

Open Space and Habitat Commission Minutes
Monday, October 4, 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) (Present), Lucas Frerichs (Alternate) (Absent)

1. Call to Order & Roll Call

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

2. Approval of Agenda

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

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

Commissioner Price mentioned an upcoming meeting of the Yolo Climate Compact this Friday. She said if anyone wished to attend, they could send her an email.

4. Public Comment

Tracy DeWit, a South Davis resident, said she was concerned about what she perceived to be a deterioration of the wildlife habitat along the Putah Creek Parkway due to homeless encampments. She asked that the Commission discuss the Putah Creek Parkway at its next meeting. Nick Gunther, another South Davis resident, echoed Ms. DeWit's remarks and said the City Council must take immediate steps to remediate the damage along the Putah Creek Parkway and protect the creek bed in the future from new damage. Susanna Gunther, another South Davis resident, said she and her three small children use the Putah Creek Parkway often and she was concerned about safety along the parkway and about deterioration of the wildlife habitat as well.

5. Consent Calendar

There was one item on the consent calendar: approval of the September 13, 2021 regular meeting minutes. On a motion by Commissioner Cabanillas-Ledesma, which was seconded by Commissioner Correa, the Commission voted 6-0-1-0 to approve the September 2021 meeting minutes (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).

6. Regular Items

Action Item – Hear a brief presentation by staff about the Davis Innovation and Sustainability Campus 2022 (DISC 2022); hear a presentation by the applicant describing the DISC 2022 project; review the comments the Commission made during the entitlement process for the DISC 2019-20 project; review how comments were addressed by the DISC project

entitlements; determine if those same comments are applicable to the DISC 2022 project; and approve any additional comments and/or recommendations

Sherri Metzker, the City's Principal Planner, gave the Commission a brief overview of the DISC 2022 project and the open space and habitat elements, including (1) the drainage channel, which no longer cuts through the middle of the project but instead traverses the project's northern boundary, (2) the agricultural buffer, which no longer includes the City's property along Mace Boulevard, and (3) the project's stormwater detention basin, which no longer will be located on the City's Howat Ranch property. She also said the project's required agricultural mitigation will be consistent with the City's agricultural mitigation ordinance. She acknowledged the Commission's desire to populate the agricultural buffer with only native species but noted that some non-native trees will likely need to be planted in the 50-foot portion of the agricultural buffer to meet the previous requirement to provide 80% shade over the bike path within 15 years. She said the developer was committed to working with staff to select non-native trees that will still provide good wildlife habitat and will be compatible with the native trees. She asked the Commission to review its previous recommendations, delete the ones that were not relevant anymore, and add any new recommendations the Commission might have. Dan Ramos, the developer, said Davis needs the project to satisfy the high demand for lab/advanced manufacturing space. Matt Keasling, who represents the developer, went through the Commission's previous recommendations in detail and provided the developer's response to each one. Commissioner Price, who was selected by the Commission to review the Commission's previous recommendations and determine which ones were still relevant, which ones were up for discussion, and which ones should be deleted, also shared her analysis with the Commission.

Commissioner Shaw asked if Commissioners had any clarifying questions. Commissioners asked for clarification on (1) why the transit plaza was considered open space, (2) whether there was a long-term plan for widening Mace Boulevard, (3) whether the Commission would get to review the project's proposed agricultural mitigation land, and (4) whether the project would include opportunities for residents to grow food near the project's residential units.

Commissioner Shaw then took public comment. Ron Oertel said the project is still a loss of open space even though the total acreage has been cut in half. He said the project isn't any different from the previous proposal and people should oppose it. Tracy DeWit asked when the public would have an opportunity to comment on the project before it went to the City Council. Josh Smith said he supported the project now because it no longer impacted the burrowing owl habitat north of the project. Colin Walsh said the Commission should make sure the most important issues are included in the project's "baseline project features." He said the other half of the previous project should be permanently protected as part of the project's agricultural mitigation requirement to assure the public that the other half will not be built on in the future.

Commissioner Shaw then closed public comment and opened the Commission discussion. Tracie Reynolds, staff to the Commission, said she wanted to make sure the Commission understood that the previous project approval allowed the developer to (1) dedicate the 50-foot portion of the agricultural buffer to the City as an easement instead of in fee, as the City's agricultural buffer ordinance requires, (2) use the 50-foot portion of the agricultural buffer to satisfy both the City's agricultural buffer requirement and the City's greenway requirement, and (3) plant some non-native trees within the 50-foot portion of the agricultural buffer to meet an 80% shade requirement over the bike path in 15 years. Other topics discussed included (1) what issues should be included in the project's "baseline project features," (2) how native tree species might be able to eventually meet the 80% shade requirement along the bike path within 15 years, (3) whether it was advisable to pave

over Class 1 agricultural soils, (4) whether the sewer pump in the agricultural buffer would interfere with the public access to the adjacent “Leland” parcel, and (5) whether the southeast section of the agricultural buffer provided suitable burrowing owl habitat.

