

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of January 9, 2024

The City Council of the City of Davis met in regular meeting session beginning at 6:39 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: Will Arnold, Donna Neville, Gloria Partida, Babu Vaitla, Josh Chapman

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 D. Neville, to approve the agenda. Motion passed unanimously.

2024 Mayor Transition A. Proclamation Honoring Councilmember Will Arnold for His Service to the Davis Community as Mayor During 2023. Incoming Mayor J. Chapman presented framed Proclamation and plaque with gavel.

B. Swearing in of Josh Chapman as Mayor for 2024. Mayor Chapman was sworn in by his sons Own and Quentin Chapman.

Public comments:

- Ron Glick, Norbie Kumagai, and NJ Muvondo: Thanked Mayor Arnold for serving effectively during difficult times. Support Council efforts to reach community goals.
- Previous Mayors and Councilmembers Don Saylor, Brett Lee, Ken Wagstaff, Rochelle Swanson, and Lucas Frerichs: Will Arnold has served community with love, model leadership skills. Thanked Arnold for service and welcomed and congrats to incoming Mayor Josh Chapman.
- Unnamed individual: Support peaceful transition of power and future opportunities to zone for more jobs and housing.

City Council recessed at 7:23 p.m. and reconvened at 7:39 p.m.

City Manager Announcements M. Webb: January 10—Officer Natalie Corona Public Remembrance at Davis Police Department. January 15—30th Annual Martin Luther King, Jr. Day event at Veterans Memorial Center followed by march to Solidarity Space in Central Park. January 31—Downtown Tree Lighting Survey due, seeking community input on decorative lighting with examples on display at Second and E Streets. February 20—Parks & Community Services Needs assessment survey due, determine future recreational

programming and park amenities. Annual 2023 pavement improvements projects completed. Thanks to community for patience during infrastructure improvements.

City Council
Announcements and Li-
aision Reports

B. Vaitla: Increased incidents of antisemitism. Considering how to work with Hate Free Together and the Human Relations Commission to prevent and address antisemitism.

W. Arnold: Interested in contributing to efforts.

By consensus, Council created a subcommittee of B. Vaitla and W. Arnold to address antisemitism.

Public Com-
ments

- Alan Hirsch, Victoria Sloney, and Ken Wagstaff: Oppose Caltrans proposal to widen I-80 freeway.
- Alan Pryor: Consent calendar item Shriners EIR—All peripheral development projects should be subject to same level of scrutiny.
- Alan Miller: Council should refrain from addressing international issues and focus on local issues.
- Carrie Shender: Consent calendar item—Respite Center Subcommittee. Support. Heart of Davis looking forward to working together.
- Connor Gorman: Support MLK event at Veterans Memorial Center.

Consent Cal-
endar

Subsequent Environmental Impact Report (SEIR) Preparation for the Palomino Place Project

Approve Resolution No. 24-001 - Authorizing the City Manager to Execute a Professional Services Contract with Raney Planning & Management, Inc. for Preparation of a SEIR for the Palomino Place Project

First Amendment to the Yolo Animal Services Planning Agency Joint Powers Agency to Add West Sacramento as a Voting Member

Approve Resolution No. 24-002 - Approving an Amendment to the Yolo Animal Services Planning Agency Joint Powers Authority Agreement to Add the City of West Sacramento as a Member and Authorize the City Manager to Execute the Amendment

Amendment No. 2 to Professional Services Agreement for the Electric Vehicle Charging Infrastructure Phase 1 Project to Complete the Fleet Electrification Study

Approve Resolution No. 24-003 - Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Frontier Energy, Inc. for Bid and Construction Support Services

CAL FIRE Fiscal Year 2023-24 Wildfire Prevention Program Grant Submittal

Approve Resolution No. 24-004 - Authorizing Submittal of Applications for All Cal Fire Grants for Which the City of Davis is Eligible

Second Reading: Ordinance Re-Adopting a Military Equipment Use Policy and Re-Approving the Use, Acquisition, and Seeking of Funding for Military Equipment

Adopt Ordinance No. 2649 (Introduced 12/05/2023)

Second Reading of Ordinances to Implement 2021-2029 Housing Element Actions:

1. 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. A Portion of 1000 Montgomery Avenue from PD 4-92A to PD 01-22 (HD)
 - f. 2740 Cowell Boulevard from PD 12-87 to PD 01-22 (HD)
 - g. 4920 Chiles Road from A-C to PD 01-22 (HD)
 - h. A Portion of 315 Mace Boulevard from PD 4-88 to PD 01-22 (HD)
 - i. 526 B Street from R-2 CD to PD 01-22 (HD)
 2. 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)
 3. Ordinance Amending Chapter 40 of the Davis Municipal Code to Establishing Chapter 40.09A High Density Residential Overlay District Zone (HDR-OZ)
 4. 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
- Adopt Ordinance Nos. 2650 - 2653 (Introduced 12/05/2023)

Formation of a Council Subcommittee for the Respite Center
Appoint Subcommittee of Gloria Partida and Donna Neville to work with staff on issues related to the respite center for unsheltered individuals

Commission Minutes:

1. Planning Commission Meeting of June 28, 2023
2. Police Accountability Commission Meeting of October 2, 2023

Informational

W. Arnold moved, seconded by B. Vaitla, to approve consent calendar. Motion passed unanimously.

Removed from Consent Calendar:

Item removed by W. Arnold.

