

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of April 19, 2022

The City Council of the City of Davis met in regular meeting session beginning at 5:33 p.m. via teleconference or otherwise electronically. The meeting was called to order by Mayor Partida.

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 W. Arnold moved, seconded by L. Frerichs, to approve the agenda.
Motion passed unanimously.

Joint Discussion of the City Council and Natural Resources Commission (NRC) Commissioners present: Meg Slattery, Keara Tusso, Thomas Rost, Richard McCann, Jacob Byrne

M. Slattery: Overview of current commission activities and future goals. Activities highlighted include recent work on the Climate Action Adaptation Plan (CAAP). Potential to explore avenues to collaborate with other jurisdictions countywide to address climate goals.

R. McCann: Serve on NRC/Tree Commission Parking Lot Shade 2x2 Committee: Made initial recommendations as 2x2, discussed recommendations by NRC. Will start work up again in the next month or two.

Council comments included:

- Suggest commission look into building regulations related to concrete and how many emissions come from use of traditional concrete. Other jurisdictions looking at pavement and other building materials with the goal of reducing GHG. Potentially fit into commission goal to develop/inform set of sustainable development guidelines.
- Suggest commission discuss carbon capture, usage and storage. Discuss use of city agricultural land as potential carbon storage.
- Should collaborate with other jurisdictions on climate goals. Regional efforts on climate planning and electrification of transportation. Also work with Valley Clean Energy.
- Consider potential NRC role in communicating to community regarding drought and climate change
- Support work of subcommittee on environmental justice

R. McCann: Re carbon sequestration—city only controls 5,000 acres of agricultural land. County regulates 400,000 acres. NRC has discussed that carbon sequestration is most effectively implemented by County.

Sustainability Coordinator Kerry Daane-Loux: Woodland, County have climate committees. Could discuss at NRC how to collaborate.

Public comment:

- Alan Hirsch: Olive Drive project has no car parking. Puts burden of climate change adaptation on low income. Need to rethink zoning standards. Also need room to charge electric vehicles, and for trees. Social justice issues.

City Council recessed at 6:31 p.m. and reconvened at 6:40 p.m.

Ceremonial Presentations

Poet Laureate Julie Levine read poem *On the Botanical Origins of Being*

Mayor Partida presented Proclamations Recognizing:

- April 22 as Earth Day
- City of Davis Attaining “Double Up on Solar” Goals
- April 29 as Arbor Day
- 30th Anniversary of Tree Davis

2022 Environmental Recognition Awards:

Environmental Legacy: Tree Davis

Individual: Eric Newman; Sherri Sandberg

Youth Activist: Eliot S. Larson

Business: Dos Coyotes Café

Non-Profit: Bike Davis; Davis Community Meals & Housing

Public comments:

- Juliette Beck; Scott Steward and Robin Dattl: Congratulate Eliot Larson for their dedication and passion and efforts to organize youth. Congratulations to other award recipients.
- George Balamba: Support Double Up on Solar efforts. Need to pay attention to state proposals that may negatively affect solar.

City Council recessed at 7:19 p.m. and reconvened at 7:22 p.m.

City Manager & City Council Brief Announcements

M. Webb: Picnic Day is April 23, encourage safe and responsible behavior. Make Davis Sparkle Day on April 24, calling for volunteers to meet downtown. Pole Line/Olive Drive connection is now open for use. New playground equipment at Senda Nueva and La Playa Parks. Loopalooza Bike Loop event on May 1; 11 interactive stations. La Rue/Anderson & Russell traffic light out, encourage caution.

Public
Comments

- Connor Gorman: Council will be moving to in-person meetings: Support hybrid option as it provides additional accessibility. Should look at improving city streaming service.
- Roberta Milstein; Scott Steward; Colin Walsh; and Alan Pryor, No on Measure H Campaign: Oppose Councilmember Carson discussing the Yes on Measure H campaign and lawsuit during a City Council meeting. Mayor put misleading article in newspaper regarding Davis Innovation and Sustainability Campus (DiSC) 2022. Lawsuit by Councilmember Carson was a dangerous precedent. Councilmember Carson should recuse himself on all matters related to DiSC 2022. Lawsuit proponent is trying to collect attorney's fees, this will have a chilling effect on citizen participation in local democracy.
- John Whitehead: Should not burn wood and release toxic smoke into neighborhoods.
- Matt Williams: Submitted questions to staff regarding DISC 2022 EIR Addendum and Traffic Operations Analysis. Hope Council will make sure staff responds.
- Rik Keller: Robust democracy—need new candidates to come forward for November election for Districts 1 and 4. Takes willingness to dedicate time and requires honesty and integrity. Take in information and genuinely do their best for the city.

