

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of December 16, 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, Deputy City Manager/Acting City Clerk Kelly Stachowicz

Approval of Agenda D. Brazil noted technical changes had been made to Item H with revised attachments at the dais.

R Swanson moved, with second by L Frerichs, approval of agenda. Motion passed unanimously.

Closed Session Closed Session pursuant to Government Code §54954.5:

- A. Conference with Legal Counsel: Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (2 cases)
- B. Public Employee Performance Evaluation. Title: City Manager
- C. Conference with Labor Negotiators.  
Agency Designated Representatives: City Manager Dirk Brazil; Assistant City Manager/Administrative Services Director Yvonne Quiring; City Attorney Harriet Steiner; Human Resources Administrator Melissa Chaney  
Unrepresented Employees (under discussion): Individual Fire Management Employees (Fire Department Shared Management Employees)
- D. Conference with Real Property Negotiators.  
Property: Easement for drainage, irrigation, and other reclamation purposes traversing 45400 County Road 28H, Davis, CA, APN 042-140-013 (City Wastewater Treatment Plant Property)  
Agency Negotiators: City Attorney Harriet Steiner, Public Works Director Robert Clarke, Principal Civil Engineer Michael Lindquist  
Negotiating Parties: RD2035  
Under Negotiation: Price and terms of payment

The City Council returned to open session at 6:47pm with no reportable action.

Ceremonial The Divertimentalists Orchestral Ensemble from DJUSD played selection of holiday songs.

Dr. Andy Jones delivered a holiday poem, "Snow Bell's Ride."

City Manager D Wolk: Adjourn meeting in memory of Dina Biscotti.

Brief Announce-  
ment-  
Communi-  
cations

D Brazil: City selected as a semi-finalist in the Georgetown Energy Prize competition. City offices will be closed for the winter holidays starting December 19. All offices will be fully reopened on Monday, January 5.

Public Com-  
ments

Joe Sherman: US Marines are recruiting and part of a conspiracy.

Madeleine Galley, Chris, Tressa Brian and Sylvan Ransom, Da Vinci Charter Academy: Problem with overpopulation of feral cats in Davis and no local services to assist with feral cats. Animal Control and SPCA have not assisted. Proposing a TNR Clinic (Trap, Neuter, Release). Would need \$5,000 per year for a weekly clinic to spay/neuter.

Melinda Moseley, Davis Community Church: Concerned about homelessness in the Davis community. Yolo homeless count up to 114 in 2013.

Patricia: She is homeless and has challenges getting a job. Collects cans. Homeless people need a place to stay. Using faith based organization gives homeless a feeling of worth.

Male, no name given: Currently homeless and an advocate for the homeless. Davis needs housing, place to put things such as paperwork, better shelters, can't have a night job and use shelter.

Carlin Harmis, Davis Community Church: Housing First is a new approach to homelessness and it's a way to end homelessness. Can be more cost effective than other strategies. HUD offices are now requiring Housing First for homeless assistance.

Liz Stevens, Davis Community Church: Need new services for the homeless such as detox and substance abuse programs, mental health services. Urge City Council to make reducing homelessness a priority goal. Create a plan like Housing First model, lockers, and substance abuse programs.

Diane Moore: Universal Design ordinance tabled again tonight. Please agendaize for a future meeting.

June Forbes, NAMI Yolo: Fifth Street affordable housing project, supports Creekside Court project. Proud of Bridges to Housing in West Sacramento.

Dorte Jensen: Individual liberty should always win.

Stewart Savage, Davis Downtown: Thanked City for Davis Holiday Tree Lighting. Winners of the downtown Davis window contest: Fleet Feet, Kens Bike and Ski and Outdoor Davis. Fleet Feet also received People's Choice Award.

Elaine Roberts Musser: Universal design ordinance needs to get on the agenda.

Darryl Rutherford, Sacramento Housing Alliance: reviewing the affordable housing ordinance proposed changes. Still need to make changes to address need.

Consent Calendar

Water Quality Improvement Project, CIP No. 8224 – Mitigated Negative Declaration Addendum and Project Revisions

Approved Resolution 14-168 Adopting the Final Mitigated Negative Declaration Addendum Prepared for Minor Revisions to the City of Davis Water Quality Improvement Project, CIP No. 8224 and Approving Revisions to the Project Relating to Pipeline Segments and Construction Staging Areas

Type I Fire Apparatus Purchase

Approved Resolution 14-169 Approving the Purchase of One New Type-I Fire Apparatus through the Cooperative "Piggy-Back" Bid of \$554,900.53 from Pierce Manufacturing, Inc., via the Houston-Galveston Area Council (H-GAC) government-to-government procurement bid

Plans, Specifications and Estimate and Contract Award for Playfields Park Flatwork, CIP No. 8269

1. Approved plans and specifications
2. Approved Budget Adjustment #70 (\$120,500) – allocating Facility Replacement Funds
3. Approved Resolution 14-170 Awarding Contract of \$218,158.36 to Berger Concrete, Inc.

