

MINUTES OF THE DAVIS CITY COUNCIL  
Meeting of December 5, 2023

The City Council of the City of Davis met in regular meeting session beginning at 6:32 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 B. Vaitla, to approve the agenda. Motion passed unanimously.

City Manager Announcements City Manager Mike Webb: Emergency Winter Shelter opened November 30, 2023 and will continue services through March 31, 2024. December 6-10—Davis Children’s Nutcracker performances at Veterans Memorial Theatre. December 6—Tree trimming on Old Lincoln Highway for 3 weeks. December 18—Final annual pavement project starts on the Putah Creek path from South Davis to UC Davis.

City Council Announcements and Liaison Reports W. Arnold: City Council has heard that community is interested in resolution regarding situation in Palestine. Working on that now with intent to bring to Council next week.

By consensus, Subcommittee of W. Arnold and G. Partida will draft language for a resolution regarding situation in Palestine.

Public Comments

- Ream Aldoss-Malley, Anne Block, unnamed individuals, Teresa, Nicholas Cohns, Jimmy, Deema Tamimi, Katelyn Amibaba, Sally Eden, Jessica Shibold, Jamie Favoir, Anna Kamiski, Mary Loible, and Luis Vaipa: Support Council drafting resolution regarding situation in Palestine. Oppose violence. Need to stand for human rights. Support humanitarian aid.
- Alan Hirsch: Draft EIR has been released for the Caltrans I-80 widening project.
- Heather Mundy, Downtown Streets Team: Nonprofit provides work experience to individuals experiencing homelessness. Team of volunteers has removed over 30,000 gallons of trash and performed over 4,000 hours of community service. Invite people to attend a weekly success meeting at Davis Community Church.

- Lauda Astrogazaday; Annie; Nick Buxton; Ami Sayo, Yolo for Palestinian Coalition; Blake Temple; Erica and Merylyn Perry; Brigitta, Council on American Islamic Relations; and unnamed individual: Council should adopt a resolution calling for cease fire. Take action that can be sent to state and federal officials.
- David Siegel: Oppose resolution. Oppose cease fire. Resolution should be balanced.
- Tristan Meyer, External Affairs Commissioner: Regular Item PD Surveillance Technology and Drones—Should redirect Police Department funding to supporting homeless services.
- Alan Miller: Oppose resolution. City should not get involved in global issues.
- Daniel, ASUCD External Affairs: Support resolution. Regular Item PD Surveillance Technology and Drones—Should redirect Police Department funding to lighting and mental health resources.
- JT: Should provide more options for people to attend public meetings other than in person.
- Connor Gorman: Vacancy tax proposal—important to acknowledge indigenous lands when discussing property rights.
- Lisa Bameister: Humanitarian aid should be provided immediately.

City Council recessed at 7:50 p.m. and reconvened at 8:00 p.m.

Consent Calendar

Anderson Road – Chavez Elementary School Improvements Project, CIP No. ET8298: Cooperative Agreement with Davis Joint Unified School District (DJUSD) and Professional Services Agreement for Design, Bid, and Construction Support

Approve Resolution No. 23-155 - Authorizing the City Manager to Execute a Cooperative Agreement with DJUSD and Execute a Sole Source Agreement with Rainforth Grau Architects for the Design of the Anderson Road-Chavez Elementary School Improvements Project

Construction Contract for Community Pool Replastering Project, CIP No. ET8331

Approve Resolution No. 23-156 - Awarding Contract to Adam’s Pool Specialties for Aquatic Facilities – Community Pool Re-Plastering Project, Authorizing City Manager to Execute Contract, and Finding Project Exempt from Review Pursuant to State CEQA Regulation Guidelines Sections §15061(B)(3) and 15305

Professional Services Agreement for Design, Bid and Construction Support Services for the Veteran’s Memorial Theater Siding Replacement, CIP ET0016

Approve Resolution No. 23-157 - Authorizing the City Manager to Execute a Sole Source Professional Services Agreement with Indigo, Hammond + Playle Architects for Design, Bid and Construction Support for

the Veterans Memorial Theater Siding Replacement, and Authorizing a Budget Revision

City Hall Uninterrupted Power Supply (UPS) Replacement  
Approve Resolution No. 23-158 - Authorizing the City Manager to Purchase a Replacement Uninterrupted Power Supply for the City Hall Server Room from Eaton/Immer1 Technology Group

Emergency Medical Dispatching (EMD) Software, Equipment, and Training  
Approve Resolution No. 23-159 - Authorizing Expenditures for Emergency Medical Dispatching and Authority to Execute Contracts with Priority Dispatch and WestNet

Summary Vacation of a Portion of Drainage Easement on 3111 Northfield Court  
Approve Resolution No. 23-160 - Approving the Vacation of a Portion of Drainage Easement at 3111 Northfield Court and Finding Project Exempt from CEQA Pursuant to Sections 15061(B)(3) and 15305

