

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 6, 2017

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 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

R. Davis: Closed session was canceled and the following was removed from the agenda: Conference with Legal Counsel — Existing Litigation:

A. Burrowing Owl Preservation Society v. City of Davis et al, Yolo Superior Court Case No. PT17-21

B. Davis Citizens Alliance for Responsible Planning v. City of Davis et al, Yolo Superior Court Case No. PT16-444

C. Davis Smart Growth Alliance v. City of Davis et al, Yolo Superior Court Case No. PT17-283

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

City Manager
Announcements

D. Brazil: City received \$230,000 from California Park Department for public access improvements at South Fork Preserve. County also received a similar grant for Grasslands Park. Broadband project—working with consultant on fiber optic study for entire city. Request people take survey. In the Key of Davis project—7 pianos placed in various locations throughout city. Will be in place throughout summer months.

City Council
Announcements

None

Public Com-
ments

- Nora Oldwin, William Keller, Stephanie Carrera, Connor Gorman, Christa Ann Sokoth, Katherine Malinonibaba, Michael Morales, Nancy Erickson, and Francesca Wright spoke regarding the Police-related incident that occurred on Picnic Day. Comments included: Investigation has not progressed; charges should be dropped and officers involved should be arrested for assault. Encourage Council to find police auditor with community input. Need clear policies on use of force and de-escalation. Need Citizens Advisory Committee.

- Bob Schneider, Tuleyome Senior Policy Director, and Michael Holstein, CA Native Plants Society, spoke in support of consent calendar item—Support Protection of Federal Public Lands. Comments included: Collaboration of people working on AJR 15. Passed assembly, floor vote this Thursday. State has 22 national monuments; monuments are national treasures.
- John Swan: Request City use ramps when hoses are placed across bike paths. Purchased one online for less than \$100, donating to City.
- Todd Edelman: Consent calendar item—West Davis Active Adult Community EIR—should include option for higher density, less land, offsite alternative near downtown. Proposed site is too far from downtown and Senior Center. Current design indulges automobile-based lifestyles.
- Jeff Newberry: Positive meeting with Police Chief to ask how Police Department would support ACLU principles. Came away from meeting educated and impressed. Police auditor will be leaving, believe it would be better if there was more transparency.
- Alan Pryor: Over 200 residents participated in online survey about knowledge of pesticide use and preferred look of parks. Many are willing to put up with reduced appearances, and help maintain parks and greenbelts.
- Elizabeth Mosely: Human Relations Commission Applicant.
- Carson Wilcox, Davis Youth Softball Association: Consent calendar item—Recreation & Park Commission actions—Support moving Mace Ranch Park project forward after much community discussion. Looking forward to facilitate more resources for everyone to play. Also support Bike Pump Track project.
- Alan Hirsch: Worked on campaign to fill the 6th district House of Representatives seat in Georgia. Heard talk about how U.S. is viewed by the world. Need to take back the symbol of the flag.
- Matt Williams: Open Space and Habitat Commission recently reviewed the annual budget. Citizens have paid \$10 million in Measure O taxes, just under \$3 million has protected over 2,000 acres of productive farmland. Annual cost of maintenance has been reduced by 40% in last 2 years. Much to celebrate, platform to go forward.

City Council recessed at 7:21 p.m. and reconvened at 7:27 p.m.

Removed from Consent Calendar:

Item removed by B. Lee.

Richards Boulevard Interchange Improvements, CIP No. 8730

B. Lee: Majority of funds are for preparatory work with goal of obtaining funds from other entities. Rough conceptual design.

Public comment:

- Todd Edelman: Need to design safe cycling and walking infrastructure, should subcontract design to firm with experience with non-motorized mode. Current design doesn't use class 4 bike lanes.

B. Lee: Will have flexibility for improved designs.

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

1. Approve Resolution No. 17-055 - Authorizing Approval of Task Order No. 10 with Mark Thomas & Co. Consultants as Part of Their On-Call Engineering Services for the Design of the Richards Boulevard and Interstate 80 Interchange Project, and increasing the maximum not-to-exceed limit from \$1,000,000 to \$2,000,000
 2. Approve Budget Adjustment #111 (\$1,554,763) – allocating Roadway Impact Fee funds to prepare the Project Approval and Environmental Documentation and the Plans, Specifications and Estimates for construction of the project
- Motion passed unanimously.

