

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of January 16, 2024

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 Josh Chapman.

Roll Call: Councilmembers Present: Donna Neville, Gloria Partida, Bapu Vaitla, Josh Chapman

Councilmembers Absent: Will Arnold

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

Approval of Agenda B. Vaitla moved, seconded by D. Neville, to approve the agenda. Motion passed by the following vote:
AYES: Neville, Partida, Vaitla, Chapman
NOES: None
ABSENT: Arnold

City Manager Announcements City Manager Mike Webb: January 24—Biennial Point in Time Count will occur, census of people experiencing homelessness.

City Council Announcements and Liaison Reports J. Chapman: Martin Luther King, Jr Celebration occurred yesterday.

Public Comments

- Amir Cole, Rachel Darling, Gabriel Gazinski, Elizabeth, Sophie, Owen Krause, Justin Weiner, Elly, Kestrel, Ary, Dan Vadia, Amir, Harriet Gadisman, Shula Glazerman, Rob Eagle, Shirley Rachel, Alissa, Arnon, Alan Miller, Michael Levy, Davis Segel and unnamed individuals: Increase in antisemitism since the Hamas/Israeli conflict began and the City Council’s resolution calling for peace in Israel and Gaza. Council resolution contained inaccuracies. Jewish and Israeli communities feel alone, excluded, ostracized, and unwelcome. The Council should take a stand against antisemitism and send a message that the community stands against hate.
- Hiram Jackson, DJUSD Board: Support Measure N school parcel tax on the March ballot. Programs to be funded include library, performing arts, counselors, nurses.
- Connor Gorman: All views should be discussed and given a chance in order to cause change. Need to think about economic justice.

B. Vaitla: Council Subcommittee is initiating conversations with Hate Free Together and Human Relations Commission regarding antisemitism and ways to combat.

Consent Calendar

Amendment to Agreement Relating to Fixed Route Transit and Support Services

Approve Resolution No. 24-007 - Authorizing the City Manager to Execute Amendment 1 to the Agreement with UC Davis Relating to Fixed Route Transit and Support Services

Police Patrol Car Mobile Device Computer (MDC) Replacement
Approve Resolution No. 24-008 - Authorizing the City Manager to Purchase 15 Replacement Mobile Device Computer (MDC) for the Police Patrol Cars from CDW-Government

D. Neville moved, seconded by G. Partida, to approve consent calendar. Motion passed by the following vote:

AYES: Neville, Partida, Vaitla, Chapman

NOES: None

ABSENT: Arnold

Public Hearing:

Public Works Utilities & Operations Director Stan Gryczko: Proposed fee restructured based on rate study, reallocate costs between customer classes to have a higher fixed component. Last increase in revenue in 2014, cost reallocation in 2017 without increase in revenue. Expenditures are now outpacing revenue. Upcoming capital improvement projects are a large driver of costs. City currently has a Water Assistance Program of \$10 monthly credit on overall city utility bill.

Wastewater Utility Fees and Changes to Davis Municipal Code Related to Wastewater Regulations and Utility Fees

Mayor Chapman opened the public hearing.

- Donna Lemoncello: Proposed rates are not reflected of proportional share of wastewater treatment. Should divide fairly.
- Matt Williams: Public noticing was not sufficient, commission process was not followed. Should postpone.
- Alan Miller and Murray Morgan: Oppose proposed rates.
- Elaine Roberts-Musser: Water rates should not be conflated with wastewater rates. Pollutants in water mean higher costs to treat. Proposed rate adjustment ensures everyone is paying fair share for treatment of wastewater.
- Alan Hirsch: Should allow public commenters to show slides.
- Connor Gorman: Rates should be as equitable as possible and based on amount used per person, not per household.

Mayor Chapman closed the public hearing.

S. Gryczko: City received 16 protests. This does not meet the majority protest threshold.

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

1. Determine there is no majority protest.
2. Introduce Ordinance Amending the Title of Chapter 33, "Sewers and Sewage Disposal," and Article 33.04.050 "Schedule of Charges" of Chapter 33, "Sewers and Sewage Disposal," of the Davis Municipal Code, Related to Wastewater Regulations and Utility Rates, and Making a Determination of Exemption Under CEQA Pursuant to Sections 15061(b)(3), 15378(a) and 15378(b)(4)
3. Approve Resolution No. 24-009 - Enacting Modification to City of Davis Customer Rates for Wastewater Service Fees Effective January 16, 2024 to Implement Rate Adjustment on February 1, 2024

Motion passed by the following vote:

AYES: Neville, Partida, Vaitla, Chapman

NOES: None

ABSENT: Arnold

City Council recessed at 8:49 p.m. and reconvened at 8:59 p.m.

