

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of October 21, 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, Brett Lee, 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 G. Rogers: Consent Calendar item—Yard Waste Containerization Service on 5th and B Streets has been deferred to November 5, 2014.

R. Swanson moved, seconded by L. Frerichs, to approve the agenda as amended. Motion passed unanimously.

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

B. Conference with Real Property Negotiators.

Property: APN 70-270-012

Agency Negotiators: City Attorney Harriet Steiner, Property Management Coordinator Anne Brunette

Under Negotiation: Price and terms of payment

City Council returned to open session at 6:35 p.m. with no reportable action.

Ceremonial Presentations Proclamation Recognizing Recipients of the Constitution Day Essay Contest was presented by R. Swanson.

Proclamation Recognizing October 24 as United Nations Day and October 26 - November 1 as Support UNICEF Week was presented by R. Davis.

City Manager Brief Announcements/Communications D. Wolk: Will be adjourning meeting in memory of Dr. Sophia Yen, veterinarian and pioneer in field of animal behavior.

State Water Board approved a State Revolving Fund Loan to provide the City with a 30-year loan at 1.7% interest rate for the Surface Water Project.

Public Works Director Robert Clarke: During week of October 27, 8th Street will be intermittently closed at railroad crossing for installation of new panels to smooth out crossing for cars and bicycles. Also, Cannery development project will start trenching across Covell Blvd. for a water supply tie in; intent is to proceed during off-peak hours so traffic is not too impacted.

Public Comments

- Kemble Pope: Congratulate City Council on selection of Dirk Brazil as City Manager.
- Georgia McKenzie, Cattle Dog Publishing: Thank Council for adjourning meeting in memory of Dr. Sophia Yen. Hosting celebration of life on November 9 at Slide Hill Park.
- Alan Pryor, Davis Citizens for Living Wage: Income disparity is a pressing social issue. Hosting a public forum on October 30 in Blanchard Room of Public Library.
- Shelly Bailes and Ellen Pontac: House on Sunset Court was remodeled into a mini-dorm after building inspection; 5 bedroom/6 bathroom home became 12 bedrooms. Owner was directed to remove several walls, but no fine was imposed. Suggest code be amended to allow for staff to impose fines as needed.
- Alan Miller: Oppose proposed Yolo County rail relocation project If crossings moved from current locations in Woodland, access to many existing industries will be removed. Also, project could require as many as 12 grade crossings.
- Will Arnold: Regular Calendar item Commission Appointments—introduced himself as an applicant for the Recreation & Park Commission.
- Mason: Suggest re-landscaping to remove decorative foliage and instead plant fruit bearing farms, with the goal of same or less cost than current maintenance and water by the city; recruiting volunteers for project.
- Emerson Kopp: Thank City for fixing railroad crossing on 8th Street.

Consent Calendar

Support for an Installment Sale Agreement Between the Woodland Davis Clean Water Agency (WDCWA) and the State Water Resources Control Board
Approved Resolution No. 14-142 – Support for an Installment Sale Agreement Between the WDCWA and the State Water Resources Control Board for Funding Under the Clean Water State Revolving Fund and Acknowledging that Revenues that the City of Davis Water Enterprise Fund Pays for the City’s Obligation Pursuant to the Amended and Restated WDCWA Joint Powers Agreement Dated February 26, 2013 Will Be Utilized by WDCWA in Support of Installment Sale Agreement

City Manager Appointment and Employment Agreement
Approved Resolution No. 14-143 – Approving the Appointment of and Employment Agreement with Dirk Brazil for the Position of City Manager and Authorizing Mayor to Execute Same

Davis Business Improvement District 2014 Core Area BID Report; Proposed Fiscal Year 2015-2016 Budget; and Intent to Levy and Collect an Assessment for

2015-16

1. Approved the 2014 Core Area BID Report including the FY 2015-2016 proposed budget and programs from the Davis Downtown (DD) subject to any changes or modifications that may be made subsequent to a public hearing on the request to increase, levy and collect an annual assessment, which will be held on November 18, 2014
2. Approved Resolution No. 14-144 – of Intention to Levy and Collect the Business Improvement District Annual Assessment Fee for the Core Area Benefit Zone and Periphery Core Benefit Zone Pursuant to the Parking and Business Improvement Area Law of 1989 for the Davis Business Improvement District for Fiscal Year 2015-2016

On-Call Professional Services Agreement for City Hall Site Geotechnical Survey Services, Program No. 7911