Tenant Selection Process to Allow for a Ranked Preference of New Affordable Rental Housing Units

Item removed by L. Frerichs.

L. Frerichs: Some adult students are eligible to live in subsidized affordable housing, such as single parents.

Assistant City Manager Kelly Stachowicz: Can add additional criteria that will be equally weighted, and definition of full time student.

L. Frerichs moved, seconded by B. Lee, to approve Resolution No. 17-056 – Adopting Tenant Selection Guidelines for New Affordable Rental Housing, amended as follows:

- Modify to additive process in terms of points
- Add criteria and definition of full time student adult member household

H. Steiner: Will discuss with housing experts to make sure complies with fair housing laws and that any impacts are not discriminatory. Need to have documentation to show it would be reflective of Yolo community. If issues are raised, will return to Council.

Motion passed unanimously.

Consent Calendar

Amendment to Sub-Recipient Agreement with SACOG for Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) Funding for the Purchase of Paratransit Buses for Davis Community Transit
Approved Resolution No. 17-057 - Authorizing the City Manager to Execute a Sub-Recipient Agreement Amendment with SACOG for State PTMISEA Funding

Grant Application to the Federal Transit Administration (FTA) for Fiscal Year 2017 Public Transportation Services Projects

Approved Resolution No. 17-058 - Authorizing the City Manager to Submit a FTA Grant Application and Execute a Sub Recipient Agreement with the University of California-Davis for Operations and Capital Assistance of Unitrans

City of Davis/Unitrans Title VI Program and Language Assistance Plan

Approved Resolution No. 17-059 - Affirming the 2017 City of Davis/Unitrans Title VI Program and Language Assistance Plan

Support of the Carbon Fee and Dividend Program

Approved Resolution No. 17-060 - Supporting the Carbon Fee and Dividend Program and authorize Mayor to sign a letter to Congress on behalf of the City of Davis in support of Carbon Fee and Dividend

Support Protection of Federal Public Lands, Including the Berryessa Snow Mountain National Monument

Approved Resolution No. 17-061 - Supporting Assembly Joint Resolution 15 for the Continued Protection of the Berryessa Snow Mountain National Monument and Continued Usage of the 1906 Antiquities Act to Protect Federal Public Lands

Second Reading: Ordinance Adding Article 17.03 to the Davis Municipal Code to Enact Procedures and Prohibitions Regarding the Distribution of Beverage Straws to Reduce Waste and Setting Forth the Penalties for Violation

Adopted Ordinance No. 2502 (Introduced 05/23/2017)

Second Reading: Ordinance Adding Article 40.26B to the Davis Municipal Code Related to Zoning of Commercial Cannabis Manufacturing, Testing, Research, and Distribution Business in the City; and Amending Sections 40.30A.030, 40.30A.070 and 40.30A.080 to Make Clarifying Edits to the Existing Administrative Use Permit Findings

Adopted Ordinance No. 2503 (Introduced 05/23/2017)

Second Reading: Ordinance Approving the First Supplement and Amendment to Development Agreement Regarding the Chiles Ranch Subdivision Project

Adopted Ordinance No. 2504 (Introduced 05/23/2017)

West Davis Active Adult Community Environmental Impact Report (EIR) Project Alternatives

Directed staff to proceed with inclusion of the following project alternatives to be evaluated in the EIR:

1. No Project, No Build Alternative
2. Higher Density, Less Land Alternative
3. Conventional (Non-Age Restricted) Alternative
4. Off-Site (Inside Mace Curve) Alternative

City Council Minutes from the Meetings of December 6 and 20, 2016

Approved minutes

Recreation and Park Commission Minutes of December 15, 2016; January 19 and April 20, 2017

1. Received the minutes as informational
2. Approved the following action items:

- a. Meeting of January 19, 2017: Approve the 2017 Recreation and Park Commission Work Plan
- b. Meeting of April 20, 2017: Approve the proposed donation of materials for field improvements at Mace Ranch Community Park as proposed by the Davis Youth Softball Association (DYSA), including a storage unit while minimizing the negative impacts to the surrounding neighborhood

W. Arnold moved, seconded by L. Frerichs, to approve the consent calendar as listed above. Motion passed unanimously.

Commission Structure and Appointments to Advisory Committee/ Commissions

Public comments:

- Nathan Streeter: Unitrans Advisory Committee applicant.
- Diane Carlson-Biggs: Civic Arts Commission applicant.
- Elizabeth Mosley: Human Relations Commission applicant.
- Bernita Toney: Social Services Commission applicant, current member.
- Kyle Gayman: Tree Commission applicant.