The Commission then began revising its previous recommendations. Due to the late hour, there was then some discussion about scheduling another Commission meeting within two weeks to continue the discussion. The Commission decided against that and instead Commissioner Shaw put forward a motion *to continue for another 15 minutes*. The motion was seconded by Commissioner Huber. The motion was approved by a vote of 6-0-1-0 (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None). Commissioner Shaw said she voted in favor of continuing for another 15 minutes but she said she was not happy with the process and felt that the Commission was not given enough time to adequately review the project’s open space and habitat features. The Commission then continued revising its previous recommendations.

On a motion by Commissioner Huber, which was seconded by Commissioner Price, the Commission approved the following motion by a vote of 5-0-1-1 (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw; Noes – None; Absent – Vayssieres; Abstentions – Torbert):

“The Open Space and Habitat Commission recommends that, if the City Council approves the Davis Innovation and Sustainability Campus 2022 project, the following project features should be included in the project’s “Baseline Project Features” and/or Development Agreement:

Baseline Project Features

- 1. The agricultural mitigation land should be located within the Davis Planning Area;*
- 2. The 100-foot-wide portion of the agricultural buffer should be planted with 100% native species;*
- 3. The 50-foot-wide portion of the agricultural buffer can temporarily use fast-growing non-native tree species (not invasive species) to achieve 80% shade cover within 15 years over the multi-use path but, at the end of their lives, they should be replaced with native trees with the goal of eventually having 100% native species;*
- 4. A burrowing owl complex should be installed on the southeast segment of the agricultural buffer, in consultation with the City’s wildlife biologist;*
- 5. Native trees and pollinator habitat should be dispersed throughout the site, including in parking areas, to ensure a majority of the plants planted in the ground are native species; and*
- 6. The Mace Drainage Channel in the 100-foot-wide portion of the agricultural buffer should be re-contoured to a more natural gradient with terraces and planted with 100% native riparian vegetation.*

Development Agreement

- 7. The burrowing owl habitat area should be distinct from the drainage swales in the agricultural buffer and the bike paths should be situated so that they are not negatively impacting the burrowing owl habitat; and*

8. *The burrowing owl complex and surroundings should be managed for burrowing owl habitat and should be monitored for owl use in consultation with the City's wildlife biologist. If owls don't use the complex for five years, the site can be considered abandoned and could be used for other habitat purposes."*

Action Item – Establish an ad-hoc working group to study possible policy changes to increase racial and socio-economic equity in the City's Open Space Program

Commissioner Shaw suggested this group investigate possible ways to improve diversity, equity and inclusion. Commissioner Torbert accepted this wording change. Ms. Reynolds said that including members of other city commissions in this group would trigger the Brown Act. 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.

On a motion by Commissioner Torbert, which was seconded by Commissioner Huber, the Commission approved the following motion by a vote of 6-0-1-0 (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None):

"The Open Space and Habitat Commission establishes an ad-hoc working group to improve diversity, equity and inclusion in the City's Open Space Program. The ad-hoc working group will be comprised of Carrie Shaw from the Acquisitions Working Group, Patricia Price from the Land and Resource Management Working Group, and Emma Torbert from the Public Engagement and Partnerships Working Group. Commissioner Torbert will be the leader of this ad-hoc working group."

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, November 1. Possible topics discussed included (1) recommending a new tenant farmer for the Cannery Farm, (2) reviewing the annual Open Space Program budget, and (3) discussing habitat preservation and protection along the Putah Creek Parkway. Ms. Reynolds noted that the Addendum to the Environmental Impact Report for the DISC 2022 project would likely not be ready for review before November 1. Colin Walsh, a member of the public, asked to speak. Commissioner Shaw opened public comment. Colin Walsh asked the Commission to put the public input process for the DISC 2022 project on a future agenda and formally tell the City Council that the timing of the public input process was problematic. Commissioner Shaw then closed public comment. Commissioner Shaw said she would discuss upcoming agenda items with staff.

Upcoming Events

No upcoming events were mentioned.

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 selection panel for the Cannery Farm Request for Proposals process was reviewing the submittals that were received before the deadline. She said staff would be bringing some kind of recommendation to the Commission at its November meeting.

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

There was no CAAP update.

8. Adjourn

On a motion by Commissioner Huber, which was seconded by Commissioner Shaw, the Commission voted 6-0-1-0 to adjourn the meeting at approximately 10:29 p.m. (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert; Noes – None; Absent – Vayssieres; Abstentions – None).