Environmental Impact Report (EIR) Preparation for the Shriners Project

Community Development Director Sherri Metzker: Council directed staff to proceed with review and analysis of projects in order to meet election deadlines.

Public comments:

- George Phillips, representing Shriners project: Support contract for environmental consultant. Anticipate project will follow same process as Village Farms.
- John Whitcombe, representing Village Farms project: Working on preparation of documents needed to proceed with an environmental study. Council should treat all project applicants equitably with same requirements and process.
- Sarah and Nora: Support Shriners project and proceeding with EIR consultant, will include housing for individuals with disabilities and affordable housing for students and young families.

D. Neville moved, seconded by G. Partida, to approve Resolution No. 24-005 - Authorizing the City Manager to Execute a Professional Services Contract with Raney Planning & Management, Inc. for Preparation of an EIR for the Shriners Project. Motion passed unanimously.

Public Hearing: On-Bill Financing Loan Agreement with PG&E, and Energy Conservation Agreement with Eco-

Fire Chief Joseph Tenney: Project is collaboration with PG&E and Eco-Green Solutions to replace lighting at fire stations. Energy efficiency analysis performed at fire stations.

Mayor Chapman opened the public hearing.

- Alan Miller: Important to get the appropriate frequency of light when installing LED lighting.

Mayor Chapman closed the public hearing.

Green Solutions for Fire Stations 31, 32, and 33 LED Lighting Replacement Project

W. Arnold moved, seconded by B. Vaitla, to Approve Resolution No. 24-006 - Approving an On-Bill Financing Loan Agreement with Pacific Gas & Electric (PG&E), and Energy Conservation Agreement with Eco-Green Solutions, for Provision and Installation of LED Lighting Fixtures and Lights, and Making Findings in Support Thereof Pursuant to Government Code Section 4217.10, et seq. Motion passed unanimously.

City Council recessed at 8:35 p.m. and reconvened at 8:43 p.m.

Public Hearing: Appeal of Tree Commission Decision Related to Tree Removal Request at 2814 Belhaven Place

Urban Forestry Manager Charles Murphy: Removal request heard by Tree Commission in March 2023. Tree is approximately 50 years old with a potential lifespan of hundreds of years, and is in good health and vigor. Customer comments included fallen branch has damaged fence, dropping pine cones have damaged vehicles, and concerned about safety of young children.

Mayor Chapman opened the public hearing:

- Alan Hirsch and Alan Miller: Oppose removal, should save the tree.
- Patty Moore: Homeowner next door. Support removal. If retain, need to prune to safe height. Ongoing concerns related to parking in driveway due to multiple incidents of vehicle damage.

Mayor Chapman closed the public hearing.

W. Arnold moved, seconded by G. Partida, to uphold the Tree Commission decision from the March 16, 2023 Tree Commission meeting to retain the tree at 2814 Belhaven Place due to its good health and vigor. Motion passed unanimously.

Public Hearing: Appeal of Tree Commission Decision Related to Tree Removal Request at 621 Coolidge Street

Urban Forestry Manager Charles Murphy: Tree removal request heard by Tree Commission in September 2023. Tree is 32 years old with a lifespan of 30-40 years. Tree is in poor form, species is being phased out. Homeowner has requested removal and proposes to pay for an expedited private removal and replacement. Customer comments include tree is in poor health, identifiable diseases, and exceedingly slow growth.

Mayor Chapman opened the public hearing.

- Alan Hirsch: Support removal and replacement.
- Andrew Wexell, homeowner: Thank staff for working collaboratively.

Mayor Chapman closed the public hearing.

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

1. Grant the appeal, thereby overriding the Tree Commission decision from the September 6, 2023 Tree Commission meeting to retain the tree at 621 Coolidge Street.
 2. In lieu of the tree mitigation fee, allow the resident to pay for the removal and replacement planting.
 3. With this approval, establish policy to allow the Urban Forestry Program Manager to authorize this type of action moving forward.
- Motion passed unanimously.

Comment Letter to the Draft Environmental Impact Report (DEIR) for the Yolo 80 Managed Lanes Project

City Attorney Inder Khalsa: Overview of California Environmental Quality Act requirements. Caltrans is the lead agency on the project and is required to analyze the environmental impacts of the project. CEQA does not mandate whether or not a project is approved. Requires analysis of reasonable range of alternatives that further agency's goals for site and identification of impacts that can be mitigated. Proposed city comment letter focuses on legal sufficiency and does not recommend policy considerations. If Council wants to recommend Caltrans consider such, policies should be kept separate from legal considerations.

