

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of September 11, 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

Approval of Agenda R. Swanson moved, seconded by D. Wolk, 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 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.

City Council returned to open session at 6:41 p.m. with no reportable action.

Ceremonial Presentations Proclamation Recognizing Patriot Day, a National Day of Service and Remembrance of September 11, 2001 was presented by Mayor Pro Tem Wolk.

Proclamation Recognizing Prostate Cancer Awareness Month was presented by Councilmember Lee.

City Manager Brief Communications City Manager Steve Pinkerton:

- September 15—City Hall will be represented at Farmers Market
- September 17—Road 102 will be closed to all traffic for 20 days
- Update on city website—many links failed to transition over when new site went live; expect website to be fully functional within a few weeks; thank community for patience and apologize for inconvenience.
- Yolo City Managers, County Administrator and LAFCO have been discussing shared services models, including model for delivery of animal services available for review on county website.

City Attorney Harriet Steiner: September 12—begin evidentiary hearings regarding at-grade crossing application; staff will testify; anticipate ruling from administrative law judge 4-8 weeks from now, then on to full Public Utilities Commission.

Public Comments

- Rich Rifkin: Historical Resources Management Commission is interested in pursuing a permanent flow of funds in order to place historic signs appropriately; considering Municipal Arts funds. Major bicycle accident recently on Road 25; City should encourage County to install more signs pertaining to bicyclists.
- David Thompson, Twin Pines: City Attorney's office has billed the City large sums for defending DACHA lawsuits.
- Alan Humason, Yolo County Visitors Bureau: Played latest promotional video.

Consent Calendar

Professional Engineering Services Contracts with ICM Group, Inc. for Construction Management and Inspection Services for the Wastewater Rehabilitation and Replacement Project (CIP No. 8219, Project 82001)
Approved Resolution No. 12-141 - Authorizing the City Manager to Execute Consultant Agreement with ICM Group, Inc. for Construction Management and Inspection Services for the Wastewater Rehabilitation and Replacement Project, CIP No. 8219

Amendment No. 1 to Comprehensive Water Rate Study - Bartle Wells Associates

Approved Resolution No. 12-142 - Authorizing The City Manager To Execute Consultant Agreement With Bartle Wells Associates Water Rate Study

Proposal to Purchase a Type I and Type II Fire Apparatus

Approved Resolution No. 12-143 - Accepting Bid of \$852,622.92 from Hi-Tech Evi, Inc., for Purchase of One (1) New Type-I Urban Structure Fire Apparatus and One (1) New Type-III Wildland Grass Fire Apparatus

Rescinding the City's Last, Best and Final Offer to Davis City Employees Association (DCEA) and Restoring the Terms and Conditions of Employment to those Prior to the Passing of the Resolution

Approved Resolution No. 12-144 - Rescinding Resolution No. 10-070 to Impose "Last, Best, Final Offer" with Davis City Employees Association

Sister City Ambassador Reappointment

Approved Resolution No. 12-145 - Reappointing Ruth Uy Asmundson as Sister City Ambassador to Represent and Coordinate City of Davis Sister City Activities

Revised City Council Meeting Schedule for Legislative Year 2012-13

Approved Resolution No. 12-146 - Establishing Revised Schedule of Meeting Dates for Legislative Year 2012-2013

Office of Emergency Services Reimbursement for Strike Team Services in July 2012

Approved Budget Adjustment #25 (\$23,156) – appropriating OES reimbursement funds

U.S. Department of Homeland Security FY2011 Grant Award for Purchase of Portable Radios for Yolo County Municipal Law Enforcement Agencies

Approved Budget Adjustment #28 (\$189,243) – appropriating grant funds

Federal HUD Economic Development Initiative (EDI) Grant Funds for Senior Center Remodel

Approved Budget Adjustment #29 (\$19,859) – appropriating previously awarded HUD-EDI reserve funds into current year budget

Self-Insurance Fund

Approved Budget Adjustment #201-FY11/12 (\$266,455) - appropriating FY2011-12 insurance expenditures for unemployment and retiree medical

R. Swanson recused due to Conflict of Interest; owns property located 500ft from site.

Second Reading: Ordinance Amending Chapter 40 of the Davis Municipal Code, Rezoning the Parcel Located at 2750 Cowell Boulevard (APN #69-390-95), Consisting of Approximately 3.37 Acres, from Planned Development #12-87, Industrial Research Subarea, to Planned Development (PD) #2-12

Adopted Ordinance No. 2396 (Introduced 08/21/2012)

Commission/Committee/Board Minutes (informational only):

1. Historical Resources Management Commission Meeting of May 21, 2012
2. Tree Commission Meeting of June 21, 2012
3. Water Advisory Committee Meeting of May 24, 2012
4. Woodland-Davis Clean Water Agency Board Meeting of June 21, 2012

Informational

D. Wolk moved, second by L. Frerichs, to approve the consent calendar as listed above. Motion passed unanimously.

Public Hearing:
2012 Sanitation
Rates

Utilities Manager Jacques DeBra: Presented proposed rates

Mayor Krovoza opened the public hearing, and after no comments, continued the public hearing to September 25, 2012.

