

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of March 10, 2020

The City Council of the City of Davis met in regular session beginning at 6:41 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Lee.

Roll Call: Councilmembers Present: Will Arnold, Dan Carson, Lucas Frerichs, Gloria Partida, Brett Lee

Councilmembers Absent: None

Other Officers Present: City Manager Mike Webb, City Attorney Inder Khalsa, City Clerk Zoe Mirabile

Approval of Revised Agenda L. Frerichs moved, seconded by G. Partida, to approve the revised agenda. Agenda was revised to cancel/postpone “non-business” items such as ceremonial activities, reception, and informational presentation. Motion passed unanimously.

Brief Announcements Fire Chief Joe Tenney: City preparing for COVID-19. Following directions from Yolo County Health Officer, who is following CDC. Maintaining close communications with Yolo Office of Emergency Services.

City Manager messaging employees and meeting with Department Heads to develop strategic plans. Yolo County has moved into mitigation measures. Recommendations include telecommuting when possible, avoid large gatherings, etc. Cancel non-essential mass gatherings or large community events. Yolo County will reassess recommendations on April 1.

City Manager Mike Webb: Department Head team has been developing guidelines to staff. Social distancing and preventative measures. City will remain open and provide essential services. City programs and events—will be messaging guidance to community tomorrow. Events indoors and open to general public will generally be cancelled. Events outdoors but open to public will be proceeding with advice to organizers of guidance. City commissions—only meetings for essential or time sensitive matters, will provide options for teleconference or online participation.

City Council Announcements D. Carson: March 3 Election—Measure Q passed with 80+%. Thank community for support.

Public Comments

- Alan Pryor, Sierra Club Yolano; Catherine Portman, Burrowing Owl Preservation Society; Janet Krovoza; Colin Walsh; Pam Gunnell; Marika Pappagiannas; and Roberta Milstein: Protest plans by staff to drive burrowing owls from Mace 25 area. City should commit to retain Mace 25 and

reject project proposals that include it in their footprint. Habitat that was purchased with Measure O funds should be kept for permanent protective habitat for wildlife.

Consent Calendar

- Yolo Animal Services Planning Agency Joint Powers Agreement (JPA)
- a. Approve Resolution No. 20-021 – Approving a JPA to Create the Yolo Animal Services Planning Agency
  - b. Appoint Mayor Lee as the primary City Council representative to the JPA Board and Councilmember Frerichs to serve as the alternate

Woodland-Davis Clean Water Association Joint Powers Authority Agreement Amendment to Establish the County of Yolo as a Full Member of the JPA  
Approve Resolution No. 20-022 – Authorizing the Mayor to Execute Amendment No. 1 to the Woodland Davis Joint Powers Authority Agreement

Capital Improvement Project for the Russell Boulevard Corridor Study, CIP No. 8342  
Approve Resolution No. 20-023 – Approving a Project for the Russell Boulevard Corridor Study and Approving Funds for the Project

Water Main and Saddle Replacements, CIP No. 8190  
Approve Resolution No. 20-024 – Awarding Contract to McGuire and Hester for the Water Main and Saddle Replacements and Authorizing City Manager to Execute Contract

Rejection of Bids for the Wastewater Treatment Plant Storage Building, CIP No. 8324  
Approve Resolution No. 20-025 – Rejecting All Bids for the WWTP Storage Building

Landmark Tree Designation for One *Juglans x paradox*, Paradox Walnut Tree, Located at 317 E. 8<sup>th</sup> Street  
Approve Resolution No. 20-026 – Recognizing Citizens of Davis for the Preservation of Their Beautiful Trees

Second Reading: Ordinance Amending Various Sections of Article 40 of the Davis Municipal Code to Update and Clarify the Provisions of the Zoning Ordinance to Create a More Streamlined Approach to Entitlement Processing and Promote Economic Development in the City  
Adopt Ordinance No. 2572 (Introduced 02/25/2020)

Second Reading: Ordinance Amending Article 18.11 of Chapter 18 of the Davis Municipal Code to Implement Housing Rental Regulations and a Residential Rental Registration and Inspection Program  
Adopt Ordinance No. 2573 (Introduced 02/25/2020)

Second Reading: Ordinance Amending Sections of Articles 39.02 and 39.03 of Chapter 39 of the Davis Municipal Code, Water, Related to Discontinuation of Water Services

Adopt Ordinance No. 2574 (Introduced 02/25/2020)

South Fork Preserve Public Accessibility Improvements Funding

Approve Budget Adjustment #71 (\$110,829) – allocating Open Space Protection Special Parcel Tax funds and open space development impact fees for land impacts and mitigation fees

North Davis Upland Habitat Area Restoration Project Funding

Approve Budget Adjustment #72 (\$100,000) – allocating Open Space Protection Special Parcel Tax funds and open space development impact fees for costs associated with completing the first two phases of habitat restoration work

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

Removed from  
Consent Calendar

B. Lee removed item from consent calendar.

Commission  
Minutes:

Commission Minutes:

- a. HRMC  
01/13/2020
- b. OSHC  
02/03/2020
- c. SSC  
09/16/2019,  
10/21/2019,  
11/18/2019,  
12/16/2019

- d. Historical Resources Management Commission Meeting of January 13, 2020
- e. Open Space & Habitat Commission Meeting of February 3, 2020
- f. Social Services Commission Meetings of September 16, October 21, November 18, December 16, 2019

Public comments:

- Colin Walsh: Read excerpt from Open Space & Habitat Commission. Group discussed Burrowing owl habitat along Wildhorse and height of grass. Commission recommended short, medium and long-term management plans.
- Roberta Milstein: Wildhorse Agriculture Buffer—Mace 25 is an excellent site for owl habitat.

