

**Open Space and Habitat Commission Minutes**  
**Monday, November 7, 2022**  
**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, Marc Vayssieres (Vice Chair), and Sara Geonczy (Alternate)

Vacant Positions: None

Commissioners Absent: None

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.

**2. Approval of Agenda**

On a motion by Commissioner Huber, that was seconded by Commissioner Vayssieres, the Commission voted 7-0-0-0 to approve the November 2022 meeting agenda (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert, Vayssieres; Noes – None; Absent – None; Abstentions – None).

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

Tracie Reynolds, staff liaison to the Commission, said the City Council on November 1 approved the letter of intent and temporary access easement related to the wetlands habitat enhancement project the City is working on with UC Davis. She said staff is working on executing those documents. The City Council also directed staff to issue a Request for Proposals (“RFP”) for design/engineering services related to this project, she said. Staff issued the RFP on November 2 and a pre-proposal meeting was scheduled for Wednesday, she said. Proposals are due in late December, she said.

**4. Public Comment**

There was no public comment.

**5. Consent Calendar**

There was one item on the consent calendar: approval of the October 3, 2022 regular meeting minutes. On a motion by Commissioner Vayssieres, that was seconded by Commissioner Correa, the Commission voted 7-0-0-0 to approve the consent agenda (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Torbert, Vayssieres; Noes – None; Absent – None; Abstentions – None).

**6. Regular Items**

**Discussion Item – A discussion of success stories for land conservation with beginning/BIPOC (Black, Indigenous, and People of Color) farmers**

Commissioner Shaw said this item was placed on the agenda at the request of Commissioner Torbert. She said she had initially planned to pull this item because it wasn't ready for a full Commission discussion, but she decided to keep it on the agenda to allow Commissioners to ask Commissioner Torbert questions. She said the Commission had asked Commissioner Torbert for some examples of alternative conservation easement structures at its September meeting. Commissioner Torbert said she provided some links to examples in this month's Commission packet.

She said the examples are meant to show how conservation easements can provide access to land to people who have historically had less access to land.

Commissioner Shaw then asked if Commissioners had any clarifying questions. There were no clarifying questions. Commissioner Shaw then took public comment. Autumn Towne, a UC Davis student, asked where she could find the list of success stories. Staff informed Ms. Towne where she could find the list on the City's website. Commissioner Shaw then closed public comment and the Commission discussed this item. Topics discussed included (1) the role of non-profits and land trusts in the examples provided, (2) the desire to have more details about how these alternative easement structures actually work, (3) the desire for the DEI Subcommittee to provide a more structured approach to this discussion, with a policy analysis, more research about possible partnerships, and recommendations for next steps, and (4) why the Center for Land-Based Learning hasn't historically focused on finding land for beginning farmers. Commissioner Shaw said there was no mandate from the City to pursue a beginner farmer program. She said a dedicated group of individuals will need to form a community land trust for something like this to happen in Yolo County. No action was taken.

**Action Item – Receive a Preliminary Acquisition Report discussing the possible purchase of an agricultural conservation easement on 217 acres located near the intersection of Hamel Lane and Slayback Ranch Lane (APN 0110-060-030) and recommend that the City Council direct staff to pursue the acquisition of this easement**

Ms. Reynolds gave the Commission a brief summary of the preliminary acquisition report that she prepared for this item. She summarized the property's physical characteristics and improvements, soil conditions, its access to water, and its relationship to the City's open space acquisition priorities and programmatic goals. She said the owner had already submitted a plan to Solano County to subdivide the property into four 40- to 60-acre "ranchette" parcels. At the same time, the owner is also interested in selling a conservation easement because he would like to continue farming the parcel, she said. In September, the Solano Land Trust ("SLT") submitted a grant application to the California Department of Conservation for an acquisitions grant to help fund the purchase of a conservation easement on this property, she said. The City of Davis is listed in the application as one of the possible sources of the grant's matching funds, she said. She said the SLT's grant application said this area of Solano County was experiencing a "high demand for rural residential development" which commands much higher values. She said the average value for ranchette parcels in the area was about \$88,000 per acre. She said SLT's appraiser valued the subject property at \$7.2 million if it was subdivided, or about \$1.7 million for 40 acres. She said the Commission's Acquisitions Subcommittee visited the property on October 25 and talked to the owner.

Ms. Reynolds recommended that the Commission support pursuing a conservation easement on this property for the following reasons: (1) the property is located adjacent to the city limits and includes portions of both the old North Fork of Putah Creek and the South Fork of Putah Creek; (2) preserving the property would keep the land in commercial agricultural production and prevent the spread of expensive rural residential homesteads in the area; (3) the property consists of prime Class 1 agricultural land if irrigated; (4) the property includes biological and natural resources, including about two dozen large oak trees, riparian habitat, and wooded, grassy habitat; (5) the property is adjacent to one of the City's open space areas and includes about eight acres between the levees; (6) the property offers a rare opportunity for possibly getting public access between the old North Fork and South Fork of Putah Creek; (7) the property offers views of the Sierra Nevada mountain range to the east; (8) the property's location and characteristics satisfy more than one priority acquisition criteria; and (9) the property's size, soils and water availability support farming.

