The City Council of the City of Davis met in regular session beginning at 6:36 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, Brett Lee (arrived 6:48 p.m.), Rochelle Swanson, Dan Wolk

Councilmembers Absent: None

Other Officers Present: Interim City Manager Gene Rogers, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda

R. Davis moved, seconded by L. Frerichs, to approve the agenda. Motion passed by the following vote:

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

Ceremonial Presentations

- Proclamation Recognizing September as Prostate Cancer Awareness Month was presented by L. Frerichs.
- Proclamation Recognizing September as Senior Center Month was presented by R. Davis.
- Proclamation Recognizing September as Literary Awareness Month was presented by R. Swanson.
- Proclamation in Appreciation of Eve West Bessier, Poet Laureate 2012-2014 was presented by L. Frerichs.
- Proclamation Declaring Andy Jones City of Davis Poet Laureate was presented by D. Wolk.

City Council recessed at 6:59 p.m. for a reception and reconvened at 7:16 p.m.

City Manager Brief Announcements/Communications

G. Rogers: Fire Department plan check, development and services are now available in City Hall at the Community Development & Sustainability Department counter. Community informational meetings on September 4 at the Senior Center and September 8 at Korematsu Elementary. Rainbow City play structure renovation meeting on September 20.

Public Comments

- Elaine Roberts-Musser: Thanks to Senior Center staff person Maria Lucchesi for her support to the Senior Citizens Commission.
- John Troidl: Support Mayor’s public health interest for city and Proclamation supporting tobacco control program at UCD scheduled to be presented at the October 7 Council meeting.
Consent Calendar

Funding for Child Care Services Resource and Referral, and Subsidy Programs
Approved Budget Adjustment #26 ($804,197) – Appropriating grant funds and adjusting 2014 budget to match contract award amounts

Shared Fire Management Services Update
Informational

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

Public Hearing:
Consideration of Mandatory Water Conservation Goals and Water Use Restrictions to Implement State Water Resources Control Board (SWRCB) Emergency Regulations and Drought Conditions in Davis

General Manager Utilities, Development & Operations Herb Niederberger: City has reduced January-August 2014 reduction of 14% over same time period in 2013. City must adopt restrictions designated in Urban Water Management Plan at lowest mandatory level as emergency regulations.

Public Comment:
• Alan Miller: 55% of residents in town rent; renters will not invest in systems where they do not own. Irrigation timers are costly. Request exception for renters.

B. Lee: Request information on per capita or per customer usage.

R. Davis: Request consumer data; identify top 10% of users based on parcel size. Get real savings and conservation in practical sense. When update UWMP in future, should consider approaches using real data to help residents make decisions on conservation.

L. Frerichs: Should consider incentive programs such as cash for grass.

R. Davis moved, seconded by L. Frerichs, to approve Resolution No. 14-124 - Adopting Water Use Restrictions Consistent with the State Water Resources Control Board Emergency Regulations. Motion passed unanimously.

Emergency Response Plan – Coordination of City Response to Disasters and Other Large Scale Emergencies

Fire Chief Nathan Trauernicht: Currently updating physical operations center and city website. Partnership between Yolo Office of Emergency Services and West Valley Fire Training Consortium, pursuing grant funding opportunities.

Dana Carey, Yolo Office of Emergency Services: Update to Emergency Operations Plan scheduled for next year, includes both emergency support and long-term community recovery. Next steps: emergency operations center training and functional exercise, use of volunteers in response, and financial systems analysis.

Public Comments:
• Alan Miller: Residents should know where to shut off their gas valves. Suggest Fire Department, PG&E or volunteers go door to door to spread level of awareness.
• Francis Resta: Support Fire Department efforts. Distributed map of student housing and businesses within ¼ mile of railroad tracks. Suggest city make lists of all businesses and homes within zone, assign risks and send to homeowners and major insurance companies.

• Elaine Roberts-Musser: Emergency planning is a critical issue. Elderly are particularly vulnerable, many have mobility and medical issues.

Comment Letter to the City of Benicia on the Valero Benicia Crude by Rail Project Draft Environmental Impact Report (EIR)

R. Davis recused himself due to a potential conflict of interest based on the location of a leasehold interest and left the room.

