

**Open Space and Habitat Commission Minutes**  
**Monday, September 13, 2021**  
**Remote Audio and Video Meeting Participation, 6:30 p.m.**

Commissioners Present: Ramiro Cabanillas-Ledesma, Lindsay Correa, Patrick Huber, Patricia Price, Carrie Shaw (Chair), Emma Torbert

Vacant Positions: One (Alternate)

Commissioners Absent: Marc Vayssieres (Vice Chair)

Assigned Staff: Tracie Reynolds, Manager, Open Space Program (Present)

Council Liaison: Will Arnold (Regular) (Absent), Lucas Frerichs (Alternate) (Absent)

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**1. Call to Order & Roll Call**

Commissioner Shaw opened the meeting after a quorum was achieved and called roll call. Commissioner Huber arrived during Consent Calendar.

**2. Approval of Agenda**

On a motion by Commissioner Torbert, which was seconded by Commissioner Cabanillas-Ledesma, the Commission voted 5-0-2-0 to approve the September 2021 regular meeting agenda (Ayes – Cabanillas-Ledesma, Correa, Price, Shaw, Torbert; Noes – None; Absent – Huber, Vayssieres; Abstentions – None).

**3. Brief Announcements from Staff, Commissioners, and City Council Liaisons**

Tracie Reynolds, staff to the Commission, said that Commissioner Sherman McFarland had to resign from the Commission because he moved to Sacramento. She said Commissioner Patricia Price, formerly the alternate, had taken his place and the alternate position was now vacant. She said the City Clerk's office would advertise for a replacement. Ms. Reynolds also said it was unclear whether the Commission's October meeting would be virtual or in-person. She said the Governor's Executive Order (N-29-20) that authorized virtual meetings with electronic public participation will be repealed on October 1, unless the Governor extends it. She said she would get more direction on this topic from the City Clerk's office after the gubernatorial recall election on September 14. Finally, she said that the public accessibility improvements at South Fork Preserve were nearly completed. She said the 10 interpretative panels were at the manufacturer and were expected to be installed at the preserve in late October or early November. She thanked Commissioners for their comments on the draft panels, and she said that nearly all of their suggested changes were made to the draft panels. She said she believed the Commission would be happy with the final designs.

**4. Public Comment**

Alan Hirsch spoke to the Commission about Sutter Hospital's proposal to remove 63 trees in the hospital's parking lot to make room for solar panels. He questioned the Planning Commission's decision to exempt this project from the California Environmental Quality Act ("CEQA"). He encouraged Commissioners to attend the September 21 meeting of the City Council, during which this matter would be discussed, and voice their opposition to the tree removal. He also asked the Commission to discuss the City's CEQA mitigation monitoring process at an upcoming meeting.

**5. Consent Calendar**

There was one item on the consent calendar: approval of the June 7, 2021 regular meeting minutes. On a motion by Commissioner Torbert, which was seconded by Commissioner Huber, the

Commission voted 6-0-1-0 to approve the June 2021 meeting minutes (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).

## 6. Regular Items

### **Discussion Item – Discuss Commissioner Emma Torbert’s proposal to increase racial and socio-economic equity related to the City’s acquisition and land management practices**

Commissioner Torbert discussed her proposal to increase racial and socio-economic equity related to the City’s acquisition and land management practices. She briefly summarized the key points in her written proposal, including land ownership/easement issues within the City and the United States, ongoing work in California on this issue, and potential organizations the City could collaborate with on this issue. Her main point was that land ownership in the United States has historically been inequitable, and that in her opinion the City’s current land conservation policies continue to reinforce, and fund, this inequity. She asked the Commission to establish an ad-hoc working group, in conjunction with the Human Relations Commission, to study possible policy changes, such as adding racial and socio-economic equity to the selection criteria for acquiring conservation easements, giving preference to historically disadvantaged farmers when leasing the City’s agricultural land, collecting and reporting demographic data on landowners who have sold conservation easements to the City that were purchased with Measure O funds, requiring those landowners to keep their land in active agricultural production in perpetuity, prohibiting the use of Measure O funds to purchase conservation easements that prevent the land from being subdivided, and funding collaborative projects with outside organizations to establish a community commons around the City of Davis.

Commissioner Shaw asked if Commissioners had any clarifying questions. Commissioners asked for clarification on how Commissioner Torbert thought her proposal would specifically change the City’s existing acquisitions decision-making process. Commissioner Shaw then took public comment. NJ Mvondo, a member of the Human Relations Commission, said she was speaking on behalf of herself. She said she was excited to learn more from the Commission on this topic and that she hoped the two commissions could collaborate. Thomas Nelson said his organization, Kitchen Table Advisors, helps small sustainable farms be economically viable. He said land access is a big problem and many farmers don’t know where they will be farming next year. He said he would welcome the opportunity to lease land to next-generation farmers under long-term leases. Scott Steward, a member of the Yolo County Climate Action Commission, said his group meets weekly to discuss similar topics and he encouraged the public and Commissioners to attend one of the meetings.

