

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of November 7, 2023

The City Council of the City of Davis met in regular meeting session beginning at 6:42 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, Donna Neville, Gloria Partida, Bapu Vaitla, Will Arnold

Councilmembers Absent: None

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

Approval of Agenda J. Chapman moved, seconded by G. Partida, to approve the agenda. Motion passed unanimously.

Ceremonial Presentations

- A. Proclamation Recognizing November 11, 2023 as Veterans Day, presented by G. Partida
- B. Proclamation Recognizing November 14, 2023 as Law Enforcement Records and Support Personnel Day, presented by W. Arnold
- C. Proclamation Recognizing November 25, 2023 as Small Business Saturday, presented by J. Chapman
- D. Proclamation Recognizing November as Lung Cancer Awareness Month, presented by D. Neville
- E. Proclamation Recognizing November as Native American Heritage Month, presented by W. Arnold
- F. Proclamation Recognizing November as Sikh Awareness Month, presented by B. Vaitla

City Council recessed at 7:01 p.m. and reconvened at 7:06 p.m.

City Manager Announcements

City Manager Mike Webb:

- November 7—Hope River poetry installation project in Central Park, organized by Davis Poet Laureate Julia Levine and featuring work of Da Vinci seventh graders about resiliency and hope in the face of climate change.
- November 8—Police Accountability Commission Public Forum at Veterans Memorial Center, featuring Deputy Police Chief Todd Henry and Police Auditor, What’s Up with Property Crime in Davis? Let’s Talk About It.
- November 10—Veterans Day will be observed and city offices closed. November 11—Veterans Day ceremony.

- November 13—Prescribed burn planned at Howat Ranch to reduce weeds, improve fire control skills, and promote native grasses and wildflowers.
- November 30—Candlelight parade and holiday tree lighting, including family activities downtown.
- Construction projects nearing/at completion: Covell Blvd water line project and Mace Redesign road paving and striping.

City Council Announcements and Liaison Reports

None

Public Comments

- Dillan Horton: Ceremonial Proclamation Law Enforcement Records and Support Personnel Day—thanked City for acknowledging personnel. Support Police Accountability Commission Public Forum.
- Alan Hirsch: Draft Environmental Impact Report for I-80 will be released soon. Oppose mitigation measures for project.
- Anna Signer: Denounce hate, violence, and threats.
- Beth Bourne: Personal experience regarding recent community incidents.
- Dorte Jensen: Consent Calendar Item Hate Free Together—should fund infrastructure repairs instead.
- Alan Miller: Oppose extremism from all sides.
- Connor Gorman: Current ongoing labor negotiations with unions and auto companies, support “Stand up strike” strategy. Support University of California librarians.

Consent Calendar

On-Call Engineering Services Professional Services Agreement Task Order No. 35 for Design of the Richards Underpass Storm Drain Pump Station (SDS#6) Replacement Project, CIP No. ET0023
Approve Resolution No. 23-145 - Authorizing the City Manager to Execute Task Order No. 35 with West Yost for the Richards Underpass SDS#6 Replacement Project

Professional Services Agreement for the City’s 3-Year Homeless Strategic Plan
Approve Resolution No. 23-146 - Authorizing the City Manager to Execute a Professional Services Agreement with RDA Consulting for the Preparation, Development and Delivery of the City’s 3-Year Homeless Strategic Plan

Professional Services Agreement for the City’s 5-Year Consolidated Plan Required by the US Department of Housing and Urban Development

Approve Resolution No. 23-147 - Authorizing the City Manager to Execute a Professional Services Agreement with RDA Consulting for the Preparation, Development and Delivery of the City's 5-Year Consolidated Plan and Amending the FY Budget for Fund 215

Hate Free Together Campaign Community Engagement Service Contracts

Approve Resolution 23-148 - Authorizing the City Manager to Execute Agreements with Bike City Theatre Company, Davis Shakespeare Ensemble and Davis Repertory Theatre For Community Engagement Services as Part of the Hate-Free Together Campaign

Amendment No. 1 to Professional Services Agreement for Design of Battery Energy Storage System at the City's Wastewater Treatment Plant (WWTP)

Approve Resolution 23-149 - Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with EVA Green Power to Complete the Design and Finalize a Plan Set Ready to Be Submitted for Permit for a Battery Energy Storage System at the City's WWTP

