

Open Space and Habitat Commission Minutes
Monday, April 7, 2025
Community Chambers Conference Room, 23 Russell Boulevard, 6:30 p.m.

Commissioners Present: Ramiro Cabanillas-Ledesma, Steve Greco, Patrick Huber (Chair), Marc Vayssieres (Vice Chair) and *Christopher Alberts (Alternate)*

Vacant Positions: None

Commissioners Absent: Lindsay Correa, Sara Geonczy and Christina Harrington

Assigned Staff: Tracie Reynolds, Open Space Program Manager

Council Liaison: Josh Chapman (Regular), *Bapu Vaitla (Alternate)*

1. Call to Order & Roll Call

Commissioner Huber opened the meeting after a quorum was achieved and took roll call.

2. Approval of Agenda

Commissioner Vayssieres made a motion to approve the agenda. The motion was seconded by Commissioner Greco. The Commission voted 5-0-3-0 to approve the motion (Ayes – Alberts, Cabanillas-Ledesma, Greco, Huber, Vayssieres; Noes – None; Absent – Correa, Geonczy, Harrington; Abstentions – None).

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

Ms. Reynolds, staff to the Commission, informed the Commission that five seats on the Commission were expiring in June. She asked the affected commissioners to respond to the email sent from the City Clerk's Office asking those who are not termed out if they would like to continue serving on the Commission. She also asked them to inform the City Clerk's Office of any address changes.

She also reminded the Commission that the kick-off meeting for all participating commissions for the General Plan Update will take place on April 23 at 6:30 p.m. The meeting will cover the process for the General Plan Update and the role of the commissions, she said. The City Council also has asked the Commission to establish a subcommittee to identify peripheral parcels that should be protected as open space and/or wildlife habitat, she said. That subcommittee will be formed at a future meeting.

Ms. Reynolds also updated the Commission on several possible open space acquisitions. She said she submitted a grant pre-application to California's Sustainable Agricultural Lands Conservation ("SALC") program in January for a grant to purchase an easement on about 80 acres northwest of the City, known as the Beoshanz easement. She said the Solano Land Trust also submitted a grant pre-application to SALC for a grant to purchase an easement on about 711 acres along the South Fork of Putah Creek. Full grant applications for both parcels will be due in July, she said. Finally, she updated the Commission on the status of negotiations with a property owner to purchase land along the South Fork of Putah Creek, east of the City's South Fork Preserve.

She also updated the Commission on the revised schedule for the proposed Village Farms Davis development, and when that project might come before the Commission for discussion.

4. Public Comment

Six people spoke about the City's open space conservation easement on the Wildhorse golf course:

- Eileen Samitz, a Davis resident, said she was involved in getting the conservation easement included in the Wildhorse development agreement, which was approved by Davis voters in 1995. She said the open space conservation easement on the golf course was designed to be permanent, habitat-friendly and in perpetuity. It expressly prohibits urban development in the easement area, she said. Any effort now by the City to renege on these promises to the voters would be a violation of public trust and an attempt to overturn a public vote, she said. She urged the Commission to support protecting this conservation easement and the open space, and she asked the Commission to put the conservation easement on an upcoming agenda.
- Marjorie Longo, a resident of the Wildhorse neighborhood, said the City is required to uphold the terms of the conservation easement in perpetuity otherwise those terms are illusory. The easement terms cannot be changed to suit the interests of the easement holder, she said. She said the voters of Davis approved the conservation easement and the City cannot change the easement's terms without a vote of the public. She also read from a 2024 letter to the City from attorneys representing a group of Davis residents that discusses the conservation easement on the golf course. Finally, she urged the Commission to support protecting this conservation easement and the open space, and she asked the Commission to put the conservation easement on an upcoming agenda.
- Sharon Montooth, a Davis resident, said she enjoys the wildlife that lives on the golf course and in the adjacent Wildhorse agricultural buffer, and that the open space is a lovely amenity for the neighborhood. She said the open space conservation easement was designed to be in perpetuity. She said the citizens of Davis voted on it, and the City should not renege on the promises made to the voters. She urged the Commission to support protecting this conservation easement and the open space, and she asked the Commission to put the conservation easement on an upcoming agenda for discussion.
- Karen Shaw, a Davis resident, pointed out that there have been two recent development proposals, both of which were ultimately withdrawn, on portions of the Wildhorse golf course. She urged the Commission to support keeping the conservation easement on the golf course, and she asked the Commission to put the conservation easement on an upcoming agenda for discussion. She noted that the development agreement for the Wildhorse neighborhood, which required a conservation easement on the golf course, was approved by Davis voters in 1995. She also noted that a conservation easement includes stronger protections than the Williamson Act. Finally, she said that the City risks losing the public's trust if this conservation easement is extinguished or amended.
- Russ Townsley, a Davis resident, said he would like to see the conservation easement on the golf course added to an upcoming Commission agenda. He said City leaders promised that this land would stay open space, even if the golf course failed. Any proposal to extinguish or amend the conservation easement would set a terrible precedent and should be rejected, he said. If the City reneges on its promise to keep the golf course as open space, it would be a serious violation of trust and harmful to the City legacy as a leader in open space protection and environmental causes. He said a Measure J/R/D vote should be a backstop for developing any part of the golf course.
- Gayle Barry, a resident of the Wildhorse neighborhood, said permanent conservation easements are a matter of legal and public trust, and that the intent of this conservation

