

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of May 16, 2023

The City Council of the City of Davis met in regular meeting session beginning at 6:44 p.m. in the Community Chambers, 23 Russell Boulevard, Davis, California. The meeting was called to order by Mayor Will Arnold.

Roll Call: Councilmembers Present: Josh Chapman, Gloria Partida, Babu Vaitla, Will Arnold

Councilmembers Absent: None

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

Approval of Agenda Chapman moved, with a second by B. Vaitla, to approve the agenda. Motion passed unanimously.

Ceremonial Presentations Proclamation Recognizing May as Asian American and Pacific Islander Heritage Month, presented by B. Vaitla.

Proclamation Recognizing June as Lesbian, Gay, Bisexual and Transgender (LGBTQ+) Pride Month, presented by G. Partida.

Proclamation Recognizing May as Mental Health Awareness Month, presented by J. Chapman.

2023 Golden Heart Awards: Recognizing Outstanding Youth in the Community

Community Service Awards presented by J. Chapman:

- Arianna Ramirez
- Isla Robertson
- Empower Youth Community Service Club

Personal Challenge, presented by G. Partida:

- Ashton Aroseteguy

2023 Thong Hy Huynh Memorial Awards:

Under 18, presented by B. Vaitla:

- Ruvi Rajapaksha
- Bailey Ren-li Paquette
- Mattias Rowenbale

18 and Over, presented by J. Chapman:

- Naomi Davis
- Natalia Deeb-Sousa

Community Group, presented by G. Partida:

- Empower Youth Community Service Club
- Ethnic Studies of Yolo Academy

Council recessed at 7:27 p.m. and reconvened at 7:52 p.m.

City Manager Announcements City Manager Mike Webb: May is Bike Month and May 21-27 is Public Works Week. Downtown Streets Team launched. Picnic in the Park returns to Central Park May 17. N Street Park grand reopening will be on Sunday, May 21. City Offices closed Memorial Day, May 29. Pride activities June 3-4 in Central Park.

City Council Announcements and Liaison Reports None.

Public Comments

- Mason Harry: Should apologize for sharing false information regarding the killer that committed the recent stabbings. Community needs to be appropriately defended.
- Bob Schneider: Consent calendar item—Support Executive Order N-82-20, Nature Based Solutions (Pathways to 30x30 proclamation). Shared achievements to protect environment in area.
- Eros, Joshua, Joshua’s mom, Anoosh Jorjorian: Support LGBTQ+ rights. Drag is not dangerous. Support trans children and adults. Davis Phoenix Coalition founded on anti-gay hate crime and mission is to end hate and bring marginalized voices forward.
- Alan Miller and Alan Hirsch: Oppose CalTrans I-80 lane widening.
- Malena Kahan and Christian Smalley, Venture Crew 66: Thank Council for supporting Arroyo Park tunnel proposal.
- Norb Kumagai: Thank Council for leadership during past several weeks.
- John Whitcombe: Planning application has been submitted for Village Farms property.
- Rochelle Swanson: Thank Council for looking at all development project proposals. Would like to move forward with Environmental Impact Report for Village Farms.
- Kathy Guerrero, Carol Marquese, and Beth Bourne: Children should not be exposed to gender identity. Gender dysphoric children will outgrow it. Concerned about Davis Phoenix Coalition interactions with minors and not informing their parents.
- Linda Deos, Yolo Democratic Club: Joan of Arc wore pants, stepping out of gender norm. Thank Council for keeping everyone in community safe.
- Connor Gorman: Importance of members of community helping other members of the community.

- Unnamed individual and John Whitehead: Consent calendar item—  
Oppose ordinance prohibiting smoking in parking lots.

Consent Calendar

Local Road Safety Plan

Approve Resolution No. 23-051 - Establishing a Vision Zero Policy and Goals to Work Towards Zero Traffic Deaths and Severe Injuries and Adopting the 2022 Local Road Safety Plan

Assignment and Assumption of the Development Agreement for the Plaza 2555 Project

Approve Resolution No. 23-052 - Approving the Assignment and Assumption of Development Agreement for the Plaza 2555 Project

Encroachment License Agreement – Outdoor Dining Structure, 403 Third Street (Burgers and Brew)

Approve Resolution No. 23-053 - Authorizing the City Manager to Execute an Encroachment License Agreement for the Outdoor Dining Structure at 403 3rd Street

Application for Financial Incentives for On-Site Distributed Electrical Generation at the Wastewater Treatment Plant (WWTP)

Approve Resolution No. 23-054 - Amending Fiscal Year 2022-23 Wastewater Fund Budget for the Submission of the Application Fee to Apply for Financial Incentives to Install a Battery Storage System at the WWTP for the Purposes of Resiliency and Energy Arbitrage

Fee Deferral for Paul's Place (1111 H Street)

Approve Resolution No. 23-055 - Authorizing the City Manager to Execute a Fee Deferral Agreement with Davis Community Meals and Housing for Paul's Place

Support Executive Order N-82-20, Nature Based Solutions (Pathways to 30x30)

Approve Resolution No. 23-056 - Supporting Executive Order N-82-20, Nature Based Solutions (Pathways to 30x30)

Prohibit Unlawful Possession of Catalytic Converters and False or Falsified Documentation Intended to Show Proof of Ownership or Possession

Introduce Ordinance Adding Article 26.10 to the Davis Municipal Code Prohibiting the Unlawful Possession of Catalytic Converters

Regulating Riding Bicycles or Skateboards on Sidewalks Downtown

Introduce Ordinance Amending Section 6.02.060 of the Davis Municipal Code Regarding the Riding of Bicycles or Skateboards on Sidewalks

2022 Housing Element Annual Progress Report and Residential Development Status Report

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.