Public Hearing: Surveillance Technology – Replacement Body-Worn Cameras/In-car Cameras

Police Chief Darren Pytel: Police Department currently uses body-worn and in-car cameras, request is to purchase replacement cameras for existing equipment that has reached end-of-life. The surveillance technology report was discussed by the Police Accountability Commission, and the purchase was unanimously approved for recommendation.

Mayor Chapman opened the public hearing.

- Connor Gorman: Some benefits to these cameras. Technology use policy should be routinely reviewed.

Mayor Chapman closed the public hearing.

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

1. Consider the purchase/replacement of body-worn cameras (BWC) and in-car cameras (ICC).
2. Make a determination that the continued use of BWC/ICC 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 BWC/ICC and associated software/cloud-based storage.
4. Re-adopt the proposed Surveillance Use Policies for the continued use of BWC/ICC.

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

Prioritization
for Near-term
Urban Forest
Management
Plan (UFMP)
Next Steps

Urban Forestry Manager Charles Murphy: UFMP includes state of the urban forest, benchmarks, operations and funding, tree species selection, resources, implementation plan. Staff recommendations for near-term priorities include:

- a) Updating and creation of policies, procedures, specifications and standards related to tree care, maintenance, management and planting.
- b) Continuing the previous efforts undertaken to update the City's ordinance related to Trees (Chapter 37 of the Municipal Code).
- c) Conducting an updated comprehensive City tree inventory.
- d) Downtown tree trimming, planting, planting inventory, or specific tree care and maintenance overseen by the Urban Forestry program.

Public comments:

- Alan Hirsch: Support policies and specifications, tree inventory. Support downtown tree trimming, but need vision and tree plan for downtown.
- Elaine Roberts-Musser: Support implementation, especially updating Tree Ordinance. Current ordinances are confusing, outdated, and not helpful. Understand not able to afford to do all tasks. Support staff recommendations.
- Alan Miller: Need to resolve conflict between trees and solar panels. City should prioritize keeping trees above solar power.

C. Murphy: Downtown plan will follow tree inventory of downtown. Considering different options.

Update on
Leaf Blower/
Small Off-
Road Engine
Use

Deputy Director Adrienne Heinig: Summarized background, surveys to community and commercial users, other jurisdictions with full or partial bans, commission discussion. AB1346 requires that small off-road engines for sale in California manufactured after January 2024 be zero-emission. Staff conducted testing of battery powered devices for equipment used by parks, streets and urban forestry, wastewater, water. Overview of benefits and challenges.

Current status: Ongoing testing, staff communicating with manufacturers where possible, Central Park designated all electric maintenance, staff evaluating tasks to reduce use of gas powered where possible, ongoing work to address charging infrastructure needs, new landscape

maintenance contracts included considerations for climate action development. Staff recommendation is to allow time for testing and deployment in the field, continue to replace existing gas powered equipment where feasible, add a second test site for all electric maintenance, conduct feasibility assessment of larger park, keep track of technology improvements.

Public comments:

- Thomas Schmidt: Support work to get leaf blowers under control. Many cities have already banned, negatively impact air quality and create noise pollution.
- Alan Miller, Arthur Nolva, Alan Hirsch, and Anna Soyviyetsky: Oppose leaf blower use. Should consider full ban on gas powered engines.
- Connor Gorman: Need to figure out best way to transition away from use. Should incentivize electric leaf blowers, ban gas powered leaf blowers.
- Todd Edelman: Support city efforts to phase out gas powered equipment. Larger issue is trees. Leaves on street are dangerous for bicyclists.

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

1. Direct staff to develop a transition plan to all electric equipment, arriving at a ban on gas powered SOREs (Small Off-Road Engines).
2. In the interim, explore short term efforts to reduce use of gas powered SOREs in city operations.
3. City Council Subcommittee on Climate Action and Adaptation Plan implementation can serve as a resource to staff.

Motion passed by the following vote:

AYES: Neville, Partida, Vaitla, Chapman

NOES: None

ABSENT: Arnold

AB 1234 Reporting

None

Long Range Calendar

M. Webb: Will confer with staff to develop a schedule to return to Council with roadmap for electrification of equipment. Council consensus.

M. Webb: During utility discussion, Councilmembers expressed interest in options for wastewater rate subsidies for low income. Council consensus.

D. Neville: Council previously discussed drafting a communication regarding the conflict between climate action goals and state transportation projects/CEQA process, to express the need for a coordinated, cohesive approach at state level.

M. Webb: Suggest letter be addressed by Council Legislative Subcommittee of D. Neville & W. Arnold. Work with staff to develop recommendations, including who to send letter to.

Council consensus.

G. Partida: Council policy on resolutions versus statements for foreign matters. Council consensus.

Public comments:

- Alan Hirsch: Council has not asked community leaders about how they want commissions to function.
- Alan Miller: Support developing a policy on transportation on I-80 and Council process on national/international issues.

Adjournment Meeting was adjourned at 10:44 p.m.

Zoe Mirabile
City Clerk