

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of May 21, 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 Joe 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 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; Assistant City Manager/Administrative Services Director Yvonne Quiring; 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 and Firefighters Local 3494

B. Conference with Real Property Negotiators:

Property: Yolo County Assessor's Parcel Number 33-290-88
Agency Negotiators: Property Management Coordinator Anne Brunette; City Attorney Harriet Steiner
Under Negotiation: Price and terms of payment

C. Conference with Legal Counsel:

1. Existing Litigation: Yolo Ratepayers for Affordable Public Utility Services, et al. vs. City of Davis, Case No. CV-13-0000187 (formerly Case PT-13-187)
2. Anticipated Litigation:
 - a. Initiation of litigation pursuant to Government Code Section 54956.9(c): 2 cases.
 - b. Significant exposure to litigation pursuant to Government Code Section 54956.9(b): 1 case.

City Council returned to open session at 6:49 p.m. with no reportable action.

Ceremonial Presentations 30th Anniversary of the Death of Thong Hy Huynh. 2013 Memorial Awards:

- Young Humanitarian Award—Antonio De Loera Brust and Daniel Tutt.

Presented by L. Frerichs.

- Civil Rights Advocacy—Diane Evans. Presented by R. Swanson.
- Excellence in Community Involvement: Davis Odd Fellows Lodge, Davis Schools Orchestral Music Association (DSOMA), and the Robert and Yinnette Chang Family Trust Foundation. Presented by B. Lee.
- Public Servant of the Year: Tracie Olsen, Yolo County Public Defender. Presented by D. Wolk.
- Lifetime Achievement: Gay Powers. Presented by J. Krovoza

City Council recessed at 7:14 p.m. for a reception in honor of awardees and reconvened at 7:30 p.m.

City Manager
Brief Communi-
cations

S. Pinkerton: Annual AYSO World Cup Soccer Tournament held this week. Tour de Cluck this weekend in Central Park. May 23—East Covell Corridor Open House at Veterans Memorial Center

Public Com-
ments

- Al Sen, Helena Rodriguez, Donna, and Ernesto, CALPIRG: Support plastic bag ban.
- Diane Swan: Support building Davis Sacramento Bicycle Route on County Road 21A next to train tracks.
- Antonio De Loera Brust, ACME Theater Company: Program this weekend 30th annual free event in Community Park; every Memorial Day weekend provide free comedy at Davis Arts Center.
- Lars Anderson, Explorit Science Center: Providing programs for 32 years. Until 2007, had steady financial support. Need to raise \$100,000 by September 2013. Donate at www.explorit.org.
- Matt Williams: Valley Climate Action Board meeting on May 9—reached consensus on steps for Cannery Park. Should offer net zero homes as standard. Davis Energy Group consulting report should be available to public.
- John Troidl: Streetlight out in parking lot across from Holiday Cinema.

Consent Calen-
dar

Amendment to Professional Services Agreement for Labor Negotiation Services Approved Resolution No. 13-050 – Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with Renne Sloan Holtzman Sakai LLP.

City Investments - LAIF – Davis Public Facilities Financing Authority Account Approved Resolution No. 13-051 – Authorizing Investment of Davis Public Facilities Financing Authority Monies in Local Agency Investment Fund.

Landscape Maintenance Contract, North West Area Approved Resolution No. 13-052 – Authorizing the City Manager to Enter into Contract with Coast LM, Inc. dba Coast Landscape Management for Landscape Maintenance Services at Various City Properties. The agreement is for two years, beginning July 1, 2013 and is renewable for three additional one year terms based upon service expectations being met in the prior year.

Final Map for Willowbank Park Unit Revised No. 3, Subdivision No. 5022 and Operating Memorandum No. 3 to the Development Agreement

1. Approved Resolution No. 13-053 – Approving and Authorizing the City Manager to Sign Operating Memorandum No. 3, Willowbank Park Development Agreement (Brix & Mortar, Et al).
2. Approved Resolution No. 13-054 – Approving the Final Map for Willowbank Park Revised Unit No. 3, Subdivision No. 5022 and Authorizing the City Manager to Execute the Subdivision Agreement (Brix & Mortar Partners, LLC).

