

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of October 1, 2024

The City Council of the City of Davis met in regular meeting session beginning at 6:41 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: Will Arnold, Donna Neville, Gloria Partida, Bapu Vaitla, Josh Chapman

Councilmembers Absent: None

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

Approval of Agenda W. Arnold moved, seconded by D. Neville, to approve the agenda. Motion passed unanimously.

Ceremonial Presentations

- A. Proclamation Recognizing October 24 as United Nations Day, presented by B. Vaitla
- B. Proclamation Recognizing October as Dysautonomia Awareness Month, presented by W. Arnold
- C. Proclamation Recognizing the 40th Anniversary of Davis Music Theatre Company, presented by G. Partida
- D. Proclamation Recognizing the 50th Anniversary of the City's Curbside Recycling Program, presented by D. Neville

City Council recessed at 7:03 p.m. and reconvened at 7:23 p.m.

City Manager Announcements M. Webb: October 13—Davis Neighbors Night Out event. October 1-3 predicted heat wave, highlighted places to stay cool inside and available resources. October is Fire Prevention Month. October 19—Fire Station 31 Open House.

City Council Announcements and Liaison Reports None.

Public Comments

- Dorte Jensen: Read written remarks by Beth Bourne. Received a no trespass order from DJUSD. Reported to Davis Police Department that she was being harassed.
- Beth Bourne: Chair of Moms for Liberty Yolo County. Concerned with what is being taught in schools regarding gender. Moms for Liberty should not be labeled as a hate or extremist group.

- Anoosh Joran: Southern Poverty Law Center has classified Moms for Liberty and Yolo County Moms for Liberty as hate groups. People do not have the right to interfere in the education of children or intervene in parents' experience of back to school night.
- Alan Miller: The city is spending over available resources. Oppose Measure Q sales tax.
- Connor Gorman: Consent calendar item Property Tax Management and Audit Services—city should be trying to levy taxes in the most progressive way possible. Consent calendar item Investment Advisory Services—city's investment strategy and policy should be ethical. Consent calendar item Measure T library tax—support.

Consent Calendar

Task Order No. 6 for On-Call Engineering Services Under 2023 On-Call Master Agreement for the 2025 Pavement Condition Survey and Pavement Management Program Update, CIP No. ET8250
Approve Resolution No. 24-142 – Authorizing the City Manager to Execute Task Order 6 Under the Professional Services Agreement with Nichols Consulting Engineers for the 2025 Pavement Condition Survey and Pavement Management Program (PMP) Update

Purchase and Sale Agreement for Temporary Construction Easement and Permanent Easements for Richards Boulevard / I-80 Interchange Project, CIP No. ET8730
Approve Resolution No. 24-143 – Approving a Purchase and Sale Agreement for a Temporary Construction Easement and Permanent Easements at 980 Olive Drive for the Upcoming Richards Boulevard / I-80 Interchange Project

Professional Services Agreement for Property Tax Management and Audit Services
Approve Resolution No. 24-144 – Authorizing the City Manager to Execute a Professional Services Agreement with HDL Coren & Cone for Professional Property Tax Management and Audit Services

Contract Amendment for Investment Advisory Services
Approve Resolution No. 24-145 – Authorizing the City Manager to Execute Amendment to Contract for Professional Services with PFM Asset Management (Now US Bancorp Asset Management)

Fire Protection Services Contract with the Springlake Fire Protection District for Emergency Response and Prevention Services
Approve Resolution No. 24-146 – Authorizing the City Manager to Execute a Contract with the Springlake Fire Protection District to Provide Fire Protection Services

Office of Traffic Safety and Alcoholic Beverage Control Grant for Minor Decoy and Shoulder-Tap Program, Selective Traffic Enforcement Program, and Pedestrian and Bicycle Safety Program
Approve Resolution No. 24-147 – Accepting Department of Alcoholic Beverage Control and Office of Traffic Safety Grant Funds and Amending the FY24-25 Budget to Incorporate Funding Received

2023 and 2024 Downtown Historical Survey Evaluations – Downtown Properties
Approve Resolution No. 24-148 – Accepting the 2023 and 2024 Downtown Historical Resources Survey Evaluations for Inclusion in the City’s Cultural Resources Inventory

Support Measure T – Community Facilities District No. 1989-1 (Davis Branch Library)
Approve Resolution No. 24-149 – in Support of Yolo County Placing Measure T, a Parcel Tax Increase to Fund Expansion of Library Services, on the November Ballot

Development Impact Fee Annual AB 1600 Report for FY 2022-23
Receive Annual Development Impact Fee Report prepared pursuant to Government Code Sections 66006(b) and 66001(d) for the fiscal year ending June 30, 2023

Replacement Downtown Decorative Lighting Update
Receive update on efforts of City staff developing an implementation plan for installation of decorative lighting in the downtown

2024 Davis Conflict of Interest Code Biennial Review Notice
Receive the Conflict of Interest Code Local Agency Biennial Review Notice. Staff will return to Council with proposed amendments to the Conflict of Interest Code.

Second Reading: Ordinance Amending Chapter 39 of the Davis Municipal Code Relating to the Administrative Process for Setting Water Rates, and Making a Determination of Exemption Under CEQA Pursuant to Sections 15061(B)(3), 15378(A), And 15378(B)(4)
Adopt Ordinance No. 2667 (Introduced 09/17/2024)

Commission Minutes:

1. Historical Resources Commission Meeting of August 19, 2024
 2. Planning Commission Meetings of June 26, 2024
- Informational

Proclamation Recognizing October as Fire Prevention Month
Informational

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

Public Hearing: Consider the Designation of 305 E Street as a Merit Resource on the Davis Register of Historical Resources

Senior Planner Eric Lee: 305 E Street is located in the Downtown Specific Plan. Summarized historic designation process, including consideration by the Historical Resources Management Commission. Historic survey concluded that site is not eligible for state register but is eligible for local register based on local designation criteria that building embodies distinctive characteristics of a type, period, architectural style or method of construction.

