

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of October 25, 2016

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 Davis.

Roll Call:

Councilmembers Present: Will Arnold, Lucas Frerichs, Brett Lee, Rochelle Swanson, Robb Davis

Councilmembers Absent: None

Other Officers Present: City Manager Dirk Brazil, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

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

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following:

- A. Conference with Legal Counsel — Existing Litigation:
 - 1. Supporters of Responsible Planning in Davis v. City of Davis et al, Yolo Superior Court Case No. PT15-1442
 - 2. Davis Citizens Alliance for Responsible Planning v. City of Davis et al, Yolo Superior Court Case No. PT16-444
 - 3. Harrington, appellant v. City of Davis, et al, respondents, Third District Court of Appeal Case No. C081263
- B. Conference with Real Property Negotiators:
 - Property: Mace Boulevard, unincorporated area of Solano County (APN 110-060-090)
 - Agency Negotiators: City Attorney Harriet Steiner, City Manager Dirk Brazil, Assistant City Manager Mike Webb, Community Development Administrator Katherine Hess, Property Management Coordinator Tracie Reynolds
 - Negotiating Parties: David Hansen, Cathryn Nordstrom, and Stanley Hansen
 - Under Negotiation: Price and terms of payment

City Council returned to open session at 6:30 p.m. with no reportable action.

Ceremonial Presentations Proclamation Recognizing October 24, 2016 as United Nations Day and Week of October 24-31 as Support UNICEF Week was presented by Mayor Davis.

Proclamation Recognizing October as Dysautonomia Awareness Month was presented by W. Arnold.

Proclamation Recognizing October 2016 as Fire Prevention Month was presented by L. Frerichs.

Proclamations Honoring Timothy Perry, Nicole Woolley, Peter Carlip and Sierra Winter as Recipients of the 2016 Constitution Day Essay Contest was presented by B. Lee.

City Manager Announcements D. Brazil: November 1 meeting will include review of two hotel projects. Staff reports will be posted early on city website for community to read.

City Council Announcements R. Davis: Visited Boulder, Colorado, participated in complete streets conference. Boulder has been collecting data on trips from outside; even with rapid growth in city, trips from outside have remained flat largely because of commitment to regional transit. Aspire to long term commitment to data collection on mode share, street design, and routine data collection.

R. Swanson: Last week city helped host company interested in establishing research and development company. Chamber and staff are fully engaged. Supporting economic development.

Public Comments

- Alan Hirsch: Consent calendar item—Building Code. Staff report does not discuss why tier 1 chosen over tier 2. If greenhouse gas reduction is important to city, should choose strongest option. Also, City needs shovel ready projects as funds become available. Long range calendar—don't see mini dorm ordinance or renters resources listed.
- Tim Kreznansky: Regular calendar item—Turkey Management. Alleged turkey problem. Not a single verified documented report of citizens receiving medical attention from turkey incidents. Don't want to see city funds spent on turkey eradication or management. Room for people to co-exist with 80 birds.
- Kathleen Claighburg: Concerned about homelessness. Suggest outreach about existing services.

Consent Calendar Caltrans Sustainable Transportation Planning Grant Application
Approved Resolution No. 16-150 - Authorizing the Application, Acceptance, and Execution of a Sustainable Transportation Planning Grant From the State of California Department of Transportation for the Go Davis! Transportation Demand Management Plan

2016 Edition of the California Building Standards Code

1. Introduced Ordinance Repealing and Re-Enacting Article 8.01 of Chapter 8 of the Davis Municipal Code, and Adopting By Reference the California Code of Regulations Title 24, 2016 Edition of the California Building Standards Code Including the Following Parts: Part 2 California Building Code, Part 2.5 California Residential Code, Part 3 California Electrical Code, Part 4 California Mechanical Code, Part 5 California Plumbing Code, Part 6 California Energy Code, Part 11 California Green Standards Code, and Amending Those Parts of

the California Building Standards Code as Identified Herein, Through Express Findings of Local Necessity

2. Set a public hearing to be held on November 15, 2016 to consider adoption of the Ordinance

2016 Edition of the California Building Standards Code, Part 9 Fire Code

1. Introduced Ordinance Amending Chapter 13, Article 13.01 of the Davis Municipal Code, and Adopting By Reference the California Code of Regulations Title 24, 2016 Edition of the California Building Standards Code Including the Following Part: Part 9 California Fire Code, and Amending Those California Building Standards as Identified Herein, Through Express Findings of Local Necessity
2. Set a public hearing to be held on November 15, 2016 to consider adoption of the Ordinance

Transportation Pass-Thru Funds Appropriation

Approved Budget Adjustment #160 - FY15/16 (\$213,260) – authorizing revenue and expenditure pass thru funds in support of Unitrans and Yolo Bus per fiscal year 2015-16 Transportation Development Act (TDA) Local Transportation Fund (LTF) and State Transit Assistance (STA) apportionments to fund the City’s public transit program

City Council Goals 2016-2018

Approved the proposed 2016-2018 Principles and Goals and Objectives, along with relates Tasks

2015/16 Fourth Quarter and 2016/17 First Quarter Administratively Approved Budget Adjustments

Informational

Board/Commission/Task Force Minutes:

1. Bicycling, Transportation, and Street Safety Commission Meeting of September 8, 2016
2. Broadband Advisory Task Force Meeting of July 27, 2016
3. Open Space & Habitat Commission Meeting of September 12, 2016
4. Social Services Commission Meetings of May 16 and July 18, 2016
5. Woodland-Davis Clean Water Agency Board Meeting of June 16, 2016

Informational

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

Davis Police Department’s

Police Chief Darren Pytel: Overview of program; estimated potential 160+ juveniles per year.