1. Approved Resolution No. 14-145 – Approving Task Order No. 1 to On-Call Consulting Services Agreement with BKF Engineers for City Hall Site Investigation, in an amount not to exceed \$21,560
2. Approved Budget Adjustment #54 (\$21,560) – allocating building maintenance funds

Professional Services Agreement for Construction Services for the Emergency Generators Project, CIP 8244

1. Approved Resolution No. 14-146 – Authorizing the City Manager to Execute a Professional Services Agreement with ATEEM for Construction Services for the Emergency Generators Project
2. Approved Budget Adjustment #55 (\$28,590) – allocating construction tax and building maintenance funds

2014 Caltrans Sustainable Communities Grant Application (Transportation)
Approved Resolution No. 14-146 – Authorizing the Application, Acceptance, and Execution of a Sustainable Transportation Planning Grant from the State of California Department of Transportation for the Reconnect Olive Drive Project

Transfer of the Alhambra Apartments at 4500 Alhambra Drive

Approved Resolution No. 14-147 – Authorizing Transfer of the Alhambra Apartments at 4500 Alhambra Drive from St. Anton Partners to Integrity Housing and its Affiliated Limited Liability Corporation, IH Alhambra Davis, LLC

Renewal of Lease Agreement with Solar Community Housing Association (SCHA) and Community Harvest of Davis (CHoD) (formerly Village Harvest) for Use of a Storage Shed at 233 and 239 J Street

Approved Resolution No. 14-148 – Authorizing Continued Use of 233 and 239 J Street by Community Harvest of Davis for the Purpose of Storing Equipment that Supports Their Community Gleaning Activities and Providing Staff Authority for Future Agreement Renewals

Dog Park Standards and Recreation & Park Commission Minutes of June 19, 2014

1. Approved Resolution No. 14-149 – to Adopt Level of Service Standards for Off Leash Community Dog Parks and for Small Neighborhood Dog Exercise Areas
2. Received the Minutes for the June 19, 2014 Commission meeting

Community Development Block Grant (CDBG) Funds for ADA Compliant Flatwork, CIP 8126

Approved Budget Adjustment #53 (\$104,178) – transferring appropriations provided in the FY 2013/14 budget to FY2014/15

Cannery Water Main Plans, Specifications and Estimate, CIP 8224
Approved the Plans, Specifications and Estimate for the City Transmission Main that generally follows the frontage of the Cannery Project (Cannery Water Main, included in the Water Quality Improvement Project, CIP 8224), and authorize bidding of the project

Proposed Pipeline Alignment for City Water Mains and UC Davis Water Pipeline
Approved the proposed alignments for the City of Davis local water pipelines and for the UC Davis water pipelines for environmental review

Commission/Board Minutes:

1. Historical Resources Management Commission Meeting of August 18, 2014
2. Recreation & Park Commission Meeting of July 17, 2014
3. Woodland-Davis Clean Water Association Board Meetings of March 20 and April 17, 2014

Informational

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

Removed from Consent Calendar:

Item removed by L. Frerichs.
L. Frerichs: Regarding Central Park Deck and Northstar Pier/Deck projects—public outreach occurring regarding timelines?

Park Projects Update

Human Resources/Parks & Community Services Director Melissa Chaney: Central Park deck design is currently in review; already posted signs in Central Park notifying public of status. Northstar deck currently undergoing structural analysis; have been working with community related to a future art component. Signs will be posted at Northstar tomorrow with status update.

L. Frerichs moved, R. Swanson seconded, to accept update as informational. Motion passed unanimously.

Overview of the Yolo Habitat Conservation Plan / Natural Community Conservation Plan

Yolo County Supervisor Jim Provenza: Joint Powers Agency has been working to develop a plan to ensure that new habitat will be developed in an organized way that will be sustainable in the future. Soon to release second administrative draft of plan; process to acquire conservation easements is on schedule.

Petrea Marchand: The Joint Powers Agency includes all 4 cities and the county. The 50 year plan will conserve habitat for 12 endangered species. Plan is to focus conservation efforts on the valley floor where most species are found. Commitment over next 50 years to conserve an additional 29,000+ acres.

City Council Subcommittee on Commissions (*Fre-riks/Lee*):

Public Comments:

Bicycle, Transportation and Street Safety Commission

- Mont Hubbard: Support appointment of applicant Darryl Dickey
- Dan Fuchs, Greg Kuperberg, Darryl Dickey, Amy Lee, Phil Philley, and Jennifer Lee introduced themselves as applicants.

