

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of May 16, 2017

The City Council of the City of Davis met in regular session beginning at 6:14 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 Assistant City Manager Mike Webb: Consent calendar item removed from agenda—Pavement Rehabilitation Project—Pedestrian and Bike Path Packager. Item will be re-agendized on June 6.

W. Arnold moved, seconded by L. Frerichs, to approve the agenda as amended. Motion passed unanimously.

Ceremonial Presentations

- Recognizing Greg Mahoney as Building Official of the Year, presented by CALBO (California Building Officials)
- Proclamation Declaring May 2017 as Building Safety Month, presented by R. Swanson.
- Proclamation Declaring May 2017 as National Preservation Month, presented by R. Swanson.
- Proclamation Declaring May 21-27 as National Public Works Week, presented by W. Arnold.
- Proclamation Declaring May 2017 as Older Americans Month, presented by B. Lee.
- Proclamation Honoring Empower Yolo on its 40<sup>th</sup> Anniversary, presented by L. Frerichs.
- Thong Hy Huynh Memorial Awards for 2017:
  - Civil Rights Advocacy: Yolo Interfaith Immigration Network, presented by R. Davis.
  - Excellence in Community Involvement: ACME Theater Company, presented by R. Swanson. Intercambio, presented by R. Davis.
  - Public Servant of the Year: Jamie Elliott, presented by L. Frerichs.
  - Young Humanitarian: Jesse Zablotsky and Alyse Lodigiani, presented by W. Arnold
  - Lifetime Achievement: Al Rojas, presented by B. Lee.

City Council recessed at 7:23 p.m. and reconvened at 7:37 p.m.

City Manager Announcements None

City Council Announcements L. Frerichs: Yolo Habitat Conservancy: Reached critical milestone, federal register will be publishing the notice of the EIR within next 2 weeks. City will be hosting public meeting by the end June.

W. Arnold: Attended Cap to Cap in Washington, DC. Joined on city delegation by Mike Webb and Diane Parro.

R. Davis: Police Chief Pytel and Mayor participated in walk about downtown with Davis Chamber. Discussed issues related to homelessness. Also met with incoming UCD Chancellor, reiterated questions that to date Council has not received answers regarding business model, fiscal constraints to denser or greater housing supply and request for discussion regarding occupation of non-residential commercial space in the city. Participated in community forum on social justice with School District, Police Department and non profits at Veterans Memorial Center.

Public Comments

- William Kelly, Stephanie Parrera, Tani Sweeney, Scott Raggsdale, Connor Gorman, Robin Ray-Ebberback, Ilya Alterstorm, Ann Ashwall, Dean Johanson, Al Rojas, Desiree Rojas, Mike Orwells, Colin Walsh, Scott Oblakesly, Jennifer Higgen-Chapman, Eric Gudz, David Greenwald, Nancy Erickson, Emma Hill, Sean Raycraft, and Teresa Geiger: spoke regarding police officer involved incident that occurred on Picnic Day. Comments include: Should have a fair and impartial investigation of incident. Appointment of John McGuinness to conduct investigation was mistake. Police should not police themselves. Why were undercover Police Officers acting so aggressively? Officers involved and Police Chief should be fired, and the charges against the 3 individuals arrested should be dropped. Need a citizens review board to investigate this incident. Need to promote change, peace and equality in community.
- Cecilia Escamilia-Greenwald: Similar situation occurred approximate 10 years ago, met for a year with police and other community members to address issues. Could meet again. Request Council look at Judith McBrine to facilitate discussion with Chief Pytel. Want community to work together.
- Gloria Partida, Davis Phoenix Coalition: Have had good relationship with Police Department. Disappointed when heard investigation was going to be conducted the way that it was. Not keeping with standards set by city.
- Roxanne: Asking for value shift. Would like to see Council be more proactive and act in preventative manner. Police brutality and high rent work together to marginalize. Need to make a rent cap.
- Alan Miller: Celebrating over 100 years of Old East Davis Neighborhood Association. Celebration at K and 4th Street, rededication of mandala and guided tour of neighborhood.
- Adelle Shaw: Consent calendar item—D Street Gardens Ordinance— Current setback is 22 feet; proposed is 12 feet with a 2 story building. Invasion of

privacy. If won't increase setback, then should remove all westerly windows. Parking is inadequate.

- Kirk McGregor: Suggest Bicycling, Transportation, and Street Safety Commission study intersection and traffic issues.
- Alan Hirsch: Davis Futures Forum—May 25 speaker Daniel Zach, award winning planner.

