

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of January 29, 2013

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, Assistant City Attorney Ethan Walsh, City Clerk Zoe Mirabile

Approval of Agenda S. Pinkerton: Staff removed consent calendar item from agenda—Appointment to Yolo County Waste Advisory Committee. Public hearing on Amendment to Resale of Property Ordinance and Elimination of the Resale Exemption Fee will be opened and continued to February 26.

B. Lee: Request reorder agenda to hear item on Wastewater Re-Use prior to Investigation of Regionalization of Wastewater Services with Woodland.

R. Swanson moved, seconded by D. Wolk, to approve agenda as amended. 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; Assistant City Manager/Administrative Services Director Yvonne Quiring; Assistant City Attorney Ethan Walsh; Human Resources Administrator Melissa Chaney; Tim Yeung, Renne Sloan Holtzman Sakai, LLP. Employee Groups/Organizations (under discussion): Davis City Employees Association and Firefighters Local 3494.

City Council returned to open session at 6:45 p.m. with no reportable action.

City Manager Brief Communications S. Pinkerton: Public meetings for information on Measure I will be held next week at Patwin and Montgomery Elementary Schools and the Senior Center.

Public Comments

- Joe Sherman: Victim rights should be upheld
- Matt Williams: After Water Advisory Committee is disbanded, should consider a permanent water rates advisory committee.

Consent
Calendar

Census Urban Boundary Map
Approved Resolution No. 13-010 - Regarding the Adjustment of 2010 Census Designated Urban Boundaries for Transportation Purposes

City Waives any Ability to Impose its 2009-10 Last, Best and Final Offer to the Davis City Employees' Association (DCEA) Arising out of the 2009-10 Negotiations Cycle

Approved Resolution No. 13-011 - Waiving Any Ability to Impose the City's 2009-10 Last, Best and Final Offer to DCEA Arising Out of the 2009-10 Negotiations Cycle

U.S. Department of Homeland Security FY2010 Residual Grant Award for Integration of Records Management System to Regional "COPLINK" Database

Approved Budget Adjustment #109 (\$14,210) – Appropriating Homeland Security Grant Award

Second Reading: Ordinance Amending Section 22.07-030 of the Davis Municipal Code Relating to Stop Intersection Designation - All-Way Stop Control at Downtown Core Area Intersections – Second/C, Third/C, and Fourth/D Streets

Adopted Ordinance No. 2404 (Introduced 01/15/2013)

Golden Heart Awards for 2013 – Recognizing Outstanding Teens in the Davis Community for Overcoming a Personal Challenge or Giving Significant Community Service

Confirmed nominations for Golden Heart Awards 2013: Community Service—Eliana Jolkovsky and Michaela Saechow, Personal Challenge—Cody Collins

Completion and Permanent Financing of the New Harmony Affordable Housing Project

Informational

Commission/Board Minutes:

- a. Finance and Budget Commission Meetings of November 26 and December 10, 2012
- b. Safety and Parking Advisory Commission Meeting of November 1, 2012
- c. Woodland Davis Clean Water Agency Board Meeting of October 18, 2012

Informational

D. Wolk moved, seconded by R. Swanson, to approve consent calendar as listed above. Motion passed unanimously.

Removed from Consent Calendar

Item removed by R. Swanson.

Cultural Arts and Entertainment Committee Proposals

Community Development & Sustainability Director Ken Hiatt: Council directed staff to proceed with a forum relating to arts interests in the community, since then have received information from Cultural Arts and Entertainment Committee to advance specific initiatives. Recommend funding \$8,000 from the Municipal Arts fund to accomplish these goals.

Public comment:

- Nina Gatewood, Davis Downtown: Upcoming arts events—Poetry night, Jazz Festival and Davis Shakespeare ensemble
- Kemble Pope, Davis Chamber of Commerce: Support item; collaboration effort of local business and arts.
- Alan Humason, Yolo County Visitors Bureau: Arts and entertainment district is a great idea, needs details.
- Andy Jones: Appreciate Council support of art downtown and throughout city.
- John Natsolous, Cultural Arts and Entertainment Committee: 15 artists will be involved in community build project.

