

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of November 18, 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: City Manager Dirk Brazil, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel:  
A. Existing Litigation: Davis Enterprise v. Fairfield Publishing, Yolo County Superior Court Case No. CV06-68  
B. Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1 case)

Approval of Agenda D. Brazil: Amendments to Agenda: Consent Calendar items—(1) Transportation Development Act Funding Claims FY 14-15 has been removed from the agenda; staff will return with item at later date. (2) Core Network Switch Replacement budget adjustment should be \$80,000 not \$88,000. Regular Calendar item—Recommendation to approve Resolution Authorizing Amendment to the DBID Administration Agreement removed from agenda.

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

City Manager Brief Announcements/Communications D. Brazil: Five new firefighters will assume duty positions on November 24. City Hall building will be closed November 21-December 1 for Thanksgiving break.

City Council Strategic Planning Session held on November 15. Overall goals were set; worked through objectives. Executive leadership will assign tasks to objectives and report back to Council.

Public Comments

- Alan Miller: In honor of Veterans Day, will not speak on rail realignment.
- Steve Tracy, Rich Legrand, Russell Grandy, and Dave Hart spoke regarding regular calendar item—B Street Corridor Striping. Comments included: Support removing parking entirely. Cars parked on street necessitate bicyclers to ride well into lane. Public safety has become an issue because of narrow street and number of bike riders every day.

Consent Calendar

State Revolving Fund for City Local Water Improvement Projects Related to the Davis Woodland Water Supply Project

Approved Resolution No. 14-155 - Pledging Water Utility Net Revenues and the Water Utility Enterprise Fund for State Revolving Fund Repayment (Local Water Facilities)

Approved Resolution No. 14-156 - Declaring Intention to Seek Reimbursement of Project Expenditures for the City of Davis Local Facility Water Quality Improvement Projects Related to the Davis Woodland Water Supply Project From Clean Water Act State Revolving Funds Per Financing Agreement Between the City of Davis and State Water Resources Control Board

Approved Resolution No. 14-157 - Authorizing the City Manager to Pursue and Execute Clean Water Act State Revolving Fund Agreements Between the City of Davis and the State Water Resources Control Board

Purchase of Rough Terrain Forklift

Approved Resolution No. 14-158 - Authorizing the City Manager to Purchase a 12,000 Pound Rough Terrain Forklift, utilizing the CMAS State Contract #4-10-39-0008A from Yale Manufacturer Co. through our local dealer Pacific Material Solutions, in Sacramento

Core Network Switch Replacement

Approved Resolution No. 14-159 - Authorizing the City Manager to Purchase a Replacement Core Network Switch from Development Group

Approve Budget Adjustment #65 (\$80,511) – Appropriating Davis Joint Unified School District contribution toward replacement

Supportive Housing Program Permanent Supportive Housing Grant

Approve Resolution No. 14-160 - Authorizing the City Manager to Assign the \$47,327 Permanent Supportive Housing Grant Provided By the Federal Department of Housing and Urban Development (HUD) to the Yolo Community Care Continuum (YCCC) and to Provide Up to \$6,000 of Housing Trust Funds to Assist YCCC in the Creation of the Program

Davis Community Meals Request to Change Use of Community Development Block Grant (CDBG) Funds

Approved Resolution No. 14-161 - Authorizing the City Manager to Approve the Change of Use for a \$7,833 CDBG Grant Originally Awarded to Davis Community Meals for the Purpose of Administering a Cold Weather Shelter and Now to Be Used by Davis Community Meals for the Creation of a Homeless Outreach Program

Final Maps for The Cannery – Phase 1 Small Lot Final Maps

Approved Resolution No. 14-162 - Approving Phase 1 Small Lot Final Maps for The Cannery, Subdivision Nos. 5052, 5053, 5054, 5055, 5056, and 5057 and Authorizing the City Manager to Execute the Subdivision Agreements with TNHC-HW Cannery LLC, a Delaware Limited Liability Company

North Davis Elementary School Crosswalk Safety Improvements

Approve installation of a Rapid Rectangular Flashing Beacon (RRFB) at the school crossing on 14th Street at Cedar Place in front of North Davis Elementary School

