

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of October 7, 2014

The City Council of the City of Davis met in regular session beginning at 5:15 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, Dan Wolk

Councilmember Absent: Rochelle Swanson

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

Approval of Agenda G. Rogers: Regular calendar item—Energy Services Performance Contract/LED Streetlight Update has been postponed to October 21.

R. Davis moved, seconded by L. Frerichs, to approve the agenda as amended.

Motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Wolk

NOES: None

ABSENT: Swanson

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following:

A. Conference with Legal Counsel—Anticipated Litigation:

1. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (1 case)
2. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1 case)

B. Public Employment: City Manager

C. Conference with Labor Negotiators:

Agency Designated Representative: Heather Renschler, Ralph Andersen & Associates

Unrepresented Employee: City Manager Candidate

D. Conference with Real Property Negotiators.

Property: APN 035-970-033

Agency Negotiators: City Attorney Harriet Steiner, Public Works Director Robert Clarke, Project Manager Diane Phillips

Under Negotiation: Price and terms of payment

E. Conference with Legal Counsel—Existing Litigation: State of California ex rel. David Sherwin v. Office Depot, Inc., Los Angeles County Superior Court Case No. BC410135

City Council returned to open session at 6:34 p.m. Mayor Wolk announced closed session will be reconvened after the regular calendar to discuss Public Employment and Conference with Labor Negotiators.

Ceremonial
Presentations

Poet Laureate Andy Jones read poem *We Need You Yule Brennar*

- A. Proclamation Recognizing October as Fire Prevention Month was presented by B. Lee.
- B. Proclamation Recognizing Janet Mercurio as a City of Davis Tree Hero was presented by R. Davis.
- C. Proclamation Recognizing the Cool Davis Festival, October 11, 2014 was presented by L. Frerichs.
- D. Proclamation Recognizing UC Davis' Smoke and Tobacco Free Policy was presented by D. Wolk.

City Council recessed at 6:56 p.m. for a reception and reconvened at 7:18 p.m.

City Manager
Brief An-
nouncements/
Communications

Deputy City Manager Kelly Stachowicz: Davis Neighbors Night Out event will be held on October 7; approximately 140 parties have signed up so far.

Construction projects update: Putah Creek parkway along railroad tracks progressing. Demolition work on 8th St project between F and J Street will begin October 13.

Public Com-
ments

- Alan Miller: If safety is reason stated for proposed rail relocation, then there should be an investigation of incidents. Should consider removing dangerous crossings instead of a railroad line that doesn't have a high accident rate.
- Trent Meyer: Narrow bike lane installed on 700 block of B Street within the last 4 months. Have received numerous complaints/violations regarding parking of personal vehicle.
- Dorte Jensen: UC Davis Smoke and Tobacco Free Policy too restrictive; no scientific evidence of any danger of second hand smoke to people travelling through open space. UC should have to provide legal justification for prohibition.
- Rick Gonzales, Mexican American Concillio of Yolo County: Anniversary event on October 25 at Woodland Community Senior Center, awards will be presented to two students from each high school in Yolo County. Honoring 14 students and 10 adults this year; 687 scholarships awarded since 2000.
- Alan Hirsch: Certain frequencies of light reset circadian rhythms; Council should consider frequency as well as effect on night sky from streetlights.

Consent Calen-
dar

Innovation Center Applications (Mace and Northwest) Consultant Contracts

1. Approved Budget Adjustment #50 (\$1,033,082) – allocating developer revenue to fund contract amounts
2. Approved Resolution No. 14-137 – Approving EIR Preparation Contract with Raney Planning and Management, in an amount not to exceed \$660,032
3. Approved Resolution No. 14-138 – Approving Project Management Contract with Tschudin Consulting Group, in an amount not to exceed \$318,200

Community Development Department Staffing – Reinstated Principal Planner

Position

Approved Budget Adjustment #51 (\$107,070) – allocating building and planning revenues from increases in development activities

Downtown Way-Finding Signs Project

Approved Budget Adjustment #53 (\$50,222) – allocating gas tax funds for purchase and installation of poles and signs

