

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of July 15, 2014

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 Dan Wolk.

Roll Call: Councilmembers Present: Robb Davis, Lucas Frerichs, Rochelle Swanson, Dan Wolk

Councilmembers Absent: Brett Lee

Other Officers Present: Interim City Manager Gene Rogers, City Attorney Kimberly Hood, City Clerk Zoe Mirabile

Approval of Agenda R. Davis moved, seconded by R. Swanson, to approve the agenda. Motion passed by the following vote:
AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following:
1. Conference with Legal Counsel—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. Public Employment: City Manager

City Council returned to open session at 6:51 p.m. with no reportable action.

Ceremonial Presentation Proclamation Designating July 2014 as National Parks & Recreation Month was presented by L. Frerichs.

Proclamation Recognizing Rochelle Swanson as a Recipient of the *2014 Women Who Mean Business* Award was presented by D. Wolk.

City Manager Announcements/Communications Deputy City Manager Kelly Stachowicz: Construction projects throughout town—Fifth Street, audible pedestrian units; B Street overlay between Fifth & Sixth Streets; Sycamore Villanova cycle track; Cannery development project is receiving dirt from water project, potentially causing traffic delays on Pole Line. Mosquito and Vector Control District watching carefully incidents of West Nile virus. Ground spraying occurring.

Active Transportation Coordinator Dave “DK” Kemp: East Covell Corridor Plan—C directed staff to consult with Dutch Cycling Embassy representatives from Mobycon to look at potential options for the corridor. Traffic Engineer

visiting from Netherlands, looking beyond standard solutions.

Public Comments

- John Troidl: New street lights are an improvement—brighter, attractive and safe.
- Steven Spear: Most properties on Sunset Court have become mini-dorms. Once floorplans change to accommodate more students, they are less likely to become single family homes again in the future.
- Su Chen, Sister City Sang-Ju, Korea. Letter from Mayor of Sang Ju: Exchanges of students and employees will continue to be beneficial. Davis High School student visited Korea through exchange program; Sang-Ju students will visit Davis in September. This is the first year Sang Ju is sending students to UC Davis.

Consent Calendar

Neighborhood ADA Improvements-2014, CIP No. 8126

1. Approved plans and specifications
2. Approved Resolution No. 14-107 – Awarding Contract of \$191,006.60 to Alaniz Construction, Inc., and approving a construction contingency of \$20,000

School Crossing Guard Contract

1. Approved Resolution No. 14-108 – Authorizing the City Manager to Enter Into a Contract with American Guard Services, Inc., for Operating the School Crossing Guard Program for 2014-15
2. Approved Resolution No. 14-109 – Authorizing the City Manager to Enter Into a Memorandum of Agreement with the Davis Joint Unified School District (DJUSD) to Share Expenses of the School Crossing Guard Program
3. Approved Budget Adjustment #3 – appropriating DJUSD revenue to meet increase in 2014-15 contract cost

Contract for Independent Police Auditor Services for Fiscal Year 2014-15

Approved Resolution No. 14-110 – Authorizing the Interim City Manager to Execute Contract with Robert Aaronson to Provide Independent Police Auditor Services, in an amount of \$50,000

City Manager Purchasing Authorization During Council Recess

Approved Resolution No. 14-111 – Authorizing the City Manager to Execute Professional Services Contracts and Award Construction Contracts During the City Council Recess from July 16, 2014 through August 26, 2014

Support National Monument Designation for Berryessa Snow Mountain Region

1. Approved Resolution No. 14-112 – Supporting the Permanent Protection of the Berryessa Snow Mountain Region as a National Conservation Area or a National Monument
2. Approved Proclamation Commemorating the 50th Anniversary of the Federal Wilderness Act

FEMA 2014 Assistance to Firefighters Grant Award for Self-Contained Breathing Apparatus (“SCBA”)

Approved Budget Adjustment #6 – appropriating grant funds and allocating required local match from non-vehicular replacement funds

Arts Alliance Development

1. Received update on efforts toward creation of an Arts Alliance
2. Directed staff to return in the fall with a Memorandum of Understanding with YoloArts to staff the Arts Alliance under direction of a Davis arts steering committee, and with a resolution dissolving the Civic Arts Commission

Streetlight Retrofit Project

Received update on LED retrofit test lighting

Recreation and Park Commission Minutes from the Regular Meetings of February 20, March 20, April 17, and May 15, 2014

Informational

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

AYES: Davis, Frerichs, Swanson, Wolk

NOES: None

ABSENT: Lee

Innovation Center Request for Expressions of Interest (RFEI) Update

Chief Innovation Officer Rob White: Summarized responses, provided progress update, including potential next steps.

