

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

The City Council of the City of Davis met in regular meeting session beginning at 6:33 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Frerichs.

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

Councilmembers Absent: None

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

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

City Manager & City Council Brief Announcements City Manager Mike Webb: Healthy Davis Together has received 8,000 COVID test kits; 6,000 have been distributed to organizations, non-profits, etc. Additional test kits are available to Parks and Community Services recreation participants. 2,000 kits are available for the public at the Davis Library.

Public Comments

- Connor Gorman: Resident Satisfaction Survey item from last meeting—Concerns around demographics and sampling, as well as content and interpretation of results as it relates to broader society. Perception of crime and harmful behavior may vary. Should defund police.
- Elaine Roberts-Musser: Consent calendar item Principles of Civility—Do not apply to members of the public. Public comment is often vicious, leads to fear of reprisal from speaking at meetings. Council should close down public comments if people are name calling or shut the meeting down until person departs. Need to keep disagreement civil and respectful.
- Alan Hirsch: Downtown Plan EIR—city received many comments about trees but haven't addressed correctly. Principles of Civility—at public meetings, need to provide every opportunity for public input.
- Mary DePaul, Moms Demand Action; Rosemary Oshakowa; and Ron Mainimi: Consent calendar item—Safe Gun Storage Ordinance. Support. Ordinance will save lives, provides safety for children and those who would consider suicide by gun.
- Robert Canning: Resident Satisfaction Survey—Presented as survey of Davis residents as opposed to Davis voters. Sampling is

skewed toward voters and not residents, not accurate representation. Advise caution when relying on results as they may not represent typical residents.

- Kelsey Fortune: COVID-19—see many unmasked faces in a public meeting. Should consider what example we are setting for community.

Consent Calendar

Veterans Memorial Siding Project, CIP ET8343

Approve Resolution No. 22-124 – Awarding Contract to J-Walt Construction, Inc. for Construction of the Veterans Memorial Center Siding Project, and Authorizing City Manager to Execute Contract and Task Order 25 for WSP for Construction Management and Inspection

Ongoing Design of the Civic Gym Roof and HVAC Replacement Project, CIP No. ET8326

Approve Resolution No. 22-125 – to Terminate Task Order with SVA and Approve a Sole-Source Professional Consultant Agreement with Indigo Architects for Ongoing Design of the Civic Gym Roof and HVAC Replacement Project Phase II

Certification of Results for Special Municipal Election Held on June 7, 2022

Approve Resolution No. 22-126 – Declaring the Results and Such Other Matters as Provided by Law of the Special Municipal Election Held on June 7, 2022

City Council Meeting Schedule for Legislative Year 2022-2023

Approve Resolution No. 22-127 – Establishing Meeting Dates for Legislative Year 2022-2023

Principles of Civility

Approve Resolution No. 22-128 – Adopting Principles of Civility for City Council, City Commissions, and All Other Legislative Bodies Authorized and Governed By the City Council

City Manager Purchasing and Approval Authorization During City Council Recess

Approve Resolution No. 22-129 – Authorizing the City Manager to Execute Professional Services Contracts, Award Construction Contracts, Manage Grants and Approve Budget Adjustments During the City Council Recess From July 20, 2022 Through August 29, 2022

Support for Countywide Roadmap to the Future of Yolo County Children and Youth

Approve Resolution No. 22-130 – in Support of the Countywide Roadmap to the Future of Yolo County Children and Youth

Support of The Berryessa Snow Mountain Expansion Act, H.R. 6366
Approve Resolution No. 22-131 – Supporting The Berryessa Snow Mountain Monument Expansion Act

Second Reading: Ordinance Approving the Second Amendment to the Development Agreement Regarding the Chiles Ranch Subdivision Project
Adopt Ordinance No. 2628 (Introduced 06/28/2022)

Second Reading: Ordinance Revising Speed Limits Within the City of Davis By Amending Article 22.04 of Chapter 22 of the Davis Municipal Code to Repeal and Replace 22.04.010 Decrease of Prima Facie Speed Limits
Adopt Ordinance No. 2629 (Introduced 07/05/2022)

Treasurer’s Report for the Quarter Ended June 30, 2021
Accept the report

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 legislative bodies pursuant to Assembly Bill 361.
2. Make the following finding: There continues to be a proclaimed state of emergency and meeting in person would present imminent risks to the health or safety of attendees.

Proclamation Recognizing August 17, 2022 as National Non-Profit Day in Davis
Ceremonial

W. Arnold moved, seconded by G. Partida, to approve the consent calendar. Motion passed unanimously.

Item Removed from Consent Calendar:

Item removed by L. Frerichs.

Regulating the Safe Storage of Firearms in Residences and Vehicles

Police Chief Darren Pytel: Ordinance will authorize city to regulate gun matters that are not addressed by the state.

Public comments:

- Emily Ault, Moms Demand Action (MDA); Robert Canning; Dillan Horton; and Bapu Vaitla: Support ordinance. Safe storage can help reduce suicides. Suggest community advocator can help with outreach and enforcement.

D. Pytel: Enforcement—first violation is infraction, can also be handled through administrative citations. Law enforcement officers come across guns in their work, can use regular matters as enforcement tools.

L. Frerichs moved, seconded by W. Arnold, to introduce Ordinance Adding Article 26.09 to the Davis Municipal Code Regarding the Safe Storage of Firearms in Residences and Vehicles in the City of Davis. Motion passed unanimously.

Plaza 2555
Parcel Map
and Quitclaim
Right of Way
(ROW)

City Manager Mike Webb: This project was previously approved by City Council; item is an implementing action. Staff recommends modifying resolution to remove the action to approve the subdivision agreement.

