

Open Space and Habitat Commission Minutes
Monday, January 6, 2020
Community Chambers, 23 Russell Boulevard, 6:30 p.m.

Commissioners Present: Garrett Allen, Stephanie Holstege, Patrick Huber (Chair), Joy Klineberg, Roberta Millstein, Carrie Shaw (Vice Chair), Marc Vayssieres

Vacant Positions: One (Alternate)

Commissioners Absent: None

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

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

1. Call to Order & Roll Call

Commissioner Huber opened the meeting after a quorum was achieved. Commissioner Vayssieres arrived during Brief Announcements from Staff, Commissioners, and City Council Liaisons.

2. Approval of Agenda

On a motion by Commissioner Shaw, seconded by Commissioner Klineberg, the Commission voted 6-0-1-0 to approve the January 2020 agenda. (Ayes – Allen, Holstege, Huber, Klineberg, Millstein, Shaw; Noes – none; Absent – Vayssieres; Abstentions – none).

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

Tracie Reynolds, staff to the Commission, said that Erin Gooch had resigned from the Commission effective January 1, 2020. She said Commissioner Allen is now a regular Commission member, and the City would recruit for a new alternate position as soon as possible. She also said she contacted the offices of Yolo County Supervisor Jim Provenza to invite the Supervisor to a future Commission meeting to discuss common agricultural issues. She said the Supervisor could attend a Commission meeting after March. She said she would try to arrange for him to attend the Commission's April meeting.

Commissioner Shaw said that she was no longer going to serve as interim Streamkeeper for the Lower Putah Creek Coordinating Committee beginning January 1 because the existing Streamkeeper was not retiring as previously thought. However, she said that she was going to serve as interim Executive Director of the Putah Creek Council ("PCC") because the PCC's Executive Director had left at the end of 2019. She asked staff to provide guidance about any possible conflicts of interest that might result from her accepting this temporary position with the PCC. Ms. Reynolds said she would discuss this with the City Clerk's Office and get back to her as soon as possible.

Commissioner Millstein asked staff if any weed-whacking would be occurring in January in the northeast quadrant of the Wildhorse agricultural buffer where burrowing owls have been known to nest, which Catherine Portman (the President of the Burrowing Owl Preservation Society, or BOPS) had requested at the Commission's December meeting. Ms. Reynolds said she was talking to Chris Gardner, the City's Open Space Lands Manager, and John McNerney, the City's Wildlife Biologist, about this request and whether the weed-whacking was needed and/or advisable. She said she would see if it was necessary to enlist either City staff or BOPS members (with signed liability waivers) to weed-whack the area soon.

4. Public Comment

Colin Walsh, a resident of Davis, noted inconsistencies in the stated size of the agricultural buffer for the proposed Aggie Research Campus project on the City's website and in the developer's written materials. He said he would like those inconsistencies corrected. He also said that if a portion of the City's 25 acres along Mace Boulevard was used for the project's agricultural buffer, which is proposed to be improved with bike lanes and drainage swales, then those acres would not be used for agriculture any longer. He also said that if the City allowed a portion of its 25-acre property to be used for the project's agricultural buffer, then the chances of the City using the remaining acreage for something else, such as a community farm, would decrease. He asked the Commission to look into this topic and make a recommendation to the City Council that the developer should not be allowed to use any portion of the City's 25 acres for the project's agricultural buffer.

Mr. Walsh also shared a letter with the Commission that he wrote to Ashley Feeney, the City's Assistant City Manager, urging the City to require new biological surveys in the spring, summer and fall months at different times of the day and night to assess the presence of Mexican free-tailed bats, Hoary bats, and summer migratory birds so that proper mitigation measures can be planned for the Aggie Research Campus development proposal. He said the Final Environmental Impact Report ("EIR") for the Mace Ranch Innovation Center, the project proposed before the Aggie Research Campus, did not consider bats at all because the biological survey was conducted on one day in December when the bats migrate and/or are less active. He said this issue is even more imperative now that the Aggie Research Campus development proposal includes a plan for renewable energy generation (i.e., wind turbines) which could negatively impact the bats and other migratory birds. He asked the Commission to look into this topic as well and make a recommendation to the City Council that the developer should be required to conduct new biological surveys in the spring, summer and fall months at different times of the day and night to assess the presence of Mexican free-tailed bats, Hoary bats, and summer migratory birds.

5. Consent Calendar

There was only one item on the consent calendar: approval of the December 2, 2019 regular meeting minutes. Commissioner Millstein requested two edits to the draft minutes. On a motion by Commissioner Allen, seconded by Commissioner Shaw, the Commission voted 7-0-0-0 to approve the December 2, 2019 regular meeting minutes, as amended. (Ayes – Allen, Holstege, Huber, Klineberg, Millstein, Shaw, Vayssieres; Noes – none; Absent – none; Abstentions – none).

