

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of August 30, 2022

The City Council of the City of Davis met in regular meeting session beginning at 6:30 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, as amended to defer regular calendar item Appeal of June 17, 2021 Tree Commission Decision to Retain Tree at 1112 Radcliffe Drive to September 20, 2022. Motion passed unanimously.

City Manager & City Council Brief Announcements City Manager Mike Webb:

- Heat Wave Resources—weather relief center at Senior Center through Labor Day and other public buildings for cooling off
- Thursdays in the Davisphere, September 1 through October 27 in Central Park; festival series includes music, food and activities
- City offices will be closed Labor Day
- Active4Me scanning program with Davis Joint Unified School District and Parent Teacher Associations, students that walk, bike, skate, scooter or carpool can scan in when reach school on an app that alerts parents by text that student has arrived on campus. Also calculates greenhouse gas emissions reduced.
- Sports court closures September 6-9 for replacements at Chestnut, Covell, Redwood, and West Manor Park
- 2022 speed humps or speed table installations during September in various neighborhoods
- Mace Corridor designs to be presented at Bicycling, Transportation, and Street Safety Commission meeting on September 8.
- Comment periods open for city plans: Draft EIR for Downtown Plan, Draft Housing Element version 2, and Climate Action and Adaptation Plan
- Dive Into Downtown on September 19, thousands of UC Davis students will be provided guided tours through downtown
- Community Meeting September 23 at Central Park; discuss ideas to honor Officer Natalie Corona as part of splashpad project

G. Partida: Request staff look into providing free entrance to pools during heat wave

M. Webb: Will look into it

L. Frerichs: Hate incident this past weekend, banners hung on overpass. Issued statement on behalf of city denouncing incident. Show solidarity with Jewish community.

G. Partida: Support members of community that are targeted or vulnerable. Destabilizes sense of safety for community. Important for all to show support. Interested in statement from entire Council.

L. Frerichs: Will coordinate with City Manager and have staff reach out to individual councilmembers

D. Carson/W. Arnold/J. Chapman: Support statement from Mayor and UCD

Public Comments

- Duriya Syed, CA Department of Insurance: State sponsored program to provide low cost insurance to qualified individuals. In Yolo County, \$263 per year for 16+ good drivers. Apply online and take questionnaire.
- Alan Miller: Comments should be about roles, not individuals.
- Dave Taormino: Oppose wasteful expenditures of public and private funds on unnecessary development project requirements. Submitted application requesting amendments to requirements placed on Bretton Woods development.
- Bob Glen: President allocated billions to funding police. Hope city continues to support and fund police.
- Tammy Vailing and unnamed individual: Residents on Olive Drive. Too many construction projects 2020. Cars and homes dirty from dust, railroad yard noise, odors. Oppose Union Pacific train schedule. Oppose Richards Overpass project. Lack of police response to neighborhood. Olive Drive freeway exit has been closed too long, difficult to get into and out of homes. People are constantly illegally parked. Request police patrol. Homeless people blocking entrance to restaurants.
- Amy Serovian Yolo Moms Demand Action: Support Safe Gun Storage Ordinance.
- Connor Gorman: Hope city is planning to implement weather shelters to alleviate issues experienced by unhoused community. Consider longer hours for Respite Center.

Consent Calendar

Sole Source On-Call Professional Services Agreement for Engineering Design Services and Task Order No. 1 for Construction Administrative Services for the Bretton Woods Subdivision

Approve Resolution No. 22-134 - Approving Sole Source Design Services with BKF Engineers for an On-Call Professional Services Agreement and Task Order for the Bretton Woods Storm Drain Pump Station and Force Main Project Design Review

Contract for Renovation of the Upper Northstar Pond

1. Receive a status update on the Northstar Pond
2. Approve Resolution No. 22-135 - Authorizing the City Manager or His Designee to Execute Contract with SOLitude Lake Management for the Northstar Pond Renovation Project

Amendment to Professional Services Agreement for Howatt Ranch Recycled Water Pipeline Preliminary Design Report, CIP No. 7313

Approve Resolution No. 22-136 - Authorizing City Manager to Execute Task Order #5 Amendment No. 3 for On-Call Engineering Services with Brown and Caldwell Associated for the Howatt Ranch Recycled Water Pipeline