2021-2022 Certified Local Government (CLG) Annual Report

Receive report as informational

Commission Action Item: April 2023 Civic Arts Commission Meeting; Action Item Regarding Arroyo Park Tunnels Mural and Graffiti Abatement Proposal

1. Receive the April 10, 2023 commission meeting minutes as informational.
2. Approve commission recommendation to support community proposal to design and paint two tunnels in the Arroyo Park neighborhood for graffiti abatement and general park beautification.

Commission Action Item: February 2023 Police Accountability Commission Meeting; Action Item Regarding Independent Police Auditor Review

1. Receive the February 6, 2023 commission meeting minutes as informational.
2. Receive the Police Accountability Commission's annual review of the Independent Police Auditor as informational.

Commission Minutes (informational only):

1. Bicycling, Transportation, and Street Safety Commission Meeting of March 9, 2023
2. Historical Resources Management Commission Meeting of November 21, 2022
3. Open Space and Habitat Commission Meeting of March 6, 2023
4. Police Accountability Commission Meetings of January 9 and March 6, 2023

Informational

Proclamation Declaring May 2023 as May is Bike Month in the City of Davis

Ceremonial

Proclamation Declaring May 21–27, 2023 as National Public Works Week

Ceremonial

J. Chapman moved, seconded by B. Vaitla, approved the consent calendar as listed above. Motion passed unanimously.

Removed from Consent Calendar:

Item removed by G. Partida.

First Reading: Banning Smoking in Certain Downtown Parking Lots – E Street Plaza Lot, North F Street Lot, South G Street Lot, and North G Street Lot

Police Chief Pytel: Recommend no smoking in parking lots. Parking lots are intended for parking vehicles, not for people staying all day smoking. City receives complaints. The ordinance is limited to people not in transit.

Public Comment:

- Alan Miller: People should be freed to smoke. Shouldn't overdo restrictions.

G. Partida moved, seconded by W. Arnold, to restrict smoking in "E Street Plaza Parking Lot" and the North F Street Parking Lot". Motion passed unanimously.

G. Partida moved, to restrict smoking on the "North and South G Street Parking Lots" from 8AM to 8PM. Motion fails for lack of second.

B. Vaitla moved, seconded by J. Chapman, as follows:

1. Restrict smoking from remaining lots (South G Street & North G Street Lots)
2. Introduce Ordinance Amending Section 34.02.010 of the Davis Municipal Code Regarding the Prohibition of Smoking in Public Places

Motion passed by the following vote:

AYES: Chapman, Vaitla, Arnold

NOES: Partida

Continued Public Hearing: Lift Demand Reduction Actions Under Shortage Level 2 of the City's Water Shortage Contingency Plan (WSCP) and Adjust Sprinkler Irrigation Restrictions

Public Works Utilities & Operations Director Stan Gryczko: City currently has full allocation of surface water coming into city and water levels in reservoirs are good. Yolo County no longer considered to be in drought.

Conservation Coordinator Dawn Calciano: In Spring 2023, certain drought restrictions removed. Groundwater takes time to recharge. Currently have about 8% reduction in water usage compared to 2020.

W. Arnold opened public hearing.

- Alan Miller: Didn't follow restrictions.
- Connor Gorman: Although reprieve from droughts, need long term sustainable water policies. Consider water storage.

W. Arnold closed public hearing.

G Partida moved, seconded by B Vaitla, to approve Resolution No. 23-057 - Lifting Shortage Level 2 of the City's WSCP and Modifying the Sprinkler/Spray Irrigation Restrictions  
Motion passed unanimously.

Public Hearing: 2023 Weed Abatement Proceedings – Removal of Weeds and Grasses to Eliminate Potential Fire Hazards

Fire Marshal Patrick Sandholdt: Summarized the weed abatement process, including notification to property owners.

W. Arnold opened public hearing for property owners who wish to protest the abatement of weeds on their property, and after no comments, closed the hearing.

Public Hearing: Fiscal Year 2023/24 Proposed Changes to Fees and Charges

Finance Manager Bowen Au Young: Summarized the proposed changes which include Trench cut fees, revision to Urban forestry fees, restructure of certain Parks and Community Services fees. Continued freeze for Veterans Memorial Theater fees.