Appointment to the Bicycle, Transportation and Street Safety; Planning; and Recreation and Park Commissions

Planning Commission

- Marilee Hanson, Stephen Streeter, and Rob Hofmann introduced themselves as applicants.
- Paul Philley: Support appointment of applicants Marilee Hanson and Rob Hofmann.

Recreation & Park Commission

- Greg Stoner, Ira Bra, Emily Griswold, and Jason Bone introduced themselves as applicants.

City Council voted to appoint applicants through use of a grid system:

Bicycling, Transportation & Street Safety Commission								
4 Regular Members (09-30-18)								
Applicants		RD	LF	BL	RS	DW	TOTAL	APPOINT
Bourne	Beth		X	X	X	X	4	Regular
Dickey	Darell	X		X			2	
Fuchs	Daniel	X	X		X	X	4	Regular
Granda	Sara						0	
Ko	Winston						0	
Kuperberg	Gregory					X	1	
Lam	Alex						0	
Lee	Amy	X	X	X	X		4	Regular
Lee	Jennifer						0	
Mitchell	Mike	X	X	X	X		4	Regular
Moon	Sung						0	

Parks	Theodore						0	
Parrella	Daniel						0	
Perkins	Tony						0	
Phillely	Paul					X	1	
Streeter	Stephen						0	

Planning Commission - 5 Vacancies								
4 Regulars (09-30-18) & 1 Alternate (09-30-16)								
Applicants		RD	LF	BL	RS	DW	TOTAL	APPOINT
Hanson	Marilee	X	X	X	X	X	5	Regular
Hofmann	Rob	X	X	X	X	X	5	Regular
Inns	David	X				X	2	Runoff
Bissell	Janice			X			1	
Parrella	Daniel						0	
Ramirez	Cristina	X	X	X	X	X	5	Regular
Streeter	Stephen	X	X	X	X	X	5	Regular
Truscott	Marq		X		X		2	Runoff
Perkins	Tony						0	

Planning Commission Runoff vote: L. Frerichs moved, seconded by R. Swanson, to appoint Marq Truscott as the alternate member. Motion passed unanimously.

Recreation & Park Commission								
3 Regulars & 1 Alternate (09-30-18)								
Applicants		RD	LF	BL	RS	DW	TOTAL	APPOINT
Bray	Ira	X	X	X	X	X	5	Runoff
Truscott	Marq						0	
Westlund	Travie	X	X	X	X	X	5	Runoff
Arnold	Will	X	X	X	X	X	5	Runoff
Bone	Jason						0	
Griswold	Emily	X	X	X	X	X	5	Runoff
Lee	Jennifer						0	
Loge	Ali						0	
Perkins	Tony						0	
Stoner	Greg						0	

Recreation & Park Commission Runoff vote: B. Lee moved, seconded by R. Davis, to appoint Will Arnold as the alternate member and Ira Bra, Travie Westlund, and Emily Griswold as regular members. Motion passed unanimously.

City Council recessed at 8:13 p.m. and reconvened at 8:24 p.m.

Acquisition/Use of Surplus Federal Property via the 1033 Program of the Defense Logistics Agency, Law Enforcement Support Office Administered by the Office of Emergency Services

Police Chief Landy Black: Mine Resistant, Ambush Protected armored rescue vehicle (MRAP) currently in the City's possession is property of federal government; State Administrators of 1033 program have final say as to divestiture. Summarized proposed policy for accepting surplus equipment.

Public Comments:

- Mason: What is considered innocuous acquisition? Does policy address firearms, goggles, vests?
- Jeff Niedercook: Oppose returning personal protection equipment.
- John Pamperin, Community Advisory Board: Meets monthly with Police Department on community issues. Of group members, all were supportive or neutral on retention of vehicle.
- Janice Lott, Shelly Bailes, Ellen Pontac, and Kenneth Collier: Support retaining MRAP.
- Elizabeth Davis, Barbara Flowers, and Allan Hirsch: Oppose MRAP

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

1. Direct and authorize staff to coordinate with the California Public Safety Procurement Program to accomplish the divestiture of the Mine Resistant, Ambush Protected armored rescue vehicle (MRAP) currently in the City's possession
2. Direct staff to implement the proposed policy for accepting surplus equipment available through the California Public Safety Procurement Program/ 1033 Program

B. Lee proposed a friendly amendment to set aside \$300,000 from this year's budget in anticipation of the need to spend up to that amount for the purchase of an armored vehicle for the police. Not accepted by mover and second.