Senior Civil Engineer Kevin Fong: Summarized project.

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

W. Arnold moved, seconded by D. Carson, to approve Resolution No. 22-132 – Approving the Parcel Map for Plaza 2555 and Quitclaim of Right of Way With Reservation of a Public Utilities Easement, as amended to remove the approval of the subdivision agreement. Motion passed unanimously.

Richards
Boulevard In-
terchange Im-
provements
Final Initial
Study/ Miti-
gated Nega-
tive Declara-
tion (IS/MND),
CIP No.
ET8730

Senior Civil Engineer Kevin Fong: Overview of existing conditions and proposed project—primary purpose and need, background of technical studies and design, funding sources, environmental review; summary of improvements including Olive Drive ramp closure. Next steps include final design phase, right of way phase, bidding of project, and construction.

M. Webb: Amend resolution to add a resolve clause to approve the project as described in the final initial study/ mitigated negative declaration.

Public comments:

- Connor Gorman: Support project. Bike and pedestrian path should be well lit and accessible in ways that exceed ADA requirements for all users. Support permanent closure of Olive Drive freeway off ramp.
- Dillan Horton: Many in South Davis have complained that this area is not fully accessible. Support project. Will improve economic development.

D. Carson moved, seconded by W. Arnold, to approve Resolution No. 22-133 – Accepting and Adopting the Final Initial Study/ Mitigated Negative Declaration (IS/MND), Mitigation Monitoring and Reporting Plan,

and Caltrans CEQA Exemption/ NEPA Categorical Exclusion Form Finding the Project Categorically Excluded from Further Environmental Review for the Richards Boulevard Interchange Improvements, as amended to include resolve clause to approve project as described. Motion passed unanimously.

Davis Municipal Code Amendment Temporarily Amending Chapter 6 Bicycles to Allow a Scooter Share Pilot Project with Lime in Partnership with the Sacramento Area Council of Governments (SACOG)

Public Works Engineering & Transportation Director Bob Clarke: Action does not approve a vendor to provide service; it updates Davis Municipal Code to provide a framework. City has long understood that transportation network includes a partnership with UC Davis. City process is under consideration; discussions have taken place with UC Davis. City would only pursue a vendor if there is mutual agreement.

Bicycle and Pedestrian Coordinator Jennifer Donofrio: Background history of previous bike share project, justification for allowing devices to park on-street like motorcycles outside of downtown, considerations for micromobility. Overview of proposed parking recommendation for micromobility devices. Outlined city impound procedures.

City Manager Mike Webb: Variety of actions need to take place over next couple months before selection of vendor and implementation.

Kirk Trost, SACOG: Standard requirement for users to be 18 years. Vendors and marketplace are not offering services for under 18. Potential agreement – best agreement of its kind in the country. Package that will offer service for 12 cents a minute and free service for low income. Lime has agreed to conditions for prompt resolution of parking issues and the like.

Public comments:

Jeffrey Boucheaut, Bike Davis; Connor Gorman; Kelsey Fortune; Chris Granger, Cool Davis; and Dillan Horton: Support establishing a pilot program, brings valuable transportation options to community. Support parking proposal. Should consider on street racks.

W. Arnold moved, seconded by G. Partida, as follows:

1. Introduce Ordinance Temporarily Amending Article 6.05 of the Davis Municipal Code and Temporarily Suspending Article 22.18 Until July 31, 2024 to Provide for a Pilot Program for a Bike and Scooter Share Program in the City
2. Direct staff to return to Bicycling, Transportation, and Street Safety Commission (BTSSC) and City Council near the completion of the Pilot Program and provide a project evaluation and assessment for potential longer term ordinance changes.

Motion passed unanimously.

City Council recessed at 9:12 p.m. and reconvened at 9:19 p.m.

City Council Vacancy in District-Based Elections

Assistant City Manager Kelly Stachowicz: Provided informational update on anticipated Council vacancy in January 2023 for District 3. Options to fill vacancy are appointment or special election. Timeline of options: appointment, all-mail ballot, and traditional ballot elections. Staff will return to Council in late fall regarding any issues or questions that may necessitate research or legal analysis.

Public comments:

- Connor Gorman; Roberta Millstein; Jeremy Taylor; Alan Miller; Dylan Horton; Kelsey Fortune; and Colin Walsh: Support calling a special election for the anticipated Council vacancy. Election is more democratic than appointment. Consider appointing someone until an election is held.
- Ron Glick: Oppose community comments calling for L. Frerichs to resign before starting his term on the Yolo County Board of Supervisors. Should honor voters who elected L. Frerichs and allow to serve term as long as possible.

Council comments included:

- Uncomfortable with appointment. If call May 2023 election in January, tight timeline for people who want to run to accomplish all the tasks required.
- Open to all options.
- Least favorite option is appoint until election. A lot of disruption can occur.
- Support election. Suggest do what is possible to call election in May 2023.

Long Range Calendar

City Manager Mike Webb: Last meeting prior to recess, next meeting will be August 30.

Public comment:

- Connor Gorman: Should agendaize item related to future July 4th events and alternatives to firework displays. City should consider going back to 3 minute public comments. City should continue discussion around role and interaction of commissions with council, especially during panel discussions and other relevant items.

D. Carson: Start of 988 Suicide and Crisis Lifeline on national scale. Ask for update on police reform. Get a sense on how implementation is going. Council consensus.

M. Webb: At last meeting, Council requested follow up from Police Chief Pytel on crime statistics. Will agendize.

Adjournment Meeting was adjourned at 10:19 p.m.

Zoe Mirabile
City Clerk