Critical Needs List and Request for Proposals Schedule for 2024-2025 Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Programs  
Approve Resolution No. 23-161 - Approving the Critical Needs List and Directing Staff to Issue an RFP for CDBG and HOME Funds for Program Year 2024-2025

Second Reading: Ordinance Amending Various Sections of the Davis Municipal Code to Clarify and Update Certain Specified Provisions in Chapters 1, 2, 15, 16, and 17  
Adopt Ordinance No. 2648 (Introduced 11/07/2023)

Commission/Committee Minutes:

1. Human Relations Commission Meetings of June 22, August 24, and September 2 and 28, 2023
2. Planning Commission Meeting of March 8, 2023
3. Senior Citizen Commission Meetings of January 12, February 9, March 9, April 13, May 11, June 8, August 10, and October 12, 2023
4. Subdivision Committee Meeting of November 3, 2022

Informational

B. Vaitla moved, seconded by J. Chapman, to approve consent calendar. Motion passed unanimously.

Public Hearing: Downtown Business Improvement District (DBID) Annual Assessment Renewal

J. Chapman: Recused from item because of business ownership interest within the DBID and left the room.

Assistant City Manager Kelly Stachowicz: Summarized renewal process, allowable expenditure of assessment proceeds, highlights of activities conducted by Davis Downtown Business Association last fiscal year, and future priorities of the association.

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

D. Neville moved, seconded by G. Partida, as follows:

1. Consider any written or verbal protests on the intention to levy an annual assessment for the activities specified pursuant to the Parking and Business Improvement Area Law of 1989
2. Accept the 2023 Davis Downtown Annual DBID Report and Davis Downtown FY 2024-2025 Summary Budget at the conclusion of the public hearing
3. Approve Confirming Resolution No. 23-162 - Approving the 2023 DBID Report and Levying an Annual Assessment Known as the DBID Annual Assessment Fee for the Core Area Benefit Zone and Periphery Core Benefit Zone Pursuant to the Parking and Business Improvement Area Law of 1989 for Fiscal Year 2024-2025
4. Approve Resolution No. 23-163 - Authorizing the City Manager to Execute a DBID Administration Agreement for the Core Area and Periphery Benefit Zones

Motion passed by the following vote:

AYES: Neville, Partida, Vaitla, Arnold

NOES: None

ABSENT: Chapman (recuse)

J. Chapman returned to the dais.

Public Hearing: Surveillance Technology - Police Department Request for Acquisition of Small Unmanned Aircraft System (Aerial Drone)

Police Chief Darren Pytel: Two separate procedures—city ordinance regarding surveillance technology and state law requirements regarding military equipment.

Deputy Police Chief Todd Henry: UAS and patrol rifles are considered military equipment. Summarized technology, military equipment, and proposed uses. Overview of compliance steps with city and state requirements.

Mayor Arnold opened the public hearing.

- Robert Canning: Police Accountability Commission voted to recommend approval of purchases but be mindful of potential harm from

Public Hearing: Police Department Request for Acquisition of Small Unmanned Aircraft Systems (Aerial Drones) and Additional Patrol Rifles and Revised Military Equipment Ordinance

- use of surveillance technology. Request Council target similar amount of funding for non-violent resolution or outreach.
- Felix Messas: Need to provide services to homeless individuals.
  - Kyle Johnson and Shavonni, External Affairs Vice President's Office; Alan Miller, Luka, Will, Dillan Horton, Connor Gorman, and Mason Henry: Oppose military equipment. Should spend more time and resources on non-violent resolutions such as additional lighting and access to mental health services and affordable housing. Privacy concerns with use of drones.
  - Jimmy: Should revise surveillance technology ordinance for use with warrant or in dire emergency as recommend by ACLU. Narrow use.

Mayor Arnold closed the public hearing.

G. Partida moved, seconded by B. Vaitla, as follows:

1. Consider the purchase/use of unmanned aircraft systems (UAS)
2. Make a determination that the addition of UAS has been balanced with the need to investigate and prevent crimes; protect crime victims and society from those who commit crimes; protect civil rights and civil liberties, including privacy and free expression; and the costs to the City.
3. Approve the purchase of UAS
4. Adopt the proposed Surveillance Use Policy for the use of UAS

Motion passed unanimously.

D. Neville moved, seconded by J. Chapman to adopt findings pursuant to Government Code §§ 7070 et seq. Motion passed unanimously.

D. Neville moved, seconded by J. Chapman to adopt the proposed UAS Policy and Military Equipment Policy. Motion passed unanimously.

D. Neville moved, seconded by G. Partida to introduce Ordinance Re-Adopting a Military Equipment Use Policy and Re-Approving the Use, Acquisition, and Seeking of Funding for Military Equipment. Motion passed unanimously.

