

MINUTES OF THE DAVIS CITY COUNCIL
Regular and Special Meetings of July 17, 2012

The City Council of the City of Davis met in regular and special 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

Approval of Agenda D. Wolk moved, seconded by R. Swanson, to approve the regular meeting 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; 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; Davis Police Officers Association; Department Heads; Executive and General Management; Firefighters Local 3494; Fire Management; Police Management; Program, Administrative and Support Employees Association.

B. Conference with Real Property Negotiators.

Properties: On or in the immediate vicinity of the following locations: South side of Covell Blvd. west of Lake Blvd.; Light Pole outside Fire Station at Lake Blvd. and Arlington Blvd. (036-345-03); west side of Marina Circle, north of Bermuda Ave.; Light pole #850: south side of Burr St., west of Arthur St.; Russell Blvd. center median, west of Elm Ln.; south side of W. 8th St., east of Pine Ln.; Civic Center Baseball Field near City Admin Building (Left Field Backstop) (070-080-05); north side of E. 8th St., east of D St.; north side of E. 8th St., west of M St.; east side of Pole Line Rd., south of Loyola Dr.; Denison Dr. median on Covell Blvd., east of Birch Lane; north side of E. Covell Blvd., (adjacent to bicycle undercrossing) (071-130-08); Light pole in median on Covell Blvd. just east of intersection with Alhambra Drive; Pole #3927 located in Covell Blvd. median west of Manzanita Dr. intersection; City Well Site #29: west side of Alhambra Dr. (071-100-59); City Well Site #34: Lillard Dr. and El Campo Dr. (069-194-01); south side of Lillard Dr., adjacent to Walnut Park parking lot; SW corner of Mace Blvd. and Redbud Drive; Light pole #161 located on south side of 8th St., in front of City water tower site; Median at SE corner of E. 8th St. and J St.; Light pole #972 located on the east side of Tulip Lane at Slide Hill Park op-

posite Belmont Dr. (032-601-14)

Agency negotiators: City Attorney Harriet Steiner; Director of Community Development & Sustainability Ken Hiatt

Negotiating parties: Michael Shonafelt; Stephen Garcia

Under negotiation: Price and terms of payment

City Council returned to open session at 6:40 p.m. with no reportable action.

Brief Communi-
cations

S. Pinkerton: City has been exploring ways to utilize technology to engage community; set up 33 different neighborhoods via Nextdoor, a social network for neighborhoods at no cost to City. Will return to Council with status update in a couple months.

D. Wolk: Would like to discuss ways to utilize technology and promote outreach at Council Retreat.

R. Swanson: Attended Davis Moonlight Run, an event encouraging residents to be active outdoors.

J. Krovoza: Council Subcommittee on Retreat (Krovoza/Wolk) met with staff to begin Retreat planning for August 24, decided to focus on process issues. If Councilmembers have ideas, share with staff to coordinate agenda. Considering scheduling another retreat in September/October for discussion of substantive issues.

J. Krovoza: C. Walter "Walt" Birkelo, City Manager 1959-1966, passed away on July 7, 2012; condolences to family, recognize contributions to city.

B. Lee: Fatal accident on County Road 102, condolences to family.

Public Com-
ments

- Dorothy Petersen: Davis Farmers Market Foundation's program Davis Farm to School Connection is transitioning to new name, Yolo Farm to Fork; program will be extended county-wide.
- Tessa, Joyce, Samantha, Gavin, Adam and Erin, Davis Cultural Exchange Club: Recent trip to Sister City Sang-Ju, Korea; experienced all-boys and all-girls schools, hospitable host families, similarity in teenagers no matter what culture; appreciate freedoms in Davis, especially lack of school uniforms and more free time.
- Elaine Roberts-Musser, Senior Citizens Commission: Support development of Universal Design Ordinance; much work already done by Senior and Social Services Commissions, disabled community and developers; hoping will be agendized fairly soon.
- David Greenwald: Request city address safety issue of bicyclists not complying with stop signs and other traffic regulations.
- Michael Harrington: Live and work downtown; bicyclists impact pedestrians.

Consent Calendar

Proposed Endowed Agency Fund Agreement, on Behalf of the Davis Senior Center, with Sacramento Region Community Foundation in Affiliation with the Yolo Community Foundation

1. Approved Resolution No. 12-124 - Authorizing the City Manager to Enter into an Endowed Agency Fund Agreement with Sacramento Region Community Foundation in Affiliation with the Yolo County Community Foundation Authorizing the City Manager to Enter into an Endowed Agency Fund Agreement
2. Approved Budget Adjustment #9 (\$10,883) – appropriating funds held in trust for senior services to establish the initial investment for the fund with the Sacramento Region Community Foundation

Fee Waiver Request to Process Applications for the Short Term Emergency Aid Committee (STEAC)

1. Waived the Planning Application Fee for the Design Review of STEAC's proposed improvements to their facilities on the City's property at 504-512 Fifth Street
2. Approved Budget Adjustment #7 (\$5,000) – allocating General Funds to cover the costs of processing the application

Reprint of *Davisville '68 – The History and Heritage of the City of Davis*

Approved Budget Adjustment #8 (\$23,960) – appropriating funds held in trust for reprinting

Planning Commission Minutes from the Meetings of March 9 and 23, 2011 and April 25, 2012

Informational

Temporary Art Procedures for Private Art on City Property

1. Approved Civic Arts Commission recommendations for procedures related to temporary art placement on City property
2. Approved Resolution No. 12-125 - Setting Policy for Placing Temporary Art on City Property

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 B. Lee.

