

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of December 13, 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.

Councilmembers Present: Will Arnold, Josh Chapman, Gloria Partida, Bapu Vaitla, 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 G. Partida, to approve the agenda as amended to reorder items: City Council Reorganization—swear in newly elected councilmembers prior to proclamation honoring Mayor Frerichs for his service, and Designation of Mayor and Vice Mayor to take place before Public Hearing: Downtown Davis Specific Plan. Motion passed by the following vote:

AYES: Arnold, Chapman, Partida, Frerichs

NOES: None

City Council Reorganization A. Swearing in of Newly Elected Councilmember Bapu Vaitla for District 1
B. Swearing in of Newly Elected Councilmember Gloria Partida for District 4
C. Proclamation Honoring Mayor Lucas Frerichs for His Service on the Davis City Council. Presented by W. Arnold.

City Councilmembers expressed appreciation to Frerichs and congratulations on his election to Yolo County Supervisor.

Public comments:

- Jordan: Congrats to newly elected Bapu Vaitla.
- Autumn Labbe-Renault, Davis Media Access: Thanks to outgoing Mayor Frerichs for support of non-profits.
- Emily Ault and Anya Strand, Moms Demand Action: Congrats to newly elected and thank you to outgoing Mayor Frerichs for support of gun regulations.
- Patrick Huber: Congrats to newly elected. Thanks to Mayor Frerichs for work on open space and habitat.

- Evan Schmitt, Valley Vision and Empower Yolo: Thank Mayor Frerichs for work on SACOG Board and leadership in region and support of non-profits.
- Sheila Allen, Deputy Supervisor District 4: Thank Council for their work and availability to Davis community. Congrats to newly elected and outgoing Mayor.
- Stacey Frerichs: Wife of outgoing Mayor. Congratulations for service to Davis community, responsiveness, understanding of when to act, and caring about issues.
- Jim Provenza, Yolo County Supervisor: Congratulate newly electeds and welcome to new Yolo County Supervisor.
- Maudi, Grad Student Association of UC Davis: Congrats to newly electeds. Look forward to addressing issues of housing, transportation, and affordable housing.
- Aden, Davis College Democrats: Congrats to newly elected and new Yolo County Supervisor. Thank Frerichs and Partida for accessibility and willingness to work with students. Appreciate partnership and look forward to continuing to work together.
- Francis Swanson: Sister of re-elected Gloria Partida. Lived with integrity, made good decisions even during difficult circumstances. Approaches challenges with dignity and grace.
- Francesca Wright: Congrats to newly elected. Look forward to continuing to working on inclusivity. Support criminal justice reform efforts by Vailta as a community member and commissioner. Thanks to outgoing Mayor.
- Megan Laiks: Congrats to Frerichs. Thanks for inspiring service.
- Evan Cragin, representing Assemblymember Aguiar-Curry: Welcome to newly elected and congrats to new Yolo County Supervisor.

City Manager Mike Webb: Thanks from city staff to outgoing Mayor.

City Manager & City Council Brief Announcements

City Manager Mike Webb: City offices closed for holiday break December 23 through January 2. Yolo County Covid and flu testing sites are open 8a-4p at Playfields Park, County Health and Human Services Agency, and Arroyo Park.

City Council recessed at 7:31 p.m. and reconvened at 7:38 p.m.

Public Comments

- Cory Koehler, Davis Chamber of Commerce: Welcome new business in Davis—Encounters UFO Experience. Grand opening on December 14.
- Connor Gorman: Covid pandemic is not over. Should continue to fight to help the most vulnerable. Need additional testing resources on campus and healthy air. Support retaining remote public options for public meetings.

- John Whitehead: Homes with solar panels still use fossil fuels for energy at night. Need enough renewable energy at night and during the winter.
- Judith Williams: Thank Dan Carson for service to community, and especially to University Retirement Community.
- Alan Miller: J Street has cracks and asphalt is crumbling. Needs to be fixed before injuries occur. Oppose speed bumps that have been installed on L Street.