State Revolving Fund Loan for Financing the Wastewater Improvements Project, CIP No. 8219

Informational

Finance and Budget Commission Minutes from the Meetings of June 9, July 14, September 8 and October 13, 2014

Informational

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

City Council  
Subcommittee  
on Commissions  
(Frerichs/Lee):

The following individuals introduced themselves as commission applicants:

Human Relations Commission: David Greenwald and Mandel Davis

Natural Resources Commission: John Johnston and Steve Westhoff

Appointment to  
the Human Relations,  
Natural Resources,  
Social Services and  
Tree Commissions

Social Services Commission: Jenna Templeton, Ann Privateer, Tracy Tamasky, and Claire Goldstein

Tree Commission: Zara White and Daisy Parker

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

Human Relations Commission (3 Regular, 1 Alternate)								
Commission Applicants		RD	LF	BL	RS	DW	TOTAL	APPOINT
Greenwald	David	X	X	X	X	X	5	Regular
Plank	Judith	X	X	X	X	X	5	Regular
Kreidler	James	X					1	
Davis	Mandell	X	X	X	X	X	5	Regular
Dixon	Emil						0	
Roland	Helen		X	X	X	X	4	Alternate
Tomasky	Tracy						0	

<b>Natural Resources Commission (3 Regular, 1 Alternate)</b>								
<b>Commission Applicants</b>		<b>RD</b>	<b>LF</b>	<b>BL</b>	<b>RS</b>	<b>DW</b>	<b>TOTAL</b>	<b>APPOINT</b>
Westhoff	Steven	X	X	X	X	X	5	Runoff
Burford	Kristin	X	X	X	X	X	5	Runoff
Arora	Sushil						0	
Braly	Mark	X	X	X	X	X	5	Runoff
Gale	Deborah						0	
Islas Trejo	Alma						0	
Lee	Jennifer						0	
Johnston	John	X	X	X	X	X	5	Runoff
Stoner	Gregory						0	
Wood	Bill						0	

Runoff vote: R. Davis moved, seconded by L. Frerichs, to appoint Kristin Burford as the alternate member and Steven Westhoff, Mark Braly, and John Johnston as regular members of the Natural Resources Commission. Motion passed unanimously.

<b>Tree Commission (5 Regular)</b>								
<b>Commission Applicants</b>		<b>RD</b>	<b>LF</b>	<b>BL</b>	<b>RS</b>	<b>DW</b>	<b>TOTAL</b>	<b>APPOINT</b>
Maulhardt	Michael	X	X	X	X	X	5	Regular
Fujino	Dave	X	X	X	X	X	5	Regular
Newman	James	X	X	X	X	X	5	Regular
Helmus	Nolan						0	
Hodges	David						0	
Parker	Stacey	X	X	X	X	X	5	Regular
Wyly	Zarah	X	X	X	X	X	5	Regular

<b>Social Services Commission (3 Regular, 1 Alternate)</b>								
<b>Commission Applicants</b>		<b>RD</b>	<b>LF</b>	<b>BL</b>	<b>RS</b>	<b>DW</b>	<b>TOTAL</b>	<b>APPOINT</b>
Templeton	Jenna	X	X	X	X	X	5	Regular
Granda	Sara					X	1	
Goldstone	Claire	X	X	X	X	X	5	Regular
Henderson	Stuart			X			1	
Kriedler	James						0	
Patterson	Todd						0	
Privateer	Ann	X	X		X	X	4	Runoff
Wood	Bill						0	
Tomasky	Tracy	X	X	X	X		4	Runoff

Runoff vote: L. Frerichs moved, seconded by R. Swanson, to appoint Ann Privateer as the alternate member and Tracy Tomasky as the regular member of the Social Services Commission. Motion passed unanimously.

Public Hearing:  
Davis Business  
Improvement  
District (DBID)  
Annual Assessment  
Process:

Deputy Innovation Officer Sarah Worley: Staff will return to Council with an updated Administration Agreement; does not impact ability to execute assessment. Received one correspondence in opposition to proposed DBID from Jennifer Anderson; specifically oppose 50% budget and 14% salary increase, and budget allocations related to parking.