Transportation Development Act Claims for Fiscal Year 2014-15

Approve Resolutions 14-171 and 14-172 Approving the City of Davis' Claim for Fiscal Year 2014-15 Transportation Development Act (TDA) Funds for (1) Local Transportation Funds (LTF), and (2) State Transit Assistance (STA) Funds

Federal Transit Administration (FTA) Grant Application (CA-90-Z219)

Approve Resolution 14-173 Authorizing the City Manager to Execute FTA Grant Application for the University of California-Davis, for Operations and Capital Assistance of Unitrans

Yolo County Referral – The Villas at El Macero Condominium Project, Plan-

ning Application #14-66, Yolo County Referral #1-14

1. Determined that the proposed project for 16 condominium units is “urban development” under the pass-through agreement, but that the City Council does not object to Yolo County approval of the applications for the project
2. Made the above determination contingent upon the provisions relating to City utility, fire, and roadway operations.
3. Made recommendations to the Yolo County Planning Commission and Board of Supervisors for consideration of streetscape design aspects of the proposal, as outlined, in their review of the applications

Agreement Designating Davis Downtown as Administering Agency for the Downtown Business Improvement District (DBID)

Approved Resolution 14-174 Authorizing City Manager to Execute a Davis Business Improvement District Administration Agreement for the Core Area and Periphery Benefit Zones

Finance and Budget Commission Recommendation to Amend the Functions of the Commission

Approved Resolution 14-175 Regarding the Structure and Purpose of the Finance and Budget Commission, amending the functions to:

- a. Providing transparency of city finances to the citizens of Davis.
- b. Reviewing the spending outlined in the city budget in order to advise the public that City Council/City Management is accountable for spending taxpayer dollars effectively and in keeping with important city priorities.
- c. Searching for and advising actions that could maximize city revenues and reduce governmental costs and help ensure municipal fiscal stability.
- d. Providing recommendations/special studies on financial and economic issues to the City Council.

Treasurer’s Report for the Quarter Ended September 30, 2014

Accepted the report

R. Davis moved, with a second by R. Swanson, approval of the consent calendar as listed above. Motion passed unanimously.

Removed from  
Consent Calendar

Item removed by R Davis

Richards Boulevard Interchange Improvements, CIP No. 8730

R Davis: asked about differences between budget and staff report.

Public Works Director Bob Clarke: Costs include staff time.

R Davis moved, with second by R Swanson, the following:

1. Approve Resolution 14-176 Approving Cooperative Agreement with Caltrans for Richards Boulevard Interchange Improvements
2. Approve Resolution 14-177 Authorizing the City Manager to Execute

- Task Order No. 6 to Agreement with Mark Thomas & Company, Inc.
3. Approve Budget Adjustment #69 (\$160,000) – allocating Roadway Impact Fee funds to cover the estimated costs to prepare the Project Study Report

Motion passed unanimously.

Public Hearing: Housing and Human Services Superintendent Danielle Foster: Request permission from Council to release RFP. Critical needs include: drug treatment, job training, youth drug and alcohol, facilities to support services and focus on very low and extremely low services, especially with supportive housing.

Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Critical Needs List and Release of Request for Proposals (RFP) for Program Year 2015-2016

D Wolk opened Public Hearing. No comments. Closed Public Hearing.

R Davis: Detox and drug/alcohol treatment important. Small grants don't lend themselves to outcome based reporting. Would like large, more comprehensive grants. Need better evidence of collaboration. Need a proposal to start to move us in a direction of housing first.

D Wolk: Would like to see these issues brought into social services commission discussion.

D Foster: Amount is a policy decision, and outcomes are requested. CDBG funds are for Davis community but does not preclude collaboration. Can start conversations with service providers.

B Lee: Prefer low amounts in grants to allow for more organizations and a greater variety of services. Does not want to tie hands of commission.

R Swanson: Wants HMIS guidelines and would like to see leveraging of other funds and housing first. Need to determine parameters for commission.

