

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of February 3, 2015

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 Labor Negotiators:  
Agency Designated Representatives: City Manager Dirk Brazil; Assistant City Manager/Administrative Services Director Yvonne Quiring; City Attorney Stacey Sheston; Human Resources Administrator Melissa Chaney  
Employee Groups/Organizations (under discussion): Davis City Employees Association; Davis Police Officers Association; Department Heads; Executive and General Management; Firefighters Local 3494; Fire Management; Police Management; Program, Administrative and Support Employees Association

City Council returned to open session at 6:48 p.m. with no reportable action.

Approval of Agenda R. Swanson moved, seconded by L. Frerichs, to approve the agenda. Motion passed unanimously.

City Manager Brief Announcements/Communications Police Chief Landy Black: Alpha Epsilon Phi fraternity victimized by painted swastikas on building. Pursuing avenues to identify leads; working with UCD to outreach. Anti-defamation League has offered reward for information. Working with larger community affected by increased sense of fear, including residents of fraternity and members of Jewish community.

Public Comments

- Cynthia Kellog: Representing Sister City Rutilio Grande, El Savador. Received letter from Rutilio Grande, expressed gratitude for help and letter sent to them from Council and Mayor.
- Alan Humason, Yolo County Visitors Board: Mobile app for events is now available on iTunes. Includes a listing of events, event descriptions, website links, etc.
- Ron Glick: Suggest two names for streets in Cannery development—Catherine Esau, first member of National Science Academy and Jack Forbes, founded Native American movement and worked in Native American stud-

ies department at UCD.

- Michael Shearer: Oppose West Davis Innovation Center proposed project. Not environmentally sound, hazardous to bicycling in West Davis, inappropriate for area.
- John Natsolous: Regular calendar item Arts Alliance—Thank staff for efforts, great future for arts. Support reinstating community grant.
- George Haber, Davis Tennis Club: Suggest Council consider a plan for tennis facilities, potential financing from tennis association for maintenance.

Consent Calendar

Intent to Levy an Assessment for Visitor Attraction District

1. Accept the 2015 Visitor Attraction Annual Assessment Report and 2015-2016 proposed budget from the Yolo County Visitors Bureau, subject to any changes or modifications that may be made subsequent to a public hearing on the request to increase, levy and collect the annual assessment.
2. Approved Resolution No. 15-009 - Intention to Levy and Collect the Business Improvement District Annual Assessment Fee for Fiscal Year 2015-2016 and to adopt an Ordinance Increasing the Assessment for the Visitor Attraction District Pursuant to the Parking and Business Improvement Area Law of 1989, in an amount equivalent to 2% the cost of a room night. If adopted, a public hearing will be held on April 7, 2015, to hear support/protests and to consider levy of the assessment and the proposed increase.

Formation of a Community Choice Energy Advisory Committee (CCEA)

1. Approved Resolution No. 15-010 - Forming the Ad Hoc Community Choice Energy Advisory Committee and Adopting Its Purpose, Scope and Membership
2. Affirmed that the existing City Council Community Choice Aggregation Energy Subcommittee will be the liaison to the CCEA and appointed Councilmember Davis for Mayor Wolk on the Council Subcommittee due to Councilmember Davis' current involvement in Community Choice Energy related issues

Conservation Easement Stewardship Agreement with the City of Dixon and the Solano Land Trust

Approved Resolution No. 15-011 - Authorizing the City Manager or His Designee to Enter into a Conservation Easement Stewardship Agreement with the City of Dixon and the Solano Land Trust

Amend Consultant Agreement for Well 34 Site Improvements Design, CIP No. 8174, and Conversion of Wells 31 and 33 to Variable Frequency Drive Pumps, Program No. 7522

Approved Resolution No. 15-012 - Authorizing the City Manager to Execute Amendment No. 2 to Consultant Agreement with Kennedy/Jenks Consultants for Well 34 Site Improvements Design, CIP No. 8174, and Variable Frequency Drive (VFD) Pump Conversions for Wells 31 and 33, Program No. 7522, in the amount of \$291,112

Approve the sole sourcing of design work for the VFD upgrades to Kennedy/Jenks

Approved Budget Adjustment #78 (\$96,512) – transferring funds from CIP No. 8230 (Well 29 Decommissioning)

Purchase of Self-Contained Breathing Apparatus (“SCBA”) and Associated Accessories via FEMA Assistance to Firefighters Grant Award