Public comments:

Juvenile Restorative Justice Program

- Elvia Garcia, Interim Executive Director Yolo Conflict Resolution Center: Excited to partner with city. Asking for minimal amount, will look at all aspects of program, report back, likely have recommendations. Importance of social and emotional development to ensure success.
- Manny Maderros: Involved in development of neighborhood court program. Excited to hear about restorative justice project. Great opportunity for early intervention with alternative means.

R. Swanson: Suggest staff investigate city office space or donative office space from community.

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

1. Approve Resolution No. 16-151 - Authorizing the City Manager to Execute an Agreement with Yolo Conflict Resolution Center (YCRC) to Provide Case Development and Restorative Conferencing Services in Support of the Davis Police Department's Juvenile Restorative Justice Program
2. Approve Budget Adjustment #25 (\$26,250) – allocating general funds

Motion passed unanimously.

Wild Turkey Population Management Plan

Wildlife Resource Specialist John McNerney: Population of wild turkeys has grown substantially. Impacts include property damage, traffic/bicycle safety hazard, aggressive individuals/public safety concerns.

Public comments:

- Chris Dunford: Enjoy having birds in neighborhood, but on verge of becoming a pest. Have personally been threatened by 3 male turkeys during breeding season. Have to prevent further growth in population. Plan looks good, will address problems of turkey population growth and threat to people and property.
- Anya McCann: Plan has good combination of solutions. Should ask California Department of Fish & Wildlife for funding. Hope that aggressive tom will be one of first relocated. Educational campaign needs to be robust. Need ordinance with high fine for feeding turkeys.
- Alan Miller: Have never had a problem with turkeys. In yard frequently.
- Heather Lotterclay: Don't want to see turkeys killed. Valuable resource for children. Need more outreach.
- Elaine Roberts-Musser: Turkeys block traffic. Need to address aggression. Support staff recommendation. Also support no feeding ordinance.
- Darryl Hunter: Should use funds to trap birds and use as source to feed homeless.

B. Lee moved, seconded by L. Frerichs, to approve management strategies that include: outreach/education, promote natural predators and selective removal of aggressive turkeys. Direct staff to return to Council with a no feeding ordinance.

R. Swanson moved substitute motion, as follows:

1. Approve Resolution Adopting the Wild Turkey Population Management Plan
 2. Authorize staff to implement recommended wild turkey management strategies
 3. Approve Budget Adjustment #32 (\$12,000) – allocating General Funds
- No second to the motion.

W. Arnold moved substitute motion, seconded by R. Swanson, as follows:

1. Approve Resolution No. 16-152 - Adopting the Wild Turkey Population Management Plan
2. Authorize staff to implement recommended wild turkey management strategies
3. Approve Budget Adjustment #32 (\$12,000) – allocating General Funds
4. Direct staff to return with a no feeding Ordinance

R. Swanson proposed a friendly amendment to add advisory posting on high turkey roadways. Not accepted by mover.

Motion passed by the following vote:

AYES: Arnold, Frerichs, Swanson, Davis
NOES: Lee

City Council recessed at 8:57 p.m. and reconvened at 9:03 p.m.

Community
Choice Energy
(CCE) – Joint
Powers Agency
Agreement and
Authorizing Or-
dinance

Sustainability Manager Mitch Sears: Overview of program, summarized next steps.

Public comments:

- Alan Pryor, Community Choice Energy Advisory Committee: Culmination of multi-year process. Support moving forward.
- Elaine Roberts-Musser: Support from Yolo Board of Supervisors, possible support from Woodland. Eager to move forward.

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

1. Approve Resolution No. 16-153 - Approving the Joint Exercise of Powers Agreement Establishing the Valley Clean Energy Alliance (VCEA), Authorizing the Mayor to Execute the Agreement on Behalf of the City of Davis and Appointing Two City Councilmembers to Serve as the City's Directors on the Board
2. Appoint two Councilmembers to serve as the City's representatives on the VCEA Board
3. Introduce Ordinance Amending the Davis Municipal Code to Add Chapter 16 to Be Entitled Community Choice Aggregation (Electricity) and Authorizing the Implementation of a Community Choice Aggregation Program

4. Direct staff to continue to support VCEA implementation and program launch until such time that the new Agency has hired staff and transitioned to an operational, independent Agency

Motion passed unanimously.

R. Swanson moved, seconded by W. Arnold, to appoint L. Frerichs and R. Davis as VCEA JPA members. Motion passed unanimously.

City Council
Brief Commu-
nications

R. Swanson: School of Agriculture & Environmental Sciences and city hosted company from Milan. Upwards of 30 current and retired leaders, professors and businesses collaborated.

Long Range
Calendar

R. Swanson: Request staff report on marijuana update prior to leaving the country on Thursday.

Adjournment

Meeting was adjourned at 9:26 p.m.

Zoe Mirabile
City Clerk