Consent Calendar

Playfields Park Turf Replacement, CIP ET0003
Approve Resolution No. 22-184 - Awarding the Construction Contract to FieldTurf USA for Replacement of the Turf at Playfields Park

On Call Consultant Task Order for Professional Engineering Design Services for the Fourteenth Street/Villanova Drive Improvements Project, CIP No. 8282

Approve Resolution No. 22-185 - Approving Task Order No. 11 Under the Professional Service Agreement with Fehr & Peers for Professional Engineering Design Services Associated with CIP No. 8282 – Fourteenth Street/Villanova Drive Improvements Project

On Call Consultant Task Order for Capital Improvement Program Staff Augmentation for Construction Management and Inspection Services
Approve Resolution No. 22-186 - Approving Task Order No. 27 Under the Professional Services Agreement with WSP, Inc., for Task Order Consolidation to Provide Staff Augmentation for Capital Improvement Program Construction Management and Inspection Services

2019 and 2022 Downtown Historical Survey Evaluations
Approve Resolution No. 22-187 - Accepting the 2019 and 2022 Downtown Historical Resources Survey Evaluations for Inclusion in the City's Cultural Resources Inventory, and accepting the Historical Resources Management Commission's recommendation to not designate the evaluated properties on the Local Historical Register and therefore finding that none are local historical resources

2022 California Parks & Recreation Society (CPRS) / Healthy Play Initiative Grant and Contracts for Procurement and Installation of Playground and Exercise Equipment for Park Renovation Projects
Approve Resolution No. 22-188 - Accepting a Grant from the California Parks & Recreation Society for the Healthy Play Initiative for Playground Design and Installation for Campanilla, Donato, La Playa, Mace Ranch and Sandy Motley Parks and Amending the Fiscal Year 2022-23 Development Deferred Improvement – Parks Fund Budget

Contract Extension for City Attorney Services

Approve Resolution No. 22-189 - Authorizing the City Manager to Execute an Amendment to the Agreement with Richards Watson Gershon to Continue City Attorney Services

Animal Services Contract

Approve Resolution No. 22-190 - Authorizing the City Manager to Execute Agreement Between County of Yolo and City of Davis for Animal Control Services

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 Action Item: November 2022 Civic Arts Commission Minutes; Action Item to Select Lead Artist for the N Street Park Public Art Stage Project

1. Receive November 2022 Civic Arts Commission meeting minutes as informational
2. Approve commission recommendation to select Cjay Roughgarden as the lead artist for the N Street Park Public Art Stage project. Staff will proceed with next steps including entering into negotiations and contract with the artist. The anticipated project cost is \$45,000 and the contract will be executed under City Manager's authority.

Minutes from the Open Space & Habitat Commission Meeting of November 7, 2022

Informational

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

Public Hearing: Water Supply Update and Implementing Two Days Per Week Watering Restrictions

Public Works Utilities & Operations Director Stan Gryczko: Summarized state drought emergency conditions and status of city water rights. Staff is continuing to actively pursue projects to aid in short- and long-term water supply resiliency.

Conservation Coordinator Dawn Calciano: Overall reduction in water use of 6.4% when comparing July 2021 to November 2022. Recommend implementing water restrictions, however, tree watering is not limited. Overview of public outreach.

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

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

1. Approve Resolution No. 22-191 - Implementing Two Days Per Week Watering Restrictions For Sprinkler Irrigation
2. Direct Public Works Utilities and Operations (PWUO) staff to begin work with the Natural Resources Commission (NRC) on permanent revisions to the watering restrictions in the City's Water Shortage Contingency Plan (WSCP).

Motion passed unanimously.

Designation of Mayor and Vice Mayor

City Manager Mike Webb: Mayor and Vice Mayor transition will formally take place at the City Council meeting on January 3, 2023.

Public comments:

- Connor Gorman: Support Will Arnold for Mayor and Josh Chapman for Vice Mayor.

L. Frerichs moved, seconded by G. Partida, as follows:

1. Designate Will Arnold to serve as Mayor for calendar year 2023
2. Designate Josh Chapman to serve as Vice Mayor for calendar year 2023

Motion passed unanimously.

