

Open Space and Habitat Commission Minutes
Monday, October 5, 2020
Remote Audio and Video Meeting Participation, 6:30 p.m.

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

Vacant Positions: Three (Two Regular and One Alternate)

Commissioners Absent: None

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

Council Liaison: Brett Lee (Regular) (Present), Lucas Frerichs (Alternate)

1. Call to Order & Roll Call

Commissioner Millstein opened the meeting after a quorum was achieved and called roll call. She noted that this was the first Commission meeting after the summer recess, as the September Commission meeting was cancelled.

2. Approval of Agenda

On a motion by Commissioner Huber, seconded by Commissioner Vayssieres, the Commission voted 5-0-0-0 to approve the October 2020 regular meeting agenda (Ayes – Allen, Huber, Millstein, Shaw, Vayssieres; Noes – None; Absent – None; Abstentions – None).

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

Tracie Reynolds, staff to the Commission, updated the Commission on (1) Joy Klineberg’s resignation and ongoing Commission recruitment, (2) the grant application for the Gill Orchard agricultural conservation easement acquisition, and the associated limited future public access easement, and (3) the carbon farm plan for Howat-Clayton Ranch. She also thanked the Commission for their input and recommendations related to the open space and habitat features for Bretton Woods. She also mentioned that the agricultural mitigation plan for Bretton Woods would be going before the City Council for consideration and approval tomorrow night.

The Commission’s City Council liaison, Brett Lee, thanked the Commissioners for their service and said that he had enjoyed serving as the Commission’s liaison for the last six months. Commissioner Shaw notified the Commission that the Putah Creek Council would soon be moving its headquarters from downtown Winters to Sackett Ranch, a 70-acre property in the hills between Winters and Lake Berryessa, which was recently purchased by Solano County and the Solano County Water Agency for the property’s water rights. The new location will also allow the organization to expand its native plant nursery and is a “win-win-win” for all the parties involved, she said.

4. Public Comment

There was no public comment.

5. Consent Calendar

There were two items on the consent calendar: approval of the June 1, 2020 regular meeting minutes and approval of the June 29, 2020 special meeting minutes. On a motion by Commissioner Allen, seconded by Commissioner Shaw, the Commission voted 5-0-0-0 to approve the June 1 and June 29 meeting minutes (Ayes – Allen, Huber, Millstein, Shaw, Vayssieres; Noes – None; Absent – None; Abstentions – None).

6. Regular Items

Discussion Item – Receive a presentation from Matt Williams about (i) a proposal from 16 individuals entitled “Improving City of Davis Decision Making: An Open Letter” and (ii) eight related requests for City Council guidance

The Commission heard a presentation from Matt Williams about ways to improve the decision-making process in the City of Davis. He said certain recent approved projects, such as the BrightNight solar lease option agreement and the U-Mall

redevelopment project, underscored the need to foster a government culture of transparency and collaboration with meaningful public engagement. He said that civic engagement and civic pride are two of the City's greatest strengths, but City staff were not fully tapping into the subject matter expertise on the City's various commissions. He said his group's proposal to City management was organized into three sections: (1) provisions regarding transparency, information disclosure and public engagement, (2) provisions regarding City Commissions, and (3) provisions for developing and making decisions on staff proposals submitted for City Council action. He discussed each of these topics in more detail, and also discussed each of the eight related requests for City Council guidance related to improving transparency, collaboration, and public engagement. He said his group had met with the City Manager and the Assistant City Manager about these topics and were encouraged by the collaborative dialogue. He said the City Council was set to discuss some of these issues tomorrow night and that City staff were recommending that the City Council appoint a subcommittee to develop final recommendations for the City Council to consider and approve. Mr. Williams asked that the Commission provide a resolution of support for this effort that could be delivered to the City Council before tomorrow night.

Commissioner Millstein asked if Commissioners had any clarifying questions. She noted that she was one of the 16 individuals who signed the open letter. Commissioner Shaw expressed concern about adding to the administrative burden of the Open Space and Habitat Commission's staff liaison. Mr. Williams said that he didn't expect the process for the Open Space and Habitat Commission to change very much, given that this Commission already had a robust open space acquisition decision-making process. Richard McCann, one of the 16 individuals who signed the open letter, said the group tried to design its proposals to reduce staff workloads.

Commissioner Millstein then took public comment. Johannes Troost, another one of the 16 individuals who signed the open letter, said he was pleased and grateful that the City Manager and Assistant City Manager were taking something to the City Council tomorrow night for consideration and that they seemed to be taking these proposals seriously.

