

MINUTES OF THE DAVIS CITY COUNCIL AND REDEVELOPMENT AGENCY
Meeting of October 18, 2011

The City Council and Redevelopment Agency of the City of Davis met in regular concurrent session beginning at 6:00 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Krovoza.

Roll Call: Councilmembers Present: Sue Greenwald, Joe Krovoza, Stephen Souza, Rochelle Swanson, Dan Wolk

Councilmembers Absent: None

Other Officers Present: City Manager Steve Pinkerton, City Attorney Harriet Steiner, City Clerk Zoe Mirabile

Closed Session City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel – Existing Litigation:
A. Newpath Networks, LLC v. City of Davis, Federal District Court, Eastern District Case No. 2:10 CV-00236-GEB-KJM
B. City of Davis v. Newpath Networks, LLC, California Public Utilities Commission Case No. C. 10-03-011

City Council returned to open session at 6:44 p.m. with no reportable action.

Approval of Agenda City Manager Steve Pinkerton: Staff removing Purpose, Eligibility Criteria, and Financing of the Teen Services Support Fund from the agenda for further staff review.

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

Ceremonial Presentation Proclamations of Appreciation for Contributions to the 2011 4th of July Fireworks Display–Coldwell Banker, Bobby Coyote, Owner of Dos Coyotes Border Café, and the Marketplace Merchants presented by Mayor Pro Tem Swanson.

Performance by Davis High School Advanced Treble Choir. Proclamation Recognizing October 24, 2011 as United Nations Day and October 24-31 as Support UNICEF Week presented by Councilmember Dan Wolk.

Brief Communications All Councilmembers attended COOL Davis festival; thanked organizers.

R. Swanson: Attended Agriquest ribbon cutting and Cesar Chavez Plaza ground opening. Will be leaving tomorrow to participate in a sister city delegation to Inuyama, Japan.

J. Krovoza: October 25 event featuring author David Gershon, Low Carbon Diet, to be held in Community Chambers. Goal is to move toward goal of 75% of Davis households reducing carbon footprint. Event will be televised.

Received offer from Davis Bike Club to pay for bike fix-it stations. Staff working with club to determine appropriate locations for 4 stations.

Yolo County Concillio held fundraiser. Provided 14 scholarships this year.

Public Comment

- Alan Pryor: Natural Resources Commission applicant
- Roul Renault: Bicycle Advisory Commission applicant
- Freddie Oakley: Volunteer at Interfaith Rotating Winter Shelter, support consent calendar item regarding waiving fee for use permit; support permanent solution to problem.

Consent

(CC) Drummond Bike Under-crossing and Roundabout Land Acquisition
Approved Resolution No. 11-162 - Authorizing the City Clerk to Sign the Certificates of Acceptance Necessary to Acquire the Rights of Way, Easements and Greenbelt Parcels Necessary to Complete the Drummond Road Roundabout and Bike Connection/Greenbelt

(CC) Proposition 84 Grant Application for the Putah Creek Downtown Davis Parkway Greening Project – Landscape Improvements to the section of Putah Creek Parkway between the I-80 Undercrossing and Railroad Undercrossing Connecting to the Arboretum and West of Olive Drive
Approved Resolution No. 11-163 - Approving the Application for Grant Funds for the Urban Greening Grant Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Putah Creek Downtown Davis Parkway Greening Project

(CC) Lease Agreement for Village Harvest Storage at 233 and 239 J Street
Approved Resolution No. 11-164 - Authorizing Execution of an Agreement with Solar Community Housing Association and Village Harvest for Village Harvest Storage at 233 and 239 J Street

(CC) Consultant Agreements for City’s National Pollutant Discharge Elimination System (NPDES) Wastewater Permit Renewal
Approved Resolution No. 11-165 - Authorizing the City Manager to Execute Consultant Agreements with Larry Walker Associates (LWA), [in the amount of \$73,500 to provide technical assistance], and Somach Simmons & Dunn (SSD), [in the amount of \$179,000 for legal representation], for NPDES Permit Renewal Activities, Program No. 7320

(CC) Fourth Amendment to the Subdivision Agreement for Zelkova Court, Subdivision No. 4569
Approved Resolution No. 11-166 - Approving and Authorizing the City Man-

ager to Sign Fourth Amendment to the Subdivision Agreement for Zelkova Court, Subdivision No. 4569

(CC) Project Financing Applications for Low-Interest Loans Through the Clean Water Act State Revolving Loan Fund for Eligible Wastewater and Water Utility Capital Improvement Projects

Approve Resolution No. 11-167 - Authorizing the City Manager to Submit Funding Applications, for up to \$123 million