easement and the promise to Davis citizens was clearly to keep this particular parcel as open space. She also said that this conservation easement is unique because it protects wildlife habitat on the golf course and provides a valuable wildlife corridor linking surrounding properties like the Wildhorse agricultural buffer. She urged the Commission to support protecting this conservation easement and the open space, and she asked the Commission to put the conservation easement on an upcoming agenda for discussion.

5. Consent Calendar

On consent was the approval of the December 2024 meeting minutes. Commissioner Vayssieres made a motion to approve the draft minutes. It was seconded by Commissioner Greco. The Commission voted 5-0-3-0 to approve the draft minutes (Ayes – Alberts, Cabanillas-Ledesma, Greco, Huber, Vayssieres; Noes – None; Absent – Correa, Geonczy, Harrington; Abstentions – None).

6. Regular Items

Action Item -- Receive a staff report discussing the possible donation of a habitat conservation easement to the Yolo Habitat Conservancy related to land the City owns along the South Fork of Putah Creek, also known as the City's Los Rios properties

Ms. Reynolds summarized the staff report for this item. She said the City has owned the three parcels known as the City's Los Rios properties along the South Fork of Putah Creek since 1998. The City purchased the 255 acres with money from a state grant that requires the City to preserve and enhance the riparian corridor on the properties, she said. The Yolo Habitat Conservancy ("YHC") has long been interested in holding a habitat conservation easement on these three parcels because this section of the creek includes one of the densest areas of occupied Swainson's hawk nest sites in the state, she said. The YHC is also interested in enhancing and expanding the overall footprint of the existing Putah Creek riparian corridor on the two northern Los Rios properties, she said.

Until recently, the City was unable to sell or donate a habitat conservation easement on the Los Rios properties due to restrictions associated with the underlying state land acquisition grant ("Proposition 70"), she said. These restrictions were amended recently by the California State Legislature and, as a result, the City can now convey habitat conservation easements on any land it purchased with Proposition 70 funds as long as those easements are consistent with the Yolo Habitat Conservation Plan/Natural Community Conservation Plan ("Yolo HCP/NCCP"), she said.

If completed, the proposed habitat conservation easement on the City's Los Rios properties would be the City's first contribution toward implementing the Yolo HCP/NCCP, she said. In 2015, the City committed to contribute up to \$200,000 a year in open space funds to help protect habitat lands related to the implementation of the Yolo HCP/NCCP over the plan's 50-year term, she said. To date, she said the City has not purchased any habitat lands or habitat conservation easements that contribute toward the land conservation goals of the Yolo HCP/NCCP. Staff estimates that the value of the habitat conservation easement the City would be donating to the YHC is about \$1.3 million (255 acres x \$5,000/acre), she said. She asked the Commission to recommend to the City Council that the City donate a habitat conservation easement to these three parcels.

Commissioner Huber then asked if Commissioners had any clarifying questions. The Commission did not have any clarifying questions. Commissioner Huber then took public comment. Marjorie Longo, a Davis resident, said this was another example of the City breaking its promises. Eileen Samitz, a Davis resident, asked what funds would be used to pay for the restoration. Commissioner

Huber then closed public comment and the Commission briefly discussed this item. Commissioners expressed support for donating the habitat conservation easement to the YHC, restoring the riparian habitat along this section of the South Fork of Putah Creek, and retaining public access.

