

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of July 10, 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: Lucas Frerichs, Joe Krovoza, Brett Lee, Rochelle Swanson, Dan Wolk

Councilmembers Absent: None

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

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel-Anticipated Litigation. Initiation of litigation pursuant to Government Code Section 54956.9 (c): 1 case

Council return to open session at 6:00 p.m. with no reportable action.

Choir Davis Youth Flute Choir Performed.

Swearing in of Councilmembers Councilmember Dan Wolk was sworn in by Senator Lois Wolk.

Councilmember Lucas Frerichs was sworn in by Judge Dan Maguire.

Councilmember Brett Lee was sworn in by Richard Livingston

Mayor Pro Tempore Designation R. Swanson moved, seconded by L. Frerichs, to appoint Dan Wolk as Mayor Pro Tempore. Motion passed unanimously.

Council Comments D. Wolk, L. Frerichs and B. Lee expressed appreciation to family, friends and community; summarized core interests and visions for future.

Public Comments

- Susan Lovenburg, DJUSD Board: Thank Councilmembers for service.
- Board of Supervisors Jim Provenza and Don Saylor: Looking forward to working in City-County 2x2 process regarding shared services, water issues, and economic development.
- Senator Lois Wolk: Congratulations; pledge continuing support for City.
- John Gerlich, Senior Citizens of Davis: Group is primary support for Senior Center; look forward to working together.
- Randii MacNear: Great campaign season at Farmers Market.
- David Thompson: Citizen expectations, want change and end to waste.
- Andrew Waters: Pursuing starting up a petty cab business.
- Kemble Pope, Chamber of Commerce: Request reasonable ending times for

- Council meetings, support economic development efforts.
- Rebecca Sterling, Undergraduate Student Body President UCD: Collaborate with students.
- Judy Moores, Cool Davis Foundation: Implementing Climate Action & Adaptation Plan, collaborate with Council, business community and UCD; goal is 75% of households reducing carbon emissions by 2015 and carbon neutrality by 2050.
- Maynard Skinner: Good luck; great Council makeup.
- Mary Lee Thompson, Yolo County Historical Society/Hattie Weber Museum: Congratulations; invite Councilmember to visit Museum.
- Autumn Labbe-Renault, Davis Media Access: Community Media Action on Thurs 7-9pm, other activities at www.davismedia.org
- Charlie Swanson: Councilmembers are facing tough decisions.
- Bob Segar, Assistant Vice Chancellor UCD: Excited about working with Council, especially regarding innovation.

Approval of
Agenda

J. Krovoza: Appointment of City Council Liaisons to Boards, Commissions and Committees for 2012-14 has been postponed to July 17.

By consensus, Council approved the agenda as amended above.

Council recessed at 6:55 p.m. and reconvened at 8:08 p.m.

Ceremonial
Presentation

Proclamation Recognizing July as National Parks and Recreation Month was presented by Mayor Krovoza.

Brief
Communications

S. Pinkerton: Next Water Advisory Committee meeting will be July 12.

R. Swanson: Attended dedication for Julie's Garden in Northstar Park.

D. Wolk: Request more detailed information regarding the Redevelopment Agency dissolution be provided to Council.

S. Pinkerton: Will send memo with status update.

J. Krovoza: July 11 Successor Agency Oversight Board meeting has been cancelled, no action needed. Thank staff and community volunteers for their efforts related to the City's 4th of July event.

Public
Comments

- Travie Westlund, Recreation & Park Commission: Pioneer Athletics awarded field of excellence award for Playfields park, heavily used park that is well maintained due in large part to adult user fees; should consider adding parcel tax or utility user tax for necessary maintenance for remainder of parks because user fees not available to pay for all facilities.

Consent
Calendar

Amendment to Contract with Caltest Analytical Laboratory (Caltest) to Expand the Scope of Work and Increase Authorization to Perform Analytical Testing of

Wastewater and Pretreatment Samples Associated with Wastewater Upgrade Project and Additional Required Testing, CIP No. 8219

1. Approved Resolution No. 12-110 - Authorizing the City Manager to Execute Amendment No. 1 for Laboratory Agreement with Caltest Analytical Laboratory for Analytical Testing of Wastewater, Pretreatment and WWTP Facility Improvement Samples
2. Authorized an increase of up to \$250,000 for additional laboratory testing under the existing contract as amended

Energy Services Request for Qualifications

Approved Resolution No. 12-111 - Authorizing the City Manager to Execute Consultant Agreement with Nixon Peabody, LLP for Energy Assessment Study

Membership in Central Valley Salinity Coalition (CVSC) and Amendment to Agreement with Larry Walker Associates (LWA) to Represent the City within CVSC, Program No. 7320

