

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 11, 2013

The City Council of the City of Davis met in regular session beginning at 5:30 p.m. and special meeting session beginning at 6:30 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 Agendas J. Krovoza: Staff removed Open Space Acquisition – First State Bank of NW Arkansas Property - Mace Curve item from consent calendar of regular meeting agenda and re-noticed as regular discussion item Options for First State Bank of NW Arkansas Property - Mace Curve 391 on a special meeting agenda. Item will be heard after Softball Field Improvements, before Budget.

D. Wolk moved, seconded by R. Swanson, to approve the regular agenda as amended and special 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; 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. Public Employee Performance Evaluation: City Manager

City Council returned to open session at 6:43 p.m. with no reportable action.

City Manager Brief Communications S. Pinkerton: Graduation week at UCD. June 13—Community meeting to discuss traffic calming proposals on Drexel at Holmes Junior High. June 23—Livestrong Challenge ride downtown. June 24—City to start flexible work hours at City Hall, will be closed every other Friday.

Deputy City Manager Kelly Stachowicz: Finalizing sponsorships for fireworks and entertainment for Davis Fourth of July festivities; summarized event activities.

Police Chief Landy Black: Update on crimes occurring at Families First, resi-

dential youth facility in Davis.

J. Krovoza: On June 6, Silicon Valley Leadership Group presented City of Davis with award for best small community in northern California for electric vehicle readiness.

Public Comments

- Rich Rifkin: Consent calendar item Richards Blvd Entryway Improvements—Location is next to Davis landmark that hasn't been reviewed by the Historical Resources Management Commission.
- Donna, Bethany Madison, and Melanie, all from CALPIRG; Alan Pryor; Elaine Fingerette; and Danny Luzzo: Support plastic bag ban.
- Danny Tomasello: Third Annual Music Only Makes Sense, June 22 and 23. www.davismusicfest.com.
- Kelly McCrory, Davis Little League, and Carson Wilcox, Davis Youth Softball Association: Proposal to fix H Street; bad condition, poor lighting, major artery for bikes/pedestrians. Letters of support from Davis Youth Softball, Davis Art Center, and Davis Bike Club.
- Dean Newberry: Natural Resources Commission recommends city study community choice aggregation and other electric service options.
- Celia Coffell: Greenbelts dangerous. Drug transactions in bushes; people sleeping overnight, overgrown vegetation potential fire hazard to residents.

Consent Calendar

Amendment to Professional Services Agreement – Water Distribution System Optimization Plan (WDSOP), CIP No. 8217

1. Approved Resolution No. 13-066 – Resolution Authorizing the City Manager to Execute Amendment No. 1 to Professional Services Agreement with Brown and Caldwell Consultants to Develop Updated Water Distribution System Optimization Plan, CIP No. 8217
2. Approved Budget Adjustment #173 (\$99,519) – funding the scope of work

City Hall Roof Replacement, Program No. 7911

1. Approved plans and specifications for the City Hall Roof Replacement, Program No. 7911
2. Approved Resolution No. 13-067 – Resolution Authorizing the City Manager to Execute a Contract with Garland/DBS, Inc. for City Hall Roof Replacement Project, Program No. 7911

Professional Services Agreements for Economic Feasibility Work – Evaluating Municipalizing Electric Service to the Community and Establishing a Community Choice Aggregation (CCA) Program

1. Approved Resolution No. 13-068 – Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Nixon Peabody, LLP, For Economic Feasibility Study
2. Approved Resolution No. 13-069 – Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Pacific Economics Group for an Economic Feasibility Study
3. Approved Budget Adjustment #172 (\$344,000) – allocating City utility

funds for the contract scope of work

Professional Services Agreement for Electrical Preventative Maintenance Services to the Water Division

Approved Resolution No. 13-070 – Resolution Authorizing the City Manager to Enter into a Professional Services Agreement with Telstar Instruments to Provide Electrical Preventative Maintenance Services to the Water Division

Memorandum of Agreement for Aesthetic Improvements to Richards Boulevard Downtown Entryway