1. Approved Resolution No. 15-013 - Approving the Purchase of SCBA Units, Facepieces, Bottles and Accessories through the Cooperative Fire-Rescue GPO/National Purchasing Partners Bid of \$424,536.64 from Municipal Emergency Services (“MES”), Inc.
2. Approved Budget Adjustment #77 (\$33,259) – allocating \$28,130 from Davis Fire Department SCBA replacement funds and appropriating \$5,129 from Woodland Fire Department to supplement prior SCBA replacement funds approved for this purchase

Allocation of Housing Trust Funds for Fiscal Analysis of Fifth Street Affordable Housing Proposals

Approved Budget Adjustment #79 (\$20,000)

Second Reading: Ordinance Amending Chapter 40 of the Davis Municipal Code, Rezoning the Parcel Located at 216 W. Eighth Street (APN #70-034-03), Consisting of Approximately 0.291 Acres, from R-1-8 (One-Family Residential) to Planned Development #2-14

Adopted Ordinance No. (Introduced 01/20/2015)

Establishing an Ad Hoc Council Subcommittee on Innovation Parks/Nishi

Appointed a City Council Ad Hoc Subcommittee of Council Members Davis and Swanson to assist staff with various elements of the Nishi and two Innovation Center proposals

Utility Rate Advisory Committee Appointment

Ratified Gerry Braun, Robb Davis’ appointment to the Utility Rate Advisory Committee

Golden Heart Awards for 2015

Ratified selection committee recommendations for the recipients of the 2015 Golden Heart Awards. (The award ceremony will be held at the City Council meeting on February 17, 2015.)

City Council Revenue Subcommittee Update

Directed staff to investigate potential revenue generating options and return to the City Council prior to the summer recess with options for consideration

2014/15 Second Quarter Administratively Approved Budget Adjustments  
Informational

Commission Minutes:

1. Finance and Budget Commission Meetings of November 3 and December 8, 2014
2. Recreation and Park Commission Meetings of October 16 and November 20, 2014
3. Social Services Commission Meetings of October 20 and November 17, 2014

Informational

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

Public Hearing:  
Paso Fino  
Planned Development and  
Subdivision,  
2627 East Covell  
Boulevard and  
2675 Moore  
Boulevard –  
Planning Application #13-54

Community Development & Sustainability Director Mike Webb: Entitlements and zoning for a 4 lot subdivision was approved in 2009, which did not proceed to development. In 2013, a new application was submitted with a proposal for 8 single family lots.

Jason Taormino, applicant: Project revised over time to accommodate staff and neighborhood comments/concerns; amenities include universal design, solar, groundwater retention on site.

Ken Kenecny, applicant team: Comparison to Los Robles Manor development. Similar configuration, 8 homes, private drive, street 24 ft. wide parking allowed on both sides. Comparison to surrounding Wildhorse development, compatible density, street width, parking, home size comparison, home values.

Public comments:

- Michael Shear; John and Chris Coil; Alan Pryor, Sierra Club Yolano Group; Claudia Morain; Ed Patrick; Kappel Neigri; Terry Tickley; and John Clay spoke in opposition to the proposed project. Comments included: Pine trees on site would be negatively impacted by development, provide Swainson's hawk, barn owls and other species habitat. Submitted petition to save greenbelt and pine trees. Current plan has not overcome neighborhood and city concerns. Concerned about proposed width of street, unsafe to navigate; no sidewalks proposed. Burden of development would impact western neighbors.
- Louise Walker, Alan Fernandes and Eileen Samitz spoke in support of plan proposed by staff for 6 lots. Comments included: 6 lots will save pine trees as well as other trees on site. Should include specific language to protect root zone and provide proper draining. Appropriate for neighborhood. Consistent with general plan, safer circulation, protects trees.
- Matt Yancy, Chamber of Commerce: Support infill development. Hopeful that amicable solution can be arrived at.
- Nancy Applenauf: City should preserve nature for public enjoyment.
- Ron Glick: Pine trees are not native to site, haven't been pruned in many years.

- Dave Taormino, applicant: Have attempted to work with neighbors. Remaining issues include (1) who is best able to protect pine trees currently on private property, (2) greenbelt buffer, and (3) number of lots.

City Council recessed at 8:14 and reconvened at 8:24 p.m.

Jason Taormino: Request input from Council on fence line and number of lots.

L. Frerichs moved, seconded by D. Wolk, as follows:

1. Do not approve Planning Application #13-54 (consisting of Mitigated Negative Declaration, General Plan and Zoning Amendment, Merger and Tentative Map, Affordable Housing Plan, Final Planned Development and Design Review) in that the applications do not adequately balance General Plan policies and fit community values and interest.
2. Direct the applicant to continue working on a plan that incorporates the components of Alternative Plan D consistent with the Planning Commission and staff recommendations, including reduction in the number of lots to 6.