1. Approved Resolution No. 12-112 - Authorizing the City Manager to Formally Join Central Valley Salinity Coalition (CVSC) Program No. 7320
2. Approved Resolution No. 12-113 - Authorizing the City Manager to Execute Amendment No. 1 to Consultant Agreement with Larry Walker Associates for Current NPDES Permit Activities Program No. 7320

Property Liens for Unpaid Administrative Citations Abatement Penalties and Reinspection Fees

Approved Resolution No. 12-114 - Certifying The Code Enforcement Cost Accounting Report of Unpaid Administrative Citation Fines, Abatement Penalties, and Reinspection 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

Contract Award for Water Main Replacement - 2012, CIP Nos. 8190 & 8210

Approved Resolution No. 12-115 - Awarding Contract of \$482,910 to Civil Engineering Construction Inc., for Water Main Replacement – 2012 CIP No. 8190

First Street Bike Path Illumination Project, CIP No. 8209

Approved Budget Adjustment #4-FY12/13 (\$18,400) – appropriating Downtown Area Capital Revitalization Funds

The Cannery Environmental Impact Report Funding, Proposed Mixed-Use Development on the Former Hunt Wesson Cannery Site

Approve Budget Adjustment #3-FY12/13 (\$12,560) – appropriating developer funds for additional analysis of traffic and cumulative impacts of the Cannery application

Second Reading: Rezoning/Preliminary Planned Development Zoning Ordinance Amending Chapter 40 of the Davis Municipal Code, Rezoning the

Property Located at 337 D Street, Consisting of 0.138 Acres, from Mixed-Use (M-U) to Preliminary Planned Development (PD) #01-11 – Parkview Place
Adopted Ordinance No. 2394 (Introduced 06/26/2012)

Revised Job Specification – Executive Assistant

Approved the Title Change and Revision to the Secretary to the City Manager -
New Position Title of Executive Assistant

Fiscal Year 2012-13 Toilet Rebate Program

Approved FY2012-13 toilet rebate program, continuing rebates for residential customers for one more year

Commission/Committee Minutes (informational only):

1. Natural Resources Commission Meeting of April 23, 2012
2. Recreation and Park Commission Meetings of April 19 and May 17, 2012
3. Woodland-Davis Clean Water Agency Meeting of May 17, 2012

Informational

Advisory Commission Actionable Recommendations: Civic Arts Commission Meeting of June 11, 2012

1. Received Commission Minutes of June 11, 2012 as informational. Actionable commission recommendations will return to Council for final action.
2. Approved Resolution No. 12-116 - Approving Funding Recommendation for the Steve Larsen Plaza Public Art Piece in the Amount of \$34,000 from the Municipal Art Fund.

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

Removed from
Consent
Calendar:

Item removed by D. Wolk.

City Energy
Assessment
Study Scope of
Services

D. Wolk moved, seconded by R. Swanson, as follows:

1. Receive Natural Resources Commission recommendation (approved at the June 25 NRC meeting) for City to conduct a Community Choice Energy Program Study
2. Approve Resolution No. 12-117 - Authorizing the City Manager or His Designee to Issue a Request for Qualifications (RFQ) for Firms to Provide Energy Efficiency, Renewable Energy, and Greenhouse Gas (GHG) Reduction Services to the City and Retain Consulting Services to Assist the City in the Evaluation of RFQ Responses and Negotiations with the Selected Firm(s). Contract to be amended to reflect a term of 60 days.

D. Wolk: Request staff report back to NRC after 60 days for their recommendation, then return to Council within 90 days with options for moving forward.

R. Swanson: Request staff look at all services in the City, possible partnership with DJUSD.

S. Pinkerton: Staff will report back to Council within 90 days, may need additional time for NRC deliberation/recommendation.

Motion passed unanimously.

Consultant
Agreement to
Perform
Pavement
Management
Services

Item removed by D. Wolk.

D. Wolk: Significant amount of funds; should look strategically at what streets we want to maintain and at what level.

Interim Public Works Director Bob Clarke: Agreement includes a complete visual inspection of streets and bikepaths, current status of infrastructure. Staff will bring draft study to Council with policy questions—how to prioritize, what streets to spend funds on, should we consider different levels of quality. After Council weighs in, staff will draft a multi-year plan to move ahead.

D. Wolk moved, seconded by R. Swanson, to approve Resolution No. 12-118 – Authorizing the City Manager to Execute Consultant Agreement for Pavement Management Services. Motion passed unanimously.

City Council
Meeting
Schedule for
Legislative Year
2012-13

Item removed by D. Wolk.

D. Wolk moved, seconded by R. Swanson, to approve Resolution No. 12-119 - Establishing Meeting Dates for Legislative Year 2012-2013. Council will discuss meeting process at retreat and possibly amend schedule afterwards.