Public Hearing: Downtown Davis Specific Plan and Form Based Code Adoption

J. Chapman recused himself from this item due to business interests downtown and left the chambers.

Community Development Director Sherri Metzker: Plan is a visioning document, will allow for taller and denser development than exists today.

Senior Planner Eric Lee: Overview of plan. Project area is 32-blocks, approximately 132 acres. Summarized public process, including Downtown Plan Advisory Committee (DPAC) activities. Outlined Planning Commission recommendations. Proposed zoning map will allow up to 1,000 new housing units and 600,00 ft. non-residential.

Mark Teague, Placeworks, environmental consultant: Environment Impact Report overview—Significant and unavoidable impacts to aesthetics, air quality, cultural resources, greenhouse gas, noise.

Mayor Frerichs opened the public hearing.

- Larry Guenther: City spent time on community process. Any significant changes to plan at this time undermines process. Should adopt draft plan with changes agreed to by neighborhoods.

- Greg Rowe: Proposed language regarding Transportation Demand Management (TDM)—contentious discussions at DPAC. Should add language: commercial businesses in downtown shall join and maintain membership in Yolo Commute or a similar non-profit Transportation Management Association acceptable to city.
- Steve Greenfield, representing Trackside Center Property: Support 4-stories in neighborhood transition area. Support staff recommendation to pursue quiet zone status. Suggest allowing high level of noise along railroad tracks. Council should take a look at constraints along RR corridor.
- Don Gibson: Support Form Based Code and reduction in parking minimums. Suggest increasing density at former Hibbert Lumber site from 4 to 5 stories to allow for more housing on site. Support increases to density in urban core.
- Meg Arnold: Served as DPAC Chair. Support Downtown Plan. Product of sustained thoughtful work and public input. Provide clarity and certainty to property owners, citizens and residents. DPAC process included 18 public meetings and 2 public design workshops, EIR process allowed for more public input. Support allowing increased height of 5 stories for Hibbert Lumber site.
- Jennifer Figueroa: Support plan with zoning designation for Hibbert Lumber site as is. Ensure thoughtful transition to neighborhoods. Support maintaining main street medium with 4 stories.
- Alan Hirsch: Need downtown tree plan. Missing trees in front of businesses, should replace short trees with longer, 40 treeless parking lots, need to protect tree holes and give them value. Consider using American Rescue Plan funds designated for downtown beautification.
- Brett Maresca, Downtown Davis Business Association: Concerns over TDM plans and lack of additional parking requirements for projects. Need to figure out a way to reduce tripping hazards from sidewalks. Interested in continuing discussions with city regarding redesigning E Street Plaza. Support tree plan and landscaping plan.
- Don Shor, Tree Davis: Need specifics regarding conservation and planting of trees. Need healthy tree canopy. Appropriate species, maintenance, goals for percentage of canopy, soil management. Request city arborist, Tree Davis, Tree Commission be allowed to develop specificity and enforcement mechanisms.
- Doug Buzbee, representing former Hibbert Lumber property: Request change to site to allow for 5 stories. Increase could allow for 40 more housing units. Best site for redevelopment downtown. Currently vacant and unused.
- Alan Miller: Main contentious issue at DPAC was Trackside property and 3 stories versus 4 stories on 2 half blocks. DPAC changed recommendation from 4 stories to 3 stories. Old East Davis neighborhood advocates for 3 stories.

