

Open Space and Habitat Commission Minutes
Monday, October 5, 2015
Community Chambers Conference Room, 23 Russell Boulevard, 6:30 p.m.

Commissioners Present: Greg House, Patrick Huber, Helena Chung, Roberta Millstein, Jason Bone (Alternate)

Commissioners Absent: Marc Hoshovsky, Rachel Aptekar, Colleen Rossier

Commission Liaisons: Recreation and Parks (TBD), Planning (Rob Hofmann)

Assigned Staff: Tracie Reynolds

Council Liaison: Lucas Frerichs

1. Approval of Agenda

On a motion by Commissioner Chung, seconded by Commissioner House, the Commission voted 5-0 to approve the agenda.

2. Approval of Minutes

September 14, 2015 minutes. On a motion by Commissioner Huber, seconded by Commissioner Chung, the Commission voted 5-0 to approve the September 14, 2015 minutes.

3. Public Communications

None.

4. Discussion -- Consolidated Comments on the Draft Environmental Impact Report (“EIR”) for the Proposed Mace Ranch Innovation Center

The Commission reviewed for the second time its consolidated comments to date on the draft EIR for the proposed Mace Ranch Innovation Center (“MRIC”), which was part of the meeting materials for the October 5 meeting. Each revised comment was summarized by the commenter and reviewed for clarity. The Commission requested that some commenters clarify their comments and resubmit them to staff. The Commission agreed to review the final set of comments at its next regular meeting in November (November 2). Comments are due to the City on November 12. This schedule means that final comments are due to staff (Tracie Reynolds) by Thursday, October 22, or Friday, October 23 at the latest. As part of this discussion, Commissioner House requested that the City’s agriculture mitigation/agriculture buffer requirement be placed on a future Commission agenda for discussion.

Dan Carson, a member of the public, said that the 25 acres of City property that is included in the Mace Ranch Innovation Center project should not be used as a community farm. He said the City was not on solid financial footing over the long-term and that it needed economic development projects. He asked the Commission to keep the door open to economic development projects and consider alternative sites for the community farm. He handed out a sheet of paper in which he outlined a proposal to require the developer to provide one or more alternative community farm site(s) as part of the developer’s agriculture mitigation requirement, among other things. Matt Williams, a member of the public, agreed with this approach and said that the City’s 25 acres should only be considered for a community farm if an acceptable alternative site was not available.

The Commission also decided to vote on the merits of the MRIC project’s open space and habitat elements at its regularly scheduled Commission meeting in January 2016 (to be held on January 11).

5. Presentation and Discussion – Historic Measure O Revenues and Expenditures

Tracie Reynolds, staff to the Commission, shared a detailed spreadsheet of Measure O revenues and expenditures prepared by the City’s finance staff. The spreadsheet summarized all revenues and expenditures flowing in and out of the Measure O special tax fund (Fund 135) over the last 15 years. She said Fund 135 is only one of three funds the City uses to acquire open space and conservation easements. She said the City also uses Fund 190

(Agriculture Mitigation Fees) and Fund 475 (Development Impact Fees for Open Space) to finance open space acquisitions. She said staff was working to provide more detail on those two funds as well so that the public will have a full picture of the funding sources used to acquire open space and conservation easements. The spreadsheet showed a balance of about \$4.2 million in the Measure O fund as of June 2015.

She discussed personnel costs (i.e., staff involved with the management and maintenance of open space) as a percent of the parcel tax over time. She said the numbers suggested three phases: (1) a start-up phase (i.e., the first five years, where personnel expenses as a % of the parcel tax went from 1% to 19%), (2) a stabilized period (i.e., the next seven years, where personnel expenses as a % of the parcel tax went from 19% to 30%), and (3) a recession-impact period (i.e., the last two years, where personnel expenses as a % of the parcel tax went from 30% to 46%). She said the recent increases in Measure O staffing costs were due to the recession, when the City's General Fund was unable to pay its share of the open space staffing costs. In an effort to avoid further layoffs and keep the two open space maintenance positions, the City increased Measure O's share of the open space staffing costs. Now that the City's General Fund has recovered, the City is investigating ways to reduce Measure O's share of the open space staffing costs in the future. Some ideas being considered are consolidating the two open space maintenance positions into one position (given that both people currently in those positions are retiring at the end of the year), and using more contracted labor. Ms. Reynolds said the City is confident it can reduce open space staffing costs to at or under a third of the parcel tax (i.e., 33%) in future years. .