First Amendment to Domestic Water Service and Second Amendment to Sewer Service Agreements for Royal Oaks Mobile Home Park

Approved Resolution No. 13-055 – Authorizing the City Manager to Execute Amendment to Agreements with Royal Oaks Mobile Home Park at 500 Artis Lane (Davis Group) for Providing Water and Sewer to Serve Property Outside the City Limits.

Amendment to Child Care Services Contract Funding for Fiscal Year 2012-2013
Approved Budget Adjustment #146 (-\$300,000) – re-allocating California Department of Education Stage 2 Child Care Subsidy Funds.

Plans, Specifications and Estimate; and Contract Award for First Street Corridor Improvements, CIP No. 8209

1. Approved the plans and specifications.
2. Approved Resolution No. 13-056 – Awarding Contract of \$537,041.50 (Base Bid Plus Add Alternate Bids) to Martin Brothers Construction for First Street Corridor Improvements, CIP No. 8209.
3. Approved Budget Adjustment #155 (\$634,442) – funding from CDBG ADA Parking & Curb Ramps (\$30,000), Street Maintenance & Repair (\$580,442) and Sidewalk/Curb/Gutter Maintenance (\$24,000).

Plans and Specifications and Estimate for Sewer Trunk Line Rehabilitation – 2013, CIP No. 8166

1. Approved the plans and specifications, and authorized bid advertisement.
2. Approved Resolution No. 13-057 – Authorizing the City Manager to Award the Contract for the 2013 Sewer Trunk Line Rehabilitation, CIP No. 8166, to the Lowest Responsible Bidder.

Amendment to the 2012-2013 Budget Ordinance – Appropriations Limit Calculation Adjustment

Introduced Ordinance Amending the Appropriations Limit of the City of Davis for the FY2012/13 Final Budget as Originally Set Forth in Ordinance 2393.

Implementation of a Pilot Program “9/80” Work Schedule

1. Approved implementation of a pilot program to move to a standard citywide “9/80” work schedule. Schedule would allow the City to extend City Hall

public service hours to 7:30 a.m. – 5:30 p.m., Monday through Thursday and close every other Friday. Employees would be off alternating Fridays and have 8:00 a.m. – 5:00 p.m. work hours on the Friday City offices are open. Schedule to begin June 24, 2013.

2. Authorized the City Manager to approve a change in the work week for non-exempt employees if necessary from 12:01 a.m. Monday to midnight the following Sunday to a new workweek designation of one minute past the half-way point of the eight hour Friday work day. These changes will accommodate the proposed 9/80 schedule within federal employment laws and regulations.

Treasurer’s Report for the Quarter Ended March 31, 2013
Accepted report.

Proclamation Declaring May 19-26, 2013 National Public Works Week
Approved.

Picnic Day 2013 Follow-Up Report
Informational.

Commission/Committee/Board Minutes:

- a. Human Relations Commission Meetings of January 24, February 28 and March 28, 2013
 - b. Natural Resources Commission Meetings of January 28, February 25 and March 25, 2013
 - c. Water Advisory Committee Meetings of October 18 and 25, 2012
 - d. Woodland Davis Clean Water Agency Board Meeting of March 21, 2013
- Informational.

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

Removed from
Consent Calendar:

Item removed by J. Krovoza.

Support Local
Allocation of
Cap and Trade
Revenues – AB
416 (Gordon)

J. Krovoza: Legislation that can provide resources so the city can move forward in implementing Climate Action Plan.

L. Frerichs: Ability for cap and trade revenue to be given to local communities with shovel ready projects.

J. Krovoza moved, seconded by L. Frerichs, to approve Resolution No. 13-058 – Supporting AB 416 (Gordon) to Create the Local Emission Reduction Program, a Bill Allocating Cap and Trade Revenue to Support Local Government Greenhouse Gas Reduction Programs. Motion passed unanimously.

Agreement with

Item removed by R. Swanson.

Private Place-
ment Agent and
Bond Underwrit-
er

City Manager Steve Pinkerton: Need access to \$30-40 million in Fall to begin construction as well as pay down costs incurred to date on surface water project.

R. Swanson moved , seconded by D. Wolk, to approve Resolution No. 13-059 - Authorizing the City Manager to Enter into an Agreement with Private Place-ment Agent and Bond Underwriter for the Financing of the City of Davis Por-tion of the Woodland-Davis Clean Water Project. Motion passed unanimously.

Plans, Specifica-
tions and Esti-
mate for Drexel
Bicycle Boule-
vard, CIP No.
8237

Item removed by D. Wolk.

