

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 14, 2016

The City Council of the City of Davis met in regular session beginning at 6:30 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

Approval of Agenda	R. Davis moved, seconded by R. Swanson, to approve the agenda. Motion passed unanimously.
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Ceremonial Presentation	Proclamation Recognizing West Yost Associates 25 th Anniversary was presented by Mayor Wolk.
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City Manager Announcements	None
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Public Com- ments	<ul style="list-style-type: none">• Amelia Naeen-Hanson, Poloma Campie, Kalen, Haley DePriesse, Nathaniel Quentin, Savannah, Sophia, Owen, Alex, Lydel, Ozzie Sutton, Irina, Hanneke, and Janet Krovoza spoke regarding the use of rodenticides in Davis. Comments included: 4th and 5th grade students researched harmful effects of rodenticides—18,084 children are treated in hospitals in U.S. from unintentional rat poisoning. 100% of raptors who die in area test positive for rodenticides. City adopted resolution 4 years ago urging businesses not to use; School District is still using. Request city agendize topic for City-DJUSD 2x2 Committee. City and County should ban sale and use of rodenticides.• Dorte Jensen: Regular calendar item, Mace Ranch Innovation Center (MRIC) Request for Application Processing –Concerned about process. Not enough time for commission review and public to weigh in by November ballot.• Alan Miller: Restriping for Olive Drive needs to be redesigned. Pinches into one lane, safety issue for bicyclists. Worse situation than before.• Jon Li: Propose general plan charter process. Engage community with list of questions, such as: How do you know how police are doing? Where do they need improving? Homeless issue getting better or worse? Did the budget work or fail? Is road diet working on Fifth Street? How do you measure frustration of drivers on Olive Dr./Richards Blvd.?• George Kwong: Regular item, Sterling Apartment project—urge Council to
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consider high density housing. Lack of housing, rent prices consistently increasing. Sterling development will help housing crisis.

- Jason Taormino, Chamber of Commerce: Support MRIC project on November ballot. More jobs important for community.
- Dave Griffin: Critical for city to develop affordable housing. Working class families and citizens with disabilities who live on government support find it nearly impossible to afford safe, clean housing. Bring more options to community.
- Alan Hirsch: Need to work together for change. Suggest workshop to discuss how to improve processes.
- Michael Harrington: Infill development destroys owl habitat. What is the status of the Urban Wildlife Management Plan with species inventory? MRIC proposal—Oppose, no time for process and public review.
- Tia Will: MRIC proposal—not enough time for community to process.

Consent Calendar

Veterans Memorial Center Phase I Rehabilitation Proposal

1. Received the final Veterans Memorial Center Feasibility Study report as informational
2. Approved the Recreation and Park Commission recommendation to proceed with the Veterans Memorial Center renovation project consistent with the Phase I Rehabilitation Proposal by Hibser Yamauchi Architects, Inc. dated October 2, 2015
3. Approved Resolution No 16-070 - Authorizing the City Manager to Enter Into a Professional Services Agreement with Hibser Yamauchi Architects, Inc. for Design and Cost Estimating Services for the Veterans Memorial Center Rehabilitation Project (CIP #8233) in an amount not to exceed \$160,000

Purchase and Sale Agreement -- Paso Fino Planned Development at 2627 East Covell Boulevard

Approved Resolution No. 16-071 - Authorizing the City Manager to Enter Into a Purchase and Sale Agreement with Paso Fino Partners that Effectuates the June 16, 2015 Entitlement Approvals for the Development of Six Single-Family Homes, Known as the Paso Fino Planned Development, at 2627 East Covell Boulevard and 2675 Moore Boulevard

Final Map and Subdivision Agreement for Paso Fino Subdivision No. 5034

Approved Resolution No. 16-072 - Approving Paso Fino Subdivision No. 5034 and Authorizing the City Manager to Execute the Subdivision Agreement with Taormino & Associates, a California Limited Liability Company

Amendment to Consultant Agreement with Stantec Architecture, Inc. for Landscape Site Inspection Services for the Cannery

Approved Resolution No. 16-073 - Approving Amendment No. 2 to Consultant Agreement with Stantec Architecture, Inc. for Professional Services for Landscape Construction Administration and Observation Services for the Cannery

Contract Extension for Professional Tree Maintenance Services with West Coast Arborists

Approved Resolution No. 16-074 - for Professional Tree Services Contract Extension

Supportive Housing Program Grant for Program Year 19

Approved Resolution No. 16-075 - Authorizing the City Manager to Execute Agreements with the United States Department of Housing and Urban Development and Davis Community Meals for Implementation of a Local Supportive Housing Program Providing Transitional Housing for Homeless Single Men and Women

