

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of June 19, 2018

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 Mike Webb, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Approval of Agenda L. Frerichs moved, seconded by R. Swanson, 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 Labor Negotiators.

Agency Designated Representatives: City Manager Mike Webb; Assistant City Manager Kelly Stachowicz; Human Resources Administrator Janet Emmett; Patrick Clark, Patrick Clark Consulting

Employee Groups/Organizations (under discussion): Davis City Employees Association; Firefighters Local 3494; Unrepresented Employees

B. Public Employee Performance Evaluation: City Manager

City Council returned to open session at 6:35 with no reportable action.

Ceremonial Presentations

A. Poetry Reading by City of Davis Poet Laureate Dr. Andy Jones

B. Proclamation Designating July 2018 as National Parks & Recreation Month, presented by W. Arnold

C. Proclamation Honoring the 30th Anniversary of the Putah Creek Council, presented by L. Frerichs

D. R. Davis presented gift of appreciation to staff member Cristina Gagnon for Services to the City Council

Presentation: Putah Creek Coordinating Council Update

Board Chair Stephen McCord: Current activities and plans—education and docent programs, stewardship team, summer restoration internship, native plant nursery, putah creek cleanups, restoration projects, restoration planning.

City Manager Announcements

M. Webb: Downtown Davis Plan Virtual Workshop conducted through June 28; Central Park playground grand opening June 30; 4th of July celebration

will be held at Community Park.

City Council
Announcements

None

Public Com-
ments

- John Swann, Bike Davis: consent item 32A Crossing MOU—Request Union Pacific fund preliminary review rather than have County seek grant.
- Alan Pryor: Oppose employee MOUs on consent calendar—excessive and unsustainable compensation increases.
- Joy Cohan, Yolo Food Bank: Support Food Policy Council on consent calendar.
- Diane Carlson Biggs: Civic Arts Commission letter—thank Council for increasing arts funding.
- Ken Bradford: Striping Policy item on regular calendar—Request strengthening polices to make bike lanes safer.
- Alan Miller: Request area between Pole Line and L Street striped for bicycle safety. Thank Council for engaging on street light issue.
- Ken Wagstaff, Citizens Who Care: Appreciate being grantee for Community Development Block Grant funds. Thank outgoing Councilmembers for service.

M. Webb: PG&E conversion project—positive feedback from test lights. Prepared to issue PG&E Notice to Proceed on project, will be complete within 90-120 days.

Consent Calen-
dar

Landscape Maintenance Contract, North West Davis

Approved Resolution No. 18-097 – Authorizing the City Manager or His Designee to Execute a Contract with Signature Coast Holding, LLC, dba Coast Landscape Management for a Landscape Maintenance Contract for North West City Locations

Fiscal Year 2017-18 and FY 18-19 Extension Option Animal Services Contract with Yolo County Sheriff’s Department

1. Approved Resolution No. 18-098 – Authorizing the City Manager to Execute Agreement Between County of Yolo and City of Davis for Animal Control Services
2. Approved Budget Adjustment #111 (\$185,922) – transferring funds from the General Fund Reserve to the Police Department budget to cover the gap in budgeted funds in FY 2017-18

Fourth Amendment to Consultant Agreement for Environmental Analysis of Boy Scout Cabin Property

1. Approved Resolution No. 18-099 – Authorizing (1) the City Manager to Execute a Fourth Amendment to the Agreement for Consultant Services with Kennedy/Jenks Consultants to Complete the Final Phase of an Environmental Analysis of the Boy Scout Cabin Property to Determine if the

City Should Exercise its Purchase Option with the Landowner, the Regents of the University of California, and (2) Approval of the Associated Budget Adjustment to Pay for the Environmental Analysis Proposed Under the Fourth Amendment

2. Approved Budget Adjustment #134 (\$41,330) – allocating Davis Land Acquisitions Funds

First Amendment to Reciprocal Easement Agreement – Regal Theater and Parking Garage at First and F Streets

Approved Resolution No. 18-100 – Authorizing the City Manager to Execute a First Amendment to the Reciprocal Easement, Operation and Maintenance Agreement with Restrictions and Covenants with Signature Real Estate Equities LLC to Ensure that Signature Makes Certain Improvements to the Regal Theater at First and F Streets in 2018