L Frerichs: What happens when non-responsive proposal submitted?

D Foster: Staff holds workshop, which is useful for potential new applicants. All proposals would come to the Council. Would like to explore micro-enterprise assistance for low income individuals.

R Swanson moved, with second by L Frerichs, the following:

Approve Resolution 14-178 Approving the Critical Needs List and Directing Staff to Issue an RFP for CDBG and HOME Funds for Program Year 2015-2016.

Motion passed unanimously.

Public Hearing:  
Energy Services  
Performance  
Contract  
(ESPC)/LED  
Lighting Project

Sustainability Program Manager Mitch Sears: Approve agreement to replace the city's streetlights to improve energy efficiency and lower costs to save the city money. Proposed contract will reduce greenhouse gas emissions, allow for more reliable outdoor lighting. Confident that CEQA issues are addressed.

D Wolk: Opened public hearing.

Alan Miller: Supports the proposal.

D Wolk: Closed public hearing.

L Frerichs: How quickly can shields be installed? Has there been a decision of the type of lights that would be used to downtown test sites? Several new lights are already out (i.e. Russell Blvd).

M Sears: Shields could be installed within a month or so. Do not know yet which lights will be chosen for downtown. Collecting information to address lights that are out.

R Davis: Is Davis competitive for a loan? Will custom fixtures be a problem?

Rick Brown: Davis is in the queue. Would anticipate funding next fall.

M Sears: Custom lights should not be a problem.

R Swanson: What is the timeframe?

M Sears: Warmer temperature lights will take a couple of months to receive and then two to three months for installation.

R Davis moved, with second by R Swanson, the following:

1. Approve an ESPC with Siemens which will provide turnkey services enabling the City to complete its LED lighting retrofit program in its entirety.
2. Approve Resolution 14-179 Authorizing the City Manager or His Designee to Execute a Sole Source Agreement with Siemens for an ESPC, CIP 8212.
3. Approve Resolution 14-180 Authorizing the Execution and Delivery of a Master Lease Purchase Agreement with Siemens Public, Inc. and Authorizing Certain Actions in Connection Therewith, to finance a portion of the ESPC.
4. Find that the projects included in the ESPC are Categorically Exempt under CEQA Guidelines sections 15301 and 15302 as maintenance, repair and/or replacement projects.
5. Consistent with Government Code Section 4217.12, find that the anticipated cost to the City for electrical energy conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the City of thermal, electrical, or other energy that would have been consumed by the City in the absence of those purchases.

Motion passed unanimously.

City Council recessed at 8:32 p.m. and reconvened at 8:42 p.m.

Workshop: Innovation Center Projects – Update, Task Force, Guiding Principles and CEQA Alternatives

Contract Project Manager Heidi Tschudin: Presented innovation center information. Shared the current timeline, assuming a March 2016 election. Projects should be ready for presentation to Planning Commission and Council in Fall of 2015.

Mace Ranch Innovation Center: 229 acres to the east of Mace Blvd to annex but only 212 acres are part of innovation center proposal to develop. Two million, six-hundred thousand square feet of space.

Davis Innovation Center: 208 acres to the west of Highway 113 to be annexed and developed. Four million square feet of space.

Guiding Principles: Density, Sustainability, Transportation, Work Environment, Uses, Timing and Phasing, Fiscal Considerations/Net Community Benefit, Collaborative Partnerships.

CEQA Alternatives: No project, Off-site, Reduced Site Size, Reduced Project, and Mixed Use (for purposes of CEQA review)

B Lee: For mixed-use development, would residents be required to work in the center? At what point do we decide when 25 acre site is part of proposal or excluded from proposal? When will Nishi come to the City Council for a vote?

M Webb: Residents would not necessarily be required to work in center. Will keep site in process now and can remove later if desired (but not vice versa). Current timeline would allow but not require Nishi to go on March 2016 election.

R Davis: When do we learn about the revenue these proposals could generate? How should City move forward with negotiations and communications if there is no Task Force or Council Subcommittee?

H Tschudin: Likely Spring 2015.

M Webb: Would need to talk with City Manager to determine a course forward for communication.

Public Comment:

James Zanetto, architect: Project should have overall vision. Would propose the City use the Living Community Challenge and have staff contact the Living Futures Institute.

Nancy Price: Supports using the Living Community Challenge, which goes beyond CEQA.

Rodney Robinson: Advocate of Living Community Challenge. Mitigation ratio is too low; should incorporate enclosed parking. Use black and grey water for recycling and reuse.