Dan Ramos, Mace Innovation Center: Ready to move forward with community outreach process. Intent is to submit a formal application in September.

Santorini, Davis Innovation Center: Excited to move forward. Would like to make sure stakeholders are given enough time for input. Proposal is to provide world class innovation center.

David Moriss, Capital Corridor Ventures: Moving forward on proposal. Asking for patience from Council. Excited to try and offer project to city.

Public comments:

- Elaine Roberts- Musser: Public education important; need to address community concerns regarding need for more residential housing, traffic impacts, amount of potential tax revenue. Finance & Budget Commission interested in discussion of potential tax revenue. Good time for innovation park; send message that Davis is open for business.
- Steven Goleme, Innovation Park Task Force: Companies adopt values of community they live in. Great innovations stemming from UCD.
- Kemble Pope, Chamber of Commerce: Chamber offers to assist in any way

possible to connect and facilitate. Ensure community is well informed about need for innovation park and to grow businesses here. Need more land for businesses to expand and bring jobs to community.

- Jim Gray: World class developers, planners and architects. Opportunity to stimulate and challenge. Encourage staff and citizens to push developers to incorporate Davis DNA.
- Rodney Robinson: Should keep guard up regarding tech sites, potential pollution source and bad business practices.

R. Davis moved, L. Frerichs seconded, to defer action on initiating a city-sponsored advisory measure pertaining to a city-owned 25 acre parcel located in East Davis. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

D. Wolk moved, L. Frerichs seconded, to appoint R. Swanson and R. Davis to serve on an ad hoc Council Subcommittee charged with identifying overarching expectations for Innovation Center projects that represent community goals not otherwise included in standard development codes, such as those contained in various community plans. The Subcommittee to also reach out to the business community and key City Commissions to assist with the development of expectations and advise on retaining and attracting new technology businesses. The Subcommittee will report back to the City Council no later than mid-October 2014. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

City Council recessed at 7:59 p.m. and reconvened at 8:08 p.m.

Proposed Water Rates; Cost of Service Study and Proposition 218 Notice to Customers

General Manager Utilities, Development & Operations Herb Niederberger: Overview of cost of service study and proposed rates

Public comments:

- Ernie Head: Interested in 218 protest proceeding alternatives, such as a 2/3rds vote or 50-50 assessment.
- Sue Greenwald: Apartment landlords are paying less per gallon than single families, difference will be more significant once rates go up. Need to fix cost of service study to reflect more accurate assumptions regarding reasons for building surface water project.
- Rodney Robinson: Water bill should be revised, not clear.
- Elaine Roberts-Musser: Request Council maintain decision regarding rate. Support shorter Prop 218 notices.
- Nancy Price: Public needs to be able to track revenues and expenses, includ-

ing what rate revenue needs to cover, rate stabilization revenue and water shortage surcharge.

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

1. Accept the Water Rate Cost of Service Study prepared by Bartle Wells Associates (BWA) dated July 2014, subject to minor modifications
2. Approve the water rates for a five year time frame that can be included in a notice to customers for raising water rates in accordance with Proposition 218
3. Authorize the Notice to Property Owners of Public Hearing on Drinking Water Rates scheduled for September 16, 2014

Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

R. Davis proposed a friendly amendment to look at options to expand lifeline program, extending, advertising, funding and assessing value to community and to include renters in addition to owner occupied households. Accepted.

L. Frerichs proposed a friendly amendment to look at additional conservation measures, such as potential cash for grass programs, additional usage of grey water, and allow citizens to round up their water bills. Accepted.

Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

B Street Corridor Striping Plan

L. Frerichs: Recused himself due to conflict of interest because residence is within 500 feet of project under discussion and left the room.

Assistant City Engineer, Brian Mickelson: Public outreach process will take some time; report back to Council after summer recess.

Public comments:

- Christa Waters: Concerned that single northbound traffic lanes will impact traffic in entire area. Request staff analyze potential safety impacts to bike and pedestrian on 8th Street.
- Trish Price, Davis Bicycles!: B Street is a vital bike route. Temporary nature of bike lanes increases danger of route to library and park. Need to remove or limit parking between 7th and 8th Streets.
- Russell Reagan: B St is an important bike route; should prohibit cars parked between 7th and 8th Streets. Need adequate bike lane widths, not less than standard in Bicycle Plan for city. Important to be consistent.

R. Swanson moved, seconded by D. Wolk, to proceed with installing temporary striping on B Street with current markings. Staff to return with item again when a full Council is in attendance. No further analysis of options in the interim.

