

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of February 21, 2012

The City Council of the City of Davis met in regular session beginning at 7:08 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

Approval of Agenda S. Souza moved, seconded by S. Greenwald, to approve the agenda. Motion passed unanimously.

Ceremonial Presentation Mayor Krovoza presented the 2012 Golden Heart Awards– Recognizing Outstanding Youth in Grades 7-12 in the Community to the following recipients:

- Community Service: Asha Bryd and Willie Hall
- Personal Challenge: Jessica Roeckl-Navazio, Hannah Gillis and Chad Prizmich

The following Honorees were recognized: Service Award: Alicia Demoree, Laura Daggett, Sarah Kolarik, Nicole Olichney, Sydney Maguire, Eliana Meyer, Tori Powell, Chelsea Sacramento, Evan Thomas-Walker and seven girls who founded the Yummy Dummy Chocolate Company, Risa and Sara Pesavento, Stream and Sedona Tuss, Rowan and Rachel Foley, and Bay Warland. Personal Challenge: Andre Foster and Johnathan Kobold.

City Council recessed at 7:29 p.m. for a reception and reconvened at 7:50 p.m.

Brief Communications S. Pinkerton: Water Advisory Committee will meet on February 23 in Community Chambers. Department of Water Resources to introduce draft of the Central Valley Flood Protection Plan, discussion of shifting flood plan west; should not have impact on city proper, but may have impact on Waste Water Treatment Plant and open space areas.

S. Souza: Bill Chia, CalLAFCO Board Executive Director for 10 years is retiring; CalLAFCO will proceed with recruitment; scheduled to discuss extension of services to disadvantaged communities, will be lobbying for language that protects cities and communities from cost of any proposed legislation. Plug in, Hybrids, and electric vehicle workshop will be held at UC Davis Conference Center on February 25.

R. Swanson: Participated in Transmedia Art Walk on February 17; used smart

phone app to learn about art pieces.

D. Wolk: California Duck Days, hosted by Yolo Basin Foundation will be held on February 25. Soroptimist annual poker night on February 25.

S. Greenwald: New art installations downtown, information available at [www.bulatag.com](http://www.bulatag.com).

J. Krovoza: Thanked staff and city organizations for efforts related to grant submittal, city and UD Davis joint effort. Welcomed new Bicycle/Pedestrian Coordinator, Dave “DK” Kemp.

AB1234: J. Krovoza submitted travel expenses to city for SACOG meetings in January and February.

Public Comments

- Mike Mahlhardt: Applicant for Business and Economic Development and Tree Commission.
- Susan Bassain, Josh Jones, Mary Sui, April Cannon and Jan Izaar: Consent calendar item AJR 22—support, but should be stronger; corporate money is pervasive in politics.
- Alan Pryor: Support plastic bag restrictions.
- Johann Troost: Thanked Council for televising Water Advisory Committee meetings.
- Barbara King: Davis Citizens Against Fluoridation event on February 23 at Davis Library.
- David Musser and Steve Bullemi: Applicants for Business and Economic Development Commission.
- Steve Tracy, Old North Davis Neighborhood Association (ONDNA): Consent calendar Safety Enhancement Zone for Picnic Day—behavior worse in neighborhood after Safety Zone adopted last year; request resolution be sent back to staff, ONDNA would like to be involved, suggest extension of boundary north to Eighth Street.
- David Greenwald: Concerned about trend of late arrival of agenda items; public and Council not able to deliberate on items in timely manner; suggest posting agenda items 1 week in advance; request Council postpone Davis Diamonds appeal item until next meeting.
- Yilma Tilahun: Applicant for Human Relations Commission.
- Elaine Roberts-Musser: Consent calendar item Russell Boulevard West of SR113 Traffic Safety Improvements—bad intersection for years, support traffic calming efforts.