W. Arnold opened public hearing, and after no public comment, closed the hearing.

City Attorney Inder Khalsa: If Council was interested in subsidies for certain groups, those must come from General Fund. Illegal to charge one group less than another for the same service.

City Manager Mike Webb: Some fees are increased according to Consumer Price Index. Council has the option to set fees lower than actual costs to achieve certain policy objectives.

J Chapman moved, seconded by B Vaitla, as follows:

1. Approve Resolution No. 23-058 - Approving Changes to Certain Fees and Charges for the Provision of Services by City Departments
2. Approve Resolution No. 23-059 - Approving Changes to Certain Fees and Charges for City Development Projects by Community Development & Sustainability and Public Works Departments

Motion passed unanimously.

Council recessed at 9:48 p.m. and reconvened at 9:56 p.m.

Emergency Medical Dispatch (EMD) Services

Police Chief Darren Pytel: EMD services consist of specialized training that allows dispatchers to provide pre-arrival instructions and allow for resource dispatching to send best suited response to each call. Davis is one of the few agencies in the region not doing EMD. Summarized the

funding request to cover software program launch, recurring licensing, and staff training and compensation.

Public Comments:

- Alan Miller: Impressed with dispatchers and their ability to triage. Concerned about having a separate dispatching center for mental health response.
- Connor Gorman: Support pre-arrival instructions. Should dispatch outside of the Police Department.

B. Vaitla moved, seconded by J. Chapman, to direct staff to implement Emergency Medical Dispatch services. Motion passed unanimously.

Fiscal Year  
2023/24 and  
2024/25 Pro-  
posed Budget

City Manager Mike Webb: Introduced 2023-2025 preliminary budget. Challenges with the budget due to higher costs and inflation, uncertain development activity, and labor contract negotiations. Budget complies with Council General Fund Reserve policy of 10-15%. Summarized new position requests for Urban Forest Supervisor, Equipment Mechanic, and contract dollars for a crisis clinician at the Police Department.

Finance Director Elena Adair: Provided overview of budget, including all funds revenues and expenditures and information for separate funds. Summarized the funding of Capital Improvement Projects and deferral of other projects. Next steps include Finance and Budget Commission end of May, City Council Budget Workshop early June, and City Council Budget Adoption end of June.

Public Comments:

- Connor Gorman: Martin Luther King and Chavez celebrations should have more funding. Need permanent funding for Social Services and Housing.
- Alan Hirsch: Budget does not include written descriptions, including accomplishments and goals.

E. Adair: Social Services and Housing department is funded from general fund starting in FY24-25.

W. Arnold moved, seconded by G. Partida, to create a Council subcommittee consisting of B. Vaitla and J. Chapman to review budget and report back to full Council. Motion passed unanimously.

G. Partida moved, seconded by B. Vaitla, to take up the Long Range Growth Item. Motion passed unanimously.

Council recessed at 11:57 p.m. and reconvened at 12:05 a.m.

Report Back  
on Long  
Range Growth  
Subcommittee  
Status Report

City Manager Mike Webb: Summarized Council direction to bring forward a timeline targeting election dates through 2026 and estimating the likelihood a peripheral project would be ready to go before the voters.

Community Development Director Sherri Metzker: Critical to get project description correct at the outset.

Public Comments:

- Alan Pryor: A project could complete an Environmental Impact Report (EIR), go through the commissions and City process, and be placed on the November 2024 ballot.
- Vanessa Erracarte: Representing Shriner's project. Want to bring 1200 units of housing online as soon as possible.
- Michael Faust: Representing Pioneer Community project. Energy park component of the project would allow zero carbon/zero emissions, along with refueling station along I-80. Encourage hiring additional staff to process project applications.
- Nora: Affordable housing and transparency in development projects are important.
- Connor Gorman: Should have multiple housing projects on the ballot, Davis needs housing. Should include high density and affordable housing.

M. Webb: Council has full discretion to determine how to proceed with discretionary projects. Staff/Subcommittee could come back at future date with development principles more fully fleshed out and an initial assessment of projects based on the principles. Need to determine staff bandwidth for multiple projects.

Council consensus that Peripheral Growth Subcommittee will flesh out and bring back development principles and compare development proposals to the principles.

AB 1234 Re-  
porting

G. Partida and J. Chapman: Attended Cap to Cap at city expense.

Long Range  
Calendar

M. Webb: May postpone upcoming items—Sacramento Yolo Mosquito and Vector Control District presentation, Surveillance Technology Renewals, and Shelter debrief.

G. Partida: Request information on cultural easements.

J. Chapman: Request information on fee structures for use of fields and facilities.

B. Vaitla: Consider possibility of city sending out death notifications and support for grieving families. Determine legal constraints in releasing certain information.

G. Partida: Potential topic for discussion at the Human Relations Commission.

Public Comment:

- Connor Gorman: Would like item on I-80 widening and impact on Davis. Council should re-agendize discussion of what to do with University Mall site.

Adjournment Meeting was adjourned at 1:40 a.m. in memory of David Breaux and Karim Abou Najm.

Zoe Mirabile  
City Clerk