- Raine Watson: Object to incorporation of Old North Davis neighborhood into downtown. Should not be forced to change from low density if that is preferred lifestyle. Also object to referring to area as urban core.
- Francesca Wright: Support form based code streamline approach. Plan not complete. Need more outdoor public spaces and dining spaces. Need alternative language regarding TDM.
- Greg Harrington: Support plan, Main Street Medium at 5 stories, and reduction to ceiling height minimums.
- Catherine Brinkley: Support plan, urge adoption. Will revitalize downtown and lead to General Plan update.
- Johnathon Hammond: Support, will greatly assist the city in meeting climate goals. In downtown areas, households use only 20% of energy compared to suburban areas.
- Kevin Wolfe: Support. Want housing near campus, downtown, shopping, transit. Council should try to figure out how to get more housing and affordable housing. Hibbert Lumber site is ideal location for higher density, consider increasing to 7 stories. Should anchor downtown and be high density project. On G Street, should have 4 stories. Higher density = affordable.
- Becky Hibbert: Support Hibbert site up to 5 stories.
- Jim Grey: Support plan. Support rezoning Hibbert site, perfect location for additional density. Shouldn't limit fitness centers and recreation uses; should allow nearly everywhere in community.
- Cheryl Essex: Grateful for citizen involvement and staff work. Outstanding issues—oppose increased density on Hibbert site unless paired with affordable housing. Should retain 4 story limit. Don't support height reductions on north side of G Street, should be neighborhood medium and retain 3 story maximum.
- Chris Granger: Support density and form based code language and frameworks. Will lead to more neighborhood conversations regarding edges and heights. Should honor conversations of past. TDM is in Climate Action and Adaptation Plan (CAAP), consider referencing CAAP language in plan.
- Rob Chapel: For real estate purposes, magic numbers are 5 stories and 8 stories. More efficient. Lower cost to build, rents decrease. Main street medium should go up to 5.
- Michelle Byers: Benefit of form based code—makes sure community can get the downtown shape they want. Right feel, depth of sidewalks, business fronts interact with public space. DPAC spent a long time debating and received public input, recommendations represent community.
- John Meyer, Old North Davis Neighborhood Association: Foremost in developing plan was certainty, avoid future conflicts. Residents concerned about higher density on Hibbert site. Should adopt draft plan as submitted.

- Ada McGuire: Familiar with remodel projects in historic districts. Plan took into account the need to create transition from core area to historic neighborhoods with restrictive design guidelines. Support main street medium for east side of G and main street small for west side. Should not make any changes at last minute.
- Gerrit Mulholland: Should keep Hibbert property as main street medium at 4 stories with all affordable housing. Keep G Street block as neighborhood small. Oppose Planning Commission recommendation to rezone 600 block of G St. Need transitions between high density housing and neighborhoods.
- Heather Bischel: Should honor public process. Own property adjacent to Hibbert site. Oppose increasing zoning of site.

Mayor Frerichs closed the public hearing.

City Council recessed at 9:37 p.m. and reconvened at 9:44 p.m.

W. Arnold moved, seconded by B. Vaitla, to approve amendments to the Downtown Form Based Code and the Downtown Davis Specific Plan, as follows:

Downtown Form Base Code

- Allow 4th story on the Davis Community Church site without a step back provision (412 C Street, corner of 4th Street and C Street).
- Remove cap on the maximum number of dwelling units allowed in house-form building types.
- 10 percent reduction in the minimum required ceiling height of the floors in the Main Street-Medium (MS-M) and Main Street-Large (MS-L) zones (reduce ground floor ceiling height from 14' to 13' and upper floor(s) from 9' to 8').
- Revised Table of Permitted and Conditional Uses (as shown in the staff report)
- Prices charged for unbundled parking to renters or buyers of on-site inclusionary affordable units shall be reduced proportionately to their affordable income level

Downtown Davis Specific Plan

- Add requirement to develop a Downtown Tree Plan and provide opportunity for input by the Tree Commission in the design of downtown streetscapes as it relates to the provision of street trees
- Remove City-owned parcel behind Design Warehouse as possible parking lot site (north west corner of Richards Boulevard and Olive Drive)
- Add requirement to pursue an application for a Federal Rail Administration Quiet Zone status for the plan area

Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

W. Arnold moved, seconded by G. Partida, to amend the Form Based Code zoning of the 500 block on the west side of G Street, with the exception of 501 G Street (corner parcel designated Main Street Medium), 600 block on the west side of G Street, and Sweet Briar Drive block parcels between G Street and 8th Street from Neighborhood Small (N-S) to Neighborhood Medium (N-M), 3 story maximum. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

L. Frerichs moved, seconded by W. Arnold, to amend language regarding Transportation Demand Management: Commercial businesses in the Downtown Zone shall be required to join and maintain membership in Yolo Commute or a similar non-profit Transportation Management Association (TMA) acceptable to the City.