Consent Calendar (City Council)

Subrecipient Agreements for Pass-Through of FTA Funds to Unitrans for Fiscal Year 2011/12  
Approved Resolution No. 12-018 - Authorizing the City Manager to Execute UCD Agreement Numbers 201121523 and 201121527 with the University of California-Davis, for Operating Assistance and Passenger Amenities from Feder-

al Transit Administration (FTA) of Unitrans

City of Davis' Claims for Transportation Development Act Funds Amendment to the Claim for Local Transportation Funds for Fiscal Year 2010-11

Approved Resolution No. 12-019 - Approving Amendment to the City of Davis' Claim for Transportation Development Act – Local Transportation Funds for Fiscal Year 2010-11

Claims for Fiscal Year 2011-12

Approved Resolution No. 12-020 - Approving the City of Davis' Claim for Transportation Development Act-State Transit Assistance Funds for Fiscal Year 2011-12

Approved Resolution No. 12-021 - Approving the City of Davis' Claim for Transportation Development Act - Local Transportation Funds for Fiscal Year 2011-12

Agricultural Lease of the Staib 72 Property

Approved Resolution No. 12-022 - Authorizing the City Manager or His Designee to Execute the Agricultural Lease of the Staib 72 Property

Amendment to Pole Line Parking Lot Lease resetting the rent and allocate the rent to the maintenance, administrative and General Fund

Approve No. 12-023 - Authorizing the City Manager to Enter into the First Lease Amendment with Davis Industrial Group

Steve Larsen Plaza Art Project on the Davis High School Campus

Approved Resolution No. 12-024 - Authorizing the City Manager to Execute License Agreement with Davis Joint Unified School District for Siting of an Art Piece on the Larsen Plaza of Davis Senior High School

Plans, Specifications and Estimate for F Street Streetscape and Accessibility Improvements, CIP No. 8234

1. Approved the plans and specifications
2. Approved Resolution No. 12-025 – Approving Plans and Specifications, Authorizing Bidding and Award of Contract for Construction of Streetscape and Accessibility Improvements on F Street (CIP No. 8234)

Revised Job Specifications – Building Inspector I/II, Paratransit Coordinator, Paratransit Specialist and Paratransit Supervisor

Approved

City Council Minutes from the Meetings of June 7, July 7 and 22, and December 20, 2011

Approved

Innovation Park Task Force Update

Informational

Commission/Board Minutes

1. Bicycle Advisory Commission Meeting of January 9, 2012
2. City/UCD Student Liaison Commission Meetings of January 11 and 26, 2012
3. Water Advisory Committee Meetings of December 8, 2011 and January 12, 2012
4. Woodland Davis Clean Water Agency JPA Board Meeting of November 22, 2011

Informational

R. Swanson moved, seconded by D. Wolk, to the calendar as listed above. Motion passed unanimously.

Consent Calendar (Successor Agency)      Successor Agency Investments – Local Agency Investment Fund (LAIF)  
City Attorney Harriet Steiner: Removed from agenda by staff; premature at this point, will bring back as needed.

Removed from Consent Calendar:      Item removed by S. Souza.  
S. Souza: Request Council suspend second reading and approve the resolution tonight. Council consensus.

Support of Assembly Joint Resolution No. 22      S. Souza moved, seconded by R. Swanson, to approve Resolution No. 12-026 - in Support of Assembly Joint Resolution 22 to Overturn Citizens United v. Federal Election Committee Supreme Court Ruling and suspend 2nd reading requirement, making action final. Motion passed unanimously.

CAFR for the Fiscal Year Ending June 30, 2011 (CC & Successor Agency item)      Item removed by R. Swanson.  
City Manager Steve Pinkerton: CAFR ensures cities use appropriate accounting systems, provides detail of change in net assets from year to year, summary of business activity.  
Assistant City Manager Paul Navazio: Council previously reviewed unaudited results in past budget workshops; staff will be working with Finance and Budget Commission to develop key indicators/metrics of financial stability.

R. Swanson moved, seconded by S. Souza, to receive the City's Comprehensive Annual Financial Report and Redevelopment Agency's Financial Statements and related required reports. Motion passed unanimously.

Russell Boulevard West of SR113 – Traffic Safety Improvements      Item removed by J. Krovoza.  
J. Krovoza moved, seconded by R. Swanson, to receive the informational report and direct that suggested staff improvements at corner of Russell and Lake Blvds. be agendaized for discussion by the Safety and Parking Advisory Commission.

Council will review options for whether or not a \$100,000 consultant is necessary for the project when item returns to Council. Motion passed unanimously.

City Council recessed at 8:57 p.m. and reconvened at 9:13 p.m.

Appointments  
to Advisory  
Commissions

S. Souza moved, seconded by R. Swanson, to appoint alternate members to regular member status and appoint all applicants to commissions that received only one applicant. Motion passed unanimously.