Additional Contingency for Chiles Road Water Main Replacement, CIP No. 8190

Approve Resolution No. 22-137 - Approving Additional Construction Contingency Funds for Chiles Road Water Main Replacement

Contingency Increase for the Community Pool Electrical Project, Program No. 7908

Approve Resolution No. 22-138 - Increasing the Construction Contingency and Amending Task Order 12 to WSP, Inc. for the Community Pool Electrical Project

Grant Application, and Matching Funds Commitment, Associated with the Possible Acquisition of an Agricultural Conservation Easement

Approve Resolution No. 22-139 - Authorizing the City Manager to (1) Submit a Grant Application to the California Department of Conservation, Sustainable Agricultural Lands Conservation Program, to Help Fund the Possible Acquisition of an Approximately 120-Acre Agricultural Conservation Easement Located Northeast of the Mace Boulevard Curve Near the Intersection of County Roads 105 and 30, (2) Commit Approximately \$350,000 in Matching/Monitoring Funds, and (3) Sign the Future Budget Adjustment if and When the Grant is Awarded

Revised Salary Table Effective August 30, 2022

Approve Resolution No. 22-140 - Approving Citywide Salary Table

Second Reading: Ordinance Temporarily Amending Article 6.05 of the Davis Municipal Code and Temporarily Suspending Article 22.18 Until

December 32, 2023 to Provide for a Pilot Program for a Bike and Scooter Share Program in the City  
Adopt Ordinance No. 2630 (Introduced 07/19/2022)

Surveillance Technologies:

1. Replacement Body-Worn Cameras/In-Car Cameras
2. Replacement 1<sup>st</sup> and F Street Parking Garage Security Cameras
3. Install Playfields Park Snack Bar and Batting Cage Office Security Cameras

Informational. Reports are submitted on consent calendar at least 30 days prior to public hearings on purchase and use of the specified surveillance technologies.

City Council Responses to 2021-2022 Yolo Grand Jury

Approve City Council responses to the Yolo County Grand Jury for the report titled CLOVER TAKING OVER! Where Did the Grass Go in Davis Parks?

Treasurer's Reports

1. Quarter Ended September 30, 2021
2. Quarter Ended December 31, 2021
3. Quarter Ended March 31, 2022

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 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.

Commission/Committee Minutes:

1. Bicycling, Transportation, and Street Safety Commission Meeting of June 9, 2022
2. Planning Commission Meetings of April 13 and May 11, 2022
3. Tree Commission Meetings of March 17, April 21, May 19, and June 16, 2022
4. Unitrans Advisory Committee Meeting of January 27, 2022

Informational

Proclamations Recognizing:

1. August 7-13, 2022 as National Health Center Week
2. September 2022 as National Senior Center Month

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

Item Removed from Consent Calendar:

Second Reading: 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

Item removed by L. Frerichs.

Police Chief Darren Pytel: Received comments from hunters regarding firearms in vehicles. Goal is to have gun securely attached. Proposed amendment to ordinance: 26.09.030 Safe storage of firearms in vehicles, (a)(2). Remove “permanent”, after affixed add “or secured”

Public comments:

- Mark Henry, CA Waterfowl Association: Concerned about vehicle storage provision. Members travel through city during hunting season, ordinance will significantly impact hunting activities. Most hunters have soft cases for guns or no cases at all. Request remove provision entirely or amend to make more workable for hunting community.
- Marilou Rossetto, Emily Ault, and Jennifer Goldstein, Moms Demand Action: Support safe storage ordinance. Stolen guns are often used in crimes. Safe storage will help reduce senseless gun violence.
- Rhonda Reed: Other cities do not have similar requirements. Not able to get gun storage that fits in vehicle. If adopt ordinance, will create hostile environment for hunters that are responsible gun owners.

W. Arnold moved, seconded by L. Frerichs, to Adopt Ordinance No. 2631 - 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 as amended (introduced 07/19/2022).

Motion passed unanimously.

City Council recessed at 7:35 p.m. and reconvened at 7:42 p.m.

Arroyo Park Sky Track

Parks & Community Services Director Dale Summersille: Summarized history and proposal to relocate Sky Track. Discussed with Recreation and Park Commission, issued survey. City has experienced issues with vandalism and noise complaints. City contracted for noise analysis, consultant conducted modeling for noise at different locations. Overview of new obstacle course play equipment to be installed at current sky track location.

