

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of April 5, 2022

The City Council of the City of Davis met in regular meeting session beginning at 5:31 p.m. via teleconference or otherwise electronically. The meeting was called to order by Vice Mayor Frerichs.

Roll Call: Councilmembers Present: Will Arnold, Dan Carson, Josh Chapman, Lucas Frerichs, Gloria Partida

Councilmembers Absent: None

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

Approval of Agenda L. Frerichs moved, seconded by D. Carson, to approve the agenda. Motion passed unanimously.

Joint Discussion of the City Council and Bicycling, Transportation, and Street Safety Commission (BTSSC) – Update on Current and Upcoming Commission Activities Commissioners present: Jessica Jacobson, Brook Ostrom, Krasen Kovachev, Jackson Mills, Keshav Kumar

J. Jacobson: Provided an overview of the commission’s purpose and function, and summary of past and upcoming activities.

Commissioners asked for Council feedback on: strategies to build commissioner engagement, understand how input affects council decisions, methods to develop data that can improve decision making, expand micromobility options.

Public comment:

- Todd Edelman: Concerns about process. Lack of commission involvement can lead to under informed projects. For instance, the 10 year roadway plan was produced without consultation with BTSSC. Should be given the opportunity to provide guidance.

Council comments included:

- Support expanding micromobility. Interested in Davis and regional projects. Ongoing discussions at SACOG for regional approach. Also important to have UCD at the table.
- Support consideration of speed surveys in relation to traffic calming measures. Help develop criteria and policy.
- Interested in more discussion related to development of data to improve decision making. How do we improve the process?
- Commission can be proactive and track projects as they come online—Olive Drive construction and freeway closure, Richards overpass. Downtown Specific Plan. Bring ideas and concerns prior to project implementation.

- Helps Council when commissions can establish consensus around an issue.

City Council recessed at 6:30 p.m. and reconvened at 6:37 p.m.

City Manager
& City Council
Brief An-
nouncements

M. Webb: Introduced Jenny Tan, new Director of Community Engagement. Golden Heart Awards nomination deadline April 25. Environmental Resources Workshops: Sustainable Landscaping April 13, Backyard Composting April 20, and Leak Detection and Customer Water-Use Portal April 27. City Council returns to in-person meetings on May 10, 2022 with public comment format details to be announced; commission meetings and 2x2 meetings to remain remote for now.

Public
Comments

- Tim Keller; Elaine Roberts-Musser; Dan Ramos, DiSC 2022 applicant and Measure H proponent; Yasmine; and Michael Coleman: Expressed concern over information stated on the No on Measure H Campaign’s ballot statement. Mailer has misinformation. Campaign Committee was instructed to amend the ballot language by a judge. Lawsuits over ballot language strengthen democracy by improving ballot measure information for voters. Mr. Carson as an individual does not lose his citizen’s rights to free speech and advocacy outside of his Councilmembers role.
- David Greenwald: Reauthorization of remote meetings—Consent calendar item. Time to return to in person or hybrid Council meetings. Most public functions have returned to in person.
- Mike Hughes; Dawn Castille; and Catherine Brinkley: Support legalizing street food vending in Davis. City allows streets to be used for other events. City should remove 10 minute rule in Davis Municipal Code, out of compliance with state law.
- Tracie DeWit and Allen Manfredy: City should not renew the Pacifico management agreement with Yolo County Housing. Should instead use funds to move Pacifico residents to healthier and safer housing. Poor mismanagement. Buildings need to be rehabilitated. City should consider demolishing building and replace it with something new.
- Alan Pryor and Roberta Milstein, No on Measure H Campaign: Concerned over the ballot statement lawsuit. Mr. Carson was the proponent for the lawsuit. Judge required only two minor changes to ballot statement. Lawsuit may set a precedence for future ballot measures.
- Alan Hirsch: Land entitlement as solution for social justice and environmental adaption. City has limited tools to force retrofits on buildings, bring up to modern standards. Changes in zoning creates benefits to landowner.
- John Whitehead: Should ban use of fireplaces in small month increments until ban is in effect year round.