W. Arnold moved, seconded by B. Lee, as follows:

1. Approve Resolution No. 17-062 – Regarding the Structure and Purpose of the Senior Citizen Commission;
2. Retain the Recreation & Parks Commission authorizing resolution in its current state;
3. Amend the membership of the Human Relations Commission to add 2 new regular members for a term of 2 years each; and
4. Eliminate inter-commission liaison assignments and direct staff to return with amendments to enabling resolutions as needed.

Motion passed unanimously.

Council appointed applicants to commissions based on a grid voting system:

Civic Arts Commission								
3 Regular (06/30/21); 1 Alternate (6/30/19)								
Commission Applicants		WA	RD	LF	BL	RS	TOTAL	APPOINT
Carlson-Biggs	Diane	X	X	X	X	X	5	Regular
Csontos	Timothy						0	
Joshi	Nikhil	X	X	X	X	X	5	Alternate
Makker	Maya	X	X	X	X	X	5	Regular
Raymond	Zinzi	X	X	X	X	X	5	Regular
Schoen	Marti						0	

L. Frerichs moved, seconded by R. Swanson, to appoint Nik Joshi as the alternate to CAC. Motion passed unanimously.

Human Relations Commission								
4 Regular (06/30/21); 2 New Regular (6/30/19)								
Commission Applicants		WA	RD	LF	BL	RS	TOTAL	APPOINT
Allen	Sheila	X	X	X	X	X	5	Regular 4yr
Azam	Mariyam						0	
Clinton	Yvonne	X	X	X	X	X	5	Regular 4yr
Costa	Katelyn						0	
Davis	Ryan	X	X	X	X	X	5	Regular 2yr
DeSanti	Lisa						0	
Granda	Sara	X					1	
Harland	Bruce						0	
Mosley	Elizabeth	X	X	X	X	X	5	Regular 2yr
Myers	Christopher						0	
O'Rourke-Powell	Emma		X	X	X	X	4	Regular 4yr
Partida	Gloria	X	X	X	X	X	5	Regular 4yr
Russell	Donna						0	
Turner	Mary Ann						0	
Wendlenner	Kurt						0	

W. Arnold moved, seconded by L. Frerichs, to appoint Ryan Davis to 2 year term.

B. Lee moved substitute motion, seconded by R. Swanson, to appoint existing members Sheila Allen, Emma O'Rourke-Powell, Gloria Partida, and Yvonne Clinton to serve for 4-year terms; and appoint new members Ryan Davis, Elizabeth Mosley to be appointed to 2-year terms. Motion passed unanimously.

Social Services Commission								
4 Regular (06/30/21)								
Commission Applicants		WA	RD	LF	BL	RS	TOTAL	APPOINT
Davis	Ryan						0	
Eichele	Larry						0	
Granda	Sara	X					1	
Harland	Bruce						0	

Kalman	Donald	X	X	X	X	X	5	Regular
Myers	Christopher						0	
Raymond	Zinzi						0	
Russell	Donna						0	
Toney	Bernita	X	X	X	X	X	5	Regular
Wendlenner	Kurt		X	X	X	X	4	Regular
Wise	Matthew	X	X	X	X	X	5	Regular

Tree Commission								
3 Regular (06/30/21); 1 Alternate (06/31/19)								
Commission Applicants		WA	RD	LF	BL	RS	TOTAL	APPOINT
Gayman	Kyle	X	X	X	X	X	5	Regular
Parker	Stacey	X	X	X	X	X	5	Regular
Robinson	David	X	X	X	X	X	5	Regular