City Attorney Inder Khalsa: Noise ordinance must be interpreted in a way that harmonizes with other areas of code. Per case law—If noise ordinance is set at such a low decibel level that it precludes everyday activities and especially free speech activity, it is not constitutional.

Paul Bollard, Bollard Acoustical Consultants: Conducted testing in July 2022. Summarized findings from test. At no time did maximum noise level from nearest property level exceed 55 dBA. Currently in compliance at existing location, will be an additional margin of safety at proposed relocation site. Ambiguity in city's noise standards. Table establishes residential noise standard of 55. Interpret that to be highest average.

Robert Woo, Acoustics Group: Conducted tests in December 2021. Measured sky track noise and evaluate alternative locations. Survey differed from Bollard survey, did not have control over individuals performing on sky track. Simultaneously measured noise from kids playing on sky track, adults pushing, multiple kids on seat, multiple teenagers on seat and swing, etc. Highest noise produced was from teenager on seat or swing.

Public comments:

- Robert Lawson: Noise definitions are open to interpretations. Staff's interpretations are unsupported by the Noise Ordinance. Ordinance should be updated before making a decision on relocating the Skytrack.
- Robert Canning, Connor Gorman, Alan Miller, Grace Rossi: Should move sky track to Community Park. More room and available to more residents. Not as much impact to neighbors. Different noises affect people differently. Should relocate with private funds, not city funds.
- Joe Krovoza: Staff report acknowledges average is not what is measured in noise ordinance, but instead maximum. Clear that data from AGI report that all locations are in violation of noise ordinance. Should follow ordinance.
- Alan Hirsch: Should consider cost and benefit. What are benefits? 3 second ride. What are costs? Impact to quiet enjoyment of backyard.
- Darci Silbaugh: Support recommendation to move equipment to new location. Have submitted PRA requests on communications. No other individuals other than Joe or Janet Krovoza have submitted noise complaints. Petitions in 2019 and 2020 had hundreds of signatures supporting the sky track. Over 30 comments at Recreation & Park Commission in support. New location improves wheelchair accessibility of equipment.
- Dave Murphy: Submitted written letter
- Colin Walsh: Community Park is the appropriate location for the sky track. Consultant said ordinance language was unfortunately worded. No precedent for proposed interpretation. When language is vague, problems arise.

- Karen Barris: Arroyo Park is large, but narrow. Residents on all sides. If relocate, noise level may impact neighbors to west and east. May still require staff to lock up equipment, then there will be more vandalism.
- Janet Krovoza: Sky track is a nuisance. Regardless of what is shown on meter, noise is penetrating house. Caustic, mechanical, banging sound. Violates noise ordinance. Health impacts. Should move to location that does not impact neighbors.

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

1. Approve the relocation of the Sky Track facility in Arroyo Park to a new location within Arroyo Park
2. Approve Resolution No. 22-141 - Removal and Relocation of the Sky Track at Arroyo Park and Purchase of New Equipment and Installation to Replace the Existing Sky Track Equipment

Motion passed unanimously.

Long Range  
Calendar

M. Webb: Next meeting September 6—closed session only. Next regular meeting September 20. Will include SACOG Blueprint Project Update, Tree Commission Appeal.

J. Chapman: Request discussion about winter shelter options. What partners in the community are providing. Also ARP funds—where are we at with distribution of funds? Project status?

L. Frerichs: Support ARP status update. And discussion of ARP reserve funds.

G. Partida: Request update on G Street. Status of Temporary Use Permits and long term action.

L. Frerichs: Support discussion

D. Carson: Implementation of 988 and Crisis Now. How is it going? Can be included with next check-in on reimagining public safety.

Public comment:

- Connor Gorman: Fireworks issue-should have initial discussion soon. Should restart discussion and process around role of commissions. Should revisit length of public comments—go back to 3 minutes. Should extend length of time to receive remote public comments.
- Colin Walsh: All commission chair meeting held last year. Process hasn't continued. City should make a formal apology to the Krovozas relating to the sky track. Should agendaize discussion of

referring councilmember to Fair Political Practices Commission  
for receipt of gift of campaign funds for law suit.

Adjournment Meeting was adjourned at 9:32 p.m.

Zoe Mirabile  
City Clerk