Mayor Chapman opened the public hearing.

- Alan Miller: Should preserve history and designate building.
- Justin Zucker, Reuben, Junius & Rose, LLP representing property owner: Proposed development project design is consistent with Downtown Specific Plan requirements for corner lots, which is only possible after demolition of the existing building. The property has lost design integrity in mass and orientation. Ownership is willing to transfer ownership of the building if interest is expressed.

Mayor Chapman closed the public hearing.

J. Zucker: Developer is willing to contribute the lesser of approximate demolition cost of \$40,000 or the cost to move the building.

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

1. Approve Resolution No. 24-150 - Determining to Not Designate 305 E Street as a Merit Resource on the Davis Register of Historical Resources.
2. Direct staff to document the developer's commitment to transfer ownership of the building and contribute costs for building relocation.

Motion passed unanimously.

Inclusionary Housing Alternatives

Assistant City Manager Kelly Stachowicz and Community Development Director Sherri Metzker: In July 2023, Council adopted a multifamily inclusionary housing ordinance which requires 15% of units in a project with seven or more units to be affordable, with affordability levels split evenly between low income units and very low income units. The ordinance provides a basic structure for inclusionary requirements, however, details to meet the requirement through alternative options were to be established at a later date by resolution. Possible alternative options for consideration: land dedication, financial contributions to Affordable Housing Fund, off-site development, or combination. Summarized differences between discretionary and non-discretionary projects. Resolution

will need to provide options for both non-discretionary and discretionary projects.

Staff is seeking feedback on two issues:

1. Financial contributions (in-lieu fees or ongoing revenue streams)
 - Allow in-lieu fees for non-fractional (whole) units?
 - Allow in-lieu fees (to generate one-time revenue) for non-fractional (whole) units?
 - If so, should the amount generated represent the full cost of building a unit, the difference between a market and an affordable unit, or something different?

2. Vertical mixed-use projects
 - Interest in providing an incentive for vertical mixed-use developments through the inclusionary housing requirements?
 - Adjustments to the list of prohibited or permitted ancillary uses on the ground floor of a development?
 - If interest in incentivizing, are there desire parameters such as only allowing in specific locations, or with a certain size project?
 - Interest in exploring other means of incentivizing vertical mixed use (such as through City fees, incentives for greater amounts of ground floor commercial, etc.)?

City Attorney Inder Khalsa: State law asks cities to develop alternatives. Suggest at least one alternative be objective to comply with state law and the remaining alternatives can be discretionary.

Public comments:

- Victor Lagunes: Should require units to be built. Consider ongoing revenue instead of in-lieu fees.
- Alan Miller: Question the definition of inclusionary.
- Judy: Vertical mixed use—should retain 15% requirement. Land dedication has been the most successful path to affordable housing in the past. Support ongoing revenue stream option.
- Connor Gorman: Prioritize affordable accessible units on-site and on par with market rate units. In-lieu fees should be sufficient to cover the cost of building affordable units.
- Ellen Kalorik: Percentage should be at least 15%. Should not allow developers to negotiate percentage down. In-lieu fees should be commensurate with what is needed to build the unit. Prioritize building units over paying in-lieu fees.

B. Vaitla moved, seconded by W. Arnold, to provide feedback to staff regarding vertical mixed-use developments as follows:

- No interest in providing incentives through inclusionary housing requirements

- Explore other means to incentivize
- Support staff proposed list of uses that could be permitted or prohibited ancillary ground floor uses
- Support staff recommendation that no more than 75% of the ground floor space be used for permitted ancillary uses in order for a development to be considered vertical mixed use.

Motion passed unanimously.

B. Vaitla moved, seconded by J. Chapman, to provide feedback to staff regarding a nondiscretionary alternate option to meet affordable housing requirements as follows:

- Nondiscretionary alternative will be an ongoing revenue stream in lieu fee that is a calculation with net present value of the total market value of constructing affordable unit. Value to be adjusted every year for inflation and costs.

Motion passed unanimously.

City Attorney Inder Khalsa: Ongoing revenue stream can be objective. Council may want to consider whether to know more about financial viability of project before committing to ongoing revenue stream.

K. Stachowicz: Staff can come back with recommended parameters for council to consider building into option.

B. Vaitla moved, seconded by W. Arnold, to provide feedback to staff regarding a discretionary alternate option to meet affordable housing requirements as follows:

1. Discretionary alternative will not contain a list of options.
2. Developer will be required to make a strong financial case for selecting the discretionary option/demonstrate why they can't meet the 15% affordable unit requirement.
3. Developer shall draft a proposal to present to Social Services Commission for review and recommendation. The proposal will then proceed with current review/approval process which may include Planning Commission and/or City Council.

Motion passed unanimously.

M. Webb: Staff will return to Council with percentage requirements for ground floor retail. Will bring as separate matter with Downtown Plan and zoning. Understand Council direction for no incentives for vertical mixed use related to inclusionary requirements.

AB 1234 Re-
porting None

Long Range Calendar M. Webb: Next regular meeting October 15. November 19—ceremonial recognition of Police Chief retirement and swearing in new Police Chief.

Public comment:

- Alan Miller: Some public commenters want camera angle in chambers to go back to prior previous display.

Adjournment Meeting was adjourned at 9:41 p.m.

Zoe Mirabile
City Clerk