She said staff's arguments for not pursuing this transaction were (1) the property is not under any threat of urban development; and (2) the likelihood that the property owner will grant the City a public access easement on the property was low. She said she strongly recommended seeking the City Council's approval to begin formal negotiations with the property owner over the terms of an agricultural conservation easement on this property.

Commissioner Shaw then asked if Commissioners had any clarifying questions. Commissioners asked for clarification on (1) the probability of securing a public access easement, (2) why commercial agricultural production was preferable to hobby agricultural production, (3) how the property valuations were determined, and (4) whether a conservation easement could also be placed on the subdivided parcels. Commissioner Shaw then took public comment. Autumn Towne, a UC Davis student, asked how she could help make the case for putting a conservation easement on this property. Ms. Reynolds said she would let her know when this item was going before the City Council. Commissioner Shaw then closed public comment and the Commission briefly discussed this item. Topics discussed included (1) the pros and cons of public access on the property, (2) the resale value of the property, (3) what an affirmative easement is, and (4) the property owner's background.

On a motion by Commissioner Cabanillas-Ledesma, which was seconded by Commissioner Vayssieres, the Commission then voted 6-0-0-1 to approve the following motion (Ayes – Cabanillas-Ledesma, Correa, Huber, Price, Shaw, Vayssieres; Noes – None; Absent – None; Abstentions – Torbert): *“The Open Space and Habitat Commission recommends that the City Council direct staff to pursue the possible acquisition of an agricultural conservation easement on 217 acres located near the intersection of Hamel Lane and Slayback Ranch Lane (APN 0110-060-030).”*

### **Discussion Item – Receive a presentation from staff and discuss the 2022 annual financial review of the City's Open Space Program budget**

The Commission received its annual presentation on this topic from staff. Ms. Reynolds discussed the budget and accomplishments from the last fiscal year, and the budget and goals for the next fiscal year. She said the program's 2022-23 budget is about \$1.5 million. Of those funds, 18% comes from the City's General Fund, 30% comes from the City's special open space protection parcel tax fund (Measure O), and 47% comes from open space development impact fees, she said. That money will be spent on: personnel, including outside contractors (23%), maintenance supplies and equipment (11%), general overhead (2%), other miscellaneous expenses, such as permits (2%), and capital improvements (62%), she said. The big capital improvements scheduled for this year include \$500,000 for the design/engineering contract related to the wetlands habitat restoration project the City is working on with UC Davis and \$300,000 for the new open space signage project. She also discussed \$8.8 million in restricted fund balances that are available for open space acquisitions, maintenance, and capital improvements.

She concluded her presentation by giving the Commission a detailed look at the revenues and expenses projected to flow into and out of the Measure O parcel tax fund (Fund 135) for the upcoming fiscal year. She said 32% of the total Measure O parcel taxes the City receives during fiscal year 2022-23 (estimated to be about \$685,000) would be spent on maintenance at the City's open space areas. She said 35% would be saved and the remaining 33% would be spent on capital improvements to the City's open space areas.

Commissioner Shaw asked if Commissioners had any clarifying questions. Commissioners asked for clarification on (1) how budget adjustments work, (2) the meaning of certain line items in the Measure

O spreadsheet, and (3) where grant revenue appears in the budget. Commissioner Shaw then took public comment on this item. There was no public comment. Commissioner Shaw then closed public comment and the Commission discussed this item. Topics discussed included (1) how better to present budget information, and (2) possible opportunities to spend this money. No action was taken.

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

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

The next regularly scheduled meeting is Monday, December 5. Possible agenda items discussed included a discussion with Max Stevenson, the new Streamkeeper for the Lower Putah Creek Coordinating Committee and the Solano County Water Agency.

### **Upcoming Events**

Commissioner Huber mentioned that this is the time of year that salmon swim up Putah Creek.

### **Subcommittee Reports**

1. *Acquisitions*. No reports were given.
2. *Habitat Restoration and Enhancement*. No reports were given.
3. *Land and Resource Management*. No reports were given.
4. *Public Access and Recreation*. No reports were given.
5. *Financial and Program Accountability*. No reports were given.
6. *Public Engagement and Partnerships*. Commissioner Correa said the subcommittee discussed the open space program signage project with staff and determined that it wasn't workable to include a UC Davis undergraduate class in this project. She said the subcommittee supported staff's original approach to the Request for Proposals for this project. Ms. Reynolds said she would try to include an undergraduate class in the wetlands habitat enhancement project instead.
7. *Ad-Hoc Subcommittee to Improve Diversity, Equity and Inclusion in the City's Open Space Program*. No reports were given.

### **Reports on Meetings Attended**

Commissioner Huber mentioned a recent meeting of the Yolo Habitat Conservancy ("YHC") Implementation Advisory Committee, which advises the YHC Board of Directors on the development and management of the YHC's reserve system.

### **Climate Action and Adaptation Plan ("CAAP") Update**

Commissioner Price said the Natural Resources Commission was preparing its recommendations for the City Council and that nothing noteworthy happened this month.

### **Urban Forest Management Plan**

Commissioner Geonczy said the Tree Commission would be finalizing its comments and recommendations related to the goals and vision for this plan at its November meeting. She encouraged Commissioners to pass on any comments to her as soon as possible.

## **8. Adjourn**

The meeting was adjourned at approximately 9:16 p.m.