Motion passed unanimously.

City Council recessed at 9:06 p.m. and reconvened at 9:16 p.m.

Arts Program  
Update: Arts  
Alliance Development

Community Services Supervisor Carrie Dyer: Provided update regarding considerations for development of an Arts alliance

Public comments:

- Alan Humason, YCVB: Support staff recommendation. Interested in reinstating community arts grants program.
- Rodney Robinson: Support more art in public areas.

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

1. Direct staff to further explore the creation of an Arts Alliance and return to Council in April 2015 with a proposal that includes Articles for Incorporation and an MOU for partnership with a fiscal sponsor;
2. Authorize staff to include \$18,500 out of the \$75,000 in Cannery development funds to resurrect the Community Arts Grants program; and
3. Authorize staff to use \$5,000 out of the \$75,000 in Cannery Development funds to move forward with a community-based painted utility box program. The program will begin in late February and operate separately from the Alliance.

Motion passed unanimously.

Council Goals  
2014-2016

Chief Innovation Officer Rob White: Presented draft proposed objectives, tasks and timelines for the 2014-2016 goals

R. Davis: Suggest re-prioritizing; very ambitious timelines. Suggest embedding current work plans and staff resources.

B. Lee: Request list of tasks that were removed from priority list

Workshop: Cost of Service and User Fee Study Session - Update Process, Methodology and Potential Issues

Assistant City Manager Yvonne Quiring: City hasn't updated user fee methodologies in 20 years.

Jack Dilles and Tom Sinclair, Municipal Resource Group: Consultants for study. Most cities examine fee methodology every 5-7 years. Identify cost of providing services, products and benefit and propose fees to recover full cost or as modified by city policies. Issues to be addressed include: Cost recovery policies, cost of replacing existing city facilities, potential new fees, future adjustment of fees based on labor costs rather than cost of living index.

City Council Brief Communications

R. Swanson: 1234 Reporting—Will be attending Cap to Cap Conference in April.

B. Lee/R. Swanson: 1234 Reporting—Attended Chamber installation event at city expense.

R. Swanson and B. Lee: Attended the City-Yolo County Visitors Bureau 2x2. Received information on Taste of Yolo opportunity for products to be brought to community.

R. Davis: Will be attending LAFCO discussion of shared services on February 26.g.

R. Davis: Boulder, another platinum bicycle city, would like to invite Davis, Fort Collins, and Portland to establish a research agenda around bicycles.

R. Davis: B Street meeting last week was facilitated by Judith McBrian. Efforts could be improved in future. Not that many B and side street neighbors attended.

D. Wolk: Will be presenting a Proclamation on February 8 at the 2015 New Start Chinese festival.

L. Frerichs: Will be attending SACOG sponsored event regarding status update to Metropolitan Transportation Plan Update 2016 on February 9.

Long Range Calendar

D. Brazil: March 3—Police Alternative Conflict Resolution. Youth in Government Shadow Day scheduled for March 17 (previously March 3).

R. Davis: Request B Street Parking and Yard Waste be moved to March 3.

D. Brazile: Will check with staff. Green Waste Containerization is scheduled to coincide.

R. Davis: Request 5<sup>th</sup> Street Land Dedication Site RFP be agendized (currently TBD)

D. Brazil: Potentially April meeting

R. Davis: Request well monitoring data to be included in water consumption report scheduled for February 17.

B. Lee: Request name change for Sugar Sweetened Beverages. Should be Kids Meal Beverage Choice Ordinance.

B. Lee: Ready to have discussion regarding police protective vehicle.

L. Frerichs: Include in budget discussions?

B. Lee: Would like separate from budget, discuss whether need item or not.

D. Brazil: Will work with Police Chief to agendize

R. Swanson: Request agendize discussion of infill guidelines. Make sure community is on board.

R. Swanson: March 24 date, would like to change from on call to no meeting. School break.

B. Lee: B. Lee and L. Frerichs meeting as Council Subcommittee to discuss zoning changes in core area. Looking to replace Frerichs on subcommittee.

D. Wolk: Request Councilmembers work with City Manager

R. Swanson: Interested in serving

Adjournment

Meeting was adjourned at 11:18 p.m. in memory of Jim Beckett, Director Emeritus of Hattie Weber Museum.

Zoe S. Mirabile  
City Clerk