Federal Transit Administration (FTA) Grant Application

Approved Resolution No. 16-076 - Authorizing the City Manager to Execute an FTA Grant Application for the University of California-Davis, for Operations and Capital Assistance of Unitrans

Second Reading: Ordinance Amending Chapter 29 of the Davis Municipal Code Relating to the City's Personnel System and Personnel Board

Adopted Ordinance No. 2480 (Introduced 05/24/2016)

Commission/Committee/Task Force Minutes:

1. Historical Resources Management Commission Meeting of January 25, 2016
2. Open Space and Habitat Commission Meeting of May 16, 2016
3. Planning Commission Meetings of December 16, 2015, and January 6, 2016
4. Sports Complex Task Force Meetings of April 13 and May 11, 2016
5. Unitrans Advisory Committee Meeting of May 4, 2016

Informational

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

Presentation:
PG&E Community Pipeline
Safety Initiative

Pacific Gas and Election Company (PG&E) Public Affairs Representative Amit Pal: Overview of initiative; process includes identification of sites and negotiation for mitigation measures.

Parks & Community Services Director Dale Summersille: Provided information on locations of proposed tree removals.

Public comments:

- Alan Miller: J Street building slated for purchase by PG&E is intended to be remove for railroad, will force 2 businesses to move. Buying with intention to tear down is a land use decision. City should request PG&E negotiate with railroad.
- Robert Canning: Neighborhood wants to know what is going on. Building is a buffer between neighborhood and railroad tracks.

- Alan Hirsch: Hardscapes should include structural soil for trees. Certain trees are inappropriate for downtown, safety hazards, large trucks can't see people in crosswalks.

A. Pal: Will return to PG&E and determine the status of J Street site.

Public Hearing: Assistant Community Development & Sustainability Director Ashley Feeney:
Creekside Summarized project.
Apartments
2990 Fifth Mayor Wolk opened the public hearing.
Street

BJ Klossterman: Be cautious about experimenting with higher density housing.
Issues have occurred at other affordable projects.

Planning Appli- Alan Miller: Issues with 4-5 people homeless individuals per room with animals
cation #15-79: at Cesar Chavez affordable housing project. Concerned what affordable housing
General Plan really means. Hope project doesn't turn into similar situation.
Text Amend-
ment #2-16;
General Plan

Land Use Map Mayor Wolk closed the public hearing.
Amendment #3-

15; Preliminary Bill Pride, Davis Community Meals: Cesar Chavez has supportive services staff
Planned Devel- on site. Occasionally, homeless have stayed on site, but short term. Hasn't nega-
opment/Rezone tively impacted residents.
#10-15; Miti-

gated Negative R. Swanson moved, seconded by R. Davis, as follows:
Declaration #2-
16

1. Determine that Mitigated Negative Declaration #2-16 prepared for the project adequately addresses the environmental impacts associated with the proposed project;
2. Approve Resolution No. 16-077 - to Amend the General Plan Land Use Element Regarding Allowable Uses and Densities; and Amend the General Plan Land Use Map to Redesignate the Parcel Located at 2990 Fifth Street (APN #071-100-025), from Existing Residential Medium Density to the New Residential High Density Category; and
3. Introduce Rezoning/Preliminary Planned Development Ordinance Amending Section 40.01.090 of Chapter 40 of the Davis Municipal Code Rezoning Property Located at 2990 Fifth Street (APN #071-100-025), Consisting of 2.27+ Acres, from Planned Development (PD) #4-88, Single Family Residential Subarea to Planned Development (PD) #10-15

Motion passed unanimously.

Creekside Af- Housing & Human Services Superintendent Danielle Foster: Summarized deal
fordable Hous- points.
ing Project –
Disposition and L. Frerichs moved, seconded by R. Davis to
Development
Agreement
Components,

1. Approve Resolution No. 16-078 - Approving Terms for the Disposition and Development Agreement on the Creekside Affordable Housing Project for the Development of Ninety Affordable Rental Units at 2990 Fifth Street; and
2. Approve Resolution No. 16-079 - Authorizing Full Application as a Co-

Co-Applicant
Funding Appli-
cation for 2990
Fifth Street

Applicant for the Affordable Housing and Sustainable Communities (AHSC) Program for the Creekside Affordable Housing Project and Associated Transportation and Pedestrian Improvements and Programming at 2990 Fifth Street.

Motion passed unanimously.

Review of the
Fiscal Year
2016-2017 Pro-
posed Annual
Budget

Finance Administrator Kelly Fletcher: Provided answers to Council questions from previous budget sessions and Finance and Budget Commission comments. \$8.6 million changes from May budget presentation.