Mayor Wolk opened the public hearing.

Proposed DBID  
FY 2015-16 Plan  
by Davis Downtown;  
Intention to Levy the  
BID Assessment for  
2015; 2014 BID  
Core Area Plan

Stewart Savage, Davis Downtown: Good mix of retail, restaurants and services brings people to downtown at all hours; events throughout the year attract locals and tourists. Impacted parking throughout day and week; hope to streamline and clarify parking permit process. Thank staff for recommending the city absorb the administration cost for administering assessment.

Joshua Chapman, Davis Downtown: Organizational improvements have occurred over the past 11 months. Board of Directors and staff will be holding a retreat to examine policies and bylaws. Committed to mission.

Nina Gatewood, Davis Downtown Marketing Director: Approach each project with entire community in mind. Would like to update kiosk maps with new photos, logo, and additional partner organization logos.

Michael Bisch, Davis Downtown: 29 strategic partners have come out in support of Davis Downtown.

Mayor Wolk closed the public hearing.

R. Swanson: Would like to recognize administration fee that city is paying for as donation or sponsorship. Term absorption was used in staff report.

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

1. Accept the 2014 Core Area BID Report and Davis Downtown FY 2015-2016 Summary Budget as amended by incorporation
2. Approve Confirming Resolution No. 14-163 – Approving the 2014 Core Area BID Report as Amended and Levying an Annual Assessment Known as 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 DBID for Fiscal Year 2015-2016.

Motion passed unanimously.

City Council recessed at 7:58 p.m. and reconvened at 8:13 p.m.

B Street Corridor  
Striping Plan

L. Frerichs: Recused himself from item due to a conflict of interest as primary residence is within 500 feet of subject property, and left the room.

Assistant city Engineer Brian Mickelson: Staff reviewed bicycle use data within corridor and crash history. B Street between 7<sup>th</sup> and 8<sup>th</sup> Streets is constrained; sections between 8<sup>th</sup> and 14<sup>th</sup> Streets are also constrained. Heard concerns from community regarding yard waste piles in bike lanes. Staff conducted public outreach and brought to commissions for review. Outlined potential options to address issues between 7<sup>th</sup> and 8<sup>th</sup> Streets.

Public comments:

- Michael Bisch: Biking on B Street between 7<sup>th</sup> and 8<sup>th</sup> with cars parked is dangerous. North of 8<sup>th</sup> Street is comfortable except when yard waste or containers are in the bike paths.
- Chris Corbett: Oppose removing parking on B Street
- Cathy Skarr: Support removing parking; street constrained
- Deb Pinkerton: Dangerous section of B Street between 7<sup>th</sup> and 8<sup>th</sup>, especially for children
- Trish Price, Davis Bicycles Schools Committee: Suggest removing parking north of 7<sup>th</sup> Street at all times. Parked cars force bicyclers into car lane to avoid car doors.
- Mont Hubbard, Davis Bicycles!: Support prohibiting parking at all times between 7<sup>th</sup> and 8<sup>th</sup> Streets
- Darryl Dickey: Should eliminate all parking on B Street from 7<sup>th</sup> to 14<sup>th</sup> Streets. Staff was directed to provide recommendations to improve safety throughout corridor; need to provide safety and comfort for most vulnerable users.
- Sandra Phittenger: Safety issue; children have to swerve out into street to avoid parked cars
- Alan Miller: Understand parking may be an issue for residents along street, but should make decision for public good. Children are especially vulnerable.
- Sue Hodell: Oppose removing parking at all hours. Understand need for safe passage for children during school hours.
- Alan Hirsch: B Street heavily utilized by bicyclers at all hours. B Street should be open to people to bike downtown.
- Earl Bassard: Ongoing discussion of safety problems on B Street, especially between 7<sup>th</sup> and 8<sup>th</sup> Streets. Bicycle Advisory Commission recommended no parking between 7<sup>th</sup> and 14<sup>th</sup> at all times.
- Stan: Resident on B Street. Wide road lane between 6<sup>th</sup> and 7<sup>th</sup> on B Street. Parking already prohibited on west side which leaves plenty of room for bicyclists. Should leave section between 5<sup>th</sup> and 7<sup>th</sup> as is.