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

1. Authorize the expenditure of up to \$8,000 for the marketing and promotion of the Arts and Entertainment District and direct staff to work with the Cultural Arts and Entertainment Committee and other partner organizations to develop and implement those activities
2. Approve in concept the placement of an art sculpture on city owned land at the east end of Olive Drive and direct staff to return to Council with the necessary actions and agreements for installation and maintenance of the sculpture

Motion passed unanimously.

Appointments to Advisory Commissions:

Public comment:

- Gail Sosnick: Applicant for Historical Resources Management Commission

Historical Resources Management & City-UCD Student Liaison Commissions

J. Krovoza: Suggest continue appointment to City-UCD Student Liaison Commission to future date. Council concurred.

Historical Resources Management Commission								
1 Regular (2-yr term); 1 Alternate (2-yr term)								
Applicants		LF	JK	BL	RS	DW	TOTAL	APPOINT
Lowry	William Allen			X	X	A	3	Run off
Sosnick	Gail	X	X		X	R	4	Regular
Truscott	Marq	X	X	X			3	Run off

L. Frerichs moved, seconded by J. Krovoza, to appoint Marq Trescott to the Historical Resources Management Commission (HRMC).

AYES: Frerichs, Swanson

NOES: Krovoza, Lee, Wolk

D. Wolk moved, seconded by L. Frerichs, to appoint Bill Lowry to the HRMC. Motion passed unanimously.

Public Hearing:
Amendment to
Resale of Prop-
erty Ordinance
& Elimination of
Resale Exemp-
tion Fee

Mayor Krovoza opened the public hearing.

Michael Harrington: Resale ordinance is important to maintain integrity of rental stock and provides for tenant safety; works well.

Mayor Krovoza continued the public hearing to February 26, 2013.

Wastewater
Treatment Plant
Improvement
Project (CIP No.
8219):

Senior Civil Engineer-Michael Lindquist: Provided background information on the project and next steps.

Matt Williams: Presentation: The Value of Water Reuse in Davis. Potential revenue stream. Should include in water portfolio to get ratings assessment for rate structure, if qualify for higher rating, possibly get lower interest rates. Recommend water reuse be added to wastewater evaluation criteria.

Project Update –
Rehabilitation &
Replacement;
Secondary &
Tertiary Im-
provements

Brian Cullen, PERC Water: Propose to design new water recycling facility consistent with criteria from Charrette Plan. Design will be local option, produce water for city reuse, utilize 2 acres of land. Relying on Charrette Plan design to gain compliance with Regional Water Quality Control Board (RWQCB). Will produce higher quality water. Can deliver plan by end of April, PERC will invest \$200,000 into the plan.

Wastewater Re-
Use

Investigation of
Regionalization
of Wastewater
Services with
Woodland

M. Lindquist: Charrette Plan implementation will produce Title 22 re-use water, current criteria is to produce up to 9 million gallons per/day (MGD). City of Woodland presented updated offer of regionalization, changed required capital improvements, spread out timing of improvements. Outlined Investigation Plan—engineering/economic, environmental/legal, governance, independent review.

1. J. Krovoza moved, seconded by B. Lee, as follows: Approve Resolution Authorizing City Manager to Execute Consultant Contracts in a Not-to-Exceed Amount of \$220,000 to Facilitate Evaluation of Regionalization of Wastewater Services with Woodland
2. Direct staff to return to Council by June and seek Council action on a preferred project alternative
3. Direct staff to return to Council for further discussion as soon as feasible relating to Council's preferences on particular aspects of regionalization that the investigation should focus.

B. Lee moved substitute motion, seconded by D. Wolk, to defer the Wastewater Treatment Plant Improvement Project item to February 5. Motion passed unanimously.

Council recessed at 8:52 p.m. and reconvened at 9:09 p.m.

Round Table Discussion and Council Action on Fire Audit Recommendations Presented at the December 18, 2012 City Council Meeting

Roundtable discussion participants: UC Davis Fire Chief Nathan Trauernicht; UCD Vice Chancellor John Meyer; Fire Captain Joe Tenney; Bobby Weist, Davis Firefighter Local 3494; Police Chief Landy Black; Consultant Scott Kenley

Response Time Goals

Council & Roundtable comments:

- L. Frerichs: NFPA1710 currently under evaluation.
- S. Kenley: Recommend city develop response time goals for fire and non-fire responses that contain a fractal performance measure, a time measure and a stated service level objective.
- City Attorney Ethan Walsh: Response time goals in General Plan, would have to do General Plan amendment to modify.
- S. Kenley: 4 min travel time will stay constant, accepted for nearly 30 years; changes will be in call processing. Goal for 13 years has not been met 50% of the time, if modifying response time, not changing where units are distributed or where they are housed. Response time goals are unrealistic. Proposing to realign travel time to meet industry norms.