Commissioner Shaw then closed public comment and opened the Commission discussion. Commissioner Shaw asked to hear comments from Tracie Reynolds, manager of the City’s Open Space Program and staff to the Commission. Ms. Reynolds said this topic was very important and she was open to discussing it further with the Commission. She said however that she had concerns about adding further restrictions to the acquisition process because it was already very difficult to find a landowner who was willing to sell a conservation easement to the City. The City cannot change who owns land within the Davis Planning Area, she said. She also explained the practical reasons why conservation easements prohibit future subdivision and why the City and the Yolo Land Trust don’t require landowners to keep their land in active agricultural production in perpetuity. Finally, she said the City doesn’t have the staff or resources to be an active manager of farmland, and the City has not historically wanted to play that role in the region.

Commissioner Torbert then made the following motion: *“The Open Space and Habitat Commission endorses the proposal to establish a working group in collaboration with the Human Relations Commission.”* Commissioner Price seconded the motion. Before the vote, there was additional Commission discussion. Commissioner Huber said this was a very important issue but he was concerned about adding another layer to the acquisitions process because the City was not facing a slew of easement requests. He said he wasn’t sure the easement process was the right vehicle to address this issue, but he was willing to hear what the working group would find.

Commissioner Shaw said she didn’t think the Commission was ready to approach the Human Relations Commission. She put forward the following competing motion: *“Commissioner Vayssieres from the Acquisitions Working Group, Commissioner Cabanillas-Ledesma from the Public Engagement and Partnerships Working Group, and Commissioner Torbert from the Land and Resource Management Working Group will meet, perform a SWOT analysis (i.e., strengths, weaknesses, opportunities, and threats), and report back to the Commission on their findings.”* Commissioner Huber seconded the motion. Before the vote, there was additional Commission discussion. Commissioner Correa said she appreciated staff’s perspective and said that any research done by the working group should include this context.

Commissioner Cabanillas-Ledesma offered the following friendly amendment to Commissioner Shaw’s motion: *“The Acquisitions Working Group, the Public Engagement and Partnerships Working Group, and the Land and Resource Management Working Group should meet in September and nominate one person to be on the new working group and that new working group could be established at the October meeting.”*

Commissioner Torbert then withdrew her original motion and offered the following friendly amendment to Commissioner Cabanillas-Ledesma’s friendly amendment: *“The Acquisitions Working Group, the Public Engagement and Partnerships Working Group, and the Land and Resource Management Working Group should meet in September and one person from each working group should volunteer to be on the new working group and that new working group could be established at the October meeting.”* Commissioner Shaw accepted the two friendly amendments to her motion, and Commissioner Huber seconded Commissioner Shaw’s amended motion. The amended motion was approved by the Commission by a vote of 6-0-1-0 (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).

#### **Discussion Item – Receive an update from staff on community outreach plans for 2021**

Ms. Reynolds said she had met with the members of the Public Engagement and Partnerships Working Group to get their comments on the draft survey. She said she had also sent the draft survey to all six working groups for their comments. She said she had incorporated nearly all of the Commission’s comments into the final survey. Barbara Archer, the City’s Communications and Customer Service Manager, was currently helping staff input the survey into Survey Monkey, she said. She hoped to release the survey later this year for a month at least.

Commissioner Shaw asked if Commissioners had any clarifying questions. There were no clarifying questions. Commissioner Shaw then took public comment. There was no public comment. Commissioner Shaw then closed public comment and opened the Commission discussion. Commissioner Price said she had some additional comments on the draft survey since she didn’t have the opportunity to comment the first time, since she was an alternate. Ms. Reynolds said she would try to include her comments in the published version. No action was taken.

**Action Item – Decide whether or not to appoint a subcommittee to study the background issues raised by the Commission during the 2019-2020 approval process for the proposed Davis Innovation and Sustainability Campus in preparation for the October 4 Commission meeting**

Ms. Reynolds briefly explained how the Commission would be able to provide input on the proposed Davis Innovation and Sustainability Campus, or DISC. She said the project would be coming before the Commission in October, and the Commission had the option of appointing a subcommittee to study the background issues raised by the Commission over the last two years and report back to the Commission in October. She said the Commission also had the option of agendaizing the Addendum to the project's Environmental Impact Report ("EIR") later this year if the Commission wanted to provide comments on the Addendum to the EIR. That meeting would have to happen before December when the project is scheduled to go before the Planning Commission, she said.