R. Swanson moved, seconded by R. Davis, to direct staff to schedule a community meeting, to be noticed in the newspaper and for at least a 4-block radius along B Street; meeting to be a facilitated discussion, invite people to discuss all sides of the issue.

B. Lee proposed a friendly amendment to direct staff to use Yolo Conflict Resolution Center or other facilitator. Accepted by mover and second.

R. Swanson: Noticing to include St. James, High School, North Davis Elementary, and other high users of B Street.

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

City Council recessed at 9:10 p.m. and reconvened at 9:18 p.m.

Fiscal Year  
2014/15 First  
Quarter Budget  
Update

Assistant City Manager Yvonne Quiring: Ended last fiscal year with \$850,000 in unanticipated revenue. Cautiously optimistic that economics are picking up.

R. Davis: Request projected trajectory of home sales by end of year, rough estimate of potential increase in property taxes. Keep in mind unmet needs, specifically retirement/retiree health benefits and deferred maintenance.

B. Lee: Suggest joint meeting with Finance & Budget Commission in early spring; insights on what Council should be looking for when crafting budget for next year. Need to discuss unmet need related to roads-\$6-8 million/year for 20 years just to stay status quo.

City Council  
Brief Communi-  
cations

R. Swanson/B. Lee: Attended City-Chamber 2x2 Committee meeting, discussed shared goals.

R. Davis: Attended Water Resources Association meeting. New legislation related to Groundwater Management Sustainability will necessitate forming a groundwater sustainability entity. Water Resources Association, Farm Bureau and other stakeholders proposing to act as planning forum.

H. Steiner: Staff will provide update to Council on groundwater legislation

R. Davis: Will provide information to staff from Water Resources Association

R. Davis: Attended homeless forum on November 17. Opportunities arising; increased leadership at County level, mature leadership in local non-profits. Well attended forum; diverse participation.

Innovation park subcommittee will meet November 19. Intend to bring item to Council soon.

Long Range  
Calendar

R. Davis: Fee study update is currently underway. To what extent is it possible to build replacement costs into fee structure? Should accurately reflect subsidy to community; programs run by city, held in city buildings, at city pools, etc. Coordinate efforts with building maintenance study also underway.

H. Steiner: Staff can provide a report related to methodologies used for different

studies. City Manager will be meeting with fee consultant soon.

D. Wolk: Support discussion

L. Frerichs: December 9—Bloomberg Art Grant Proposal. Impression that able to apply for grant immediately instead of waiting for staff report to Council. Support grant, would like to see accomplished.

D. Brazil: Will be removed from calendar, not need to go to Council at this point. Intend to cancel December 2 meeting.

R Swanson: Request start time of 7:00 on December 9

D. Wolk: Healthy beverage options and Renters ordinance—Council can either wait until staff returns to Council with prioritization, or schedule for agenda in December.

B. Lee: Healthy beverage in December. Renters Ordinance scheduled early next year. Allow staff enough time to complete.

D. Brazil: Request both items be scheduled January 13. Need to discuss with staff; may not be able to return with action item by December 16. Regarding Renters Ordinance—staff and constituent level conversations need to take place before return to Council.

D. Wolk: Request draft ordinance in December

R. Swanson: Should not draft ordinance without engaging business community first

H. Steiner: Staff will discuss. Possibly bring back proposed work plan. Not sure what is feasible to do in December.

D. Wolk: Request items from December 16 be moved to December 9

H. Steiner: TEFRA hearing has timelines associated with it

R. Swanson: Consider short meeting on December 2 instead of December 9

R. Swanson: Intend to submit Councilmember staff report on respectful dialogue. Support by other Councilmembers to work with staff?

D. Wolk/R. Davis support

Adjournment Meeting was adjourned at 9:58 p.m. in memory of former city police officer John Neeves. Moment of silence observed.

Zoe S. Mirabile, CMC  
City Clerk