

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of November 5, 2014

The City Council of the City of Davis met in special meeting session beginning at 6:10 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: City Manager Dirk Brazil, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of
Agenda

B. Lee: Request agenda be amended to move Regular Calendar item Low Income Lifeline Utility Rate Program Update to Consent Calendar. If a Councilmember feels there is need for additional discussion in the future, will re-agendize. Consensus.

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

Workshop:
Community Fa-
cilities District
(CFD) For-
mation

Community Development & Sustainability Director Mike Webb: Proposal received from Cannery developers to form a CFD. Workshop is provided as a primer before discussion occurs regarding the specific proposal.

Susan Goodwin, Goodwin Consulting Group, special tax consultant: Boundaries do not need to be contiguous; not all property in CFD must be taxed; facilities to be funded do not need to be located in CFD. CFD formation includes an election process.

Mark Northcross, Financial Advisor: Policy questions for Cannery CFD: Should taxes be at same level as other CFD taxes? Should there be a 2% inflation?

Next steps: Develop estimated costs for proposed improvements, determine whether any credits for impact fees apply, develop financing plan, finalize rate and method of appointment.

M. Webb: Next step is to get direction from Council whether to pursue analysis and diligence review efforts to understand options going forward.

City Council recessed at 7:16 p.m. and reconvened at 7:25 p.m.

Ceremonial

Poetry Reading by Poet Laureate Andy Jones, *The Washington Monument*

Presentation

Proclamation Recognizing Veterans Day 2014 was presented by R. Davis.

City Manager
Brief An-
nouncements/
Communications

- D. Brazil:
- City Manager’s Office will be featured at “City Hall at the Market” on November 8.
 - Staff presentation on water use reduction will be held November 20 at the Senior Center.
 - State Water Board has ranked City of Davis as 3rd in state for water reduction; nearly meeting 30% water conservation goal.

Public Com-
ments

- Norbie Kumagai: Welcome new City Manager Dirk Brazil.
- Mont Hubbard, Davis Bicycles!: Consent Calendar item—Yard Waste Containerization on 5th and B Streets. Davis Bicycles! supports pilot program; creative solution to problem of green waste on 5th and B Streets.
- Artem Kopp: Consent Calendar item—Yard Waste Containerization on 5th and B Streets. Oppose pilot program. Older landscaping produces much yard waste. Suggests seasonal containerization during summer and revert back to street pickup during winter months.

Consent Calen-
dar

California Energy Commission Grant – Renewable Powered Microgrid at the West Area Water Tank

Approved Resolution No. 14-151 – Authorizing the City Manager or His Designee to Submit a California Energy Commission Grant Proposal to Demonstrate Secure, Reliable Microgrids to Build Resilient, Low-Carbon Facilities and Communities (PON 14-301)

Georgetown University Energy Prize (GUEP) – Program Plan

Approved Resolution No. 14-152 – Authorizing the City Manager or His Designee to Submit a Non-Binding Program Plan to Participate in the GUEP Competition

Ratification of Council Liaison to Yolo County

Appointed Robb Davis as Council Liaison to Yolo County Housing

2014/15 First Quarter Administratively Approved Budget Adjustments

Informational

Commission Minutes (action items): Civic Arts Commission Meeting of September 8, 2014

Recommendation:

1. Received the minutes as informational; action items noted below. The Commission recommendation related to the Burka Boarder art piece will return to Council at a later date.
2. Approved the proposal to work with Isabelle and Hailey Shapiro to place pianos in public spaces during the summer months of 2015

3. Approved the proposal from John Natsoulas to accept the Collaboration art sculpture into the City's public art inventory and to work with Public Works to identify a more appropriate location for the piece

Commission/Board Minutes (informational):

1. Human Relations Commission Meetings of July 24, August 28 and September 25
2. Woodland-Davis Clean Water Association Board Meeting of June 19, 2014
Informational

Added to consent calendar during approval of agenda (previously regular item):

Low Income Lifeline Utility Rate Program Update

Directed staff to increase visibility and outreach for the Low Income Lifeline Utility Rate Program in order to increase the total number of participating households under the current guidelines

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 R. Davis and L. Frerichs.

Sanctuary City
Status

Deputy City Manager Kelly Stachowicz: Sanctuary city means that document status is not taken into consideration when accessing city services. In both 1986 and 2007, resolutions were adopted to announce sanctuary status

Public comments:

- Andre Gutan, Undocumented Student Center UCD: Offer access to free legal consultation, academic advising, emergency grants, counselors, and a sense of community and safe place on campus for undocumented people. Anticipate will continue to see undocumented student population grow.
- Elizabeth Banks, Unitarian Universal Church: Thousands have lost their lives crossing borders; often result in prison time for many. Congregations are being urged to become sanctuaries again.
- Gloria Partida, Davis Phoenix Coalition: Mission is prevention of hate motivated violence. Groups mostly targeted are LGBT community, minorities, undocumented and disabled. Pleased city will be working to make sanctuary city status more visible.
- David Greenwald, Human Relations Commission: Certain that many have forgotten Davis has sanctuary status. It is important to publicize/outreach to make people aware and provide a comfort zone to speak without fear.
- Cara Davis: Resident at Royal Oak Mobile Home Park. Family has members with undocumented status; have experienced friends and colleagues get deported. Immigration issues are complicated in this country; undocumented does not equal criminal.
- Nathan Ellstrand, Human Relations Commission: Important to focus on publicity. Many cities do cooperate and turn people over for deportation.

Glad to be part of community that is inclusive.

- Ana Macilla: UCD student, works at Undocumented Student Center. Thank city and Council for taking time to address issue.
- Marassa Sarta: Feels safe in Davis and UCD community. Ask Council to keep city a sanctuary for all.