City Council recessed at 9:23 p.m. and reconvened at 9:31 p.m.

Public Hearing: Revised 2021-2029 Housing Element (Version 3) and Housing Rezoning

Senior Planner Eric Lee: Revisions to recommendations: remove 315 Mace Blvd and 1000 Montgomery Avenue from proposed rezone sites. Overview of existing affordable housing sites. Overview of proposed housing rezone sites, meet state requirements and response to Council direction for infill. Summarized site inventory for rezone and unit capacity, and additional potential capacity.

Mayor Arnold opened the public hearing.

Actions to Implement the 2021-2029 Housing Element

- Tyler Johnson, ASUCD; Shivonni, Legislative Director External Affairs ASUCD: Invest in student specific housing and housing close to transit and basic needs. Engage students in process.
- Matt Best, DJUSD Superintendent: Thank city for considering rezoning school district property for housing.
- Hiram Jackson and Joe Denunzio, DJUSD Trustees: Support medium high density for DJUSD property at 526 B Street. Maximize return on value.
- Judy Ennis, Davis Community Action Network: Support high density for DJUSD property at 526 B Street and Chiles Road properties. Maximize space. Consider ADUs as an affordable housing option.
- Linda Deos, Wesley Stagewalker: Support high density for DJUSD property at 526 B Street.
- Dave DeYeung, Old North Davis Neighborhood Association; Jennifer Figueroa; Garrit Maholland; Unnamed individual; Angela Wilson; and Melody Loiver: Support medium high density for DJUSD property at 526 B Street.
- Michael Cook, Roman Catholic Church Dioceses: Thanked staff for removing 315 Mace Blvd from consideration.
- Alan Miller: Affordable housing is expensive to build.
- Braille Messile, Legal Services of Northern California: Oppose removal of rezone sites. City should analyze sites to meet shortfall of low income units.
- Ron Glick, and Ron Zabou and Susan Rilley, Davis College Democrats: Support dense housing.
- Connor Gorman: Support Housing Element approval. Suggest starting process earlier next cycle.

Mayor Arnold closed the public hearing.

J. Chapman moved, seconded by G. Partida, as follows:

1. Rezone the following sites:
  - a. 1100 Kennedy Place
  - b. 3500 Chiles Road, amended as follows:
    - i. 10 acres for Residential High Density
    - ii. 4.56 acres for Residential Medium High Density
  - c. 3425 Chiles Road
  - d. 3015 Cowell Blvd
  - e. 2740 Cowell Blvd
  - f. 4920 Chiles Road
  - g. 2932 Spafford Street
  - h. 1800 Research park
  - i. 1021 Olive Drive
  - j. 4600 Fermi Place
  - k. 1616 DaVinci Court
  - l. 4100 Chiles Road

m. 4120 Chiles Road  
2. Remove 1000 Montgomery Avenue and 315 Mace Blvd.  
Motion passed unanimously.

B. Vaitla moved, seconded by G. Partida, to rezone 526 B Street to high density for entire parcel. Motion failed by the following vote:

AYES: Vaitla

NOES: Chapman, Neville, Partida, Arnold

W. Arnold moved, seconded by D. Neville, to rezone 526 B Street to medium high density. Motion passed by the following vote:

AYES: Chapman, Neville, Partida, Arnold

NOES: Vaitla

D. Neville moved, seconded by J. Chapman, as follows:

1. Approve Resolution No. 23-164 - Certifying the Initial Study and Adopting Negative Declaration 03-22 Evaluating the City of Davis 2021-2029 Housing Element (Version 3) Updates and General Plan Amendment and Rezone for Housing Sites Changing Their Zoning to PD 01-22 (HD), Pd 05-22 (HD Mixed), and High Density Overlay District to Meet the City's Regional Housing Needs Allocation
2. Approve Resolution No. 23-165 - Adopting Version 3 of the 2021-2029 Housing Element of the General Plan and Directing Staff to Submit the Updated Housing Element to the State Department of Housing and Community Development
3. Approve Resolution No. 23-166 - Amending the General Plan Land Use Map to Redesignate the Following Parcels to Mixed Use to Implement the 2021-2029 Davis General Plan Housing Element:
  - a. 2932 Spafford Street (APN: 071-403-002) Comprising Approximately 1.51 Acres from "Business Park" to "Mixed Use"
  - b. 1021 Olive Drive (APN: 070-260-022) Comprising Approximately 1.09 Acres from "Gateway Olive Drive Specific Plan Commercial Service" to "Mixed Use"
  - c. 4600 Fermi Place (APN: 071-425-001) Comprising Approximately 6.98 Acres from "Office" to "Mixed Use"
  - d. 1616 Da Vinci Court (APN: 069-060-024) Comprising Approximately 2.06 Acres from "Business Park" to "Mixed Use"
  - e. 4100 Chiles Road (APN: 069-070-032) Comprising Approximately 3.38 Acres from "General Commercial" to "Mixed Use"
  - f. 4120 Chiles Road (APN: 069-070-031) Comprising Approximately 1.33 Acres from "General Commercial" to "Mixed Use"
4. Introduce Ordinance Amending Chapter 40 of the Davis Municipal Code to Rezone the Following Sites to Planned Development (PD) 05-22 (High Density (HD) Mixed) and Establish Standards and Requirements:
  - a. 2932 Spafford Street from PD 5-94D to PD 05-22 (HD Mixed)