Amendment No. 1 to On-Call Engineering Services Professional Services Agreement Task Order No. 8 for the El Macero Sewer Lift Station #1 Force Main Replacement Design, CIP No. ET8166

Approve Resolution 23-150 - Authorizing the City Manager to Execute Amendment No. 1 to Task Order No. 8 with HDR Engineering for the El Macero Sewer Lift Station #1 Force Main Replacement Design

Amendment No. 1 to Lease Agreement to Provide Temporary Affordable Housing at the City-Owned Property at 809 11st Street

Approve Resolution 23-151 - Authorizing the City Manager to Execute a First Amendment to the Original Lease Agreement with Davis Community Meals and Housing for Use of 809 11th Street (formerly 1101 H Street) Residential Duplex

City of Davis/Unitrans Title VI Program and Language Assistance Plan
Approve Resolution 23-152 - Approving the 2023 City of Davis/Unitrans Title VI Program and Language Assistance Plan

State Department of Resources, Recycling and Recovery (CalRecycle) Grant and Payment Program

Approve Resolution 23-153 - Authorizing Submittal of Applications for All CalRecycle Grants for Which the City of Davis is Eligible

J. Chapman: recused from the following due to conflict as downtown business owner and member of DBID:

Downtown Business Improvement District (DBID): Intention to Levy and Collect an Assessment for FY 2024-25

Approve Resolution 23-154 - Intention to Levy and Collect the BID Annual Assessment Fee for the Core Area and Periphery Core Benefit Zones Pursuant to the Parking and Business Improvement Area Law of 1989 for the DBID for FY 2024-25

Motion passed by the following vote:
AYES: Neville, Partida, Vaitla, Arnold
NOES: None
ABSENT: Chapman (recuse)

Davis Municipal Code (DMC) Clean-Up: Updates to the DMC to Streamline and Clarify Provisions

Introduce Ordinance Amending Various Sections of the DMC to Clarify and Update Certain Specified Provisions in Chapters 1, 2, 15, 16, and 17

Commission Minutes:

1. Planning Commission Meetings of January 11 and 25, 2023
2. Utilities Commission Meetings of April 19, May 17, and June 21, 2023

Informational

D. Neville moved, seconded by B. Vaitla, to approve consent calendar. Motion passed unanimously.

Infill Subcommittee Status Update – Possible Policy Initiatives and City Property Infill Housing

City Manager Mike Webb: Subcommittee has a set of policy areas/topics/actions for Council consideration. Possible Policy Initiatives:

- Neighborhood Shopping Centers – incorporating mixed use (integration of some minimum amount of residential); incorporate zoning overlay onto neighborhood shopping centers to allow mixed use by right, but require mixed use when a major renovation is completed.
- Reduce or eliminate parking minimums—State law already eliminates parking minimums within ½ mile of transit service which covers vast majority of city; consider expanding to entire city.
- Density existing single-family neighborhoods—State law has set up basic parameters; further research into taking further with idea of applying higher density zoning in certain corridors or entire R-1 districts and eliminate single-family zoning.
- Evaluate establishment of an Enhanced Infrastructure Financing District (EIFD)—consider feasibility.

Potential City Property Infill Housing Sites:

- 1 acre site near NE corner of Richards and Olive
- .33 acre City parking lot on NW corner of Richards and Olive

- 7.8 acres City Corporation Yard at 1717 5th Street, requires relocating staff and facilities
 - .68 acre Fire Station 31 at 530 5th Street, adjacent parcels 512/504 5th Street
 - 3.6 acres Civic Center Field, located immediately north of City Hall
- Total 13.5 acres, potential unit yield (20-30 units/acre of gross density) would be 268-402 units.

Public comments:

- Dillan Horton: Support exploration of all policy development proposals, eliminating parking minimums and redeveloping shopping centers. Prioritize items with the most public support.
- Alan Miller: Support infill housing downtown, but concerned about not having parking minimums.
- Connor Gorman: Support increasing amount of public housing and working with DJUSD and UC Davis. Support densifying housing, especially shopping centers.
- Unnamed individual: Should retain Civic Field as green space.