Request to Purchase a 5-Acre Portion of Agricultural Land, South Side of Putah Creek

Directed staff to research the request and return to City Council with additional information to include: County Zoning, acquisition funding source(s) and potential accompanying restrictions, update to the lease with Los Rios Farms, title report and agricultural land values

Support for Proposition 1 – the Water Quality, Supply and Infrastructure Improvement Act of 2014

Approved Resolution No. 14-139 – Supporting Proposition 1

FEMA Assistance to Firefighters “AFG” 2013 Grant Award to Winters Fire Department on behalf of Yolo County Fire Departments for Replacement and Upgrade of Mobile and Portable Radios

Informational

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

AYES: Davis, Frerichs, Lee, Wolk

NOES: None

ABSENT: Swanson

City Council recessed at 7:36 p.m. and reconvened at 7:38 p.m.

Removed from Consent Calendar:

Item removed by B. Lee.

B. Lee: Request item 1 be separated from items 2-5 (non-controversial)

Item Submitted by Councilmember: Proposed Healthy Families Initiative

If implemented, the initiative would have the following components:

1. Ban smoking in all multi-family housing complexes.
2. Require all schools located in Davis to have a network of safe and accessible routes available to children who attend.
3. Ensure every child 0-5 years old is screened for developmental and behavioral challenges, through partnering with First 5 Yolo, the Yolo Family Service Agency and the Davis Developmental Pediatrics Group.
4. Stamp out bullying in our community by partnering with the Davis Phoenix Coalition and the Davis Joint Unified School District, among others.
5. Make low-fat milk or water the default beverage in “kids’ meals” at restaur-

rants (preserving soda as an option).

D. Wolk: Intention is to determine if Council is interested in pursuing.

B. Lee: Should modify to: Initiative could have the following components (instead of would have)

By consensus, Council accepted the item as informational.

Nishi Property and Downtown-University Gateway District Consultant Contract

Item removed by B. Lee.

R. Davis recused himself due to a potential conflict of interest as he has a leasehold interest in property within 500 feet and left the room.

Community Development Administrator Katherine Hess: Summarized expenditures and cost sharing agreements.

L. Frerichs moved, seconded by B. Lee, as follows:

1. Approve Budget Adjustment #52 (\$614,358) – Appropriating grant funds and allocating roadway impact fees
2. Approve Resolution No. 14-140 - Approving Sustainability and EIR Contract with Ascent Environmental, in an amount not to exceed \$968,084
3. Approve Resolution No. 14-141 – Approving Traffic Analysis Contract with Fehr and Peers, in an amount not to exceed \$93,000

Motion passed by the following vote:

AYES: Frerichs, Lee, Wolk

NOES: None

ABSENT: Davis, Swanson

East Covell Corridor Plan (ECCP)

Active Transportation Coordinator Dave “DK” Kemp: Summarized proposed improvements:

Immediate (next 12 months):

1. Install Dutch Junction (Intersection) at E. Covell Boulevard & J Street Intersection
2. Install Dutch Junction (Intersection) at E. Covell Boulevard & L Street Intersection

Near Term (1-3 years):

1. Install Two-way Cycle Track Along South Side of E. Covell Boulevard
2. Install Raised Crossings at Access Points Adjacent to Oak Tree Shopping Center
3. Install Buffered Bike Lanes Along E. Covell Boulevard
4. Improve Shared Use Path at Birch Lane

Long Term (3+ years):

1. Improve Intersections at F Street/E. Covell Boulevard and Pole Line Road /E. Covell Boulevard

2. Install Shared Use Path along North Side of E. Covell Boulevard East of The Cannery

Recommend Bicycle/Pedestrian Grade Separated Crossings (Near & Long term)

1. E. Covell Boulevard Overpass - Status Update (Near Term)
2. Improve H Street Tunnel (Near and Long Term)
3. Install Crossing Over Railroad at, or north of Faro Avenue (Long Term)
4. Install Crossing Over Pole Line Road in the vicinity of Moore Avenue (Long Term)

Recommend removing from consideration items that were initially identified in the E. Covell Corridor Plan:

1. Median Improvements along E. Covell Boulevard
2. Claremont Cycle Track
3. Oak Tree Plaza Driveway Enhancements
4. Grade-separated crossing of E. Covell Boulevard east of J Street

Public Comments:

- Trish Price, Davis Bicycles! and Schools Committee: Suggest striping at Birch Lane and Holmes Jr. High move up to immediate improvement. Many children ride their bikes in those neighborhoods every day. Dutch junctions are a new piece of infrastructure for Davis—outreach and education should occur before opening.
- Ashley Feeney, New Home Company: Interested in seeing design recommendations on J Street and southwest crossing at The Cannery development proceed. Regarding H Street connection—concerned too narrow.
- Alan Miller: Support connection to H Street and grade separated bicycle paths. Suggest crossing at Moore be moved further south toward Donner.
- Dwayne Copley: Concerned about proposed Dutch Junctions; suggest Council refer question to transportation commission. As alternative to Dutch Junction, consider retaining channelized right turns.
- Mont Hubbard, Davis Bicycles!: Disappointing to trade grade separated crossing for Dutch Junction; skeptical that Dutch Junction will create greater bike mode share. H Street tunnel easement still uncertain; concerned about lack of progress.
- Chris Granger, Cool Davis: Encourage Council to try to get best solutions with resources available for active transportation systems for The Cannery development; should continue to think about alternative and active transportation systems for residents.

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

1. Approve Immediate improvements:
 - Install Dutch Junction (Intersection) at E. Covell Boulevard & J Street Intersection
 - Install Dutch Junction (Intersection) at E. Covell Boulevard & L Street Intersection

2. Move from Near to Immediate improvements, or beginning of Near Term:
 - Install Two-way Cycle Track Along South Side of E. Covell Boulevard.
 - Install Raised Crossings at Access Points Adjacent to Oak Tree Shopping Center
 - Improve Shared Use Path at Birch Lane

Motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Wolk

NOES: None

ABSENT: Swanson

L. Frerichs moved, seconded by R. Davis, to direct staff to look at a 2-way enhanced shared use path on west side of J Street from Covell to H Street tunnel.

B. Lee proposed a friendly amendment to consider the item as immediate or near-immediate, but allow staff the flexibility of making it a separated bike lane rather than 2-way path; explore a variety of options. Accepted by mover and second.

Motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Wolk

NOES: None

ABSENT: Swanson

R. Davis moved, seconded by D. Wolk, to approve near term improvement to H Street Tunnel.

D. Wolk proposed a friendly amendment to appoint L. Frerichs and R. Davis to a Council Subcommittee dedicated to H Street Tunnel. Accepted by mover.

Motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Wolk

NOES: None

ABSENT: Swanson

Brief Communications

R. Davis: Attended workshop on homelessness and mental health services; will be discussing with staff ideas for social services.

Long Range

G. Rogers: Healthy Families Initiative added to Long Range with no set date

D. Wolk: Request agendaize Proclamation to outgoing employee DK Kemp on October 21

L. Frerichs: Request update on Central Park Oak Tree Stage and Juli Partansky Pond Pier

K. Stachowicz: Can bring forward informational item on consent calendar next meeting

B. Lee: Request agendaize Panhandling—information on other jurisdiction activities

B. Lee: Request agendaize Mace 391 / City 25-acre lot; idea for 5 acres as a community garden, 20 acres for community farm

H. Steiner: That is a decision point that Council will receive when scope of innovation project moves forward within the next couple months. In order to finalize scope for Environmental Impact Report for Innovation Center at Mace, Council will need to provide input on 25 acres. Will come to Council prior to review of project description for purposes of analyzing innovation center.

Closed Session Council reconvened closed session at 9:57 p.m. to discuss the following:

A. Public Employment: City Manager

B. Conference with Labor Negotiators:

Agency Designated Representative: Heather Renschler, Ralph Andersen & Associates

Unrepresented Employee: City Manager Candidate

No reportable action.

Adjournment Meeting was adjourned at 10:15 p.m.

Zoe S. Mirabile, CMC
City Clerk