

MINUTES OF THE DAVIS CITY COUNCIL
Meeting of October 15, 2024

The City Council of the City of Davis met in regular meeting session beginning at 6:49 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, Babu 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 14, 2024, as Indigenous Peoples Day, presented by B. Vaitla
- B. Proclamation Recognizing October as Filipino American History Month, presented by W. Arnold
- C. Proclamation Recognizing October as Domestic Violence Awareness Month, presented by J. Chapman
- D. Proclamation Recognizing City of Davis Poet Laureate 2021-2024, Julia Levine, presented by D. Neville
- E. Proclamation Recognizing City of Davis Poet Laureate 2024-2027, Mercedes Ibáñez, presented by G. Partida. Read poem *Destination*.

City Council recessed at 7:10 p.m. and reconvened at 7:18 p.m.

City Manager Announcements M. Webb: October 13—Davis Neighbors Night Out event with more than 115 parties throughout the city. October 19—Fire Department Open House at Fire Station 31 on Fifth Street. October 27—Zombie Bike Parade with BMX student show along the route and live music at Community Park. October 31—Davis Downtown Treat Trail. November 1—Discover Davis and Día de Muertos in Central Park. November 11—Veterans Day, city offices will be closed in observance of the holiday.

City Council Announcements and Liaison Reports None

Public Comments

- Ron Glick: Support Indigenous Peoples Day and Poet Laureate position. Both were ideas initiated by Jack Forbes, memorialize his civic efforts.

- Robert Canning: During the past 20 years, the Davis Firefighters Local 3494 Union have been very involved in council elections. Some previous council candidates have refused contributions, support this practice.
- Alan Miller: Sang a song about Hate Free Together (HFT). Should not be spending money on swag from HFT, does not support efforts to combat hate. Oppose Measure Q ballot measure.
- Unnamed individual: Reckless drivers are creating unsafe conditions. Called police to report incident of nearly being hit by a car while crossing the street, was told officers will increase patrols in the area. Would like a more proactive response.
- Alan Hirsch: Toxic dialogue in community, specifically regarding election matters.
- Norbie Kumagai: Support firefighters. Support Measure Q ballot measure, will help sustain quality of life.
- Connor Gorman: Many commercial property owners are charging high commercial rents. Should consider ways to reduce burden on businesses and encourage reasonable rents. Should consider vacancy tax.

Consent Calendar

On-Call Engineering Services Agreement Task Order for Design of Arsenic Treatment Facilities at Well 32, CIP No. ET0028
Approve Resolution No. 24-151 – Authorizing the City Manager to Execute Task Order No. 15 with Kennedy Jenks for Services Related to Water Well 32 Arsenic Treatment Improvements, and Authorizing a Budget Revision to the Capital Improvement Project

On-Call Engineering Services Agreement Task Order Amendment for Phase 2 SCADA Master Plan Implementation, CIP No. 8310
Approve Resolution No. 24-152 – Authorizing City Manager to Execute Task Order 2 Amendment 4 for On-Call Engineering Services with West Yost Associates Associated with Phase 2 SCADA Master Plan Implementation

Professional Services Agreement Extension for Sales, Use and Transactions Tax Management and Sales Tax Audit Services, and Authorizing Access to Sales or Transactions
Approve Resolution No. 24-153 – Authorizing the City Manager to Execute Amendment to Extend the Agreement with Hinderliter, de Llamas & Associates to Perform Sales or Transactions and Use Tax Audit Services

Home Energy Score Pilot Project Consultant Contract
Approve Resolution No. 24-154 – Authorizing the City Manager to Execute Professional Services Agreement with Earth Advantage to Implement the Home Energy Score Pilot

J. Chapman recused from the following item due to downtown business ownership and membership in DBID:

Downtown Business Improvement District (DBID): Intention to Levy and Collect an Assessment for Fiscal Year 2025-26

Approve Resolution No. 24-155 – of 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 by the following vote:

AYES: Arnold, Neville, Partida, Vaitla

NOES: None

ABSTAIN: Chapman (recuse)

Commission Minutes: Open Space and Habitat Commission Meeting of September 9, 2024

Informational

D. Neville moved, seconded by W. Arnold, to approve the consent calendar. Motion passed unanimously.

Public Hearing: Downtown Outdoor Dining Program –Davis Municipal Code Amendments, Establishment of Fees and Charges to Administer the Program, and Furnishing Standards and Guidelines

Economic Development Director Katie Yancey: Provided a synopsis of the revised Downtown Outdoor Dining Program, allowing local restaurants to either request to construct an expanded service area in specific parts of the public realm or to utilize existing public civic spaces for expanded service. The program is geographically limited to the streets, sidewalks, plazas, private parklets, and passages in the downtown. Summarized the proposed updates consisting of an administrative approval process including establishing new fees to cover the processing of an application and renewals, adding definitions to the Davis Municipal Code related to the outdoor dining program such as “Civic Spaces” and “Parklet”, establish outdoor dining furnishing standards and guidelines for use of the public right-of-way, and establish rental rates for use of the public right-of-way.

Mayor Chapman opened the public hearing.

- Alan Hirsch: Support outdoor dining program, but there is no consideration for trees.
- Alan Miller: Assume parklet rent includes the cost of replacing new space in parking structure. Need to consider how this program will impact transportation.
- Victor Lagunes: Support program. Need to carefully consider which parking spaces are converted into parklets.
- Connor Gorman: Support program. Businesses that use the public space should pay rent.

Mayor Chapman closed the public hearing.

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

1. Introduce Ordinance Amending Section 26.040.020 of Chapter 26 (Offenses-Miscellaneous), 40.01.010 (Definitions) and Adding a New Section 40.14.140 (Downtown Outdoor Dining Program) to Chapter 40 (Zoning) to Establish the Downtown Outdoor Dining Program and Amending Various Sections of Chapter 26 (Offenses – Miscellaneous), Chapter 27 (Parks And Open Spaces), and Chapter 35 (Streets and Sidewalks) of the Davis Municipal Code to Make Conforming Edits to Support the Downtown Outdoor Dining Program, as amended to clarify the subject area as the Downtown Specific Plan area.
2. Find the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because it is not a “project” as defined by Section 153678
3. Approve Resolution No. 24-156 – Approving the Downtown Outdoor Dining Furnishing Standards and Guidelines
Motion passed unanimously.

City Manager Mike Webb: The City Manager has the discretion to bring forward any issue to the City Council related to parklets that is deemed prudent to do so. Understand that conversion of any on street parking has a very high bar.

W. Arnold moved, seconded by D. Neville, to Approve Resolution No. 24-157 – Establishing Fees and Charges to Administer the Downtown Outdoor Dining Program. Motion passed by the following vote:

AYES: Arnold, Neville, Partida

NOES: Vaitla, Chapman

AB 1234 Reporting

None

Long Range Calendar

M. Webb: Will be scheduling a closed session meeting in the next couple weeks.

D. Neville: Would like an update on Crisis Now and funding that has been set aside for program.

M. Webb: Had a meeting last week with Council Subcommittee. Topic will likely tie into a November meeting item.

Adjournment

Meeting was adjourned at 9:40 p.m.

Zoe Mirabile
City Clerk