6. Regular Items

Discussion Item – Receive a presentation by Sherri Metzker, Principal Planner for the City of Davis, about the City's development approvals process and discuss how the Commission can be more engaged in that process and better informed about when development projects are seeking approvals at different stages in that process

Sherri Metzker, the City's Principal Planner, discussed how development projects get designed, advertised, finalized, approved, and implemented. She said it is not a linear process and can often be very complicated and iterative. She also described the environmental review process and the Commission input process, both of which happen simultaneously to the planning process. Several Commissioners expressed a desire to be more engaged in the planning process and better informed about when development projects are seeking approvals and getting implemented. During this discussion, several ideas surfaced that might help the Commission be better informed and engaged. For example, the City might consider:

- a. Posting a list of projects on the City's website which have completed the application process;
- b. Sending out a short announcement stating when a project has completed the application process;
- c. Using a standardized format (i.e., a matrix) for responding to Commissioner comments and explaining which comments were incorporated into projects and which comments were not and why;
- d. Allowing Commissioners who are making a statement on behalf of an entire Commission more time (i.e., more than three minutes) during public comment periods before the Planning Commission and the City Council;
- e. Directing citizens and developers to the Open Space and Habitat Commission early in the process if they have concerns about the open space and habitat elements of a particular project;
- f. Expanding the radius for notifications around projects so that more people are made aware that a particular project is being proposed in their neighborhood;
- g. Sending 10-day notifications of a project's upcoming public hearing before the Planning Commission and City Council to the Commissions who commented on the project so Commissioners know in advance when the public hearing is happening and when the staff report will be available for review so that Commissioners can determine if their recommendations were accurately transcribed into the project's proposed approval documents;
- h. Ensuring that Commissions are given an opportunity to comment during the 45-day comment period for environmental impact reports;

- i. Requiring the developer to return to the Commission for review of project plans near the end of the planning process when more of the project details have been determined; and
- j. Requiring City project-implementation staff to verify before the Commission that the project is being implemented according to the approved project documents (i.e., the development agreement).

Commissioners also could sign up for email notifications from the City about upcoming public hearings. Or the Commission could assign one or more Commissioners to monitor projects and keep the Commission informed of upcoming public hearings. The Commission's staff liaison also could sign up for email notifications from the City about upcoming public hearings, monitor projects, and keep the Commission informed of upcoming public hearings.

The Commission agreed to discuss this topic again as soon as possible at a future Commission meeting.

Action Item – Election of Commission Chair and Vice Chair for 2020

Commissioner Allen nominated Commissioner Millstein to serve as Chair and Commissioner Huber to serve as Vice Chair for 2020. On a motion by Commissioner Allen, seconded by Commissioner Shaw, the Commission voted 7-0-0-0 to approve Commissioner Millstein as Chair and Commissioner Huber as Vice Chair for 2020. (Ayes – Allen, Holstege, Huber, Klineberg, Millstein, Shaw, Vayssieres; Noes – None; Absent – None; Abstentions – None).

7. Commission and Staff Communications

Commission Work Plan

The work plan was not discussed.

Upcoming Meeting Date, Time, Items

The Commission's next meeting is February 3. Possible agenda items discussed include (1) land management techniques and practices in the northeast quadrant of the Wildhorse agricultural buffer that might help to encourage burrowing owl habitat, (2) the tentative map and proposed agricultural buffer design for the Bretton Woods project, and (3) the agricultural land mitigation proposal associated with the Bretton Woods project. If the Bretton Woods items don't materialize, possible alternative agenda items discussed include (1) continued discussion of how development projects go through the City's approval process, and how the Commission can be better informed, and (2) a discussion of interpretative panel ideas for South Fork Preserve.

Upcoming Events

Commissioner Millstein asked staff to find out when the 45-day comment period will start for the environmental documents for the Bretton Woods project and the Aggie Research Campus development proposal. She also asked staff to find out when the City Council needed to decide to put the Measure R renewal on the November ballot.

Working Groups

1. *Acquisitions*. No updates were reported.
2. *Habitat Restoration and Enhancement*. Staff mentioned an upcoming hedgerow planting event that staff was trying to organize with the Friends of North Davis Ponds at the North Davis Upland Habitat Area, a habitat restoration project at F Street and Anderson Road. The Commission asked to be notified of this event.
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.

8. Adjourn

The meeting was adjourned at approximately 8:45 p.m.