- b. 1800 Research Park Drive from PD 3-84A to PD 05-22 (HD Mixed)
  - c. 1021 Olive Drive from Gateway Olive Drive Specific Plan Commercial Service to PD 05-22 (HD Mixed)
  - d. 1616 Da Vinci Court from PD 6-76 to PD 05-22 (HD Mixed)
  - e. 4100 Chiles Road from Commercial Mixed Use to PD 05-22 (HD Mixed)
  - f. 4120 Chiles Road from Commercial Mixed Use to PD 05-22 (HD Mixed)
5. Introduce Ordinance Amending Chapter 40 of the Davis Municipal Code to Establishing Chapter 40.09A High Density Residential Overlay District Zone (HDR-OZ)
  6. Introduce Ordinance Amending Chapter 40 of the Davis Municipal Code to Amend Article 40.13 of the Downtown Code to Provide for Ministerial Review of Qualifying Residential Developments and Amending Article 40.14A Pertaining to the Boundaries of the Downtown and Traditional Neighborhood Overlay District Map
- Motion passed unanimously.

D. Neville moved, seconded by J. Chapman, as follows:

1. Approve Resolution No. 23-167 - Amending the Davis General Plan Land Use Map to Redesignate the Following Parcels to Residential High Density and Residential Medium High Density:
  - a. 1100 Kennedy Place (APN: 704-300-020) Comprising Approximately 1.01 Acres from “Residential Low Density” to “Residential High Density”
  - b. 3500 Chiles Road (APN: 069-530-024) Comprising Approximately 14.56 Acres from “Business Park” to “Residential High Density” for Approximately 10.00 Acres and “Residential Medium High Density” for Approximately 4.56 Acres
  - c. 3425 Chiles Road (APN: 069-530-025) Comprising Approximately 1.04 Acres from “Business Park” to “Residential High Density”
  - d. 3015 Cowell Boulevard (APN: 069-530-007) Comprising Approximately 1.1 Acres from “Business Park” to “Residential High Density”
  - e. 2740 Cowell Boulevard (APN: 069-530-029) Comprising Approximately 2.47 Acres from “General Commercial” to “Residential High Density”
  - f. 4920 Chiles Road (APN: 068-010-009) Comprising Approximately 1.0 Acre from “General Commercial” to “Residential High Density”
  - g. 526 B Street (APN: 070-017-001) Comprising Approximately 2.2 Acres from “Public/Semi-Public” to “Residential Medium High Density”

2. Introduce Ordinance Amending Chapter 40 of the Davis Municipal Code to Rezone the Following Sites to Planned Development (PD) 01-22 (High Density Residential (HD)) and Establish Standards and Requirements:

- a. 1100 Kennedy Place from PD 11-82 to PD 01-22 (HD)
- b. 3500 Chiles Road from PD 6-87 to PD 01-22 (HD)
- c. 3425 Chiles Road from PD 6-87 to PD 01-22 (HD)
- d. 3015 Cowell Boulevard from PD 12-87 to PD 01-22 (HD)
- e. 2740 Cowell Boulevard from PD 12-87 to PD 01-22 (HD)
- f. 4920 Chiles Road from A-C to PD 01-22 (HD)
- g. 526 B Street from R-2 CD to PD 01-22 (HD)

- Amend 3500 Chiles Road, as follows:
  - a. 10 acres for Residential High Density
  - b. 4.56 acres for Residential Medium High Density
- Remove 1000 Montgomery Avenue and 315 Mace Blvd.

Motion passed by the following vote:

AYES: Chapman, Neville, Partida, Arnold

NOES: Vaitla

AB 1234 Re-  
porting

None

Long Range  
Calendar

M. Webb: December 12—will add resolution regarding cease fire. Will add a special meeting on January 4—draft Comment Letter for Draft EIR Caltrans project.

B. Vaitla: Not able to serve on subcommittee to draft resolution.

G. Partida will replace B. Vaitla.

W. Arnold and G. Partida will draft language for a resolution regarding situation in Palestine for December 12 meeting.

Public comments:

- Connor Gorman: Support resolution regarding cease fire.

Adjournment

Meeting was adjourned at 11:42 p.m.

Zoe Mirabile  
City Clerk