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

1. Begin process and return to Council with an amendment to the Municipal Code to eliminate parking minimums and work with transit agencies to eliminate gaps in service citywide.
2. Richards/Olive parking lot: bring rezone to City Council in December with other Housing Element rezones (lot behind Design House is already included in Housing Element rezone).

M. Webb: If Council interested in rezoning parking lot, will take time to conduct CEQA analysis and rezone process. Can give direction to initiate process tonight. Engage with transit providers to fill gaps. Evaluate possible parking maximum.

Motion passed unanimously.

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

1. Explore zoning overlay for shopping centers, including number of possible units per location, consult with property owners.
2. Explore interim zoning changes for moderate increase in residential density.
3. Explore pros/cons of establishing EIFD, with analysis of approximate revenue generation, compare to other tools such as ACA1.
4. Restart engagement with consultants regarding relocation of 1717 5th Street Corporation Yard.
5. Evaluate possibilities of rezoning Civic Field and Fire Station 31, including timeline and possibilities of community engagement.

Motion passed unanimously.

City Council recessed at 8:47 p.m. and reconvened at 8:56 p.m.

Options for Fees/Assessment for Vacant Space

City Manager Mike Webb: Overview of vacancy tax options and summary of potential/probably vacancies citywide: single family homes, apartments, commercial space, vacant land. Request Council feedback on

Public comments:

- Alan Miller: Oppose vacancy tax. Infringes on property owner rights to decide whether or not they want to build.
- Alan Hirsch: Support vacancy tax.
- Connor Gorman: Support vacancy tax, especially for vacant commercial spaces downtown. Tax should depend on size, number and type. Consider increasing tax as vacancy persists.

Individual councilmember comments included:

J. Chapman: Interested in additional data, especially for commercial and vacant land. What other jurisdictions are doing. Consider exploring fee based approach and understanding staff time to administer such as code enforcement.

B. Vaitla: Should prioritize commercial and vacant lots and gathering a more rigorous inventory. Consider the zoning designation of vacant land.

G. Partida: Oppose residential vacancy tax. Hesitant to implement a vacancy tax at all. Interested in hearing from jurisdictions that did implement a tax, what issue did it address. Would like to understand administrative burden, compare cost to benefit. Should we focus on incentives instead?

D. Neville: Oppose residential vacancy tax. Would like to see commercial spaces revitalized. Concerned that vacancy tax might not result in good tenants.

W. Arnold: Interested in learning if single family homes are being underutilized/not available for long term renters. Gather information on active short term rentals and explore options to disincentivize. Gather accurate numbers and length of vacancies for residential, commercial spaces, and vacant land. Interested in implementing vacancy tax on commercial spaces and vacant land. For commercial spaces, factor square footage and length of vacancy.

M. Webb: Hear interest in more details regarding commercial and vacant land, explore reasons with local brokers. Research other cities and their

experiences/results, taxes that haven't passed and what were driving factors to failure. Explore potential unintended consequences, lessons learned from other jurisdictions. In terms of prioritization and inventory of commercial land, will coordinate and reconcile after Housing Element rezones.

Appointment of an Alternate Board Member to Yolo County Transportation District	<p>City Manager Mike Webb: Yolo County Transportation District has requested City Council appoint an alternate member.</p> <p>Public comments:</p> <ul style="list-style-type: none">Alan Hirsch and Alan Miller: Need transformational change in transportation. Consider Donna Neville or Bapu Vaitla as appointee. <p>B. Vaitla moved, seconded by W. Arnold, to appoint D. Neville as alternate board member to Yolo County Transportation District. Motion passed unanimously.</p>
AB 1234 Reporting	None
Long Range Calendar	<p>M. Webb: December meetings will be December 5 and 12. Will agendize comments on I-80 EIR to a January meeting.</p> <p>Public comments:</p> <p>Alan Miller: Request meeting be closed in memory of Alan Leverenz.</p> <p>G. Partida: Received request from League of Women Voters to present report.</p> <p>B. Vaitla: Agendize Commission Subcommittee recommendations.</p> <p>W. Arnold: Not available for regular meeting January 16 and on call meeting January 23.</p>
Adjournment	Meeting was adjourned at 9:53 p.m. in memory of Alan Leverenz.

Zoe Mirabile
City Clerk