Unitrans Advisory Committee								
1 Regular (12/31/20)								
Commission Applicants		WA	RD	LF	BL	RS	TOTAL	APPOINT
Gayman	Kyle						0	
Reyes	Frank		X	X	X		3	Regular
Streeter	Nathan	X				X	2	Regular

Utility Rate Advisory Commission								
1 Alternate (12/31/18)								
Commission Applicants		WA	RD	LF	BL	RS	TOTAL	APPOINT
Azam	Mariyam	X	X	X	X	X	5	Alternate

Public Hearing:
Proposed
Changes to Fees
& Charges –
Fiscal Years
2017/18
through
2021/2022

Financial Services Manager Pamela Day: Proposed fees for 2017/18 have been incremented by the December 2016 Consumer Price Index for All Urban Consumers (CPI-U) of 3.5% and fees for 2018/19 through 2021/22 will be increased commensurately with CPI-U. Staff will return to Council for any increases above the proposed CPI-U or for a change in methodology.

Police Chief Darren Pytel: Correction to no parking sign fees: \$13.00 for review and initial sign, lesser fee for additional signs.

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

1. Approve Resolution No. 17-063 - Adopting Changes to Certain Fees and Charges for the Provision of Services by City Departments, as amended to include correction to parking sign fees; and
2. Approve Resolution No. 17-064 - Adopting Changes to Certain Fees and Charges for the Provision of Services By the Department of Community Development and Sustainability Planning Division and Public Works Developer Fees

Motion passed unanimously.

Review of the
FY 2017-2018
Proposed Annual
Budget

Assistant City Manager Kelly Stachowicz: Amendment to previous presentation of budget—increased funding to bike pump track project utilizing impact fees.

Public comments:

- John Claire, Davis Bike Alliance: Thank Council for supporting bike pump track. Ready to move forward on site selection.
- Eric Gudz: Suggest using cannabis tax funds for youth counselors and teen services. Bicycling, Transportation, and Street Safety Commission will discuss proposals for annual Transportation Implementation Plan review. Pilot program for new park and ride express shuttles to downtown core from periphery. Ask Council to prioritize consideration of this project in budget discussions.
- Connor Gorman: City has not addressed subsidizing general community center to serve functions for artists and other community members. Oppose funding for homeless camp cleanup unless funds are also provided for relocation efforts.
- Matt Williams: Finance and Budget Commission meeting next week will discuss the budget. Discussed econometric models with Professor Harvey in Pavement Management Program at UC Davis, hope to save city as much as 30% on pavement repairs; will try to agendaize in July for FBC discussion. Bike pump track should consider location at F and Anderson as possible site.

Council comments included:

R. Davis: Request response to Finance & Budget Commission be provided in writing to Council

Finance Administrator Kelly Fletcher: Will provide copy to Council

L. Frerichs: Increase to minimum wage, potential shortfall for transit operations.

R. Davis: In early fall, request agendaize discussion of transit operations to include funding needs

R. Davis: Request re-examining during mid-year budget review: Funding set aside for municipal golf course—fund balances set aside by policy, established at a certain time for a certain reason.

City Council recessed at 8:57 p.m. and reconvened at 9:08 p.m.

Downtown
Parking In-lieu
Fee

Community Development Administrator Katherine Hess: City zoning ordinance allows property owners to provide parking via options. Downtown Parking Task Force recommended the city evaluate the cost of parking in lieu fees.

Steffen Turoff, Walker Parking Consultants: Summary of constraints and opportunities, stakeholder concerns. Recommendation is to incrementally add spaces, make more efficient, bring spaces in from private supply, increase bike parking. Recommend fee of \$8,700 per required space, use fees more broadly, and clarify when payment is required.

K. Hess: Beginning to look at Core Area policies in general. Hope evaluation will provide long-term projections for development. Anticipate establishing fees using Walker methodologies with potential development projections.