(RDA) Amended Enforceable Obligation Payment Schedule

Approved RDA Resolution No. 1271 - Approving an Amended Enforceable Obligation Payment Schedule for the Period Ending December 31, 2011

(CC) Replacement Funds for Police In-Car Computer and Camera System

1. Approved Resolution No. 11-168 - Approving Purchase of Replacement Patrol Car Computer and Camera Systems from Dell Corporation
2. Approved Budget Adjustment #40 (\$135,121) – appropriating “COPS” funding

(CC) Office of Emergency Services Reimbursement for Fire Department Strike Team Response

Approved Budget Adjustment #35 (\$29,808)

(CC) Budgeting the Assets Acquired and the Loans Removed Through the Foreclosure Acquisition of the Former Davis Area Cooperative Housing Association (DACHA) Units and Pacifico Affordable Housing Project

Approved Budget Adjustment #148-FY10/11 (\$6,508,099)

(CC) Fee Waiver Request for the Interfaith Rotating Winter Shelter

1. Directed staff to process the Temporary Use Permit for the Interfaith Rotating Winter Shelter, charging costs to the Community Planning fund, rather than directly to the applicant
2. Directed staff to evaluate and propose changes to existing zoning to allow for temporary shelters, with specific restrictions, at locations currently participating in the rotating winter shelter

(CC) New and Revised Job Specifications

1. Approved new job specification for Transportation Planner
2. Approved proposed revisions to job specification for Bicycle Pedestrian Coordinator

(CC) Joint Meetings with Commissions

Informational

(CC) Commission/Board Minutes:

- A. Bicycle Advisory Commission Meetings of August 1 and 22, 2011
- B. Civic Arts Commission Meeting of July 11, 2011

- C. Telecommunications Commission Meeting of September 14, 2011
- D. Woodland-Davis Clean Water Agency Board Meeting of June 30, 2001
Informational

(CC) Advisory Commission Actionable Recommendation: Human Relations Commission Meeting of July 21, 2011 – Action Item Regarding Ethical Purchasing Policy

1. Accept minutes from July 21, 2011 meeting as informational.
2. Permit Human Relations Commission to investigate whether the City should have an ethical purchasing policy as part of its overall purchasing policy

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

Fifth Street Corridor Improvements:

S. Greenwald: Recused herself due to a conflict of interest as she owns property on C Street and left the room.

A. Public Hearing: Core Area Specific Plan Amendment

Community Development Administrator Katherine Hess: Project discussed for several years. Traffic analysis in 2005 noted there would be some delays in eastbound traffic and some improvements in westbound traffic; addition of bicycle lanes offers greater flexibility. SACOG approved grant funding for project and in 2010 Council approved scope of project. Caltrans determined that studies are adequate for their review. Initial study identifies mitigation measures for trees, birds and public safety.

Mayor Krovoza opened the public hearing.

- Steve Tracy, Old North Davis Neighborhood Association & Davis Bicycles!: Support project; 70-80 accidents in OND in last 6 years; bad behavior and travel patterns away from signals is now set. If you consider adjacent neighborhood, suggest including simple design work early on.

Mayor Krovoza closed the public hearing.

B. Consultant Agreement for Engineering Design, CIP No. 8138

Interim Public Works Director Bob Clark: Not recommend having consultant analyze traffic impact; as project progresses, staff can consider whether it makes sense to do any calming efforts during construction. Staff will engage neighbors and receive suggestions; need to quantify magnitude of resident requests for calming. Following community dialogue, staff will return to Council with full scope of potential impacts to include cost of calming efforts prior to moving toward construction of project.

Public comments:

- Steve Tracy, ONDNA: Road diet versatile solution, level of travel time will be reduced; regarding interior of neighborhood—need to talk to residents on Miller Drive and C Street as well as OEDNA.

J. Krovoza moved, seconded by D. Wolk, as follows:

Item A-CASP:

1. Adopt Mitigated Negative Declaration, which analyzes the proposed project and determines that potential impacts would be less than significant with mitigation
2. Approve Resolution No. 11-169 - Approving Amendment to the CASP to Reflect the Fifth Street Corridor Improvements Project, including an Implementation Measure to add bicycle lanes on Fifth Street/Russell Boulevard from A to L Streets

Item B-Consultant Agreement:

1. Approve Resolution No. 11-170 - Authorizing the City Manager to Execute Consultant Agreement with KD Anderson & Associates, Inc., for Design of the Fifth Street Corridor Improvements, in the amount of \$125,000
2. Authorize City Manager to spend a maximum of \$10,000 to allow for the hired consultant to confer with community members surrounding the Fifth Street Corridor, particularly ONDNA, neighbors south of Russell, neighbors west of B Street and OENA. Funding for preliminary design and cost estimates for simply traffic calming measures to reduce impacts existing and potential impacts from the Fifth Street Corridor improvements.