B. Lee: Want to move towards long-term, sustainable approach.

Extension of Sewer Connection Fee Reduction for Non-Residential Re-use of Existing Space

Economic Development Coordinator Sara Worley: Reduction was first initiated in March 2009, less than a dozen businesses have utilized the program since inception.

D. Wolk moved, seconded by B. Lee, as follows:

1. Adopt Urgency Ordinance to Take Effect Immediately Amending Section 33.02.042 of the City of Davis Municipal Code to Extend Until September

28, 2012 the Temporary Reduction of Sewer Connection Fees for Reuse of Existing Space for Nonresidential Purposes and Declaring that this is an Urgency Ordinance Necessary for the Immediate Preservation of the Public Health and Safety

2. Direct staff to schedule a discussion of sewer connection charges for the August 2x2x2 meeting (City, Chamber of Commerce, Downtown Business Association, and Yolo County Visitors Bureau).

J. Krovoza moved a substitute motion, seconded by R. Swanson, as follows:

1. Adopt Urgency Ordinance No. 2395 - to Take Effect Immediately Amending Section 33.02.042 of the City of Davis Municipal Code to Extend Until December 31, 2012 the Temporary Reduction of Sewer Connection Fees for Reuse of Existing Space for Nonresidential Purposes and Declaring that this is an Urgency Ordinance Necessary for the Immediate Preservation of the Public Health and Safety (amended with six month extension to 12/31/2012)
2. Council understands that staff will continue to look at process streamlining through the City 2x2 Committees, which may cause the issue to return to Council sooner than the expiration of the Urgency Ordinance.

Substitute motion passed unanimously.

Five Year Bicycle Action Plan, Process & Timeline

Item removed by J. Krovoza.

Active Transportation Coordinator DK Kemp: First step in process, forming draft outline to bring back to Council in August.

J. Krovoza moved, seconded by R. Swanson, to accept the item as informational. Motion passed unanimously.

Water Supply Options, Timelines and Possible Implications, Including Ballot Measure Scheduling

City Manager Steve Pinkerton: Staff recommends a course of action which will enable the Woodland Davis Clean Water Agency to continue moving forward with the surface water project while the City of Davis brings the issue to a vote of the people.

Public comments:

- Matt Williams: Council should consider the viability of a partnership with West Sacramento to purchase surface water. Woodland, Davis and County should jointly request an extension of Woodland's NPDES permit deadline.
- Michael Bartolic: The Water Advisory Committee recommends an election be deferred to no later than June 30, 2013, let Council choose a date that fits the readiness of the project. Further, WAC recommends not allocating funds to the Woodland project until Council has decided on a preferred project and voters have approved.
- Elaine Roberts-Musser, Water Advisory Committee: WAC motions and votes—eliminate November as ballot date, 10-0; recommend an alternative date for ballot of spring 2013, not later than June 30, 9-0-1; recommend not to expend \$500,000 to pay for infill until city has made commitment to move forward with Woodland-Davis project 9-1-0; recommend Council not vote

on either issue of site fill or alternate bid until it is determined what State Water Resources Control Board will do regarding the Woodland deadline on its NPDES permit, 6-3-1.

- Michael Harrington: Read statement from Pam Nieberg—support WAC recommendations, West Sacramento alternative is probably half the price of the Woodland-Davis project. Harrington—if City asks the Water Board for extension to Woodland’s NPDES permit deadline, the project could be delayed a year and \$1 million cost to Davis could be spared.

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

1. Delay the water supply ballot measure to no later than June 30, 2013
2. Defer decisions on the following Resolutions until Aug 21, 2012:
 - a. Resolution authorizing the City of Davis to pay for its pro rata share of the additional cost to place fill necessary to raise the Regional Water Treatment Facility (RWTF) site out of the floodplain; and
 - b. Resolution authorizing the City of Davis to direct funds to the Woodland Davis Clean Water Agency (WDCWA) that will cover the cost of preparation of an additional proposal alternative for a Woodland only project

R. Swanson proposed a friendly amendment that Council preference for ballot measure election date is March 5, 2013. Accepted by mover.

D. Wolk proposed a friendly amendment to hold the Water Advisory Committee to the current schedule, specifically related to the August 21 recommendation regarding the water supply project. Not accepted by mover.

J. Krovoza proposed a friendly amendment to remove Resolution authorizing the City direct funds to the WDCWA from motion. Accepted by mover and second.

Motion passed unanimously.

R. Swanson moved, seconded by L. Frerichs, to formally request J. Krovoza and B. Lee outreach to West Sacramento City Council regarding levels of participation (touch base, status of project, willingness to engage Davis as customer). Motion passed unanimously.