Union Pacific Railroad Memorandum of Understanding for County Road 32A Crossing – UPRR, Yolo County, SACOG, Yolo County Farm Bureau and Bike Davis

Approved Resolution No. 18-101 – Approving the Memorandum of Understanding Regarding the Road 32A Railroad Crossing in Yolo County, California

Fiscal Year 2018-19 Park Maintenance and Open Space Protection Special Taxes

1. Approved Resolutions No. 18-102 and 18-103 – Requesting Collection of Charges on Tax Roll for (1) Park Maintenance and (2) Open Space Protection Special Taxes
2. Authorized Mayor to sign Certifications of Special Tax

Fiscal Year 2018-19 Mello-Roos Community Facilities Tax Assessments:

1. Approved Resolutions Fixing Fiscal Year 2018-19 Tax Rates for the following:
 - A. No. 18-104 – Community Facilities District 1990-1 (East Davis)
 - B. No. 18-105 – Community Facilities District 1990-2 (East Davis/Mace)
 - C. No. 18-106 – Community Facilities District 1990-3 (North Central Davis)
 - D. No. 18-107 – Community Facilities District 1990-4 (South Davis)
 - E. No. 18-108 – Community Facilities District 1990-5 (West Davis)
 - F. No. 18-109 – Community Facilities District 1991-2 (East Davis/Mace)
 - G. No. 18-110 – Community Facilities District 2007-2 (East Davis/Mace Ranch II)
 - H. No. 18-111 – Community Facilities District 2015-1 (Cannery)
2. Approved Resolutions Requesting Collection of Charges on Tax Rolls for Fiscal Year 2018-19 for the following:
 - A. No. 18-112 – Community Facilities District Series 2009 Special Tax
 - B. No. 18-113 – Community Facilities District 1991-2 (East Davis-Mace)

- Ranch Area) Series 2007 Special Tax
- C. No. 18-114 – Community Facilities District 2007-2 (East Davis Mace Ranch Area II) Series 2007 Special Tax
- D. No. 18-115 – Community Facilities District 2015-1 (Cannery) 2015 Special Tax
- 3. Authorized Mayor to sign Certifications of Special Tax

Second Reading: Ordinance Amending the Contract Between the Board of Administration of the Public Employees’ Retirement System and the City of Davis

Adopted Ordinance No. 2532 (Introduced 05/15/2018)

W. Arnold recused from the following due to prior business relationship between applicant and parent:

Second Reading of Ordinances Relating to the West Davis Active Adult Community Project:

1. Ordinance No. 2533 – Amending Chapter 40 of the Davis Municipal Code, Rezoning the Project Site, Consisting of Approximately 74 Acres Located at the Northwest Corner of the Intersection of Covell Boulevard and Risling Court, from Agriculture (A) to Preliminary Planned Development (PD) #03-16
2. Ordinance No. 2534 – Approving an Agreement By and Between the City of Davis, Binning Ranch Holding Company, and J. David Taormino Relating to the Development of the West Davis Active Adult Community Project

Adopted the above Ordinances (Introduced 06/12/2018) by the following vote:

AYES: Frerichs, Lee, Swanson, Davis
 NOES: None
 ABSENT: Arnold (recuse)

Update on Educational and Training Opportunities to Improve Roadway Design

1. Received an update on staff efforts to research educational and training opportunities to improve roadway design
2. Authorized staff to utilize a portion of the \$40,000 educational and training budget from the Sterling Apartment developer agreement to pay for a four-day study mission to the Netherlands

Consent for a Waiver of a Legal Conflict under the Legal Professional Ethics Rules from Best & Krieger

1. Authorized the City Manager to sign the requested waiver on behalf of the City
2. Authorized the City Manager to seek outside legal counsel to represent the City regarding the UC Davis LRDP, both legal advice and, potentially, including but not limited to litigation against the Regents related to CEQA compliance and to the LRDP, should the City decide to pursue litigation
3. Appointed a Council Subcommittee of Brett Lee and Will Arnold to work

with the City Manager regarding selection of outside legal counsel and City preparation and participation on actions related to potential approval of the LRDP

Food Policy Council

Explored the formation of a Food Policy Council for the City of Davis by directing staff to work with community members to prepare potential framework(s)

Surveillance Technologies – Impact and Use Reports:

1. Automated License Plate Readers (ALPR)
2. Care Trak System
3. Crisis Negotiations Equipment
4. Explosive Ordinance Disposal Robot
5. Police Body-Worn Cameras/In-car Cameras

Informational. Staff reports are submitted as informational on the consent calendar at least 30 days prior to public hearings for the police department to continue to use the specified surveillance technologies.