R. Davis moved, seconded by L. Frerichs, to approve Resolution No. 14-153 – Reaffirming and Promoting the City of Davis as a City of Sanctuary, as per recommendation from the Human Relations Commission. Motion passed unanimously.

Yard Waste
Containerization
Service on 5th
Street (from A to
L Streets) and B
Street (from 5th
to E. 14th Streets)

Item removed by L. Frerichs.

Conservation Coordinator Jennifer Gilbert: Addresses are currently not able to place yard waste on street for pickup because any placement will block bike lane.

Public comment:

- Stan: Filling containers is much more effort than street waste. B Street from 5th to 7th Street is a wide lane. Plenty of room to put yard waste in parking lane without infringing upon bike lane. Recognize that other parts of street are impacted by new striping.

R. Davis moved as follows:

1. Introduce Ordinance Amending Sections 32.010,050 and 32.01.090 of Article 32 to the Davis Municipal Code to Require Containerization of Organic Waste in Certain Circumstances to Enhance Collection of Organic Materials for Composting and to Modify the Allowable Location of Carts for Pick Up with a Permit Issued By the City
2. Approve adding sections of B Street and 5th Street to East 8th Street to the containerization of yard waste pilot program
3. Direction to staff to specifically exclude section of B Street between 5th Street and 8th Street

No second to the motion.

B. Lee moved, seconded by R. Swanson, as follows:

1. Introduce Ordinance Amending Sections 32.010,050 and 32.01.090 of Article 32 to the Davis Municipal Code to Require Containerization of Organic Waste in Certain Circumstances to Enhance Collection of Organic Materials for Composting and to Modify the Allowable Location of Carts for Pick Up with a Permit Issued By the City
2. Approve adding sections of B Street and 5th Street to East 8th Street to the containerization of yard waste pilot program
3. Service on B Street between 5th and 8th Streets to be provided through a hybrid program as follows: residents to receive containerization service for 3 weeks, then 1 week per month to receive street waste pickup by claw.

R. Swanson proposed a friendly amendment to allow food scraps in green waste containers. Accepted by mover.

L. Frerichs proposed a friendly amendment to include 7th to 8th Street in containerization pilot. Not accepted.

City Attorney Harriet Steiner: If residents combine food and yard waste, can't place food waste on street for claw pickup. Ordinance will have to be amended to allow for hybrid program and to make provisions for food waste.

R. Swanson: Withdraw friendly amendment. Request topic of food scraps return to Council on consent calendar with necessary documentation to effectuate program.

D. Wolk moved substitute motion, seconded by R. Davis, to

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2. Approve adding sections of B Street and 5th Street to East 8th Street to the containerization of yard waste pilot program
3. Direction to staff to specifically exclude section of B Street between 5th Street and 8th Street.

Substitute motion failed by the following vote:

AYES: Davis, Wolk

NOES: Frerichs, Lee, Swanson

Main motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Swanson, Wolk

NOES: None

Building
Maintenance Assessment Update

Item removed by R. Davis

By consensus, Council accepted the Building Maintenance Assessment Update as informational.

City Council recessed at 9:01 p.m. and reconvened at 9:07 p.m.

Public Hearing:
Update and Incorporation of
Appendix H of
City's 2010 Urban Water Man-

General Manager Utilities, Development & Operations Herb Niederberger: Every 5 years, city is required to adopt plan; amendments to 2010 plan are in response to comments from the Department of Water Resources.

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

agement Plan

R. Swanson moved, seconded by L. Frerichs, to approve Resolution No. 14-154 – Updating and Incorporating Appendix H of the 2010 Urban Water Management Plan, Reapproving the 2010 UWMP, and Authorizing Submittal of the Updated Plan to the California Department of Water Resources. Motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Swanson, Wolk

NOES: None

City Council
Brief Communi-
cations

R. Davis:

- Attended public meeting hosted by Sacramento Yolo Mosquito and Vector Control District; outlined actions that community members can take. Planning follow-up meetings related to science based approaches. In February will focus on volunteerism for upcoming season.
- Police-citizen public meeting to be held November 13 at Senior Center. Will conduct 2-3 meetings in total.
- Innovation Park Subcommittee has been meeting with staff to draft guiding principles for analysis of innovation park proposals. Currently working on getting input from commission and community groups.

D. Wolk: Participated in event to welcome exchange students from Sister City Sang-Ju, Korea. Also attended 1x1 with UCD Chancellor.

L. Frerichs: Attended SACOG Unmet Transit Needs hearing, received public input from community.

R. Swanson: Rob White and R. Swanson met with students from Japan at Davis Roots and Sacramento State Center for Collaboration. Spoke about agricultural land preservation in area.

Long Range

D. Brazil: Paso Fino Subdivision postponed from November 18. No set date.

D. Wolk: Too many items currently scheduled for November 18.

D. Brazil: Cannery CFD and Downtown Parking tentative. Solid Waste Agreement tentative.

L. Frerichs: B Street Follow-up/North Davis Elementary School Crosswalk combined. Request items be separated so not conflicted out on both.

K. Stachowicz: Commission interviews being held for Social Services Commission, Human Relations Commission, Tree Commission, and Natural Resources Commission.

R. Davis: FBC requests appointment as soon as possible

K. Stachowicz: Working through commissions, focusing on those that are having issues with quorum first

R. Swanson: Request update on Davis Roots efforts sometime in December or

January—metrics, successes, possible improvements. Request 15 minute regular calendar item with presentation on projects.

B. Lee: Request consent calendar item regarding police enforcement efforts related to bikes at night with no lights

Adjournment Meeting was adjourned at 9:26 p.m. in memory of law enforcement officers Daniel Oliver and Michael David Davis, Jr.

Zoe S. Mirabile, CMC
City Clerk