R. Davis proposed friendly amendment: Not interested in analysis of Option 1 (Convert the block between 7th and 8th Streets to northbound vehicle traffic only while maintaining north and southbound bicycle circulation. This option retains existing parking and proposes modifying the parking times between 8th and 14th Street to restrict vehicle parking Monday through Friday and to allow parking Saturday, Sunday and holidays.). Accepted by mover and second.

Motion passed by the following vote:

AYES: Davis, Swanson, Wolk

NOES: None

ABSENT: Frerichs (recuse), Lee

City Council recessed at 9:25 p.m. and reconvened at 9:34 p.m.

Nishi Property
and Downtown-
University
Gateway District
Update

Community Development Administrator Katherine Hess: Community workshops occurred in May, received Strategic Growth Council award for sustainability studies. Next steps: Feasibility studies; Council to select preferred project and initiate CEQA review late 2014; environmental, economic and fiscal analyses complete 2015.

Public comments:

- David Fahy: Only major access is through Olive Drive. Why not include at least 1 other option? Let public envision and discuss. Not against project.
- Rodney Robinson: Generally have supported farmland for Nishi. 3 different configurations have been presented, but no real options. Where is urban farm? Project is not spectacular.
- Matt Williams: 2 options for Nishi discussed by Housing Element Steering Committee. Conceptual framework seems to provide another access in addition to Olive Drive. Project provides synergy with university.

R. Swanson: Request opportunity for public to visit site, possibly open gathering with story boards with different options.

L. Frerichs: Allow for public engagement, workshops on site

R. Davis: Still need to fully analyze, may not be able to answer all questions for public initially. Set clear expectations. Make sure public understands there will be follow up details on project.

Community Development & Sustainability Director Mike Webb: More content for website is being developed. Should be posted within next few days.

R. Swanson moved, seconded by L. Frerichs, to direct staff to return in the fall with a project description and consultant contract for initiating CEQA review of

the Nishi/West Olive Drive component of the Gateway District. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

Appointment of Council Subcommittee on City Hall

R. Swanson moved, seconded by D. Wolk, to appoint D. Wolk and L. Frerichs to serve as a Council Subcommittee on City Hall. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

Designation of Voting Delegate and Alternate for the 2014 League of California Cities Annual Conference

L. Frerichs moved, seconded by R. Swanson, to appoint B. Lee as the regular and R. Davis as the alternate voting delegate for the 2014 League of California Cities Annual Conference—September 3-5, Los Angeles. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

Brief Communications

R. Swanson: L. Frerichs, D. Wolke & R. Swanson attended a UCD Chancellors dinner. Good example of collaboration in region.

Long Range

G. Rogers: Special meeting July 17 regarding city manager recruitment?
H. Steiner: Issue of city manager compensation.

R. Davis moved, seconded by R. Swanson, to schedule a City Council special meeting on July 17 at 5:30 p.m. to discuss City Manager compensation. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

R. Swanson moved, seconded by R. Davis, to reconsider consent calendar item regarding Arts Alliance Development. Request staff come back with staff report, would like to see stakeholders in attendance.

M. Webb: Yolo Arts was in attendance at this meeting.

R. Swanson: Need explanation about how relates to Davis. Why Yolo Arts was chosen. Not want to move forward on MOU without stakeholders present. Prefer item come back August 26.

Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk

NOES: None
ABSENT: Lee

R. Swanson moved, seconded by L. Frerichs, to direct staff to return to Council on September 2 with staff report and hold off on specific MOU language for YoloArts. Motion passed by the following vote:

AYES: Davis, Frerichs, Swanson, Wolk
NOES: None
ABSENT: Lee

L. Frerichs: Agendize update on mini-dorm

M. Webb: Possibly September 16. Anticipate discussion of range of potential options to consider.

D. Wolk: Request staff report include discussion of Enterprise article on mini dorms

H. Steiner: Need to schedule regular meeting September 23 or 30, need Council to provide schedules to staff.

R. Swanson: Form 700 requirements for commission. Hear concerns that this chills participation. Room to change requirements? If change scope of commission.

H. Steiner: Can bring back list of commissions. Whether they have to file, what is required, what is at Council's discretion.

Closed Session City Council returned at 10:34 p.m. to closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel—Existing Litigation: Davis Enterprise v. Fairfield Publishing, Yolo County Superior Court Case No. CV06-68. Council will have no reportable action.

Adjournment Meeting was adjourned at 10:50 p.m.

Zoe S. Mirabile, CMC
City Clerk