D. Wolk: Suggest City Manager check in with Council before awarding con-struction contract. Report on any feedback from neighborhood.

City Manager Steve Pinkerton: Before awarding contract, will proceed with public notification process and update Council on efforts.

By consensus, Council directed staff to proceed with public notification process and return to Council within a few weeks.

Monthly Water
Billing

Item removed by L. Frerichs and B. Lee.

General Manager Utilities Development & Operations Herb Neiderberger: Council requested staff investigate monthly billing to coincide with increased water rates. Substantial costs incurred to move to monthly billing cycle, double meter readings and administration. Over next several years will be changing out registers on all meters and eventually eliminate meter reading costs; will also be transitioning to electronic billing.

S. Pinkerton: Computer systems are antiquated, substantial capital cost and per-sonnel cost to facilitate transition.

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

1. Amendment to the Davis Municipal Code to Authorize Monthly Water Bill-ing: Introduce Ordinance Amending Chapter 39 of the Davis Municipal Code Related to Water Rates – Meter Reading and Billing Schedule.
2. Sole Source Contract Award of Water Meter Reading Services – July 2013 - June 2015, Program No. 7523:
 - a. Approve Resolution No. 13-060 Authorizing the City Manager to Exe-cute Consultant Agreement with Alexander’s, Inc. for Monthly Meter Reading, beginning July 2013 and ending June 2015, with an option to extend annually after that for a period of two years.
 - b. Direct staff to add the additional amount to the Fiscal Year 2013/14 wa-ter enterprise budget.

Motion passed unanimously.

<p>Wastewater Treatment Plant Improvement Project (CIP No. 8219) Request for Qualifications for Design-Build Teams</p>	<p>Item removed by B. Lee.</p> <p>Senior Engineer Michael Lindquist: Criteria to determine qualifications will differ based on breadth of experience.</p> <p>Public comment: Matt Williams: Staff report seems to assume ‘the project’ is the Charrette plan. Need to move toward selecting best team that best meets the Charrette plan performance criteria.</p> <p>L. Frerichs moved, seconded by D. Wolk, to approve the Request for Qualifications. Motion passed by the following vote: AYES: Frerichs, Swanson, Wolk, Krovoza NOES: Lee</p>
<p>Picnic Day 2013 Follow-Up Report</p>	<p>Police Chief Landy Black: 85-90 percent of incidents involved alcohol. Less community collaboration this year to reduce focus on alcohol, fewer businesses signed alcohol covenant.</p> <p>Deputy City Manager Kelly Stachowicz: Need to continue efforts and partnerships with community groups. Two different covenants; off sale and on sale licenses.</p> <p>By consensus, Council directed staff to provide information on covenant signors.</p>
<p>Presentation: Lower Sacramento River/Delta North Regional Flood Management Plan</p>	<p>Region Program Manager Scott Shapiro: In 2012, State adopted Central Valley Flood Protection Plan. Regional plans will articulate needs and strategies for each region.</p> <p>Region Program Manager Tom Chapman: California Department of Water Resources producing basin-wide plan by 2017; should track state efforts for any potential impacts to city.</p>
<p>Public Hearing: Proposed Senior Services Program Fees and Cost Recovery for Fiscal Year 2013/14</p>	<p>Mayor Krovoza opened the public hearing.</p> <p>Elaine Roberts-Musser, Senior Citizens Commission: Rumors spreading throughout Senior Center, uncertainty regarding program fees.</p> <p>Mayor Krovoza continued the public hearing to June 11, 2013.</p> <p>Assistant City Manager Yvonne Quiring: Staff requested continuance in order to make sure everyone is informed of proposal regarding voluntary fee; issues still to be worked out.</p>
<p>Public Hearing:</p>	<p>Interim Fire Chief Steve Pierce: Public hearing for property owners wishing to</p>

Weed Abatement – Removal of Weeds and Grasses to Eliminate Potential Fire Hazards

protest abatement of weeds on their property. 55-60 lots received notice of weed abatement and opportunity to contest notice.

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

City Council recessed at 9:31 p.m. and reconvened at 9:38 p.m.

Public Hearing: Proposed Designation of 445 Russell Boulevard as a Landmark in the Davis Register of Historic Resources

Planner & Historic Resources Manager Ike Njoku: Historical Resources Management Commission (HRMC) recommends designating property as it meets established criteria. No opposition from neighbors or property owners.