M. Webb clarification: If staff feels there is a financial hardship to this item, it will return to Council.

Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

G. Partida moved, seconded by W. Arnold, to amend the Form Based Code zoning to designate the blocks between 1st and 2nd Street and the east side of E Street, F Street, and G Street as Main Street Large (MS-L), up to 7 stories. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

W. Arnold moved, seconded by B. Vaitla, to amend the Form Based Code zoning to designate 500 G Street (formerly the "Hibbert Lumber site") as Main Street Medium (MS-M), up to 5 stories. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

B. Vaitla moved, seconded by W. Arnold, to approve Resolution No. 22-192 - Adopting CEQA Findings of Fact, Adopting a Statement of Overriding Considerations, Adopting a Mitigation Monitoring and Reporting Plan, and Certifying the Final Environmental Impact Report for the Downtown Davis Specific Plan Project. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

W. Arnold moved, seconded by B. Vaitla, as follows:

1. Approve Resolution No. 22-193 - Amending the Davis General Plan to Re-designate the Land Use of the Properties Located in the Downtown Davis Specific Plan from "Core Area Specific Plan" and "Gateway Olive Drive Specific Plan" to "Mixed Use" and Related Text Amendments
2. Approve Resolution No. 22-194 - Amending the Gateway Olive Drive Specific Plan (GODSP) to Remove the "Southern Pacific Depot" Site and the "Davis Commons" Site from the GODSP Area and to Update the Specific Plan Map and Related Text

Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

W. Arnold moved, seconded by G. Partida, to approve Resolution No. 22-195 - Repealing the Core Area Specific Plan and Adopting the Downtown Davis Specific Plan, including revisions noted above. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

W. Arnold moved, seconded by G. Partida, to modify the Form Based Code to add a zoning requirement for design review of 500 and 506 G Street (formerly the "Hibbert Lumber site" and adjacent related office property) as follows: Site Plan and Architectural Approval for redevelopment shall be reviewed by the Planning Commission. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

L. Frerichs moved, seconded by W. Arnold, to introduce an Ordinance Amending Various Sections of Article 40 (Zoning) of the Davis Municipal Code to Implement Regulations Regarding the Downtown Davis Form Based Code, as follows:

- a. Amend Section 40.01.090 (Zoning Map) to rezone the properties as provided in 40.13.070 (Downtown Code Zoning Map);
- b. Rescind Article 40.05 Core Area Infill (C-I) District;
- c. Rescind Article 40.13 Core Area Design (C-D) Combining District;
- d. Rescind Article 40.14 Central Commercial (C-C) District;
- e. Adopt Article 40.13 Downtown Zones;
- f. Adopt Article. 40.14 Supplemental to Downtown Zones;
- g. Amend Article 40.13A Downtown and Traditional Neighborhood (DTRN) Overlay District to rename and renumber as Article 40.04B Traditional Neighborhood Overlay District and to update the District map;
- h. Amend Article 40.23 Historic Resources Management to clarify review of projects within 300 feet of a designated resource would only occur for projects not subject to Article 40.13 (Downtown Zones); and
- i. Amend Planned Development (PD) 2-86D to update the PD 2-86D zoning map to remove the properties being addressed by Article 40.13 (Downtown Zones).

As amended by revisions as noted above. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman (recuse)

Long Range
Calendar

W. Arnold moved, seconded by B. Vaitla to continue the meeting and take up the Long Range Calendar. Motion passed by the following vote:

AYES: Arnold, Partida, Vaitla, Frerichs

NOES: None

ABSENT: Chapman

Public comments:

- Connor Gorman: Should conduct an election to fill the Council vacancy in District 3. If possible, should ranked choice vote process. If not possible, should agendize consideration of implementation of ranked choice voting or runoff system.

L. Frerichs: Next meeting is January 3, 2023.

Adjournment

Meeting was adjourned at 11:55 p.m. in memory of Will Marshall.

Zoe Mirabile
City Clerk