Council Goals 2016-2018 –Update

Informational

R. Swanson recused from the following due to lease hold interest on 2nd Street: Cannabis Retailer Conditional Use Permit Applications Findings and Conditions

1. Approved 5 Resolutions to Approve Cannabis Retailer Sites and Making Certain Findings in Support Thereof; and Approve Conditions of Approval for the following five applications:

No. 18-116 – PA #17-67, CUP #4-17; 1605 2nd Street; California Grown

No. 18-117 – PA #17-70, CUP #6-17; 946 Olive Drive; Kind Farma

No. 18-118 – PA #17-72, CUP #8-17; 2121 2nd St., C-101; Davis Cannabis Collective

No. 18-119 – PA #17-73, CUP #9-17; 416 F Street; F Street Dispensary

No. 18-120 – PA #17-79, CUP #16-17; 965 Olive Drive; Greenbar

2. Approved Resolution No. 18-121 – Denying Issuance of Cannabis Retailer Conditional Use Permits to Certain Proposed Locations and Making Certain Findings of Fact in Support Thereof for the following:

PA #17-75, CUP #11-17; 514 3rd Street; The Good People Farms

PA #17-77, CUP #13-17; 1100 W. Chiles Road; River City Phoenix

PA #17-78, CUP #14-17; 325 G Street; All Good Wellness

PA #17-80, CUP #15-17; 1221 3rd Street; Davis Cannabis Company

PA #17-81, CUP #17-17; 117 D Street; Manna Roots

by the following vote:

AYES: Arnold, Lee, Frerichs, Davis

NOES: None

ABSENT: Swanson (recuse)

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

Removed from
Consent Calendar:

Item removed for discussion by B. Lee.

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

Memorandums
of Understanding – PASEA &
General Management Em-
ployees

Program Administrative & Support Employees Association:

1. Approved Resolution No. 18-122 – Adopting a Memorandum of Understanding with Program, Administrative and Support Employees Association
2. Authorized City Manager to approve budget adjustments as necessary to implement the MOU

Individual General Management Employees:

1. Approved Resolution No. 18-123 – Adopting a Memorandum of Understanding with Individual General Management Employees
2. Authorized City Manager to approve budget adjustments as necessary to implement the MOU

Motion passed unanimously.

Public Hearing:
2018-19 CDBG
& HOME Fund-
ing Recommen-
dations; Annual
Action Plan

Assistant City Manager Kelly Stachowicz: Received funding allocations in May.

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. 18-124 – Awarding 2018-19 Allocation of CDBG Funds in the Amount of \$672,343 and HOME Funds in the Amount of \$438,492, contingent upon funding provided by Housing and Urban Development (HUD) and authorizes submittal of the required One-Year Action Plan. Motion passed unanimously.

Public Hearing:
TEFRA Hear-
ing – Walnut
Terrace, Wind-
mere & Wind-
mere II (Walnut
Windmere)
Apartments Af-
fordable Hous-
ing Project

Assistant City Manager Kelly Stachowicz: Overview

Mayor Davis opened the public hearing.

Mary Jo Bryan: Understand apartment rents are increasing over \$100 per month. Already \$800+ per month for affordable unit.

J.R. Stocco, CHOC Housing: Rents have not been increased for last 3-4 years. Increases will help pay for bond debt to replace appliances, rehab properties with new roof, windows, etc.

Mayor Davis closed the public hearing.

R. Swanson moved, seconded by L. Frerichs, to approve Resolution No. 18-125 – Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority (CMFA) in an Aggregate Principal Amount Not to Exceed \$21,000,000 to Finance Three Rental Residential Facilities for Low Income Seniors and Families for the Benefit of Walnut Windmere LP (or an Affiliate Thereof), and Certain Other Matters Relating Thereto. Motion passed unanimously.