J. Krovoza: Request staff include in solid waste discussion reuse/recycling of metal at landfill.

Fifth Street
Corridor

Interim Public Works Director Bob Clarke: Project overview, options considered regarding lane widths, insurance requirements, typical and largest size of

Improvements –
Pedestrian Safety
Features

vehicles/buses traveling through corridor.

L. Frerichs: Request additional options taking into account new information regarding vehicle size.

R. Swanson: Request information regarding passing lanes/bicycle safety buffer.

B. Clarke: May need to widen car lanes to 11 feet which would necessitate shrinking bike lane/bike buffer if plans include a 4 foot striped median. Staff requests additional time to revisit issue, possibly bring back to the Bicycle Advisory Commission before returning to Council with a staff recommendation.

R. Swanson moved, seconded by D. Wolk, direct staff to return to Council with additional options for Council consideration after further analysis, incorporating concerns of YCPARMIA (insurance provider), bus width, and potential legislation; to include option of possibly widening center median at certain sections of road where there is additional room. Motion passed unanimously.

August 24, 2012
Council Work-
shop Follow Up

Deputy City Manager Kelly Stachowicz: Council directed staff to agendaize discussion of Rosenberg's Rules of Order, meeting procedures and internal legislative policy regarding two readings of Resolutions relating to topics outside of city jurisdiction. Further follow-up on Council goals scheduled for October 30.

Council comments included:

- J. Krovoza: Suggest adhering more closely to Rosenberg's Rules—put motion on floor immediately to focus Council discussions. Will continue to take public comment directly after staff presentation, before Council questions. Receive number of requests from citizens/national organizations, practice as Mayor is to act when topic directly effects operation of City.
- L. Frerichs: Suggest waiving internal legislative policy altogether or one reading before action taken; need flexibility to take positions when items are time sensitive. Many cities retain their own lobbyist.
- R. Swanson: Support one reading rule, encourage public comments
- D. Wolk: Should make a distinction between bills City is sponsoring and those we just want to take a position on. Consider policies/best practices from other cities.

By consensus, Council agreed to retain the status quo of the Mayor acting appropriately on time sensitive issues when topic directly effects operation of City. Requested staff provide an assessment of best practices/information from League of California Cities relating to lobbying services.

Long Range
Calendar

S. Pinkerton:

- September 25—Natural Resources Commission priorities
- Innovation Task Force update may be moved to October 9
- October 23 and November 13 have been set aside for water ballot measure discussions. October 23 will also include Cannery Park project update ener-

gy assessment report. November 13—Community Pool/VMC feasibility study

- November 27—Davis Waste Removal contract amendment and other issues related to solid waste

R. Swanson: Request follow-up discussion regarding municipal arts funds.

S. Pinkerton: Staff is already working on this, will bring back by end of year, possible legal issues.

B. Lee: Suggest Council should weigh in regarding any planned layoffs of City employees; provide safeguards for staff.

H. Steiner: The only employees Council directly hires/fires are City Manager and City Attorney. Council is very involved in employee negotiations. Under existing contract with City Manager, Council can schedule evaluation to set goals and policies, discuss relationship between City Manager duties and how to carry out Council goals/policies. Must schedule open session discussion if Council wants to discuss change in form of government.

D. Wolk: Support closed session evaluation.

L. Frerichs: Want to make sure not blurring lines regarding form of government. Support discussion as evaluation. Need for good communication.

B. Lee: Want to publicly state that whenever big issues come before Council, they have been involved in the process to guide progress/share responsibility.

J. Krovoza: Council Subcommittee of Krovoza/Swanson appointed in July to review City Manager: Subcommittee will meeting and bring recommendation to full Council. Agree that Council would like to be aware when layoffs occur.

J. Krovoza: Request staff provide report on elements of communication strategy, including social media and integration with traditional means of communication. Council consensus.

L. Frerichs: Request staff agendize for October 9 a Proclamation recognizing cooperatives; October is International Year of Cooperatives and 40th anniversary of Davis Food Co-op. Council consensus.

D. Wolk: Request update on economic development discussions. Number of initiatives at staff level, Chamber of Commerce, individual Councilmember efforts; want to have Council weigh in.

R. Swanson: Consider economic development workshop follow-up.

J. Krovoza: Request update on staff activities on October 23; identify issues and needed funding.

J. Krovoza: Request update on Davis Roots and staff activities related to the Arts and Entertainment District.

B. Lee: Request update on parking issues. Would like presentations by outside

groups such as Finance and Budget Commission, Safety and Parking Commission and Davis Downtown. Status? Next steps?

J. Krovoza: Request from DJUSD to explore Council joint meeting with Board. Request staff agenda topics for discussion at future Council meeting, possibly December or early 2013.

J. Krovoza: Request discussion of number of commissions.

K. Stachowicz: City Manager currently meeting with Commission Chairs; will return to Council with report.

J. Krovoza: Request discussion of forming Sister City Commission.

Council Brief
Communications

J. Krovoza: SB843 not successful in legislature; may return in another form.

J. Krovoza: Will be leaving soon to visit Sister City Sang-Ju, Korea.

Adjournment

Meeting was adjourned at 8:36 p.m.

Zoe S. Mirabile, CMC
City Clerk