Mayor Krovoza opened the public hearing.

Rand Herbert, Karen Clemente and Rich Rifkin, all from HRMC: Support project. 445 Russell Blvd is historic not only under city criteria, but also state. Office of historic preservation will probably include in state register. Significant persons—builder John Jacobson, Councilmember on second City Council, and builder on campus; Walter Howard Sr., first resident on the property.

Dana Sperno, Consultant: Property is significant resource for city; support designation. Reflects culture of community during period of growth and significant individuals in community.

Mayor Krovoza closed the public hearing.

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

1. Determine that the proposed designation of 445 Russell Boulevard as an historic resource is Categorically Exempt per Section 15331 of the CEQA Guidelines as a preservation effort in a manner consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties.
2. Introduce Ordinance Designating 445 Russell Boulevard as a Historical Resource Pursuant to Article 40.23 of the Davis Municipal Code.

Motion passed unanimously.

North Davis Riparian Greenbelt Project – Draft Planting Plan

Sustainability Program Manager Mitch Sears: Project plan meets established criteria—enhance resource, maintain flood conveyance, no increase in city maintenance.

Libby Earthman, Putah Creek Council: Local non-profit with 25 year history; volunteers primarily from Davis community. Worked with city staff to achieve good resolution. Thank Council for elevating concerns of neighborhood.

L. Frerichs moved, seconded by D. Wolk, to approve Resolution No. 13-061 – Approving the Planting Plan and Authorizing Project Implementation for the North Davis Riparian Greenbelt Project Under the Urban Greening Grant Pro-

gram (Proposition 84), which includes:

1. The planting plan and authorizing project implementation
2. Allocation of project grant funding for removal of up to five trees and tree trimming along the channel bike path corridor to enhance establishment of project vegetation
3. The project as Categorically Exempt under CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction), 15304 (Minor Alterations to Land), and 15311 (Accessory Structures)
4. City staff to develop the interpretive elements of the project in consultation with community members and to implement such elements if general consensus can be reached. If general consensus cannot be reached, staff shall submit the interpretive elements to Council for consideration.

Motion passed unanimously.

Pavement Management, Program 7252—Maintenance, Funding and Budgeting Strategies

Principal Civil Engineer Michael Mitchell: Overview of current conditions, maintenance scenarios and cost estimates of program.

City Manager Steve Pinkerton: Reduce city's backlog and future expenditures by providing funding up front for pavement projects; will return to Council with refinement of plan priorities. Request Council approve concept, staff to return with contracts and final funding decisions in spring.

Public comment:

- Matt Williams: As long as escalation of cost for pavement is greater over time than the interest rate to borrow money, should borrow now and fix at cheaper dollars.

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

1. Approve the funding and budgeting strategy for pavement maintenance, in concept, for the multi-year effort, as outlined in the staff report.
2. Direct staff to proceed on the first year of the multi-year effort, planning the project, obtaining a design consultant and a public outreach consultant.
3. Direct staff to return in the fall of 2013 with an update on the long-term pavement maintenance budgeting plan with contracts for Design and Public Outreach Consultants for next fiscal year's Pavement Maintenance project.
4. Approve the pavement management scenario B-Mod, PCI Goals with Front End Loading (\$15 million in year 1 and \$10 million in year 2).

Motion passed unanimously.

City Council Brief Communications

AB1234 Reporting: J. Krovoza—travel expenses to SACOG. R. Swanson: Software purchase for Surface laptop.

Long Range Calendar

S. Pinkerton:
May 28—Lake Blvd Bike Path, Fifth Street Corridor Plans and Specifications.
Central Park Restroom postponed.

June 11—Budget

June 25—Budget follow up, Solid Waste

July 9—Affordable Housing Ordinance, Prop 218 for Solid Waste Rates

B. Lee: Request discussion of corporate sponsorships, projects such as fountain at Central Park. Suggest staff draft proposal to seek out sponsorships.

J. Krovoza: Request staff to include information on public outreach in staff presentation of Fifth Street Corridor on May 28.

S. Pinkerton: Will provide update at next week's meeting.

Adjournment Meeting adjourned at 11:17 p.m.

Zoe S. Mirabile, CMC
City Clerk