Public comments:

- Todd Edelman, Deep Streets Davis: Consider increased in lieu fee an interim measure. Current fee is low, but has been collected for a while and not spent, could be used to pay for a new bus. Suggest delay permanent impact or in lieu fees until Core Area Plan is reviewed, then decide how to pay for it.
- Connor Gorman: Support fee increase, reducing private parking lots, and increasing incentives for walking and biking. Potential for parking structures far from downtown with shuttle. Free up space downtown for possible development of high-density housing.
- Alan Hirsch: Recommendations are sound. Good structure. Flexible use of funds is a good step forward. Use funds to help facilitate transit operations.
- Matt Williams: Need more parking. Suggest in lieu fees for conversion of structure from one use to another with widely varying parking needs. Peaks in use. How does that work in parking program?
- Dobie Fleeman: Downtown business conversions to restaurants revives activity downtown, but impacts traffic. Consider reinstituting parking district approach. Consider discussing in terms of loads. Palo Alto imposes \$60,000 parking in lieu fee. Need better understanding why unable to build office dweller environment downtown to densify.
- Michael Bisch, Davis Commercial Properties: In lieu fee program has never been used to add to parking supply or management. Bulk of downtown reinvestment used in lieu funds. Have struggled building and promoting a vibrant downtown. Severe constraint on housing supply and commercial space downtown.

Councilmember comments included:

R. Swanson: Should get more stakeholders involved and have more direct conversations. Other impacts into downtown—development outside core. Be more creative with use of fees. Who is utilizing parking? Students? People from out of town? Consider timing of use. Population fluctuations from university and additional use depending on weather conditions. Revisit valet parking. Support increase in fees and clarity/consistency.

B. Lee: Support approximately \$8,700 fee. Clarity/consistency. Support fees for change of use. Support broader definition of what fees will be used for. Fees should be used to more effectively utilize existing supply. Consider using fees for better lighting and a parking attendant at structures. Make safer for people to park especially during the evening. Should not wait until core area specific plan is finished before fees are increased. Adopt in interim, then review again.

L. Frerichs: Support increase. Support fees for conversion in use. Increase as interim step. Just beginning update of core area specific plan. Get more input from stakeholders, downtown merchants, Chamber of Commerce. Support clarity/consistency when payment is required. Consider changing technologies—need to anticipate such as autonomous vehicles.

R. Davis: Clarity/consistency. Conversions/changes in use and how fees should be applied. Core Area Specific Plan update and how to queue up projects. Increase in interim. Creativity in use of funds and expanding supply. Keep focused on ultimate goal of redevelopment of downtown—more people living, working downtown. Consider change in structure—impact fee, not simply parking in lieu.

K. Hess: Staff will move forward with incremental pieces of implementation

City Council
Brief Commu-
nications

R. Swanson: Gala to raise money for art downtown; ongoing maintenance. Plan to address maintenance.

City Manager Dirk Brazil: Will get date to bring back

Long Range
Calendar

D. Brazil: Adding Ace Hardware Appeal on June 20

Public comment:

- Alan Hirsch: Tree Commission joint discussion should be postponed. Commission has not had time to prepare. Substantial tree issues to be addressed. Downtown trees are inhibiting business development. Need to move to a different cycle on trimming trees.
- Eric Gudz: Request clarification—Previous long range calendars included July 11 for cannabis dispensaries, current long range calendar lists next steps, but not ordinance.

Assistant City Manager Mike Webb: June 20- item on regulatory business license and introduction of discussion on dispensaries. May bring ordinance as soon as July 11. Waiting for preliminary direction from Council before scheduling.

R. Swanson: Timeline or update on scope of police auditor and public engagements on police relations and independent investigation.

D. Brazil: Ombudsman contract included in budget, will release RFP. Will bring back police surveillance item on July 11. Police Chief met with Community Advisory Board to discuss facilitated community conversation to be scheduled.

R. Swanson: Request brief update on activities at next meeting before public comment

B. Lee: Address public comment concern on Tree Commission joint meeting.

D. Brazil: Will talk to staff. Want to have a meaningful discussion with Council.

B. Lee: Request update on whether certain murals were rejected by Civic Arts Commission for undertaking ongoing maintenance

W. Arnold: Commission wanted further clarification about specific pieces

D. Brazil: Complexity to taking murals in as city and maintaining. Begins with record keeping.

R. Davis: Request item on ombudsman before summer recess. Options on how to structure oversight.

D. Brazil: Meeting with Police Chief tomorrow. Will agendaize.

Adjournment Meeting was adjourned at 10:37 p.m.

Zoe Mirabile
City Clerk