Assistant City Manager Ashley Feeney, Assistant City Manager: Staff is concerned with long term health of owl population. Mace 25 does not have a habitat easement on it. Property is leased long term to a farmer who has active farming operation on site. Staff feels it would be irresponsible to place artificial burrows in area adjacent to Mace when there is an active land use application proposal that the city is considering and there is an active farm lease. Letting grass grow to higher height will encourage owls to move to another area within vicinity with active management that is more suitable and not on edge of roadway.

M. Webb: Property was acquired with open space funds. It is currently in agricultural use. There has been no policy direction from Council as to use of site.

Expectation that city should be managing as owl habitat area is not based on policy direction.

W. Arnold moved, seconded by L. Frerichs to accept minutes as informational. Motion passed unanimously.

City Council recessed at 7:33 p.m. and reconvened at 7:38 p.m.

Public Hearing:  
Surveillance  
Technologies –  
Accurint Virtual  
Crime Center  
(AVCC) & Re-  
mote Public  
Safety Cameras  
with or without  
Automated Li-  
cense Plate  
Readers (ALPR)

Police Chief Darren Pytel: Summarized proposed devices, uses, and policies.

Assistant City Manager Kelly Stachowicz: Police Accountability Commission provided questions/concerns regarding AVCC and cameras and opposed use of fixed cameras with ALPR. Recommended city move forward with portable remote cameras but not with fixed cameras or ALPR.

Public comments:

- Francesca Wright, Nancy Erickson, Robert Canning, Dillon Horton, Luanne Villanueva, David Greenwald, Teresa Guymerson: Oppose purchase of additional cameras and license plate readers. Lack of evidenced based approach. Audit should be conducted by Police Auditor rather than Police Chief.

W. Arnold moved, seconded by L. Frerichs, as follows:

1. Make a determination that the addition and use of the Accurint Virtual Crime Center (AVCC) has been balanced with the need to investigate and prevent crimes; protect crime victims and society from those who commit crimes; protect civil rights and civil liberties, including privacy and free expression; and the costs to the city
2. Approve the proposed Surveillance Use Policy

Motion passed unanimously.

D. Pytel: Suggest approving a certain number of remote public safety cameras. If technology changes in future, can use cameras to monitor other public infrastructure sites. If Council comfortable with locations for fixed cameras, ask for discretion as to number of cameras to accomplish the job within a defined price range.

D. Carson moved, seconded by G. Partida, as follows:

1. Make a determination that the addition and use of Remote Public Safety Cameras has been balanced with the need to investigate and prevent crimes; protect crime victims and society from those who commit crimes; protect civil rights and civil liberties, including privacy and free expression; and the costs to the city.
2. Approve the purchase of additional fixed public safety cameras at four locations: Mace/80, Richards/80, Russell/113, Covell/113 with no Automated License Plate Readers. Staff to use public safety impact fee funding.

3. Approve the proposed Surveillance Use Policy.
4. Staff will check back in one year with Police Accountability Commission and City Council.
5. Regarding two existing remote public safety cameras: Staff to temporarily post at Lake Blvd/Covell and Pole Line/Covell.

Motion passed unanimously.

City Council recessed at 9:33 p.m. and reconvene at 9:45 p.m.

Mayor Transition

City Manager Mike Webb: With transition to district elections, Council needs to modify the Mayor selection process.

Council comments included:

- Support transitional system.
- Proposal to rotate based on senior Councilmember that hasn't served.
- Should have regular rotation. Mayor role of 1 year.
- Support choosing by tenure, with discretion.
- Keep language that Mayor and Vice Mayor serve at the pleasure of the council.

W. Arnold moved, seconded by L. Frerichs, to nominate G. Partida to a Mayor term on July 1, 2020 to remain in effect until June 30, 2022. Motion passed unanimously.

D. Carson moved, seconded by W. Arnold to signal intent that L. Frerichs becomes Vice Mayor on July 1, 2020. Staff to return to Council with ordinance amendment. Motion passed unanimously.

AB1234 Reporting

G. Partida: Attended Crisis Nursery event.

Long Range Calendar

M. Webb: Will not be proceeding with Youth in Government program. Food truck/food cart ordinance may be postponed depending on outcome of community outreach. April meetings will take place on the 14th and 21<sup>st</sup>. Agendas going forward will focus on business items.

Public comment:

- Colin Walsh: Commission meetings for review of Aggie Research Campus project—Natural Resources Commission asked for it to come back after supplemental EIR released. Should come back to Open Space & Habitat Commission. Need to address issue of owls at Mace 25.

D. Carson: Pursue next step on guiding principles resolution. Bring back when Mayor selection is agendaized.

B. Lee: Four meetings in a row July 28-August 18. Should identify one of those meetings as on call.

L. Frerichs: Staff can engage with Council and find out when they are available.

Adjournment Meeting was adjourned at 10:22 p.m.

Zoe Mirabile  
City Clerk