

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

The City Council of the City of Davis met in regular and special meeting session beginning at 6:00 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 Real Property Negotiators:

Property: APN 70-270-012

Agency Negotiators: City Attorney Harriet Steiner, Property Management Coordinators Tracie Reynolds/Anne Brunette, Community Development & Sustainability Director Mike Webb

Under Negotiation: Price and terms of payment

City Council returned to open session at 6:42 p.m. with no reportable action.

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

Ceremonial Presentation Proclamation in Honor of Elly Fairclough Upon Her Retirement was presented by Mayor Wolk.

City Manager Brief Announcements/Communications Assistant Police Chief Darren Pytel: Update on recent citizen comments regarding basketball hoops and citations issued by the Police Department. Reasonable uses of hoops in street do not present concern to Police Department; however, City has received complaints in many areas of town, and must address safety issues related to traffic as well as aesthetics. In most circumstances, able to work with residents to make sure they are not blocking gutters, weeds are not surrounding the hoops, reflectors are installed, etc. Citation form and language will be improved to provide clarity to residents.

Public Comments

- Alan Miller: Graffiti is still on Union Pacific Railroad fence. Union Pacific has not responded to complaints.
 - Dirk Brazil: City has list of issues to speak with UP about. Graffiti is included.

- Jennifer and Emily Chapman, Lisa Carlock, Joe Krovoza, Michael Foust, Marc Hoshovsky, Bill Leihart, and Rob Rosen spoke regarding basketball hoops. Comments included: Many families have received citations to remove basketball hoops. Police Department has clarified that hoops are allowed with certain specifications. Removal of hoops affects children; healthy exercise, social activity. City Municipal Code should be more specific and clarify what/when hoops are acceptable. Very vague language on citation. Suggest default condition that basketball hoops in good condition and not blocking gutters are allowed.
- Lynne Nittler, Cool Davis: Upcoming events: March 6 at Veterans Memorial Theatre—slide show/talk on climate issues. March 7 is 3rd annual inter-faith climate conference.
- Alma Jackson: Child attends Montgomery Elementary; feels as if she has been bullied; has learned to identify herself as being part of a certain ethnicity, and begun labeling herself as well as others. Has spoken with teachers and superintendent and requested for child to be removed from class but has had no success. Would like to receive help from City Council and City.
 - D. Wolk: Request contact information be submitted to City Manager.
- James Martinez: Regular Calendar item—Community-Police Alternative Conflict Pilot Program. Community doesn't need ACR program, instead needs Civilian Review Board to review allegations of Davis and UCD Police Departments.

Consent Calendar

Professional Services Agreement for Independent Audit Services Through 2018

Approved Resolution No. 15-023 - Authorizing the City Manager to sign Agreement with Maze & Associates for independent Annual Audit Services

Citywide Website Hosting

Approved Resolution No. 15-024 - Authorizing the City Manager to Execute a Professional Services Agreement with Vision Internet for Website Hosting, for a minimum of four years, with a complete site redesign at the conclusion of that period

Second Reading: Ordinance Amending Chapter 40 Zoning of the Municipal Code Regarding the Review and Standards for Secondary Dwelling Units, Pertaining to R-1, R-2, R-R, and Planned Development Districts of a Similar Nature Excluding the R-2-CD District

Adopted Ordinance No. 2445 (Introduced 02/17/2015)

Varsity Theatre HVAC Replacement Project, CIP No. 8266

Approved Budget Adjustment #89 (\$90,000) – allocating facility replacement funds

Plans, Specifications and Estimate for the Water Quality Improvement Pipeline Project (CIP No. 8224) and UC Davis Pipeline
Approved the plans, specification and estimate, and authorized bid advertisement

City Council Minutes from the Meetings of January 14, February 11 and 14, and December 2, 2014
Approved

Bicycling, Transportation and Street Safety Commission Minutes from the Meeting of January 7, 2015
Informational

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

Removed from Consent Calendar:

Item removed by R. Davis.

Residential Development Status Report and Annual General Plan Housing Element Progress Report for Calendar Year 2014

R. Davis: Concerned about low vacancy rates; healthy rate would be closer to 5%. Intend to request an item be agendaized during long range calendar related to:

- Joint planning with UCD to determine housing needs. Ask staff to be deliberate and short term about conversation
- Identify barriers to new construction of multi-family residences
- Consider how we might use and dispose of excess city property for purposes of developing multi-family residential housing
- Would like to use EIR process to identify dense housing at innovation centers
- Discuss General Plan update

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

1. Receive the Residential Development Annual Status Report pursuant to Resolution No. 11-077 (amending Resolution No. 08-158)
2. Approve the Annual General Plan Housing Element Report pursuant to Section 65400(a)(2) of the State of California Government Code, which requires the Housing Element report to be forwarded to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD)

Motion passed unanimously.