Approved Resolution No. 13-071 – Resolution Authorizing the City Manager to Enter into a Memorandum of Understanding with the Davis Chamber of Commerce and Davis Downtown to Complete Phase 1 of the Downtown Entryway Project

Supportive Housing Program Grant for Program Year 16

Approved Resolution No. 13-072 – Resolution Authorizing the City Manager to Execute Agreements with the U.S. Department of Housing and Urban Development and Davis Community Meals for the Implementation of the Supportive Housing Program

Renewal of Agreement for Public, Education, and Government (PEG) Access Funding for Fiscal Years 2013-2014 through 2015-2016

Approved Resolution No. 13-073– Resolution Authorizing the Davis City Manager to Execute Agreements between the City of Davis, Davis Joint Unified School District, and Davis Media Access for the Provision of Educational and Public Access Cable Services, which addresses the following contract terms:

- a. Allocation of the annual franchise fee revenues for three years.
- b. Allocation of monthly per-subscriber PEG capital funding (pass-through) between the City and DMA and DJUSD for three years.
- c. Requirements that the agreement with DMA and DJUSD be used strictly for operation and programming of their respective cable channels and related media (bulletin boards systems, webcasting, etc.) and that reporting on use of the funds be done annually during the City’s budgeting and end-of-year reporting process.

Commission Minutes:

1. Human Relations Commission Meeting of April 25, 2013
2. Social Services Commission Meeting of March 18, 2013

Recommendation: Informational

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

Public Hearing: Zoning Ordinance Amendment- Community Development & Sustainability Director Mike Webb: Fulfills obligations of current Housing Element and requirements of Senate Bill 2 passed in 2008.

ment to Implement Program Requirements of the 2006-2013 Housing Element

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

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

1. Determine that the proposed Zoning Ordinance text amendment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and that it is categorically exempt from the provisions of CEQA Guidelines Section 15305 under Class 5, Minor Alterations to Land Use Limitations
2. Introduce Ordinance Amending Chapter 40 of the Davis Municipal Code Pertaining to Definitions, Permitted and Conditional Uses in the Districts of C-C, M-U, C-I, R2-CD, R-C, R-HD, R-R, R-T, R-1, R-2, R-3, R-2-MH, R-R, I, and All Planned Development Zones of a Similar Nature, which is consistent with State law and the City's 2006-2013 Housing Element of the General Plan Implementation Program

Motion passed unanimously.

Community Park License Agreement for DJUSD Improvements to Davis High School Softball Field

Deputy City Manager Kelly Stachowicz: Proposed fence will block off area for softball use and preclude any other use. Minor changes to agreement are still being finalized by DJUSD. Recreation and Park Commission unanimously supported proposal.

Public comments:

- Becky Rigoo: Request Council move forward with improvements. Support girls and young women dedicated to softball.
- Dennis Foster, Athletic Department Davis High School: Several planning sessions conducted at field, provided \$50,000 to start improvements this summer.
- Sam Swimley and Mindy Dufraime: Softball Coaches. Girls deserve field built for dedicated use. Only varsity sport that hasn't had any upgrades in facility.
- Catherine Slaybaugh, Marissa, Sadie Mariko, and Patty Sloney: Students, softball players. Installing temporary fence every day is a hassle; would like to field to be proud of.

K. Stachowicz: Booster clubs working with Tree Davis to fundraise for trees to plant. Staff does not consider along the outside of the outfield an appropriate location for tree planting, should be placed north of third baseline; will need to consult with city staff before proceeding.

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

1. Approve Resolution No. 13-074 - Authorizing the City Manager to Execute a License Agreement with the Davis Joint Unified School District for Improvements on the Softball Field Located Partially on City Property in

Community Park (Davis High School Varsity Girls' Softball Field), including the following:

- a. Construction of a permanent 6' chain link fence to surround the field and which will be located partially on City property.
- b. Pouring of a concrete pad to replace the decomposed granite surfacing at the existing batting cage site.
- c. Demolition of existing 6' high chain link dugout and replace with an 8' fully enclosed chain link dugout, with a wood covering on a concrete pad. The dugouts will also be relocated further down the line to allow for bleachers (bleachers will be located on District property).
- d. Fencing in the bullpen (along the third base line completely on all sides).
- e. Allowing trees to be planted along the third baseline and north/north-east of facility.