Commissioner Millstein then closed public comment and opened the Commission discussion. Topics discussed included (1) the value of staff expertise, in addition to Commissioner expertise, (2) whether recent projects that generated strong community backlash were anomalies or whether they represented a broader problem, (3) whether staff should advocate for projects or whether that role should be left to project applicants, (4) the value of inter-Commission collaborations and working groups, (5) the value of training and setting clearer expectations for new Commissioners, and (6) whether some of these proposals could help other Commissions that have strained relationships between the staff liaison and the Commissioners. Tracie Reynolds, staff to the Commission, said she hoped that these proposals could be flexible enough to allow the more informal, collaborative culture of the Open Space and Habitat Commission to remain intact.

After much discussion, the Commission drafted the following motion: *"The Open Space and Habitat Commission supports the spirit and intent of "A Proposal for Improving City of Davis Decision-Making," particularly regarding Commission collaborations, information disclosure, public engagement, and improved communications and transparency among Commissions, staff liaisons, City staff, and the City Council to more clearly convey Commission recommendations. We recognize that the details still need to be worked out, and as they are, we want to make sure that the decisions do not overburden staff and that they allow some flexibility for Commissions to operate in ways that they find productive, efficient and effective. And we ask that the Commission liaison forward this motion to City Council for consideration for tomorrow's meeting."*

On a motion by Commissioner Shaw, seconded by Commissioner Huber, the Commission voted 5-0-0-0 to approve the above motion (Ayes – Allen, Huber, Millstein, Shaw, Vayssieres; Noes – None; Absent – None; Abstentions – None).

Discussion Item – Discussion of possible acquisition of 437 acres south and east of Davis that could serve as a southern public access route to the Yolo Bypass Wildlife Area

Tracie Reynolds, staff to the Commission, discussed a possible acquisition of 437 acres south and east of Davis at the end of County Road 36. She said the current owners of the property, who are developers in West Sacramento, purchased it years ago to serve as ag mitigation for their development sites. It currently is used for irrigated pasture; although at the moment it doesn't have any water, she said. The property owners intend to put an agricultural conservation easement on it before the sale. She said the Yolo Land Trust would own the agricultural conservation easement. The seller's broker, John Brennan, reached out to the City to see if the City would be interested in holding the fee title interest because the

State of California is interested in establishing a southern access route to the Yolo Bypass Wildlife Area, that could include a visitor center, she said. The State of California is interested in connecting County Road 36 to the existing paved road within the Yolo Bypass Wildlife Area. She said Mr. Brennan said that the Yolo Basin Foundation could finance the acquisition using Proposition 68 funds, so the City's primary role would be as property owner and manager. She said the acquisitions working group for the Commission (Commissioners Huber and Vayssieres) recently visited the site and expressed strong interest in purchasing the land for habitat. There was less interest in purchasing the land for agriculture since the site didn't have water and was currently used as irrigated pasture. Ms. Reynolds said she wanted to hear from the entire Commission to gauge whether there was broad interest in purchasing this property for agriculture or habitat.

Commissioner Millstein asked if Commissioners had any clarifying questions, of which there were a few. Commissioner Millstein then took public comment. Matt Williams said this was the most exciting item on the agenda. He said there were so many positive things about this possible transaction. He expressed strong support for a southern access to the nature preserve and encouraged the City to be proactive about purchasing the property.

Commissioner Millstein then closed public comment and opened the Commission discussion. Topics discussed included (1) whether another public entity, like Yolo County or the State of California, could purchase the property or have a role in the transaction, (2) revenue sources for the management of the property, such as leasing some of the land to a rice farmer and/or cattle rancher, (3) the importance of acquiring land near Yolo County's Grasslands Regional Park to create a larger, contiguous protected habitat area for wildlife, and (4) the pros and cons of an agricultural conservation easement vs. a habitat conservation easement on the property.

After some additional discussion, the Commission drafted the following motion put forward by Commissioner Huber, who accepted a friendly amendment from Commissioner Shaw: *"The Open Space and Habitat Commission is supportive of staff investigating next steps and consulting with other parties, such as Yolo County and the Yolo Land Trust."*

On a motion by Commissioner Huber, seconded by Commissioner Vayssieres, the Commission voted 5-0-0-0 to approve the above motion (Ayes – Allen, Huber, Millstein, Shaw, Vayssieres; Noes – None; Absent – None; 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, November 2. Possible topics discussed included (1) a presentation by the Yolo Land Trust on the easements the trust owns with the City, (2) a discussion of community outreach for 2021, and (3) an update on the habitat restoration project at F Street and Anderson Road (i.e., North Davis Upland Habitat Area).

Upcoming Events

Ms. Reynolds again mentioned the two items going before the City Council for consideration and approval tomorrow night: (1) the Bretton Woods ag mitigation plan, and (2) possible changes to the City's decision-making process.

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.

8. Adjourn

The meeting was adjourned at approximately 9:11 p.m.