City Council adjourned the regular meeting and convened the special meeting.

Approval of Special Meeting Agenda

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

Public Comments

None

Property Assessed Clean Energy (PACE) Program and Ygrene Clean Energy Yolo Program Mailer

Sustainability Program Manager Mitch Sears: Mailer from Ygrene offering program was mailed to approximately 8,500 households. City did not send mailer or authorize use of city logo.

Stacey Lawson, Ygrene Energy Fund: Ygrene Committed to supporting city and community efforts related to sustainability. Ygrene is under contract with Yolo County; authorized by Board of Supervisors and City Council; duty to implement outreach campaigns to communities. Ygrene sent informational mailer to 8,547 households that included City of Davis logo. Mailer was sent prematurely before obtained approval to use logo; apologies, take responsibility for mistake. Initiated review of internal procedures, implementing appropriate actions.

Council comments included:

- B. Lee: Propose requesting Ygrene to provide funds to city to send out mailer listing all authorized program participants. Order of names to be determined by random draw. Also, consider insert in existing city mailing such as a utility bill. Informational handout about program, key questions, list all providers.
- R. Swanson: Clarify relationship between city and providers
- D. Wolk: Staff to confer with Ygrene to determine appropriate remedies

By consensus, Council directed staff to confer with Ygrene to determine appropriate mitigation.

Special meeting adjourned and regular meeting reconvened at 7:57 p.m.

Davis Future Renewable and Energy Efficiency (FREE) Report – Status Report

Richard Flood, Valley Climate Action Center: Received California Energy Commission grant to support implementation of the city's Climate Action and Adaptation Plan. Project near conclusion; research completed. Conclusions: Most of Davis's energy can be supplied by mix of local solar and wind resources, resulting in zero carbon footprint within two decades. Home energy retrofits can lower residential energy usage 30-50%; when integrated with solar, net-energy use can be zero.

Public comments:

- Chris Granger, Cool Davis: Davis FREE has been filtering and sharing information with Cool Davis. Able to use content from GIS and data sets for the Georgetown Energy Prize application. Suggest community workshop.
- Mark Braly, Valley Climate Action Center: Suggest gathering together leading contractors who work in energy efficiency field; provide training session regarding neighborhood marketing.

City Council recessed at 8:28 p.m. and reconvened at 8:40 p.m.

City Owned 25-Acre Agricultural Parcel Near Mace Boulevard Curve

Marc Hoshovsky, Open Space and Habitat Commission: Overview of community farm concept; explore concept of farming and engaging community, foster culture of agriculture. Design must fit site; can be network of sites throughout town. Many program models throughout state.

Public Comment:

- Greg House: Support using Mace property for agricultural purpose/open space. Site purchased with open space funds.

L. Frerichs moved, seconded by R. Swanson, to reaffirm the direction for the Open Space and Habitat Commission and staff to actively explore the concept of creating one or more Community Farms, including the suggested areas of exploration set forth in the staff report. Motion passed unanimously.

B. Lee moved, seconded by R. Davis, to not include the city-owned 25-acre agricultural parcel near Mace Boulevard Curve in the east innovation park proposal. Following discussion, R. Davis retracted second to motion and motion died.

R. Davis moved, seconded by L. Frerichs to affirm that the city-owned 25-acre agricultural parcel near Mace Boulevard Curve site is suitable for development of a City-owned Community Farm.

L. Frerichs proposed a friendly amendment that the Council deem the 25-acre parcel suitable as a potential location for development of a Community Farm. Accepted by mover.

Motion passed unanimously.

City Council recessed at 9:57 p.m. and reconvened at 10:05 p.m.

Community-Police Alternative Conflict Resolution (ACR) Pilot Program

Assistant Police Chief Darren Pytel: Summarized pilot program and community outreach efforts, including dialogue sessions of a working group held from November 2013 through January 2015

Public Comments:

- Carlos Mattos: Police Department and community members have been working on program for over a year; intention to address concerns stemming from lack of community trust.
- David Greenwald, Human Relations Commission: Commission discussed traffic stops and racial breakdown of data with Police Department, which lead to idea of mediation session. Police Union approved moving forward with pilot program.