Public comments:

- Dan Carson, Finance & Budget Commission: FBC thinks fiscal plan makes great deal of sense, reasonable revenue assumptions, making strides toward paying down unfunded liabilities. Pushing toward direction of transparency in accounting for monies. Looked at long term fiscal projections, continue to work on refinements.
- Richard McCann: How should we tally up enterprise reserves and how to use reserves? Energy efficiency projects and types of investments. Use our money for investment in the community instead of low return investments. Utility Rate Advisory Committee has asked for full enterprise accounting. Look at what sort of things that can be done for investment in utilities. Think creatively to make money on our money.

Council comments/direction to staff:

R. Davis: Request Council/Finance & Budget Commission workshop on fund balances. What we can and can't do with fund balances. Understand opportunities and constraints.

R. Davis moved to fully fund requests from Community Development Block Grant (CDBG) recipients and one applicant that was not a recipient, Oral Health Project. Allocate monies from General Fund, conditioned upon participation in workshop to develop monitoring and evaluation tools. No second to motion.

B. Lee: Request workshop on enterprise funds, information on projected time-lines of when balances will be paid down for construction projects, 2-10 years out.

B. Lee moved, seconded by R. Davis, to direct staff to return to Council with line item to determine cost of adding 2 additional sworn police officers.

R. Swanson proposed friendly amendment to receive update on status of recruitment efforts. Would 2 additional positions remain unfilled? Accepted by mover and second.

Motion passed unanimously.

R. Swanson: Request detail on litigation costs continue to be included in budget

City Council recessed at 8:57 p.m. and reconvened at 9:09 p.m.

Sterling 5th
Street Apart-
ments/2100 5th
Street – Envi-
ronmental Im-
pact Report
(EIR) Project
Alternatives

Community Development Administrator Katherine Hess: Overview proposed project and EIR alternatives.

Public comments:

- Richard McCann: CEQA alternatives— Consultant firm should not be led by standard planner, need to know finances, economics, other elements. Look at what you can do on site or somewhere where you have site control.
- Anya McCann: Encourage Council to think of alternatives, including keeping as residential space. Encourage Council to continue to look at special needs, low income housing, supportive housing. Possible crisis center on site.
- June Forbes, National Alliance on Mental Illness: Consider needs for affordable supportive housing; people living with mental illness need continuum of housing from crisis to supportive living. If Davis goes forward with Sterling, should make sure that supportive services are included.
- Alan Hirsch: Consider what is needed in our community then plan accordingly, not just respond to application. Need affordable student housing, smaller units. LEED platinum, low parking, smaller units/200 sq. ft. alternative. Eliminate parking garage, adds to cost.
- Haley Deacon: Support, realistic solution. Many low income families need affordable housing. Need more high density housing.
- Whitney Davis: Support project. Consider financial and housing needs of students, support efforts to continue education.
- Jerry Hallee, Rancho Yolo: Traffic analysis was conducted during summer after students already left; different traffic patterns. Concerned not one alternative proposed to meet current General Plan, high density supposed to be limited to 150 apartment units.
- Cindy Turner: Support no project/existing use.
- Margot Lotschke, Senior Citizen Commission: Rancho Yolo residents expressed objections. SCC motion: While Sterling meets criteria for housing, project does not seem suitable for seniors due to density, demographics, etc. Question of desirability and harmony with neighborhood.
- Greg Worley: Need more housing on campus. Reduced impact on land use, traffic and other neighborhood impacts. Don't know how housing students far from campus helps housing situation. Biking—dangerous and potentially fraught with car/bike impacts, busy Fifth Street.
- Don Shurman: Area around Pole Line and Fifth Street already high traffic area. Additional 600 cars from proposed development. Consider residents of Rancho Yolo and other senior citizens living nearby in other residences. Potentially dangerous situation with large bike ridership.
- Evelyn Prah: Founder of Families First, previous project/service on site; buildings were funded with public dollars. What if there are problems with

Sterling development? Could mean extra costs to city—may necessitate hiring more police, etc.

- John Ritter: Alternative options seem driven primarily by economics. Are they all viable? Consider noise impacts. Need to look at quantitative, not just qualitative.
- Ron Glick: Planning process in Davis is broken. Since Measure J, no land has been annexed. Tearing down perfectly good building to build housing that neighbors don't want. EIR needs to address need in community for existing use.
- Mary Jo Bryan: Corporation Yard in Davis is possibly a future site for housing for students. Would like Council to be more proactive. What does Davis need and how do we get it.