- Connor Gorman: Support proclamation recognizing graduate and professional students—Consent calendar item. Important to recognize contributions of workers and support workers fight to receive benefits. Support labor rights.
- Tracy Fauvert, Yolo County Court Appointed Special Advocates and Yolo County Child Abuse Prevention Council: Support proclamation recognizing child abuse prevention month—Consent calendar item.
- Martha Teeter: Surplus property declaration for Richards Blvd and Olive Dr.—Consent calendar item. City has very little property available that can be developed. City should consider reserving property as affordable housing for a tiny house village.
- JT: Support more housing in Davis.

Consent Calendar

Rebuilding a Portion of Second Street to Support a Future Railroad Project by the Capitol Corridor Joint Powers Authority (CCJPA), CIP ET0001

Approve Resolution No. 22-029 - Resolution Approving Contract Award To McGuire And Hester For The Capitol Corridor Joint Powers Authority (CCJPA) Second Street Improvement Project, CIP Et0001, Authorizing The City Manager To Execute The Contract, And Amending Fiscal Year 2021/22 Capital Program Budget

Professional Services Agreement for Comprehensive Solid Waste Cost of Service/Rate Study

Approve Resolution No. 22-030 - Authorizing the City Manager to Negotiate and Execute an Agreement with SCS Engineers for a Comprehensive Solid Waste Cost of Service Study and Amending the Fiscal Year 2021-22 Solid Waste Fund Operating Budget

Amendment to Professional Services Agreement for the Fuel Facility Replacement or Removal Study

Approve Resolution No. 22-031 - Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Burns & McDonnell Engineering Company, Inc. for the Fuel Facility Study And Amending The Fiscal Year 2021-22 Budget

Amendment to Letter Agreement for Grant Services for Fiscal Year 2021-2022

Approve Resolution No. 22-032 - Authorizing the City Manager to Execute an Amendment to the Agreement with Consero Solutions for Grant Services And Amending The Fiscal Year 2021-22 Budget

Water Service Connection Fees to the North Davis Meadows County Service Area for the Potable Water Consolidation Project

Approve Resolution No. 22-033 - Authorizing the City Manager to Charge Connection Fees Associated With One-Inch Water Meters for Water Service to North Davis Meadows County Service Area

Proposed Agricultural Lease with Markus Kasbergen
Approve Resolution No. 22-034 - Authorizing the City Manager to Execute an Agricultural Lease with Markus Kasbergen for a Piece of City-Owned Agricultural Land Known as Clayton Ranch

Surplus Property Declaration for City-Owned Vacant Property at the Intersection of Richards Boulevard and Olive Drive (APN 070-260-022) and Next Steps

Approve Resolution No. 22-035 - Declaring Pursuant to Government Code Section 54221 That Real Property Owned by the City Generally Located at the Intersection of Richards Boulevard and Olive Drive is Surplus Land and Not Necessary for the City's Use, Finding That Such Declaration is Exempt From Environmental Review Under the California Environmental Quality Act, and Taking Related Actions

Short Term Organics Agreement to Comply with State Regulations under Senate Bill (SB) 1383

Approve Resolution No. 22-036 - Authorizing the City Manager to Execute a Short-Term Organics Disposal Agreement with Yolo County

Property Management Agreement for the Pacifico Property

Approve Resolution No. 22-037 - Authorizing the City Manager to Execute an Agreement with Yolo County Housing for Continued Management of the Pacifico Property at 1752 Drew Circle And Amending The Fiscal Year 2021-22 Budget

Memorandum of Understanding for Maintenance of N Street Park

Approve Resolution No. 22-038 - Approving a MOU With Tree Davis to Oversee the Installation and Maintenance of Landscaping in N Street Park Following the Installation of Hardscape and Authorizing the City Manager to Execute the Agreement

Authorizing Obtaining and Administering Fiscal Year 2021-22 Low Carbon Transit Operations Program (LCTOP) Funding for Unitrans' Electric Bus Purchase Project

Approve Resolution No. 22-039 - Authorizing Individuals to Act on Behalf of the City of Davis for the Purpose of Obtaining and Administering LCTOP Funding, and to Execute All Documents Related Thereto for the Following Project: Unitrans Electric Bus Purchase