Alan Miller: Could support any of the proposals but wants to use real green tactics such as integrating transportation into projects.

Diane Swann: Mace Ranch Innovation Park would be built right on the bike route between Davis and Sacramento. Hoping this project would include a transportation mitigation to improve cycling (Road 32A) paths.

Matt Yancey, Davis Chamber of Commerce: Chamber supports staff recommendations. Housing is not included in staff's Guiding Principles but to keep City in compliance with CEQA review.

Matt Williams, El Macero and Chamber Government Relations Committee: Supports staff recommendations. These projects are for innovation and pure research. Should harness community energy to address key pieces of community infrastructure to allow staff to plan. City needs to be leader.

Chris Granger, COOL Davis: Many partners reviewed Principles. Each project should be required to provide analysis of greenhouse gas emissions with goal of overall net zero.

Elaine Roberts Musser: Need to make section about net fiscal neutral more pronounced to show fiscal sustainability. Concerns about the housing possibility because it gives people an issue to oppose the parks.

Don Fouts: Excited about innovation park(s) but foolish not to discuss housing at the same time, if parks will provide 5,000 jobs.

B Lee: Need to set 25 acre parcel agenda item if not going to discuss now. R Davis concurs.

R Davis: Community members want project(s) that helps community grow toward vision so community can support it.

L Frerichs: Process has been to look at the city as a whole. Looking at jobs/housing balance. Integrated transportation system(s) important.

R Swanson: This is part of a continuum for businesses to grow and stay in Davis. Additional check-ins important.

R Davis moved, with a second by R Swanson, the following:

1. Receive update on the status of two innovation center applications.
2. Direct staff to conclude the work of the Innovation Park Task Force.
3. Approve Resolution 14-181 Adopting Guiding Principles for Davis



Innovation Center(s), and direct staff to utilize them in evaluating the merits of the innovation center applications. Conclude the City Council Subcommittee on Guiding Principles.

4. Confirm the range of alternatives proposed by staff to be evaluated in the Innovation Center Environmental Impact Reports.

Motion passed unanimously.

There was consensus to add Mace 26 aces to a future City Council meeting.

City Council recessed at 10:00 p.m. and reconvened at 10:10 p.m.

Guiding Principles and Review Schedule for the City's Request for Proposals (RFP) Process for the Land Dedication Sites at 4100 Hackberry Place and 2990 Fifth Street

Housing and Human Services Superintendent Danielle Foster: Overview of process to date for land dedication sites and requested the Council appoint a subcommittee.

R Swanson, moved, with a second by D Wolk, the creation of a subcommittee of R Davis and L Frerichs.

Public Comment:

Elaine Roberts Musser: There is confusion and frustration about process, with developers bad-mouthing each other. Need to move forward in a fair and equitable manner. Supports Domus Development because they are proposing an Adult Day Health Center.

B Lee: does not want to give up ability to compare and evaluate projects. Does not want the subcommittee to whittle the projects down to a smaller number. Scoring is helpful but want to see all the proposals.

R Davis: would like to go back to the RFP and measure against that. Would like to lay out needs analysis in subcommittee.

Subcommittee will come back with recommendation for Hackberry.

D Wolk: Want to be fair to everyone who applied, even if we have to reissue the RFP.

Motion passed unanimously.

City Council Brief Communications

R Swanson: Downtown Davis 2x2 last week included discussion on JumpStart, Richards Gateway, etc. Homeless issue will be topic of future discussions.

R Davis: Interfaith Rotating Winter Shelter assisted to address homeless needs during last week's storm.

D Wolk: Had quarterly meeting with Chancellor last Friday. Discussed recent protests and coordination between campus and city, shared services, and water

project.

Long Range  
Calendar

D Brazil: Bringing Downtown Parking Update on January 13. January 20 will discuss water rates and water revenue bonds. Fire options and fees will be on March 3 and MOU discussion will be on February 3.

H Steiner: will be scheduling two 1-hour sessions to deal with new Fair Political Practices regulations on conflicts, likely in January or February.

R Davis: Council requested quarterly updates on water consumption. Also interested in the Pass-Thru Agreement, perhaps as informational, at the Council level.

H Steiner: Will also want to have a discussion on redevelopment wind-down.

Adjournment

Lucas Frerichs offered a moment of silence in memory of Dina Biscotti, who passed away last week.

L Frerichs moved, with second by R Swanson, to adjourn. Motion passed unanimously and meeting adjourned at 10:45pm.

Kelly Stachowicz  
Deputy City Manager