R. Swanson proposed a friendly amendment: add “interim” calendar. Accepted. Motion passed unanimously.

Public Hearing:
Chiles Ranch
Subdivision
Annexation to
Citywide Mello
Roos District
1990-1

Financial Planning Specialist Bob Blyth: Council approved Resolution of intention to annex the district on May 15; last step in process is to hold a public hearing.

Mayor Krovoza opened the public hearing, and after no comments, closed the public hearing.

D. Wolk moved, seconded by L. Frerichs, to approve Resolution No. 12-120 – of Annexation of Territory to Community Facilites Distict Authorizing the Levy of Special Tax and Submitting Levy of Tax to Qualified Electors City of Davis Community Facilites District No. 1990-1 (East Davis) Annexation No. 3. Motion passed unanimously.

City Clerk Zoe Mirabile reported election results: 1 official ballot with 12 YES votes; measure language “Shall the City of Davis, by and for its Community Facilities District No. 1990-1 (East Davis) (the “CFD”), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in Resolution No. 12-062 of the city of Davis, adopted by its Council

on May 15, 2012?”

D. Wolk moved, seconded by R. Swanson, to approve Resolution No. 12-121 – Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien – City of Davis Community Facilities District 1990-1 (East Davis) Annexation No. 3. Motion passed unanimously.

Public Hearing:
Crown Castle
DAS Network –
Site #13
Modification;
Planning
Application #52-
10, Conditional
Use Permit #10-
10

Assistant Planner Eric Lee: Modification to Site 13, previously approved by Council on May 15, incorrectly identified in Conditional Use Permit. Resolution will correct conditions for Site 13.

Mayor Krovoza opened the public hearing, and after no comments, closed the public hearing.

R. Swanson moved, seconded by D. Wolk, to approve Resolution No. 12-122 - Amending Resolution No. 12-084, Pertaining to the Partial Denial and Approval of the Crown Castle Das Network Conditional Use Permit (Cup#10-10), to Correct the Approved Location and Design for Site #13 Located at the Intersection of East Covell Boulevard and Birch Lanes. Motion passed unanimously.

Consulting
Services
Contract with
William
McDonough +
Partners - Vision
for Sustainable
Davis Economy

Community Development & Sustainability Director Ken Hiatt: Initial step, will meet with key community stakeholders, define process to achieve vision.

Public comments:

- Lynne Nitler and Chris Granger, Cool Davis: Economic vision should reflect goals of Climate Action & Adaptation Plan; recruitment of green businesses needs to be primary goal. Committed to visioning process and assisting in any way possible in outreach.
- Kemble Pope, Chamber of Commerce: Support; need to move forward with community vision that includes green economy; global economic firm, share community’s value, good track record.
- Gary Sandy, UCD: Support initiative; income streams have eroded and conventional economic tools have been taken away when Redevelopment Agencies were dissolved; opportunity to move forward and partner with community; city can rely on campus for participation.
- Doby Fleeman: Next step in process initially begun by DSIDE; inclusive process to lead to acceptable framework for discussion; build upon and share successes while keeping values.

R. Swanson moved, seconded by L. Frerichs, to approve Resolution 12-123 – Authorizing the City Manager or His Designee to Execute a Contract for Professional Services with William McDonough + Partners to Develop a Visioning Process for Long-term Economic Vitality; to establish shared principles, goals, and an implementation strategy consistent with the community’s values.

J. Krovoza proposed a friendly amendment that CAAP be added as source document to process. Accepted. Motion passed unanimously.

D. Wolk: Request staff to return to Council with discussion of priorities related to economic development.

R. Swanson suggested scheduling discussion at retreat. Council consensus.

Long Range
Calendar

S. Pinkerton: July 17—Urban forest management plan and water supply ballot measure.

- D. Wolk: Request any recommendation on water measure be reviewed by the Water Advisory Committee before Council discussion.
- S. Pinkerton: Difficult to accommodate. Staff recommendation will include information not addressed by WAC. Will have to schedule a special meeting.
- J. Krovoza: Want to make sure Council decisions are not inconsistent with what WAC is working on, but understand that Council may have to make decision based on timing.
- S. Pinkerton: WAC has been fairly clear on direction; recommendation will not be inconsistent with information provided to WAC in past.
- Elaine Roberts-Musser, WAC: Committee clear on position regarding ballot measure based on information known at time; if anything has changed, WAC is not aware of the particulars. As far as WAC is concerned, ballot measure language has moved onto Council.
- H. Steiner: Will try to keep options open for Council.

Public comment:

- Michael Harrington: Thank Council for looking at water project; process is being rushed; request Council add to long range calendar for next spring a ballot measure for water project; November is too soon.

Adjournment

Meeting was adjourned at 9:47 p.m.

Zoe S. Mirabile, CMC
City Clerk