Weed Abatement 2022 – Setting a Public Hearing on May 10, 2022 for Owners to Object to Proposed Removal of Weeds

Approve Resolution No. 22-040 - Declaring Weeds Growing upon Private Property within the City of Davis to be a Public Nuisance: Directing the Chief of the Fire Department to Post or Mail Notice to Destroy Weeds, and Providing Notice of Hearing on Objections Thereto Pursuant to California Government Code, Article 2, Section 39560 through 39588

2022 Environmental Recognition Awards Ratification

Approve nominations from the Natural Resources Commission for the 2022 awards. The awards will be presented at the April 19, 2022 City Council meeting.

Fiscal Year 2021/22 First and Second Quarter Administratively Approved Budget Adjustments
Informational

Re-Authorize Continuation of Remote Public Meetings

1. Consider the circumstances of the state of emergency and determine to re-authorize continuation of remote (Zoom/teleconference) public meetings for all legislative bodies pursuant to Assembly Bill 361.
2. Make the following finding: There continues to be a proclaimed state of emergency and a local official has recommended measures to promote social distancing.

Commission Action Item: Recreation and Park Commission Meeting of January 19, 2022

1. Receive minutes as informational
2. Approve the 2022 Commission Goals and Work Plan

Commission Minutes:

1. Bicycling, Transportation, and Street Safety Commission Meeting of February 10, 2022
2. Historical Resources Management Commission Meeting of February 28, 2022
3. Recreation and Park Commission Meeting of February 16, 2022
4. Social Services Commission Meeting of January 24, 2022
5. Tree Commission Meetings of October 21, November 4 and 18, 2021, and January 20, 2022
6. Utilities Commission Meetings of November 17 and December 15, 2021, and January 19 and February 16, 2022

Informational

Ceremonial Proclamations Recognizing:

1. Child Abuse Prevention Month
2. Graduate and Professional Student Appreciation Week

Ceremonial

J. Chapman moved, seconded by W. Arnold to approve consent calendar. Motion passed unanimously.

Fiscal Year
(FY) 2021/22
Mid-Year
Budget Up-
date and Mid-
Year Budget
Amendments

Finance Director Elena Adair: Overview: General fund (GF) summary, FY 21/22 property tax, sales tax, business license, transient occupancy tax and cannabis, special tax; proposed GF amendments and non-GF amendments.

City Manager Mike Webb: Future decisions will come before Council for next fiscal year budget cycle. Overtime in public safety is being carefully monitored.

Public comment:

- Alan Hirsch: Budget should be about reviewing results. Should have a goal of social equity related to tree canopy. Are we using funds where they are most needed?
- Connor Gorman: Should reduce overtime by reconsidering minimum staffing requirements in Police Department, especially in summer when residents in Davis decreases.

D. Carson moved, seconded by W. Arnold, as follows:

1. Accept the mid-year report as informational. This report reflects revenue and expenditure results through the second quarter of FY 2021/22.
2. Approve Resolution No. 22-041 - Amending the FY 2021/22 Budget
3. Approve Resolution No. 22-042 - Amending the FY 2021/22 Operating and Capital Budget for Allocation of American Rescue Plan Act Funds to City Programs and Projects Affected by COVID and to Assist Local Non-Profit Organizations to Recover From COVID

Motion passed unanimously.

Long Range
Calendar

Gloria Partida, AB1234 reporting: attended a CivicWell Policymakers Conference at the city's expense.

City Manager Mike Webb: Mobile Food Vendors. Staff team is working on amendment to comply with state law. Anticipate bringing forward April 19. Olive Drive Apartment proposal on May 10.

Closed Ses-
sion

City Council recessed at 8:09 p.m. and reconvened at 8:15 p.m.

City Council convened a closed session pursuant to Government Code §54954.5 to discuss the following: Conference with Legal Counsel. Anticipated Litigation: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (1 case).

By consensus, City Council formed a subcommittee to review the Police Auditor's scope of work (Josh Chapman and Gloria Partida).

Adjournment Meeting was adjourned at 9:10 p.m.

Zoe Mirabile
City Clerk