- Tia Will: Good process, especially when there is a large perceived difference in power dynamics.
- Taylor: Suggest city revisit scope of cases that will enter this process. Discuss expanding scope to address issues that have arisen in past.
- Cecilia Escamillia-Greenwald: Intense discussions during the 1.5 years when working group met. Citizens have expressed concerns that they were not being heard and were being misinformed. Important that Council and community support the ACR process.
- Yvonne Clinton: Participated in committee that formulated program. Great collaborative effort.

R. Davis moved, seconded by D. Wolk, to strongly affirm the direction of the pilot program, and look forward to frequent updates to the Council. Motion passed unanimously.

Draft Yolo
Broadband Strategic Plan

Christine Crawford, Yolo LAFCO, and John Honker, Magellan Advisors, consultant: Draft Yolo Broadband Strategic Plan recommends strategies and action items such as General Plan Amendments to create a policy framework, and coordination with other local agencies on joint infrastructure projects.

Public Comments:

- Steve McMahon: Vital infrastructure; even at highest price levels, very few Davis residents have internet connections that qualify as broadband. Recommendations in report should be taken seriously, especially feasibility study.
- Taylor: If able to provide broadband, will attract investment to area.
- Larry Dietrich: Slow internet has been an ongoing issue. Need to build for current and future needs.
- Robert Nickerson: Internet access is a utility, not a service; necessary for favorable business environment. Davis should lead the way and install a gigabit fiber network. Davis Community Network and Davis Gig are available to work on a Task Force or Commission basis; bring all community stakeholders together, generate synergistic benefits.

R. Davis moved, seconded by L. Frerichs, to continue the meeting to midnight. Motion passed unanimously.

L. Frerichs moved, seconded by R. Swanson, to direct staff to:

1. Conduct further outreach with community stakeholders to hear community ideas for increasing local/county-wide options for internet service, including provision of fiber or other internet related infrastructure (Wifi antennas etc.)
2. Update City Council and present broadband implementation recommendations for Davis, for approval

Motion passed unanimously.

City Council Subcommittee on Commissions: Alterations to Commissions and Joint Meetings

City Council Subcommittee on Commissions (*Frerichs/Lee*): Summarized recommendations; modification from printed staff report—Subcommittee is not recommending reducing the size of the Historic Resources Management Commission from 7 regular members to 5 regular members at this time.

R. Davis moved, seconded by R. Swanson, as follows:

1. Determine that the functions of the Student Liaison Commission could best be served in a format and structure outside of the city commission structure. Direct staff to develop a structure similar to a 2x2 in order to address student-specific issues and return to Council with a formal proposal and a resolution dissolving the City-Student Liaison Commission.
2. Approve Resolution No. 15-024 – Amending the Purpose, Scope and Structure of the Community Choice Energy Advisory Committee, to add two additional members-at-large. Direct Subcommittee to recruit candidates and return to Council on March 17 for appointment.
3. Direct staff to stagger the appointment process, so that commission terms will not all end on September 30 of even-numbered years. Staff will return to Council with the necessary resolutions to amend terms for commissions for terms to conclude on December 31 of even-numbered years and June 30 of odd-numbered years.
4. Direct staff to schedule a one-hour joint meeting with each commission, one per month, with a goal to review the commission's recent work and to discuss upcoming commission objectives and tasks in work plans and the interface with Council Goals.

L. Frerichs: Consider scheduling 1 joint meeting with new format as pilot

R. Swanson: Suggest 2 meeting pilot program. Consensus.

R. Davis: Suggest commission staff liaisons report out commission actions as part of weekly Council update. Consensus.

Motion passed by the following vote:

AYES: Davis, Frerichs, Lee, Swanson

NOES: Wolk

City Council Brief Communications

D. Wolk: AB1234 Reporting: Attended DYSA Crab Feed.

R. Davis: Will be meeting on March 6 to plan next steps in bringing community providers together to discuss homelessness

R. Swanson and B. Lee: Attended City Chamber 2x2; topics included Picnic Day alcohol covenant and update on wayfinding signs.

Long Range Calendar

D. Brazil: RDA Update moved to May 19. Organics/Anti-Contamination Ordinances moved to April 7.

B. Lee: Can discussion of Panhandling Ordinance be agendized in May?
D. Brazil: Yes, will coordinate with City Attorney and Police Department

R. Davis: Request agendize housing vacancy rates and need for multi-family residential within next couple months

R. Swanson: Request mid-year budget be moved from April 21
DB: Will be postponed

D. Wolk: Will not be available March 31 (currently on call)

R. Swanson: Request agendize topic of Basketball Hoop Ordinance

Adjournment Meeting was adjourned at 12:07 a.m. in memory of Dennis Pytel.

Zoe S. Mirabile
City Clerk