Adoption of the Fiscal Year 2018-2019 Annual Budget

Finance Administrator Kelly Fletcher: Summarized changes to budget since introduction in May. Correction to Exhibit F—fund transfers.

Public comment:

- Connor Gorman: Concerned about intended uses for K-9 unit. Police Accountability Commission should be funded appropriately.

B. Lee moved, seconded by R. Swanson, to adopt Urgency Ordinance No. 2535 - Approving and Adopting Final Budget of the City of Davis and the Former Davis Redevelopment Agency for the Fiscal Year 2018-2019, Providing for the Post-Auditing of Paid Demands Certified or Approved as Conforming to Such Approved Budget and Determining the Appropriations Limit of the City of Davis Pursuant to Article XIII-B of the State Constitution. Motion passed unanimously.

City Council recessed at 8:04 p.m. and reconvened at 8:11 p.m.

Review of Striping Policy Implementation

Assistant City Engineer Brian Mickelson: Summarized options and costs.

Public comments:

- Darrell Dickey, Nico Fauchier-Magnan, Dan Fuchs, Susan Handy, Diane Swann, Steve Tracy, and Mont Hubbard, all from Bike Davis: Support implementing new striping standards immediately. City should apply for SB1 funding with comprehensive striping package citywide.
- Mary Jo Bryan: Pole Line and Fifth Street need bike lanes throughout corridors.
- Alan Miller: Support prioritizing safety improvements.
- Nancy Warden: Consider high bike usage when prioritizing funding.

Council comments included:

Request staff analyze ways to reduce costs—on-call striping crew, allow ghost lines to degrade. Develop map with priority areas—focus on corridors with high bike traffic to schools, downtown, recreational areas.

W. Arnold moved, seconded by R. Swanson, to direct staff to implement new standards and provide annual funding to accomplish the conversion; return to Council with options and funding plan to implement. Motion passed unani-

mously.

Item Submitted
by Councilmember
(Lee): City
Council Meeting
Procedures

B. Lee: Interested in streamlining procedures.

Public comment:

Connor Gorman: Support fewer than 5 people for additional time.. Support abiding by times posted on agendas when possible.

Council comments included:

L. Frerichs: Set aside set amount of time for general public comments, when time elapses, postpone to end of meeting. Consider comment cards to help gauge how many people are speaking on each item.

W. Arnold: Support set amount of time for general public comments. Explore ways to do that during regular items. Should retain 3-minute standards. Ok with eliminating 5 minutes for 5 people—support adding time for 2 people combining. Recognize certain organizations with additional time for certain items.

R. Swanson: Organizations should comment during item presentations. Should attempt comment cards. Support retaining 3 minutes; encourage 1-2-3 minute intervals. Support joint commission discussions and set time for public comments.

R. Davis: Additional time for organizations = recognized relationship/partnership with city. Oppose comment cards, can be confusing process. Streamline audience knowledge of rules; simple and concise. Support low barrier to participation. Support set time for general public comments, then postpone. Use 1-2-3 intervals. Gifting time might get too complicated.

B. Lee: Interested in City Manager providing general answers to items brought up during public comments. Consider blocking out time for unexpected issues—such as a big group with similar comments. Council packet—staff include in packet what Council should read in order to have comprehensive discussion. Prioritize research—identify what is necessary for fuller understanding. Joint meeting with commissions once a month. Goal to meet with all within 18 months. Council discussion—propose initial poll to determine where Council interests and opinions are.

City Council
Brief Communications

R. Davis: Presented gifts of appreciation to staff—Harriet Steiner, Kelly Stachowicz and Mike Webb—and Council colleagues.

R. Swanson: July 9—co-host party with R. Davis following Council ceremonial induction meeting at Bicycle Hall of Fame; community members and staff invited to participate.

Tentative Meeting Schedule City Manager Mike Webb: September 11—workshop on Davis Downtown Plan effort with Planning Commission and Downtown Plan Advisory Committee.

Adjournment Meeting was adjourned at 10:12 p.m.

Zoe Mirabile
City Clerk