Consent Calendar

Amendment to Professional Services Agreement for Wastewater Treatment Plant Improvement Project, CIP No. 8219

Approved Resolution No. 17-047 - Authorizing the City Manager to Execute Amendment No. 3 to the Professional Services Agreement with Robertson-Bryan, Inc. for the Wastewater Improvements Project

Establishment of the Yolo County Tourism Business Improvement District

1. Approved Resolution No. 17-048 - Granting Consent to the County of Yolo to Establish the Yolo County Tourism Business Improvement District (YCTBID) and include the City of Davis in the YCTBID
2. Approved Resolution No. 17-049 - Authorizing the City Manager to Amend the 2016-2017 Administration Agreement with Visit Yolo to Ensure Transition from the Davis Visitor Attraction Business Improvement District to the Yolo County Tourism Business Improvement District

Amendment to the City's Ground Lease with the Regents of the University of California for the Boy Scout Cabin Property

Approved Resolution No. 17-050 - Authorizing the City Manager to Enter into an Eleventh Amendment to the City's Ground Lease with the Regents of the University of California for the Boy Scout Cabin Property Located at 616 First Street that Extends the Term of the Ground Lease and Purchase Option on the Property

Funding for Well 34 Site Improvements, CIP No. 8174 and Conversion of Wells 31 and 33 to Adjustable Frequency Drive Pumps, Program No. 7522

Approved Budget Adjustment #103 (\$1,798,872) – transferring \$1,762,872 of unallocated Water Capital Replacement Funds and \$36,000 of allocated funds from existing budgeted CIP Projects into the Well 34 project

Second Reading: Ordinance Amending Chapter 40 of the Municipal Code Rezoning the Parcel Located at 2100 Fifth Street (APN #071-405-018), from Planned Development #3-92 to Planned Development #5-15

Adopted Ordinance No. 2498 (Introduced 4/18/2017)

Second Reading: Ordinance Approving a Development Agreement with Uplift Family Services and Din/Cal 3, Inc. Relating to the Sterling Fifth Street Apartments Project, including the Affordable Housing Plan #2-15

Adopted Ordinance No. 2499 (Introduced 4/18/2017)

L. Frerichs recused himself from the following item due to real property interest within 500 feet of the subject site.

Second Reading: Ordinance Amending Section 40.15 of Chapter 40 of the Davis Municipal Code Rezoning Property Generally Located on 426 East 8th Street and 717 “D” Street to Planned Development #9-15

Adopted Ordinance No. 2500 (Introduced 4/25/2017) by the following vote:

AYES: Arnold, Lee, Swanson, Davis

NOES: None

ABSENT: Frerichs (recuse)

Second Reading: Ordinance Adding Article 32.06 to the Davis Municipal Code to Eliminate the Distribution of Non-Compostable and Non-Recyclable Disposable Food Serving Ware

Adopted Ordinance No. 2501 (Introduced 4/25/2017)

Treasurer’s Reports

1. Quarter Ended September 30, 2016
2. Quarter Ended December 31, 2016
3. Quarter Ended March 31, 2017

Accepted the reports

Commission Minutes:

1. Open Space & Habitat Commission Meeting of April 3, 2017
2. Recreation & Park Commission Meetings of February 16 and March 16, 2017

Informational

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

Removed from  
Consent Calendar:

Item removed by L. Frerichs.

L. Frerichs: Woodland City Council voted unanimously to pursue membership in VCEA

Valley Clean  
Energy Alliance  
– City of Woodland  
Membership Request

L. Frerichs moved, seconded by B. Lee, to approve Resolution No. 17-051 – Supporting the City of Woodland’s Request to Join Valley Clean Energy Alliance and Waiving the City’s 45 Day Review Period to Consider a Request by an Eligible Local Government to Join Valley Clean Energy Alliance. Motion passed unanimously.

Public Hearing:  
2017 Weed  
Abatement

Mayor Davis opened the public hearing, and after no comments from property owners who wished to protest the abatement of weeds and grasses on their property to eliminate potential fire hazards, closed the public hearing.

Public Hearing:  
Sustainable

Public Works Director Robert Clarke: Groundwater Agency establishment to comply with state regulations.

Ground Water  
Management  
Act Joint Pow-  
ers Agreement

Mayor Davis opened the public hearing, and after no comments, closed the public hearing.

B. Lee moved, seconded by R. Swanson, to approve Resolution No. 17-052 - Approving the Joint Powers Agreement Establishing the Yolo Subbasin Groundwater Agency and Authorizing the Mayor to Execute the Agreement. Motion passed unanimously.

City Council recessed at 9:10 p.m. and reconvened at 9:17 p.m.

