-
ment Reorgan-
ization; New
Job Specifica-
tions

Police Chief Landy Black: New job specifications—Police Services Specialist Supervisor will oversee expanded volunteer program and Police Intelligence and Resource Analyst position will focus on intelligence lead policing and be able to analyze across departments.

R. Swanson moved, seconded by S. Souza, to approve new Police Intelligence and Resource Analyst and Police Services Specialist Supervisor job specifications and accept the informational item on the City’s expanded volunteer program. Motion passed unanimously.

Advisory
Commission
Actionable
Recommendation: Historical
Resources
Management
Commission
Meeting of
February 27,
2012

Item removed by S. Souza.

Public comments:

- Rand Herbert, HRMC Chair: Commission input is that building is not historic or a merit resource; should preserve for what historic value that it does have, support converting to storage facility.
- Mary Lee Thompson, Hattie Weber Museum: 2,500 visitors to museum last year; inventory needs growing; since February, more than 250 visitors have signed petition to retain building at least until it has been determined how it may relate to the Central Park upgrades.

S. Souza moved, seconded by S. Greenwald, to accept the following motion from the January 19, 2012 meeting of the Historical Resources Management Commission:

Whereas the Historic Resources Management Commission previously found that the WPA Restroom did not rise to the level of Merit Resource or Landmark; and

Whereas the Historic Resources Management Commission did not by doing so recommend that the building be demolished; and

Whereas the reuse of old buildings is the most ecologically green and sustainable alternative to provide a usable storage facility and exhibit facility to allow the Hattie Weber Museum and the Yolo County Historical Society to use that building for those purposes; and

Whereas those organizations need additional storage and exhibit spaces; and

Whereas the building exists and does not require construction, therefore,

the Historic Resources Management Commission recommends that the City retain the building in place and provide for the Hattie Weber organization to convert the building to their use.

R. Swanson moved substitute motion, seconded by D. Wolk, to direct staff to return to Council after new restroom construction with full concept drawings for Council deliberation and decision.

S. Souza clarification: Building shall be retained in place until after the new restroom is built. R. Swanson concurred.

D. Wolk proposed a friendly amendment to direct staff to return to Council with a discussion regarding volunteers and legal parameters. Accepted by mover.

City Attorney Harriet Steiner: Staff will return with information on how to retain the building and what additional materials the City wants to put into it, to include a budget and parameters on volunteer activities.

J. Krovoza moved substitute, substitute motion, seconded by S. Souza, to direct staff to proceed with retention of the WPA building in our planning and return to Council with a staff report containing details of cost, revised design of park, and challenges of retaining the building.

Community Development & Sustainability Director Ken Hiatt clarified: Staff analysis will be focused on retaining the building as a storage facility for Hattie Weber Museum.

Substitute, substitute motion passed by the following vote:

AYES: Greenwald, Souza, Krovoza

NOES: Swanson, Wolk

Presentation: Davis Redevelopment Agency Accomplishments
Community Development & Sustainability Director Ken Hiatt: Redevelopment Agency established in 1971; project area established in 1987. Summarized projects within project area and affordable housing programs/projects.

Update on Successor Agency and Recognized Obligation Payment Schedule (ROPS)
Community Development & Sustainability Director Ken Hiatt: Council inherited responsibilities to unwind former Redevelopment Agency affairs; parameters still unclear. Presented ROPS for July-December 2012.

R. Swanson moved, seconded by S. Souza, to approve Resolution No. 12-056 - Resolution Approving Recognized Obligation Payment Schedule for the Period Ending December 31, 2012. Motion passed unanimously. (City Acting as the Successor Agency pursuant to Chapter 3 of Part 1.85 of Community Redevelopment Law.)

Public Hearing: Interim Fire Chief Bill Weisgerber: Notice was distributed to affected property
Weed owners, public hearing is for property owners who wish to protest the abatement
Abatement – of weeds on their property.
Removal of
Weeds and Mayor Krovoza opened the public hearing, and after no comments, closed the
Grasses to public hearing.
Eliminate
Potential Fire
Hazards

Council Deput City Manager Kelly Stachowicz: Council directed staff to return with
Compensation Ordinance and Resolution to increase compensation and change health benefits.

J. Krovoza moved, seconded by R. Swanson, to Introduce Ordinance Increasing City Councilmember Salaries Pursuant to Government Code Section 36516 to Take Effect Upon the Beginning Terms of Office of the Council Members Elected at the June 2012 Election, to change monthly compensation from \$669.49 to \$1,000, and refer to FBC for review during the next council cycle.

S. Greenwald moved substitute motion, seconded by D. Wolk, to deny raise. Motion failed by the following vote:

AYES: Greenwald, Wolk
NOES: Souza, Swanson, Krovoza

Main motion passed by the following vote:

AYES: Souza, Swanson, Krovoza
NOES: Greenwald, Wolk

J. Krovoza moved, seconded by R. Swanson, to approve Resolution No. 12-057 – Resolution Adopting City Council Benefits, to allow Council members to opt-out of City-sponsored health care benefit and receive a \$500/month contribution to a deferred compensation account in lieu. Motion passed by the following vote:

AYES: Souza, Swanson, Krovoza
NOES: Greenwald, Wolk

City Council recessed at 10:02 p.m. and reconvened at 10:14 p.m.

Update on
Facilities Cost
Recovery
Policy Update
and Proposed
Revenue and
Pricing Policy

Update on Facilities Cost Recovery Policy Update and Proposed Revenue and Pricing Policy (*Community Services Director Elvia Garcia-Ayala/Community Services Superintendent Christine Helweg*)

Recommendation:

1. Maintain the current facility cost recovery methodology and rental rate structure unchanged until the facility rental rate analysis for the Veterans' Memorial Center/Theatre Feasibility Study currently under way is completed and bring it back to Council for review.
2. Adjust the timeline for developing annual Community Services fees and charges from the fall to the spring in order to coincide with the City's regular

Budget and Master Fee Schedule approval process.

3. Prior to the budget development process for FY13-14, consider consolidating the four existing Cost Recovery policies into one comprehensive Revenue and Pricing Policy to provide a consistent methodology for applying cost components and value benefits to all fees and charges for the Community Services Department. A draft revenue and pricing policy is included in the staff report to consider as a starting point.

Community Services Superintendent Christine Helweg: Facilities cost recovery policy approved as multi-phase process; recreation activities (2005), fields and facilities (2007) and aquatics (2008). Review of existing policies, commission recommendations, and potential changes; revenue strategies include fees and charges, sponsorships, partnerships, grants, community foundation. Looking for council feedback.

Council comments included:

- Consider incorporating everything in fees. Want to see all data.
- Balance between community service and cost.
- Support programs with private entities who have expressed interest in partnering with city. Be proactive. Outreach. Do more with less.
- Providing facilities is part of core services. Should be trying to recover cost for use.
- Should consider whether groups can afford cost.
- Consider demand capacity

2012 Park Tax
Renewal and
Budget Impacts

By consensus, Council postponed the following item to the next meeting: 2012 Park Tax Renewal and Budget Impacts/ Proposals to Consider if Tax Receives Less than Two-Thirds Approval Required for Passage.

Long Range
Calendar

R. Swanson: Request information on mobile food truck regulations. Consensus.
J. Krovoza: Request next steps on Picnic Day come back to Council no later than September.

Closed Session

City council reconvened in closed session at 11:08 p.m. to discuss: Public Employee Appointment: City Attorney. Returned to open session at 11:20 p.m. with no reportable action.

Adjournment

The meeting was adjourned at 11:20 p.m.

Zoe S. Mirabile, CMC
City Clerk