Commissioner Cabanillas-Ledesma then made the following motion: *“The Open Space and Habitat Commission recommends that the City proceed to donate an easement to the YHC that includes the condition that public access be available now and in the future.”* Commissioner Greco then made the following friendly amendment to Commissioner Cabanillas-Ledesma’s motion: *“The Open Space and Habitat Commission recommends that the City proceed to donate an habitat conservation easement to the YHC that includes the condition that public access be available now and in the future.”* Commissioner Cabanillas-Ledesma accepted Commissioner Greco’s friendly amendment. The amended motion was seconded by Commissioner Greco. The Commission voted 5-0-3-0 to approve the amended motion (Ayes – Alberts, Cabanillas-Ledesma, Greco, Huber, Vayssieres; Noes – None; Absent – Correa, Geonczy, Harrington; Abstentions – None).

Discussion Item -- Receive a staff report and briefing documents related to the City’s recently adopted standard process for Commission-initiated tasks/projects

Ms. Reynolds summarized the staff report for this item. She said the City Council recently approved a simplified process for commissions to initiate their own agenda topics. First, a commissioner can suggest that a particular topic be placed on a future agenda during the commission’s discussion of the forward calendar, she said. Second, at the next commission meeting, the commission as a whole will discuss whether it wants to place the particular topic on a future agenda, she said. The full commission will then vote to move the topic forward, modify the topic, or table the topic, she said. Third, if the commission votes to move a topic forward, modified or otherwise, staff will prepare a staff report for the City Council’s consideration that includes an analysis and a recommendation to the City Council to approve, approve with modifications, or deny the commission’s request to add the item to a future agenda, she said. Finally, the item will be placed on the City Council’s consent calendar at the next available City Council meeting, she said. The City Council will then decide the matter. She said the goals of the proposed process were to (1) develop a transparent and consistent process that would inform the City Council of topics a commission wished to discuss and (2) allow the City Council to provide clear direction to a commission about how to prioritize its time.

Commissioner Huber then asked if Commissioners had any clarifying questions. The Commission did not have any clarifying questions. Commissioner Huber then took public comment. Eileen Samitz, a Davis resident, said this process is too long and will lead to lengthy delays of important items the Commission should be discussing. Commissioner Huber then closed public comment and the Commission briefly discussed this item. No action was taken.

Action Item -- Elect new chair and vice chair for 2025

The Commission discussed whether it wanted to move forward with this item, given that three Commissioners were absent. Commissioner Cabanillas-Ledesma made a motion to table this item until more Commissioners could be present to vote. Commissioner Alberts offered a friendly amendment to the motion that required the Commission to elect the new chair and vice chair at the next meeting. Commissioner Cabanillas-Ledesma accepted Commissioner Alberts’ friendly amendment. The amended motion was seconded by Commissioner Greco. The Commission voted 5-0-3-0 to approve the amended motion (Ayes – Alberts, Cabanillas-Ledesma, Greco, Huber, Vayssieres; Noes – None; Absent – Correa, Geonczy, Harrington; Abstentions – None).

7. Subcommittee and Liaison Assignment Updates

A. Liaison Assignments

- (1) *Lower Putah Creek Coordinating Committee ("LPCCC")*. Commissioner Huber said that the number of salmon returning to Putah Creek this year was disappointing. He said the LPCCC is still investigating the causes of this disappointing result.
- (2) *Yolo Habitat Conservancy ("YHC")*. Commissioner Huber said there was nothing to report from the YHC's implementation committee.

8. Long Range Calendar: Upcoming Meeting Dates and/or Potential Agenda Items

The next regularly scheduled meeting is Monday, May 5, 2025. Possible agenda items discussed included (1) the selection of chair and vice chair for 2025, (2) a discussion about whether to formally place the open space conservation easement on the Wildhorse golf course on the agenda, (3) a preliminary acquisition report on the property being considered for a conservation easement by the Solano Land Trust, and (4) the selection of subcommittees related to the General Plan Update.

9. Adjournment

The meeting was adjourned at approximately 8:11 p.m.