Motion passed by the following vote:

AYES: Souza, Wolk, Krovoza

NOES: None

ABSENT: Greenwald

ABSTAIN: Swanson

City Council recessed at 9:35 p.m. and reconvened at 9:46 p.m.

City Council
Appointments
to Advisory
Commissions/
Boards

City Clerk Zoe Mirabile: Summarized recruitment efforts and voting process.

Public comments:

- Jon Watterson, Darin Wick and Raoul Renaud: Bicycle Advisory Commission applicants
- Alan Pryor, Jill Beatty, Steve Westhoff, Clifton McFarland: Natural Resources Commission applicants
- David Greenwald: Human Relations Commission applicant
- Kendall Wasley: Social Services Commission applicant
- Evelyn Hodson: Personnel Board applicant

R. Swanson moved, seconded by D. Wolk, to appoint the current Human Relations alternate member (David Greenwald) to regular member status. Motion passed unanimously.

Council voted to appoint applicants to commission/board vacancies via use of a grid system:

Bicycle Advisory Commission -- 2 Regular (ending 9/30/12) & 1 Alternate (ending 9/30/14)								
COMMISSION/ APPLICANT		SG	JK	SS	RS	DW	TO- TAL	APPOINT- MENT
Last Name	First Name							
Applicants								
Dickey	Darell		X				1	
Johnson	David				X		1	
Neches	Russell						0	
Renaud	Raoul	X		X		X	3	Runoff
Watson	James	X				X	2	
Watterson	Jon	A	X	X	X	X	5	Regular (9/30/12)
Wick	Darin		X	X	X		3	Runoff
Business & Economic Development Commission -- 1 Regular (ending 9/30/12)								
Applicant								
Nagendra	Jag	X	X	X	X	X	5	Regular (9/30/12)
Human Relations Commission -- 1 Alternate (ending 9/30/12)								
Applicant								
Kim	Chris	X	X	X	X	X	5	Alternate (9/30/12)
Natural Resources Commission -- 2 Regular (ending 9/30/12 & 9/30/14) & 1 Alternate (ending 9/30/12)								
Applicants								
Baty	Jill	X	X	X	X	X	5	Regular (9/30/14)
McFarland	Clifton	X	X	X	X	X	5	Regular (9/30/14)
Pryor	Alan		X	X	X	X	4	Runoff
Westhoff	Steven	A		X	X	X	4	Runoff
Westrup	Laura	X	X				2	
Personnel Board -- 1 Regular (ending TBD)								
Applicants								
Hodson	Evelyn	X	X	X	X	X	5	Regular
Ziskind	Louis						0	
Planning Commission -- 1 Alternate (ending 9/30/14)								
Applicants								
Benci- Woodward	Ivor	X					1	
Boschken	Herman		X	X	X	X	4	Alternate (9/30/14)
Prahl	Jay						0	

Safety & Parking Advisory Commission -- 1 Regular (ending 9/30/14) & 1 Alternate (ending 9/30/12)								
Applicant								
Shimada	Sean	X	X	X	X	X	5	Regular (9/30/14)
Social Services Commission -- 1 Regular (ending 9/30/12)								
Applicants								
Jennings	Robert						0	
Wasley	Kendall	X		X			2	
Wise	Richard		X		X	X	3	Regular (9/30/12)

Council conducted run-off votes as follows:

Bicycle Advisory Commission -- 1 Regular (ending 9/30/12) & 1 Alternate (ending 9/30/14)								
COMMISSION/ APPLICANT		SG	JK	SS	RS	DW	TO- TAL	APPOINT- MENT
Last Name	First Name							
Applicants								
Renaud	Raoul	X		X	X	X	4	Regular (9/30/12)
Wick	Darin		X				1	Alternate (9/30/14)
Natural Resources Commission -- 1 Regular (ending 9/30/12) & 1 Alternate (ending 9/30/12)								
Applicants								
Pryor	Alan		X	X	X	X	4	Regular (9/30/12)
Westhoff	Steven	X					1	Alternate (9/30/12)

J. Krovoza moved, seconded by R. Swanson, to appoint Russell Naches to the Safety and Parking Advisory Commission (Alternate appointment ending 09-30-12). Motion passed unanimously.

S. Souza moved, seconded by R. Swanson, to appoint Kendall Wasley to the Tree Commission (Alternate appointment ending 09-30-12). Motion passed unanimously.

Long Range Calendar accepted as presented.

Calendar

Adjournment Meeting was adjourned at 10:49 p.m.

Zoe S. Mirabile
City Clerk