Public Works Engineering & Transportation Assistant Director Ryan Chapman: Summarized project. Natural Resources and Bicycling, Transportation, and Street Safety Commissions reviewed DEIR and provided comments.

Public comments:

- John Johnston and Alan Pryor, Sierra Club Yolano Group: Suggest amendments to letter—EIR should discuss impacts to Davis from induced traffic and fully mitigate, add references to case law to support claims in letter.
- Greg Crawford, Alan Hirsch, and Roberta Milstein: DEIR is flawed, fails to evaluate viable alternatives. Should ask Caltrans to recirculate DEIR and YCTD to reopen discussion on the project, perform a climate review and include a funding plan. Providing local bus services will not mitigate traffic impacts, need transit alternatives analyzed. Project inconsistent with local and statewide climate crisis goals.
- Alan Miller: Caltrans proposing to remove left hand shoulder on freeway. Oppose, not safe.
- Nick Bates; Mark Heising; Vera Sandronsky; Johannes Troost and Roy Kaplan, Congregation Bet Haverim; Russell Aiken; Ellen Kallorick; and Todd Edelman: Oppose freeway widening. Caltrans should focus on moving people and not just cars. Social implications of a toll lane—negatively impact low income residents. Adding freeway capacity will put pressure on Davis housing, impacts working poor, increases social inequity.
- Thomas Howe: Support comment letter.

- Connor Gorman: Should focus resources on other means of transportation, especially mass transit such as rail. Oppose toll lanes.
- Andy Furillo: Bikepath between Davis and Sacramento has been damaged from construction.

B. Vaitla moved, seconded by W. Arnold, to amend the Yolo 80 Corridor Improvements Project Draft Environmental Impact Report Comment Letter to request an analysis of project alternative 6 (transit-only managed lane) that assumes an increase in transit supply. Motion passed unanimously.

D. Neville moved to amend the DEIR Comment Letter regarding Project Description Comment #2 to request Caltrans commit to undertake subsequent study to analyze the conversion of existing general-purpose lane or lanes to tolling lane. Motion withdrawn.

By consensus, City Council moved to amend the DEIR Comment Letter regarding Project Description Comment #2 to broaden the description from converting existing “lane” to “lanes.”

D. Neville moved to amend the DEIR Comment Letter Traffic & Transportation/VMT Mitigation Measures (comment #6) to request a description of Caltrans actions with public agencies related to funding VMT mitigation measures and formation of future tolling agency. Motion withdrawn.

B. Vaitla moved, seconded by W. Arnold, to amend the DEIR Comment Letter to include a concluding statement at the end of the letter that the City of Davis prefers project alternative 6 (transit-only managed lane). Motion failed by the following vote:

AYES: Arnold, Vaitla
 NOES: Chapman, Neville
 ABSTAIN: Partida

W. Arnold moved, seconded by B. Vaitla, to amend the DEIR Comment Letter to include a statement at the end of the letter that indicates if any of the additional analysis noted above should trigger a recirculation of the DEIR, then the City of Davis expects recirculation as required by CEQA. Motion passed unanimously.

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

1. Approve the Comment Letter related to the Caltrans’ DEIR for the Yolo 80 Managed Lanes Project, incorporating the amendments noted above.
2. Authorize the City Manager to sign the Comment Letter and submit it to Caltrans on behalf of the City of Davis.

Motion passed unanimously.

AB 1234 Reporting

None

Long Range Calendar

M. Webb: January 16 meeting will include only 4 councilmembers, W. Arnold absent.

M. Webb: Staff can work with Mayor to agendize date to bring forward creation of council subcommittee for Measure J/R/D projects. Council consensus.

J. Chapman: For a councilmember to add an item to long range calendar, should have at least one other Councilmember express support. Council consensus.

G. Partida: Should discuss long range items with no set date during council goal setting. Council consensus.

B. Vaitla: Request General Plan update process options item be agendized February 6 before goal setting. Council consensus.

M. Webb: Will work with Mayor on what may need to shift from February 6 to 20 to accommodate.

B. Vaitla: Request item on Measure J/R/D exemption options for certain level of affordable housing or other criteria. Council consensus.

M. Webb: Complies with Housing Element actions. Will work with staff and Mayor to determine timeline and available resources.

Public comments:

- Alan Hirsch: Need to update General Plan and include progressive policies. Upcoming budget should include department statistics for Council consideration before adoption.
- Alan Miller: Request Council agendize discussion of policy statement and request to State Departments to consider and coordinate projects with state and local climate goals and plans.
- Connor Gorman: Support annual rotation of Mayor position. Consider formalizing rotation idea and ways to de-centralize role of Mayor such as rotating facilitator every month.

Adjournment

Meeting was adjourned at 11:37 p.m.

Zoe Mirabile
City Clerk