Public comments:

- David Greenwald: Why hasn't this issue been implemented already?
- Rich Rifkin: If adding rescue truck as independent vehicle, where will it be stationed? Could affect travel time.
- Bill Weisgerber, former Fire Chief/consultant: Turnout time is something we can control, 60 second turnout time realistic; 4 min may be appropriate for citywide aggregate for travel time. The 6 minute flat citywide would be reasonable to achieve.

Roundtable comments:

- N. Trauernicht: Adopting standard proposed by Scott Kenley.
- B. Weist: Not opposing goal, but ambitious. Quicker response, safer for public & firefighter. If city feels current response times unattainable, no problem with NFPA standard

R. Swanson moved to adopt 6-minute time under NFPA recommendation. No second.

B. Lee moved, seconded by R. Swanson, to adopt NFPA standard for 1 year. Revisit the issue at that time.

J. Krovoza proposed friendly amendment: Direct staff to report back in 1 year

with status update. This will be policy going forward with check-in. Accepted by mover and second.

S. Kenley: If making a motion to set standard, need to state exact standard: "Still alarm calls would be 6 minutes, a 1st alarm call would be 6 min 20 sec." Motion passed unanimously.

Boundary Drop Between Davis & UC Davis Fire Departments

- J. Meyer, N. Trauernicht: Advocate cooperation between city and UCD, should act as one unified department. No compelling policy reason to block.
- R. Rifkin, D. Greenwald: Support boundary drop. Currently, no boundary drop due to Fire union opposition.
- J. Meyer: Not labor issue. Respect Davis firefighters and union membership, management issue, needs resolution.
- B. Weisgerber: Imperfect understanding of what system looks like. Response configurations. Need to look at issue in totality.
- B. Weist: Not opposed to boundary drop. Need to look at new boundary lines, modifications to dispatch, policies & procedures, joint training. Legal ramifications of boundary drop.

Council & Roundtable comments:

- R. Swanson: Suggest adopt a formal boundary drop, staff to return in 2-3 weeks with work plan.
- J. Tenney: City and UC Davis Fire have to consider investing more into services. Both agencies need more resources.
- R. Swanson: Should look at long term planning of resources.
- J. Meyer: As both entities grow, how do you adequately resource and out-source? Want to stick to deadline for boundary drop.
- J. Krovoza: Can't go to community to ask for more resources until after we have done what we can to create smart management structure and efficient staffing.
- B. Weist: Should do standards of coverage for both agencies before actual boundary drop.

R. Swanson moved, seconded by L. Frerichs, as follows:

1. Create a joint committee made up of decision makers from both the UC and City Departments to develop Standard Operating Procedures maximizing the resources of both departments in the delivery of fire and life safety services to the combined jurisdictional boundaries of the City of Davis and UC Davis.
2. Review and modify dispatch run cards to identify and dispatch the closest available emergency resource to any call for service in the combined jurisdictional boundaries of the City of Davis and UC Davis.
3. Create a joint committee made up of decision makers from both Departments to develop Standards of Cover document assuming the inclusion of the jurisdictional boundaries of the City of Davis and UC Davis.
4. Return to Council at the next meeting with specific outlines, include timing

for standards of coverage or other items needed for implementation.
Motion passed unanimously.

City Council recessed at 10:33 p.m. and reconvened at 10:43 p.m.