Commissioner Shaw asked if Commissioners had any clarifying questions. There were none. Commissioner Shaw then took public comment. There was none. Commissioner Shaw then closed public comment and opened the Commission discussion. Commissioner Huber said he didn't see a need for a subcommittee but if other Commissioners wanted one, he was fine with that as well and offered to be on the subcommittee. Commissioner Price said the project had changed significantly and many things the Commission recommended previously were not relevant anymore. She said she thought there should be some pre-assessment of the project and she would be happy to be on the subcommittee. She then put forward the following motion: "*The Open Space and Habitat Commission establishes a subcommittee to look at the Commission's previous recommendations and review them given the current project parameters.*" The motion was not seconded. She then offered a second motion: "*I offer to review the previous recommendations myself and edit them to more relevantly match the current project parameters.*" Commissioner Torbert seconded the motion and it was approved by the Commission by a vote of 6-0-1-0 (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).

**Action Item – Approve staff's recommendation to install a permanent work of art (Frog Totem by Mary McChesney) at the Woodbridge open space area in South Davis**

Rachel Hartsough, the City's Arts and Culture Manager, summarized her staff report to the Commission discussing a staff recommendation to install a permanent work of art (Frog Totem by Mary McChesney) at the Woodbridge open space area in South Davis. She said the Civic Arts Commission chose this particular work several years ago because of its connection with Davis's infamous history with amphibious creatures. She said the piece is a whimsical tribute to amphibious wildlife and was intentionally created by the artist to promote wildlife conservation. The work says "Save the Frogs" in English and "Salva las Ranas" in Spanish, she said. The work includes eight large frogs made of concrete composite, she said. Staff recommends installing the piece in the Woodbridge open space area because (1) the site is along the old North Fork of Putah Creek, which is a wildlife habitat area, and (2) there is very little public art in this entire section of South Davis, she said. If approved by the Commission, she said staff would do additional outreach to the community.

Commissioner Shaw asked if Commissioners had any clarifying questions. Commissioners asked for clarification on (1) whether there was a greener option for the foundation, and (2) what measures were going to be taken to protect the artwork from graffiti and vandalism. Commissioner Shaw then took public comment. NJ Mvondo said she supported the artwork being placed at the Woodbridge open space area and she loved its whimsical nature and its appeal to both children and older adults. Commissioner Shaw then closed public comment and opened the Commission discussion.

After a short discussion, Commissioner Cabanillas-Ledesma put forward the following motion: “*The Open Space and Habitat Commission approves staff’s recommendation to install a permanent work of art (Frog Totem by Mary McChesney) at the Woodbridge open space area in South Davis.*” Commissioner Hubert seconded the motion and it was approved by the Commission by a vote of 6-0-1-0 (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).

## **7. Commission and Staff Communications**

### **Commission Work Plan**

The Commission work plan was not discussed.

### **Upcoming Meeting Date, Time, Items**

The next regularly scheduled meeting is Monday, October 4. Possible topics discussed included (1) discussing the open space and habitat features of the proposed Davis Innovation and Sustainability Campus 2022 project, and (2) establishing an ad-hoc working group to study possible policy changes to increase racial and socio-economic equity in the City’s Open Space Program.

### **Upcoming Events**

Ms. Reynolds mentioned that she would be speaking as part of the Putah Creek Council’s “CreekSpeak” seminar series on September 16 at 4:00 p.m. about the new public accessibility improvements at South Fork Preserve.

### **Working Groups**

1. *Acquisitions*. No updates were reported.
2. *Habitat Restoration and Enhancement*. No updates were reported.
3. *Land and Resource Management*. No updates were reported.
4. *Public Access and Recreation*. No updates were reported.
5. *Financial and Program Accountability*. No updates were reported.
6. *Public Engagement and Partnerships*. No updates were reported.

### **Update on Cannery Farm**

Ms. Reynolds said the deadline to submit a response to the Cannery Farm Request for Proposals was extended to September 24, 2021. She said she hoped to bring a recommendation for a new tenant farmer to the Commission in November, and a recommendation for a new lease/license with the selected tenant farmer to the Commission in December.

### **Update on Climate Action and Adaptation Plan (“CAAP”) Update**

Ms. Reynolds updated the Commission on the next CAAP workshop, which will be held on Wednesday, October 20, 2021 at 5:00 p.m. She also updated the Commission on two new documents that are now available on the City’s CAAP website: a “Frequently Asked Questions” document and a vulnerability assessment.

## **8. Adjourn**

On a motion by Commissioner Shaw, which was seconded by Commissioner Huber, the Commission voted 6-0-1-0 to adjourn the meeting at approximately 9:05 p.m. (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).