Consent Calendar

Construction Contract for Wastewater Treatment Plant (WWTP) Biofilter Installation Project, CIP No. 8291

Approve Resolution No. 22-043 - Awarding Construction Contract to Myers & Sons Construction LLC for the WWTP Biofilter Installation Project and Authorizing City Manager to Execute Contract, and Revising the Budget

Construction Contract for Chiles Road Water Main Replacement, CIP No. 8190

Approve Resolution No. 22-044 - Awarding Construction Contract to Lister Construction Inc. for the Chiles Road Water Main Replacement and Authorizing City Manager to Execute Contract

License Agreement for Parking Spaces at Playfields Park

Approve Resolution No. 22-045 - Authorizing the City Manager to Execute a License Agreement with Yolo Crisis Nursery (YCN) to Allow YCN to Use Six Parking Spaces at Playfields Park to Park Vehicles Related to YCN's New Future Facility on Research Park Drive

Amendment to Lease Agreement for the Davis Train Station

Approve Resolution No. 22-046 - Authorizing the City Manager to Execute a Second Amendment to the Lease Agreement with the National Railroad Passenger Corporation for the Davis Train Station, to Increase the Rent Charged and Extend the Term of the Lease

Amendment to Telecommunications Agreement – 1865 H Street
Approve Resolution No. 22-047 - Authorizing the City Manager to Enter Into a Fourth Amendment to the Telecommunications Agreement with T-Mobile West LLC for the Cell Site on the City's Property at 1865 H Street, which (1) Expands the Area Under License, (2) Allows for a New Utility Easement, (3) Allows for the Construction of a New Enclosure, and (4) Increases the Fee Payable Under the License Agreement

Repeal of Davis Municipal Code Section Regarding Peddler's, Vehicles, Carts, etc.

Introduce Ordinance Repealing Section 22.08.210 of the Davis Municipal Code Regarding Peddler's, etc., Vehicles, Carts, etc.

Housing Element Annual Progress Report and Residential Development Status Report for Calendar Year 2021

1. City residential report: Receive the Residential Development Annual Status Report pursuant to Resolution No. 11-077 of 2011 which calls for the residential development status report
2. Housing Element Progress Report: Receive the Annual Progress Report and submission to the Governor's Office of Planning and Research (OPR) and State Department of Housing and Community Development (HCD) as required by statute.

2020-2021 Certified Local Government Annual Report
Informational

Commission Action Items:

1. Civic Arts Commission Meetings of March 14 and April 11, 2022
 1. Receive minutes as informational
 2. Approve the following commission commendations:
 - a. Approve recommendation of Roberto Delgado as the public artist for the F Street/Covell Overcrossing project.
 - b. Approve funding of \$2,500 from the Municipal Arts Fund to increase budget for the Russell Greening Project public art component at City Hall.
2. Human Relations Commission Meeting of March 31, 2022
 1. Receive minutes as informational
 2. Ratify the following commission nomination recommendations for the 2022 Thong Hy Huynh Awards.
 - Lifetime Achievement: Anne Kjemtrup
 - Young Humanitarian: Max Maurantonio
 - Civil Rights Advocacy: Natalia Baltazar

- Excellence in Community Involvement: COVID Yolo Community Response Facebook Group, Davis Food Coop, Steve Streeter
- Public Servant of the Year: Catherine Bernstein

Commission Minutes:

1. Natural Resources Commission Meetings of January 25, February 22, March 22, April 26, May 24, June 28, July 26, September 27, October 18, October 25, November 8, and November 29, 2021; and January 24 and February 28, 2022
2. Planning Commission Meeting of January 12, 2022

Informational

Ceremonial Proclamations Recognizing:

1. April 29 as Arbor Day
2. 30th Anniversary of Tree Davis

Ceremonial

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

Public Hearing: 2022-23 CDBG & HOME Funding Deliberations and Recommendations; Annual Action Plan

Assistant City Manager Kelly Stachowicz: Overview of process and funding recommendations.