R. Swanson moved substitute motion, seconded by B. Lee, to reserve no more than \$300,000 for the purchase of a Bearcat Armored Vehicle in this year's budget while we proceed with outreach and engagement to community; the existing MRAP to be held aside and then returned after purchase of another vehicle.

Interim City Manager Gene Rogers: Prudent to wait until discussion of next year's budget before setting aside a funding allocation; discuss needs for personnel and equipment, prioritize, then Council to decide whether or not to fund a purchase.

Substitute motion failed by the following vote:

AYES: Lee, Swanson

NOES: Davis, Frerichs, Wolk

Main motion withdrawn.

R. Davis moved, seconded by L. Frerichs, to direct staff to implement the proposed policy for accepting surplus equipment available through the California Public Safety Procurement Program (CPSPP)/1033 Program. Motion passed unanimously.

R. Davis moved, L. Frerichs seconded, to direct and authorize staff to coordinate with the California Public Safety Procurement (CPSPP) to accomplish the divestiture of the Mine Resistant, Ambush Protected armored rescue vehicle (MRAP) currently in the City's possession. Motion passed by the following vote:

AYES: Davis, Frerichs, Wolk

NOES: Lee, Swanson

City Council recessed at 9:36 p.m. and reconvened at 9:45 p.m.

Energy Services Performance Contract/LED Lighting Project Update

Sustainability Program Manager Mitch Sears: Summarized project.

Public Comments:

- Ron Clement: Thank Council for suspending installation of more blue lights. Good public outreach; map should be posted with relevant information.
- Alan Hirsch: Support moving away from blue lights; suggest light go through testing process before installation.
- Barbara Flowers: Recommend demonstration project.
- Alan Miller: Support staff recommendation; City listened to citizens, and is willing to fix any mistakes made.
- Rhonda Reed: Nice process for resolving concerns and complaints of citizens. If possible, phase project and continue in direction of warmer lights as technology becomes available.
- Ira Bra: Request consultation with parks and community services to discuss lights that are more appropriate in parks and greenbelts in areas heavily utilized at night.
- John Troidl: Lights in the train station parking lot and Unitrans area are not lit.
- Ron Glick: Support LED lights. Request shade on light across from residence on Villanova.

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

1. Confirm staff's plan to install warmer, lower glare LED cobra head fixtures on all local level residential roadways, including replacing the recently installed LED cobra head fixtures on local level roadways.
2. Confirm staff's plan to move forward with testing warmer, lower glare LED lighting for installation in the park/greenbelt pathways and decorative post top lighting that is located in downtown and a few residential neighborhoods.

3. Confirm staff's plan to amend the lighting contract with Siemens to incorporate the full scope of services identified in recommendations above.
Motion passed unanimously.

Update on
Civic Center
Pool / Plan
for Repairs

Human Resources/Parks & Community Services Director Melissa Chaney: Pool complex is in need of repair; over the last 12 months, cost of lost water due to leakage is approximately \$1,500. Anticipate starting repairs October 29.

Public Comments

- Billy Douady, Davis Aquadarts: Willing to help in any way possible. Still interested future discussions of a 50-meter pool
- Ken Petrazelli, Davis Aquatic Masters: Will help expedite repairs. Under-scores need to come up with long term solution for pools.

Brief Com-
munications

R. Davis: Serve on Council Subcommittee meeting with Mosquito Control District. Public forum has been scheduled to discuss integrated mosquito control and community involvement.

Police Department staff delivered a presentation to high school students on drug abuse—Sergeant Trevor Edens, Trease Petersen, Kareth Frensic, and Sergeant Aria Zugloff.

Participated in Yolo County Supervisor's meeting on homelessness. Received presentation on best practices related to homelessness and continuing care issues.

Long Range

G. Rogers: November 15—Council Retreat Strategic Planning

B. Lee: Request a date certain be agendized for the Renters Ordinance.

G. Rogers: Will prioritize at retreat

R. Swanson: Request agendize item related to code enforcement from complaints against Sunset Court residence (mini dorm)

Adjournment Meeting was adjourned at 10:42 p.m.

Zoe S. Mirabile, CMC
City Clerk