2. Direct staff to come back within 12 months with status update.

Motion passed unanimously.

City Council recessed at 8:05 p.m. and reconvened at 8:10 p.m.

Options for First State Bank of NW Arkansas Property - Mace Curve 391

City Manager Steve Pinkerton: Need balance quality of life and sustainable goals with enough economic development to generate revenue for community. Staff recommendation is to explore options to leverage the Mace Curve 391 and decline to proceed with the USDA Natural Resources Conservation Service grant.

Property Management Coordinator Anne Brunette: Overview of Measure O, approved in 2000; funds acquisition, operation and maintenance of open space and related public facilities. Currently collect \$600,000 per year.

Public comments:

- Mark Hoshovsky, Roberta Millstein, and Greg House, all from Open Space & Habitat Commission; Gene Jackman; John Johnston; Henry Hauss; Lynn Nittler; Karen Andrews; Bob Schneider; Alan Pryor, Sierra Club Yolano Group; Lee Bartholomew; Jay Feldman; Jennifer House; Stephen Souza; Rodney Robinson; and Ken Wagstaff: Oppose staff recommendation to decline acceptance of the NRCS grant. Comments included: Opportunity to preserve open space for future, great project, rare \$1+ million grant. Community priority proven by passage of Measure O. Object to process; should not plan fringe development in secretive manner; little public input. Decision may have CEQA implications. Best open space purchase in city's history, opportunity will not repeat with escalating prices. Consider other parcels for business park development.
- Matt Williams: There may be better opportunities, more study needed.
- Michelle Clark, Yolo Land Trust: 20 year partnership with Davis; 17 projects. City owns fee title to Mace Curve property; Yolo Land Trust is sole recipient of grant.
- David Morriss, CEO-Capitol Corridor Ventures: Davis must attract and retain companies; Mace and I-80 is the ideal site for business park. If ease-

ment progresses, will push development to Solano County. Secured contract on Shriner's property and offered to city; issue is whether city would rather have conservation on land swap.

L. Frerichs moved, seconded by B. Lee, to proceed with acceptance of USDA Natural Resources Conservation Service (NRCS) grant funding and approve Resolution No. 13-075 - Approving the Resale of the Mace Curve Property and Authorizing the City Manager to Complete the Resale for the Purposes of Permanently Protecting the Agricultural Values and Open Space Character of the Property.

R. Swanson moved substitute motion as follows:

1. Determine that exploring options to leverage the Mace Curve 391 (also known as the First Bank of NW Arkansas Property) to meet several of the City Council's stated policy goals outweighs the current value of a USDA Natural Resources Conservation Service grant.
2. Authorize staff to notify the Yolo Land Trust (YLT) that the City will decline to proceed with USDA Natural Resource Conservation Service (NRCS) grant funding as an offset from the original purchase of the Mace Curve 391 property.

No second.

Main motion passed by the following vote:

AYES: Frerichs, Lee, Krovoza

NOES: Swanson, Wolk

Fiscal Year
2013/14 Pro-
posed Budget

Deferred to June 25, 2013.

Public Hearing:
Proposed
Changes to Fees
and Charges

Mayor Krovoza opened and continued the public hearing to June 25, 2013.

Long Range
Calendar

S. Pinkerton: Waste Management postponed to July 2.

B. Lee: If possible, request plastic bag ordinance before summer recess as well as compostable/single use containers.

H. Steiner: Will look at status of environmental review.

City Council
Brief Communi-
cations

R. Swanson: Worked Farmers Market this past Saturday. Citizen expressed concern over Drummond bikepath. Main bikepath is open, others are not yet open. Staff is waiting for more clarification from Caltrans.

Adjournment

Meeting was adjourned at 11:04 p.m.

Zoe S. Mirabile, CMC
City Clerk