Introduction of  
the Fiscal Year  
2017/18 Pro-  
posed Annual  
Budget

City Manager Dirk Brazil: Budget is proactive, but realistic

Finance Administrator Kelly Fletcher: Budget highlights, General Fund forecast

Public comments

- Nicole Born, Davis Bike Park Alliance; Johnathon Klame; Ken Bradford; and Matt Seitzler spoke supporting the inclusion of bike pump track planning in the budget. Davis Bike Park Association will assist with design, future operations and maintenance of pump track site. Investment will create benefits for community, health and fitness, socialization.
- Teresa Klimer: Listing parking/traffic citations on the budget as revenue fees sends wrong message.
- Connor Gorman: Support homeless outreach staff person; request that person not always be attached to a police unit unless necessary. Resources spent cleaning up homeless camps should be diverted to permanent housing efforts. Capital improvement project funds should be used to fund Third Space Art Collective space and community centers.
- Marc Hoshovsky: No allowance for cost of living adjustment for city staff. Should be intent to provide for staff.
- Matt Williams: Finance and Budget Commission made several recommendations to incorporate into the budget process: detailed reports of specific projects, graphical representations, and template for how to spend sales tax funds. Provide sense of value to citizens. Should have multiple scenarios, and use forecast modeling to show tradeoffs of each.
- Kirk McGregor: Consider parking and benefit district. Revenue could provide for homeless outreach without police assistance. Consider SCADA product to defend against future data breaches. Wetland infrastructure should consider subbasin involvement in groundwater management.
- Ronald Glick: Does CIP budget include traffic control on Second Street? Had fatal accident on street over a year ago and still no light has been installed.
- Paul Jacobs: Presentation helpful for community understanding of budget

Council comments:

B. Lee: Willing to provide more funding to Bike Pump Track to start construction to move more quickly.

Assistant City Manager Mike Webb: Can come back at mid-year update to consider reserve increment funding

W. Arnold: Support bike pump track. Suggest working closely with Bike Park Alliance to bridge delta between their projected costs for buildout and the larger projections from city staff.

B. Lee: Interested in placeholder amount for cannabis tax. Suggest additional resources for traffic enforcement, cars and bikes.

R. Davis: Support more work in fiscal model for parks and pools. Thought we were going to call out subsidies for programs; request estimates if possible. Alternate scenarios with costs and revenues for cannabis.

Measure O Policy Update; Results of Public Outreach on the City's Open Space Program and the Open Space Parcel Tax

Open Space Program Manager Tracie Reynolds: Summarized public outreach efforts and strategic plan. Last year: Acquired 10 acres of open space west of South Fork Preserve, initiated habitat restoration project at F Street and Anderson Road, prepared draft land management plans for South Fork Preserve and Wildhorse

Public comments:

- Teresa Klimer: Need transparency. Describe what funds will cover and what they won't.
- Matt Williams: Need to convey to citizens the value that we get from taxes. Support open space program and staffing. Community survey, focus groups and public forum. Should reconvene workshop to report back on how input was used and project finalized.

B. Lee moved, seconded by L. Frerichs, to affirm the direction being pursued and direct staff to return in July with a finalized strategic plan for open space program for the City Council's consideration and approval. Motion passed unanimously.

B. Lee: City owned land on Mace Curve—should open up parcel for public access. Put down gravel so people can park; consider temporary use.

L. Frerichs: Need further discussion on parcel at F Street and Anderson Road and proposed habitat restoration project

R. Swanson: Check in with USDA on urban limit funding. Support Mace Curve proposal.

W. Arnold: Support Mace Curve proposal. Don't preclude any development in the future.

R. Davis: Consider RFP process for Mace Curve. Evaluate community ideas. Use draft criteria developed for restoration funding proposals to evaluate. F St/Anderson Rd: There are relatively few parcels that city owns; multiple competing demands. At some point, should have discussion about parcel and overall goals that we might have for it. Possibly shouldn't be considered solely an open space project.

City Council  
Brief Commu-  
nications

None

Long Range  
Calendar

D. Brazil: June 6—Panhandling follow-up. June 20-Sewer Rates.

B. Lee: Request check in on yard waste collection program. On street claw collection, additional frequencies during leaf drop. What is working, what isn't? Consider ideas for fine tuning program before September.

B. Lee: Consider adding meeting if needed during summer recess

D. Brazil: Will poll Council schedules

R. Davis: Police issue. Assuming will be some public communication in days ahead?

D. Brazil: Yes, information from City Manager's Office

Adjournment

Meeting was adjourned at 11:30 p.m.

Zoe Mirabile  
City Clerk