Ms. Reynolds also discussed a general breakdown of how money in the Measure O fund was spent over the last 15 years. She said about 56% was spent on acquisitions and transaction costs, about 15% was spent on maintenance personnel and maintenance costs, and less than 1% was spent on capital improvements. The remaining 29% was unspent and remains in the Measure O reserve.

Jean Jackman, a member of the public, discussed a flyer produced in 2000 by the City of Davis that estimated how the Measure O funds would be used. She said the flyer estimated that about 51% would be spent on acquisition costs; 32% would be spent on long-term maintenance costs (i.e., exotic vegetation control, grass and plant management, surveys/monitoring, etc.), 10% would be spent on restoration/land improvements; 6% would be spent on asset replacement; and about 1% would be spent on administrative costs. She said she thought the City was spending too much on personnel based on these percentages. Commissioner Huber said the flyer's estimates for maintenance and administrative costs totaled 33% and that is the percentage the City is targeting as it aims to reduce open space staffing costs now that the recession has passed. Ms. Reynolds added that the actual percentages, on average, over the last 15 years are better than the estimated percentages in the flyer, because the City has spent about 56% on acquisitions/transaction costs and about 15% on maintenance personnel costs.

Matt Williams, a member of the public, said he would like to see the Measure O spreadsheet include budgeted figures for the 2015-16 fiscal year, and also a table showing the other funds that were used for the open space acquisitions, such as state and federal grant funds, agriculture mitigation fees and development impact fees.

6. Discussion – Draft Terms – City of Davis Funding for Implementation of Yolo Habitat Conservation Plan/Natural Community Conservation Plan (“HCP/NCCP”)

Ms. Reynolds discussed proposed draft terms for a non-binding partnership between the City of Davis and the Yolo Habitat Conservancy (“YHC”) related to the implementation of the HCP/NCCP. She said the City of Davis would be agreeing to a non-binding commitment (i.e., a goal) to spend up to \$10 million in City open space acquisition dollars over 50 years, if funding is available, to acquire and/or permanently protect habitat lands within the Davis Planning Area that are consistent with the Yolo HCP/NCCP. She said the City would make a good-faith effort to spend up to \$3.0 million in City open space funding (not just Measure O funds) during the first 15 years of the partnership, and up to \$7.0 million in City open space acquisition dollars (not just Measure O funds) during the final 35 years of the partnership, assuming the City's Open Space Protection Special Tax (i.e., Measure O) is reauthorized by the voters at the same or higher rate. She said if voters reauthorize the tax at a

lower rate, the City and the YHC would agree to renegotiate the terms of the partnership. If voters do not reauthorize the tax, the City's good faith efforts under the partnership with the YHC would cease.

She said this non-binding commitment would also be subject to the conditions approved by the Commission at its October 6, 2014 meeting and were contained in the staff report to the City Council on July 7, 2015.

Commissioner House said the proposed draft terms sounded like what the Commission expected when they lent their support to the partnership on October 6, 2014. Commissioner Chung asked what happens if the City doesn't spend \$10 million over 50 years on acquisitions that are consistent with the Yolo HCP/NCCP. Heidi Tschudin, a consultant working on the Yolo HCP/NCCP for the YHC, said that was unlikely to happen because the wildlife agencies are requiring the YHC to preserve land ahead of schedule. She said the penalty for not preserving land would be that Yolo County would lose its 50-year permit to conduct economic activities.