Council comments:

R. Swanson: Want to include what greenhouse gas impacts will be for commuting students from alternate locations.

B. Lee: Affordable units should be integrated with market rate, not stand alone.

K. Hess: Not included in CEQA analysis. Could return to Council as broader policy analysis, affordable housing discussion.

R. Swanson/ L. Frerichs: Support discussion.

R. Davis moved, seconded by R. Swanson, to remove Alternative 7 (UCD site/West Village) and replace with out of town alternative. Consider Woodland, West Sacramento, Dixon, etc. Motion passed unanimously.

K. Hess: Campus can provide data on where students are living outside of Davis

City Council recessed at 10:30 p.m. and reconvened at 10:38 p.m.

Mace Ranch
Innovation Center (MRIC) Project Applicant
Letter Request

Dan Ramos, MRIC applicant: Request City Council refer the revised project to the November 8, 2016 ballot for a Measure R vote. Propose to annex entire site, designate 100 acres for up to 1.7 million square feet of R&D, remaining designated as urban reserve. Development Agreement and Sustainability Plan to be finalized by mid-September 2016.

Public comments:

- Alan Pryor: Project should only move forward if community is ready. Questions should be answered and vetted through commissions. Natural Resources Commission rejected proposal, inconsistent with Climate Action Plan. Open Space and Habitat Commission rejected, mitigation insufficient. Look at which commissions have already reviewed.
- Alan Hirsch: Development includes 10-20 years of growth. Needs to be fully investigated. Need General Plan, build consensus, find common ground.
- Elaine Roberts-Musser: Glad to see MRIC back on table. What kind of tax generation from pared down project? What does urban reserve designation

mean? Advantages and disadvantages?

- Greg Rowe: Support moving forward with Innovation Park. Plan out project, then put on ballot all at once. Developer should have provided detail for Council agenda.
- Tom Walsh: Not a lot of information is being provided by developer for Council to make decision. Include hotel? Urban reserve? By re-designating as urban reserve, increases land value which increases pressure to develop.
- Jim Gray: Growing uncertainty about future of City and opportunities for economic and commercial growth. Sacramento region is watching to see if Davis will take advantage of skilled resources, university, high quality of life, demand for services. Encourage developer to work with staff and community to develop something to place in front of voters.
- Meg Arnold: Support. Town has competitive advantage; would be doing dis-service to not take advantage of incubator from university.
- Eileen Samitz: Support Innovation Park for purposes of helping city with revenue, oppose including housing. Urban reserve on any portion is unacceptable. No excuse for developer not to define project. Need to do what is in best interests of community.

R. Davis moved, seconded by L. Frerichs, to invite further development of project proposal with the following provisions: No urban reserve. No mitigation on city land. Preserve R&D manufacturing/retail/hotel ratio. Must include fully formed sustainability plan.

D. Wolk moved substitute motion, seconded by R. Swanson, to direct staff to proceed analyzing project pursuant to timeline set out.

B. Lee moved substitute, substitute motion, seconded by L. Frerichs, to not move forward with processing project for November 2016 ballot, and instead direct staff to process proposal with possibility of spring 2017 ballot.

City Council recessed at 12:07 a.m. and reconvened at 12:10 a.m.

Dan Ramos, applicant: Request Council provide developer a week to return with option that could be placed on November ballot. Need to go back and discuss with partners. November date is crucial.

B. Lee withdrew substitute, substitute motion.

City Attorney Harriet Steiner: Staff will need to publish public hearing notice tomorrow for Planning Commission hearing on June 29. Notice will include full project in current state, could later be contracted.

Assistant City Manager Mike Webb: Staff report for Planning Commission will have to include assumptions made by staff for analysis.

By consensus, Council approved request to provide applicant with one more week to return with project proposal.

M. Webb: Will seek clarity on what it is that is being noticed for Planning Commission and preparing EIR analysis. Need to understand bounds of what is being brought forward. Will need to confer with applicant on scope of project tomorrow morning for purpose of public hearing notice.

City Council
Brief Commu-
nications

R. Swanson: Will be traveling to China, region north of Beijing, see what economic development connections are possible. City will not be funding.

Long Range
Calendar

B. Lee: Request staff clarification on rodenticide issue. What are current regulations?

B. Lee: Request more about striping/reconfiguration on Olive Drive/Richards Blvd. Investigation of traffic patterns, outcome from striping.

Public comment:

Alan Hirsch: Request discussion of process be addressed in Commission Handbook. Developer providing proposals at last minute, not allow public review. Developers should be required to provide material for packet in advance. Currently provide developers too much time for presentation, not enough for public comment.

Adjournment

Meeting was adjourned at 12:32 a.m.

Zoe S. Mirabile
City Clerk