Mayor Partida opened the public hearing, and after no comments, closed the public hearing.

W. Arnold moved, seconded by L. Frerichs, to approve Resolution No. 22-048 - Tentatively Awarding 2022-2023 Allocation of Community Development Block Grant (CDBG) Funds and HOME Investment Partnerships Program (HOME) Funds. Motion passed unanimously.

Davis Police Department Equipment

Police Chief Darren Pytel: Summarized requirements of AB 481, new law requiring approval from City Council prior to purchasing, raising funds for, or acquiring “military equipment.” Summarized police equipment identified as “military equipment” and current use. Not seeking approval for use of new equipment, but rather to continue to use existing equipment.

Public comment:

- Connor Gorman: Support the Police Accountability Commission reviewing use of equipment annually. PAC should also play a larger role in beginning of process and in writing ordinance.

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

1. Adopt findings pursuant to California Assembly Bill 481 (Government Code §§ 7070 et seq.) and introduce Ordinance Adopting a Military Equipment Use Policy and Approving the Use, Acquisition, and Seeking of Funding for Military Equipment, authorizing the Davis Police Department’s continued use of “military equipment”, as defined by Government Code §§ 7070 et seq., obtained prior to January 1, 2022, and going forward.
2. Request that the Police Accountability Commission (PAC) provide an annual review of equipment labeled as military equipment, starting in 2023, and provide advisory input to the City Council each year.

G. Partida Friendly Amendment: Reword Ordinance and Policy to make clear that City Council is authorizing currently used military equipment as listed in Section I of the Policy and Procedure instead of approving all defined military equipment for use by the Davis Police Department.

D. Carson Friendly Amendment: For non-compliance reporting to Council in Section F: Substitute reporting requirement to within 90 days of occurrence instead of via the annual military report.

Both Friendly Amendments accepted by mover and second. Motion passed unanimously.

City Council recessed at 8:39 p.m. and reconvened at 8:46 p.m.

Citywide
Grants and
2022-2025
Comprehensive
Funding
Plan Update

Management Analyst Dagoberto Fierros: City received \$8.9 million in grants during 2021. Highlighted recent grant activity.

Petrea Marchand, Consero Solutions, grant consultant: Overview of 2022-2025 Comprehensive Funding Plan. Summarized funding strategy and grant opportunities currently tracking.

2022 Legisla-
tive Platform

City Manager Mike Webb: Summarized results from 2021 platform and proposed 2022 platform.

Public comments:

- Connor Gorman: Should support Cal Care, California’s version of Medicare for All. Should oppose AB 1928 to create locked treatment facility in Yolo County.
- Greg Rowe: Regional Housing Needs Allocation (RHNA) process— suggest verbiage be strengthened. University enrollment growth is a driver of demand for housing. Advocate for legislation that would require RHNA targets for on campus affordable housing for student bodies.

Council consensus to strengthen the resolution language regarding the applicability of the RHNA process on University systems to providing on-campus affordable housing. Delegate to staff to make more affirmative.

D. Carson moved, seconded by L. Frerichs, to approve Resolution No. 22-049 - Authorizing the Adoption of a 2022 Legislative Platform. Motion passed unanimously.

Long Range
Calendar

M. Webb: Next Council meeting is May 10, intend to return to in-person format. Adding Pride Month Proclamation.

G. Partida: Status of E-bikes?

M. Webb: Discussing with SACOG, updated proposal for regional efforts. City staff concurrently working on alternative proposal if the SACOG proposal does not match with our needs. More information to come soon.

L. Frerichs: Issue of loose, roaming cats. Consider leash law be added to long range calendar.

G. Partida: Animal Services presentation scheduled soon. Could ask for information on what is feasible and available and have discussion around ideas.

Council consensus.

Public comment:

- Alan Hirsch: May 10 is not the appropriate date to hear Olive Drive Apartment project. Environmental justice issue. Should require developer to retrofit old apartment complexes.
- Connor Gorman: Should agendize role of commissions in Council meetings. Commissioners should be given a larger role in relevant agenda items. Police Accountability Commission should have opportunity to provide input on military equipment ordinance prior to second reading.

Adjournment Meeting was adjourned at 9:48 p.m.

Zoe Mirabile
City Clerk