Commission	Current Alternate
Business & Economic Development (term ending 9/30/14)	Bernard Goldsmith
Safety & Parking Advisory (term ending 9/30/12)	Russell Neches
Tree (term ending 9/30/14)	Kendall Walsey

Commission	Applicant
Historical Resources Management (term ending 9/30/12)	Scott Miltenberger
Safety & Parking Advisory (alternate, term ending 9/30/12)	James Skeen

By consensus, Council postponed appointment to the Finance and Budget Commission to March 6.

Public comment:

Yvonne Clinton: Human Relations Commission applicant

Council voted to appoint applicants to commissions through use of a grid system:

<b>Business &amp; Economic Development -- 2 Vacancies (both ending 9/30/14)</b>								
<b>APPLICANT</b>		<b>SG</b>	<b>JK</b>	<b>SS</b>	<b>RS</b>	<b>DW</b>	<b>TOTAL</b>	<b>APPOINT- POINT- MENT</b>
<b>Last Name</b>	<b>First Name</b>							
Clark	Linda						0	
Golemme	Stephen	X	X	X	X	X	5	<b>Regular</b>
Hague	George	X			X	X	3	<b>Alternate</b>
Lowenthal	Justin			X			1	
Musser	David		X				1	
Maulhardt	Michael						0	
van Leeuwen	Anya						0	
<b>Human Relations Commission -- 1 Regular &amp; 1 Alternate (both ending 9/30/12)</b>								
Clinton	Yvonne	X	X	X	X	X	5	<b>Tie</b>
Faversunne	Mikos						0	
Oomen	Constantia						0	
Yilma	Tilahun	X	X	X	X	X	5	<b>Tie</b>

Tree Commission -- 1 Vacancy (ending 9/30/14)								
Maulhardt	Michael	X		X	X		3	Alternate
Mazalewski	Robert					X	1	
Strayer	Douglass		X				1	

By consensus, Council appointed Yvonne Clinton to regular member status and Tilahun Yilma to alternate for the Human Relations Commission.

Public Outreach Presentation for Working Draft Comprehensive Economic Development Strategy

Brian Horsfield, Business & Economic Development Commission, and Doby Fleeman: PowerPoint presentation developed by commission and community volunteers, intended for use when conducting community outreach; need to identify groups to present strategy to, refine strategy

J. Krovoza left the meeting at 9:44 p.m.

Sarah Worley, Economic Development Coordinator: Need to identify what type of prototype developments can occur, Peripheral Innovation Task Force will provide recommendation to Council.

Council comments included:

- Suggest developing list of priorities and practical steps
- Request for timeline and schedule of public meetings
- Suggest coordinating closely with Finance and Budget Commission

S. Souza moved, seconded by S. Greenwald, to accept the Business and Economic Development Commission’s PowerPoint Presentation “A Vision for Davis – Creating a Sustainable Economy,” intended for use when conducting community outreach meetings regarding the need for and value of economic development in maintaining the City’s quality of life and to seek input on the Working Draft Comprehensive Economic Development Strategy and the actions to be taken now or proposed to be undertaken in the future to achieve a sustainable economy.

Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson  
 NOES: None  
 ABSENT: Krovoza

Rental of Vacant City-owned Affordable Units & Formation of Affordable Housing Advisory Group (AHAG)

S. Souza moved, seconded by S. Greenwald, to continue item to subsequent meeting. Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson  
 NOES: None  
 ABSENT: Krovoza

Continued Public Hearing: Appeal of December 7, 2011 Planning Commission Decision to Deny CUP for 5060 & 5080 Chiles Road, Davis Diamonds Gymnastics and MarkeTech Group; Appeal Application PA #11-37; CUP #06-11

Community Development & Sustainability Director Ken Hiatt: On January 24, Council continued the public hearing and directed staff to prepare findings and conditions for approval of the proposed Conditional Use Permit.

S. Souza moved, seconded by S. Greenwald, as follows:

1. Adopt the findings and conditions for the project, as amended:  
Condition #3—Timing: Building permits (site or shell) for the office/R&D use at 5060 Chiles Road shall not be issued prior to the issuance of tenant improvement building permits for the gymnastics use at 5080 Chiles Road.
2. The building permits shall proceed with Design Review by the Planning Commission.

Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk  
NOES: Swanson  
ABSENT: Krovoza

D. Wolk moved, seconded by S. Souza, to extend the meeting past 11:30 p.m.

Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson  
NOES: None  
ABSENT: Krovoza

Appoint Replacement Member to Council Subcommittee

D. Wolk moved, seconded by R. Swanson, to appoint S. Souza as a replacement member to the City Council Subcommittee Designated to Draft Language for the Park Maintenance Tax Ballot Argument/Rebuttal (replacing S. Greenwald). Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson  
NOES: None  
ABSENT: Krovoza

Removed from Consent Calendar:

Item removed by D. Wolk.

Police Chief Landy Black: Safety enhancement zone successful last year, still see a need this year.

Establishing a Safety Enhancement Zone for Picnic Day 2012

S. Greenwald moved, seconded by D. Wolk, to approve Resolution No. 12-027 - Designating a Safety Enhancement Zone for Picnic Day 2012 and Designating the Time During which Certain Municipal Code Violations Committed within the Designated Safety Enhancement Zone will Result in Increased Fines, as amended:

- The southern margin of the public sidewalk along the south side of First St., from the western margin of A St. to the western margin of the Union Pacific rail-line/right-of-way;
- The southern margin of Russell Blvd, from A St. to the western margin of the public sidewalk along the western side of Anderson Rd;
- The northern margin of the public sidewalk along the north side of E. Eighth St. and W. Eighth St., from the western margin of the Union Pacific rail-

line/right-of-way to the western margin of the public sidewalk along the western side of Anderson Rd.;

- The western margin of the Union Pacific rail-line/right-of-way, from the southern margin of the public sidewalk along the south side of First St. to the northern margin of the public sidewalk along the north side of E. Eight St.;
- The western margin of A St., from the southern margin of the public sidewalk on the south side of First St., to the southern margin of Russell Blvd.; and
- The western margin of the public sidewalk along the western Anderson Rd., from Russell Blvd. to W. Eight St.

Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson

NOES: None

ABSENT: Krovoza

Water Advisory Committee

Item removed by S. Souza and D. Wolk.

(WAC) Check-In Elaine Roberts-Musser, WAC Chair: Committee requests direction on how to proceed, determine whether they are going in the right direction.

S. Souza moved, seconded by S. Greenwald, to postpone the Water Advisory Committee Check-In to the next Council meeting. Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson

NOES: None

ABSENT: Krovoza

Authorization to Proceed with Final Engineering to Raise the RWTF Site

S. Greenwald moved, seconded by D. Wolk, to postpone the Authorization to Proceed with Final Engineering to Raise the Regional Water Treatment Facility (RWTF) Site to next Council meeting. Motion passed by the following vote:

AYES: Greenwald, Souza, Wolk, Swanson

NOES: None

ABSENT: Krovoza

Long Range Calendar

S. Pinkerton: Mid-year budget, tertiary improvements phase and Minor Alcohol Preclusion Ordinance have been moved to March 20.

S. Souza: Will be in Washington, D.C. during the March 6 Council meeting; will participate via teleconference.

R. Swanson: Request future discussion regarding timing of agenda packets and how and when late items are distributed to Council. Council consensus.

H. Steiner: Staff can bring back report; Council can decide whether or not they want to change their policy.

R. Swanson: Request “Part II” of the Economic Development Roundtable Discussion – Opportunities and Issues in Davis be agendized in approximately 60



days. Council consensus.

R. Swanson: Request update from Police Department on crime statistics. Council consensus.

Closed Session Council adjourned to closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel – Existing Litigation:

- A. Lewis v. Russell, Federal District Court Civ.S – 032646 WBSKJM
- B. Davis Enterprise, Inc. v. Fairfield Publishing Company, et al, Yolo County Superior Court Case No. CV06-68
- C. Twin Pines Cooperative Foundation v. Davis Area Cooperative Housing Association, Yolo County Superior Court Case No. CV PO 08-3424
- D. Neighborhood Partners, LLC v. Davis Area Cooperative Housing Association, et al., Yolo County Superior Court Case No. CV11-649

Council reconvened in open session at 12:28 a.m. with no reportable action.

Adjournment Meeting was adjourned at 12:28 a.m.

Zoe S. Mirabile, CMC  
City Clerk