City Attorney Harriet Steiner: Unable to determine at this time if R. Davis is allowed to participate based on his leasehold financial interest. Attorney’s Office is still reviewing and will seek formal advice of FPPC on this matter.

Community Development & Sustainability Director Mike Webb: Summarized proposed comment letter. Draft EIR is anticipated to release for comment mid-September; project could result in additional 80 tank cars through Davis each day.

Public Comments:
• Lynne Nittler: Support letter; raises legitimate concerns within bounds of CEQA process. Provides specific and thoughtful guidelines.
• Elizabeth Lassensky: Support letter. Reside within 1 mile of tracks in senior community; highly vulnerable to any issue with trains.
• Frances Burke: Aggie Village is located within a few hundred feet of trains passing. Thank staff and Council for taking initiative.
• Alan Miller: Support letter, strongly worded. Suggest removing phrase on page 1, “While Davis is not seeking to prevent the transportation” as it seems to weaken stance.
• Francis Resta: Earth Justice has offered to help any city in their efforts to stop the transportation of crude oil through town.

L. Frerichs moved, seconded by R. Swanson, as follows:
1. Direct staff to submit a comment letter to the City of Benicia on the Valero Draft EIR
2. Direct staff to submit comments to the U.S. Department of Transportation on the Notice of Proposed Rule Making on Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains. Submittal may be done by Davis individually or jointly with other agencies/organizations, such as SACOG.

Motion passed by the following vote:
AYES: Frerichs, Lee, Swanson, Wolk
NOES: None
ABSENT: Davis

City Council recessed at 9:07 p.m. and reconvened at 9:16 p.m. R. Davis returned to the dais.
Resident Satisfaction Survey Results

Media & Communications Officer Stacey Winton: City contracted with Godbe Research to conduct survey to gauge customer satisfaction and questions related to current issues.


Options for Promoting and Facilitating Accessory Dwelling Units – Planning Commission Work Plan Item

Community Development & Sustainability Director Mike Webb: Seeking direction on proceeding to next steps; intent is to provide more flexibility and streamline the Accessory Dwelling Unit program.

Public Comments:
- Alan Miller: Request update to Old East Davis Neighborhood Design Guidelines; infill development should preserve characteristics of neighborhood.
- Elaine Roberts-Musser: Suggest staff act as filtering system for applicants before ideas get presented at a Planning Commission meetings, help address issues/manage workload of Commission.

Council comments included:
B. Lee: Consider context of neighborhood; if standards are too specific might allow construction of building that doesn’t fit neighborhood character.
R. Swanson: Support ministerial approval where possible. Document should provide guidance.
L. Frerichs: Interested in seeing pre-packaged ADU program.

L. Frerichs moved, R. Davis seconded, to direct staff to return to the Planning Commission and then the City Council with zoning ordinance changes to implement the supported options. Motion passed unanimously.

Brief Communications

R. Davis 1234 reporting: Attending League of California City Conference in Los Angeles this week with B. Lee

Long Range

G. Rogers: September 16—Arts Alliance moved to TBD; instead schedule Arts Subcommittee appointment. Purchase of fire truck moved to October 21. TDB schedule now includes AB1739 Groundwater Management Plan; will require analysis and clarification re how to comply
L. Frerichs: There are 3 bills as package, groundwater regulations

D. Wolk: May want to postpone Building Maintenance Study from September 16 to September 23. Will discuss timing of Building Maintenance Study with City Manager.

H. Steiner: Add item regarding Davis Enterprise litigation to closed session on September 16. May not need public hearing regarding water conservation measures because of action taken tonight to adopt resolution.
R. Swanson: Will be absent October 7. Request moving October 7 to October 14
B. Lee: Unavailable October 14
D. Wolk: May consider rescheduling October 7. October 28 is available.

B. Lee: September 16 bike light update. Depending upon proposal, may not stay on consent calendar.
When receive update on repair/place scenarios for Civic Pool?
Gene: October 7 or 21, working with consultant

R. Swanson: Will be teleconferencing September 16

Adjournment
Meeting was adjourned at 10:48 p.m.

Zoe S. Mirabile, CMC
City Clerk