Matt Williams, a member of the public, said there were synergies between the Yolo HCP/NCCP and the City's Open Space Program and that he was comfortable with the draft terms of the partnership. He said he had heard that a list of potential acquisition sites existed and that he would like a copy. Ms. Tschudin said that she did not know about such a list but she would check with the YHC to confirm.

7. Working Group Updates

- *Evaluation Criteria for Restoration Projects.* Commissioner Millstein, speaking on behalf of the working group on this subject, said the working group has developed a draft of the evaluation criteria for restoration projects, based on the City's evaluation criteria for teen services. She said the working group will be ready to share this draft with the Commission at the next meeting.
- *Community Farms.* Commissioner House, head of the working group on this subject, said this working group has been focused on a proposal from a group of U.C. Davis students studying sustainable agriculture to lease or sublease about 25 acres of City-owned land along Mace Boulevard.
- *Native Pollinators.* Commissioner Huber, head of the working group on this subject, said there was nothing to report.
- *Public Forum.* Tracie Reynolds, assigned staff to the Commission, said the procurement process had been successfully completed and the personal services contract with the selected consultant (The U.C. Davis Extension Collaboration Center, led by Jeff Loux and Tara Zagofsky (the "Collaboration Center")) was in the process of being executed. She said that Measure O funds would not be used to finance this contract or any costs associated with the public forum. She said the next steps were to organize a kick-off meeting with the consultant and the working group to design the workshop and public outreach campaign. She said the working group will provide the Commission with an update from this meeting at the next regularly scheduled Commission meeting. In response to a question from the public, Commissioner Huber said that given the need to address some of the community's concerns about Measure O expenditures, the working group was recommending that the public forum be postponed until late January/early February. He said the working group and City staff intends to work with the Collaboration Center to conduct a public outreach campaign in the fall.
- *Open Space Website.* Commissioner Millstein, head of the working group on this subject, said there was nothing to report. Commissioner Bone added that he would lead the effort to correct some of the errors on the City's Geographic Information Systems ("GIS") open space map on the City's website.
- *Open Space Signage.* Tracie Reynolds, assigned staff to the Commission, said there was nothing to report.

8. Project/Program Updates

- *North Davis Riparian Greenbelt.* Staff reported that the interpretive panels have been installed along the corridor. Commissioner Huber mentioned that he attended the September 15th community meeting to discuss the use of a small restoration grant that the Putah Creek Council received to do further work along one section of the corridor. He said the grant funds will be used to do additional plantings of native vegetation along one section of the corridor.
- *Nishi Gateway Project Environmental Impact Report.* Staff reminded the Commission that it is holding a special meeting on October 19th to discuss and approve consolidated comments on the Nishi Gateway Project (“Nishi”) Environmental Impact Report (“EIR”). Comments are due to the City on October 26. In addition, the Commission will hear a presentation on the project by City staff on November 2, and will be asked at that meeting to vote on the project’s consistency with the City Council-adopted guiding principles for innovation centers. At the October 19th meeting, the Commission will decide whether it wants to also vote on the merits of the open space and habitat elements of the Nishi project at its November 2 meeting.

9. Staff/Commission Communications

- *Commission Liaison Reports*
 - Recreation & Parks/Planning. No reports were given.
 - City Council. No reports were given.
- *Staff Report.* Staff gave a brief report on (1) a grant proposal with the Lower Putah Creek Coordinating Committee for restoration work along the South Fork of Putah Creek, (2) the construction schedule for the replacement observation deck at Julie Partanksy Pond, (3) a presentation by U.C. Davis of their long-range development plan at the October 13th City Council meeting, and (4) the possibility of holding a joint meeting with the City Council on December 1 to discuss historic Measure O revenues and expenditures and the resolution stating the City’s intention to help fund the implementation of the Yolo HCP/NCCP.
- *Next Meeting.* October 19, 2015 (Special Meeting). Next regularly scheduled meeting is on November 2.

10. Adjournment

The meeting was adjourned at approximately 9:02 p.m.