Management Oversight

- L. Frerichs: Suggest create Council subcommittee to keep driving forward. Council consensus—L Frerichs and R. Swanson.
- S. Kinley: Merge of management team could possibly save 1 position. Need to look at best governance model.
- J. Meyer: Training consortium will grow to include all county agencies. Issues will be of governance.
- N. Trauernicht: Good time to look at issue, determine what governance model is best option for both communities.
- S. Pinkerton: In consultation with UC Davis, Fire will bring item back to Council. Will most likely contract with Renne Sloan to bring back Scott Kenley.
- B. Weist: Believe city should open discussion regarding merger or contract for fire services. If there was a full merger of departments, there would be no boundary issue.
- J. Meyer: Once we get to place of mutual respect and some common goals, will not be out of realm of possibility. Need successes in order to take next steps toward merger.
- J. Tenney: Seems like city is giving away fire department to administration employed by university. What is the real goal?
- Greenwald: Last January, wrote letter stopping the merger process. How will merging management avoid those concerns? Have things changed enough to start going forward?
- J. Meyer: In letter, basic reason to pause efforts was because not meeting objectives. Not implement standard operating guidelines, shared policy manual, drop boundaries. Citygate consultant report showed disparity between total comp of departments; that level is not sustainable for university. Fundamentally with the management at the time, not able to accomplish objectives.
- B. Weisgerber: Model of shared fire management makes good sense. 1 year ago, on verge filling division chief positions, hire 1 chief. Critical fire department be led by fire professional. Fire Chief takes command of incidents in small organizations. Move away from Police Chief as interim Fire Chief as soon as possible.
- J. Krovoza: Work toward consolidation or merger. Build trust to get us where we want to be.
- S. Pinkerton: Absent direction, will return to Council with recommendation consistent with December proposal. Continue to come up with scope of services. Address boundary drop and possibility of merger. During analysis, what makes most sense for two operations.

J. Krovoza moved, seconded by B. Lee, to defer filling the current Fire Chief vacancy in the City of Davis for six months to allow the City of Davis and UC Davis to fully analyze the feasibility of a shared management oversight concept for management of the City of Davis and the UC Davis Fire Departments.

S. Pinkerton: Intention to contract with Renne Sloan?

J. Meyer: Comfortable with direction.

B. Weist: Not support, conflict of interest. Will have previous chief as consultant to implement proposals he made. Person to implement proposals shouldn't be person that wrote them. City could look at others to assist in implementation.

B. Lee: Might be premature to identify who outside consultant will be. Could be value to having second set of eyes looking at recommendation, possibly with different vision.

L. Frerichs: Why not discuss complete merger?

J. Meyer: First project 2 years ago was hiring Citygate with charge to take to consolidation. Relationships not going well. Staff not honored as professionals. Wanted to make incremental to try and get there. If we go out again to get another consultant, would be ok. Scott Kinley has just completed in-depth report of both agencies, definite advantage.

Assistant City Attorney Ethan Walsh: Hiring Renne Sloan is not in front of Council. Need to make distinction that recommendation does not include contract.

J. Krovoza: Motion withdrawn. Staff will return to Council with further detailed recommendation.

Alternative Staffing Model

- B. Lee: UC Davis—What staffing model? Student firefighter program?
- N. Trauernicht: UCD daily staffing = 3 on engine, 4 on truck; daily minimum 6. UCD student firefighters must pass physical agility, entry level tests, panel interviews, firefighter basic academy, achieve certification on engine and truck company. Captain's discretion as to how they function on scene. Variance of skill level that occurs at any given time. Some more seasoned student firefighters will be capable of working alongside professional firefighter.
- J. Krovoza: Need to understand county medical services and correlation to staffing levels and percentage of medical calls.
- L. Frerichs: Issue of risk and levels of service. EMS response. Comprehensive approach regarding medical response.

Appointment to
City-UCD Student
Liaison
Commission

B. Lee: Request Council reconsider deferring appointment to City-UCD Student Liaison Commission. Council concurred.

City / UCD Student Liaison Commission								
2 Regular (4-yr term)								
Applicants		LF	JK	BL	RS	DW	TOTAL	APPOINT
Whitmore	Robin	X	X	X	X	X	5	Regular
Zinn	Paul	X	X	X	X	X	5	Regular

City Council
Brief Communi-
cations

J. Krovoza: County passed endorsement of Measure I. Attended US Conference of Mayors in Washington DC; discussed transportation and gun violence in cities. Expenses covered partially by city.

Long Range
Calendar

S. Pinkerton: Summarized upcoming meeting items. Suggest February 19 for fire roundtable discussion.

L. Frerichs: Request street lighting moved to February 19.

B. Lee: Suggest Fire Department Roundtable on February 26. Ok with adding meeting March 5.

S. Pinkerton: Reassess after next week; will move items as needed to March 5.

Adjournment

The meeting was adjourned at 12:08 a.m. in memory of former City Manager Roger Story and former Councilmember Jerry Kaneko.

Zoe S. Mirabile, CMC
City Clerk