By consensus, Council requested the Water Advisory Committee provide a recommendation on whether to proceed with the Woodland option, West Sacramento option, or to keep both alternatives open.

D. Wolk: Request staff agendaize for the next City-School District 2x2 communication and coordination regarding election issues.

City Council recessed at 8:39 p.m. and reconvened at 8:53 p.m.

Urban Forest
Program Review

Urban Forest Manager Rob Cain: Moving toward a competitive services delivery model, professional services providers will perform the majority of the regular and proactive preventative maintenance functions.

City Manager Steve Pinkerton: \$120,000 reduction over previous contract; vast majority of cities in California contract for outside tree services.

Public comments:

- Michael Harrington: Cycle of tree trimming should be 5 years if possible.
- Mary Kay Williams: Support maintaining city tree trimming crew, should not outsource.
- Greg Mc Pherson: Davis has one of the best urban canopies, 1 tree for every 3 residents; applaud efforts to achieve efficiency, concerned over achieving level of service and meeting challenges of future; different species require services more often than 7-yr cycle.
- Eileen Samitz: Lack of confidence in city's proposal to manage urban forest; contract should be reviewed by Tree Commission; should be joint meeting of Council and Tree Commission to discuss long term funding plan.

City Council recessed the regular meeting at 9:33 p.m.

Eradication of
Coyotes in North
Davis and
Trapper Services

City Council convened a special meeting at 9:33 p.m. Agenda approved by consensus.

Wildlife Resource Specialist John McNerney: Wildhorse Golf Course staff received complaints from adjacent residents regarding coyote behavior. Wildhorse staff contacted USDA Wildlife Services; trapper observed behaviors that indicated animals were habituated to humans, decided that coyotes were a threat and lethally removed. City staff had the understanding that if contacted, USDA would make efforts to find alternative solutions to lethal take or capture. Hoping to establish better communication in future.

John Young, Yolo County: Contract with USDA for unincorporated area; also perform dispatch for cities to USDA.

K. Stachowicz: Shared service agreement since 2010.

Public comments:

Michael Harrington, Casey Wallace, Alan Miller, Rachel Livingston, Gene Trapp, Carla Vija, Jack Holmes, Steve Grecko, Alex Wallace, Sharon Monteith, Richard Livingston, Dan Rhile, Delia Donlan, Julie Sontag, Christopher Castle, Holly Yoger, Janet Krovoza, Lori Mahoney, Eileen Samitz, Ben Wieberger and Ron Glick spoke. Comments included: Need co-existence plan and stronger education; should inventory wildlife first, then adopt management plan; Project Coyote—promotes co-existence between people and wildlife through education and advocacy, have worked with 11 cities to develop co-existence plans, can use existing models to form Davis plan; support local ordinance that USDA would

have to adhere to; recent development has run most wildlife out of area; open fields surrounding Davis are natural ecosystems with fragile balances between species; lethal action should never be our first response; coyotes will be back, need plan for future.

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

1. To formally communicate with USDA, express anger over incident and seek means to ensure it does not happen again.
2. Direct staff to return to Council with options to include consideration of creating an urban wildlife plan.

J. Krovoza proposed a friendly amendment to discontinue use of USDA services at this time and direct staff to return with alternatives for wildlife management services in the city. Accepted by mover and second.

J. Krovoza proposed a friendly amendment to direct staff to proceed with coyote management plan as soon as possible. Accepted by mover and second.

Motion passed unanimously.

Special meeting was adjourned.

Urban Forest
Program Review
continued

City Council returned to the regular meeting at 11:25 p.m.

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

1. Restore maintenance of street trees to 7-year model. Bring all other trees to same cycle.
2. Direct staff to agendize Tree Commission review of the West Coast contract
3. Direct staff to bring updates on West Coast services to the Tree Commission to make sure they are meeting service levels.

L. Frerichs proposed a friendly amendment to agendize a joint meeting between City Council and Tree Commission. Accepted by mover.

Motion passed unanimously.

R. Swanson moved, seconded by J. Krovoza, to continue the meeting to no later than 12:00 midnight. Motion passed unanimously.

Appointment of
City Council Li-
aisons to Boards,
Commissions
and Committees
for 2012-14

R. Swanson moved, seconded by D. Wolk, to approve liaison, committees, boards and commission appointments as presented. Motion passed unanimously.

Designation of Voting Delegates for the LOCC Annual Conference – September 5-7, 2012, San Diego Designation of Voting Delegate and Alternate(s) for the League of California Cities Annual Conference – September 5-7, 2012, San Diego

R. Swanson moved, seconded by D. Wolk, to nominate L. Frerichs as voting delegate and B. Lee as alternate for the League of California Cities Annual Conference. Motion passed unanimously.

Long Range Calendar D. Wolk: Request discussion of Universal Design Ordinance

R. Swanson: Request discussion of connection fees and streamlining process.

Adjournment Meeting was adjourned at 11:54 p.m.

Zoe S. Mirabile, CMC
City Clerk