## Yolo Habitat Conservancy Yolo County, California

Date: May 17, 2021 To: Yolo Habitat Conservancy ✓

7.

Approve 2021-22 budget and budget resolution for the Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account, Pre-Permit Endowment Fund, and Post-Permit Endowment fund, and authorize the repayment of loans from member agencies in the amount of \$213,523

Minute Order No. 21-09: Approved recommended action by **Resolution No. 21-03**.

MOTION: Saylor. SECOND: Neu. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

Yolo Habitat Conservancy Meeting Date: 05/17/2021

#### **Information**

#### **SUBJECT**

Approve 2021-22 budget and budget resolution for the Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account, Pre-Permit Endowment Fund, and Post-Permit Endowment fund, and authorize the repayment of loans from member agencies in the amount of \$213,523

#### **Attachments**

Staff Report

Attachment A. Mitigation Fee Fund, Grant Fund, Other Revenue Fund, and Mitigation Trust Account Budgets

Attachment B. Pre-Permit Endowment Fund and Post-Permit Endowment Fund Budgets

Attachment C. Schedule of Proposed Consultant and Service Contracts

Attachment D. Grant Balances

Attachment E. Revenue Forecast Attachment F. Budget Resolution

Attachment G. FY20-21 Organization and Budget Goals Outcomes

#### Form Review

Inbox Reviewed By Date

Alexander Tengolics Alexander Tengolics 05/12/2021 03:25 PM

Form Started By: Alexander Tengolics Started On: 05/11/2021 08:55 AM

Final Approval Date: 05/12/2021



# Yolo Habitat Conservancy

County of Yolo • City of Davis • City of Winters • City of West Sacramento
City of Woodland • University of California, Davis

To: Will Arnold, Chair

Members of the Board

From: Alexander Tengolics

**Executive Director** 

Re: Approve 2021-22 budget and budget resolution for the Mitigation Fee Fund, Grant

Fund, Other Revenue Fund, Mitigation Trust Account, Pre-Permit Endowment Fund, and Post-Permit Endowment fund, and authorize the repayment of loans from member

agencies in the amount of \$213,523

Date: May 17, 2021

#### REQUESTED ACTIONS:

- 1. Approve FY 2021-22 budget (Attachments A-B)
- 2. Approve budget resolution (Attachment F)
- 3. Authorize the repayment of loans to member agencies in the amount of \$213,523

#### BACKGROUND:

#### I. Overview

The Conservancy financial structure has six funds, with a separate budget for each fund, as follows:

- Mitigation Fee Fund. The Conservancy places revenue collected from mitigation fees in this fund and tracks expenditures of mitigation fees.
- Grant Fund. The Conservancy tracks all grant revenues and expenditures through this fund.
- Other Revenue Fund. The Conservancy places revenue from Special Participating Entities contribution to recovery fees, landowner contributions, and other non-mitigation fee revenue in this fund.

- Mitigation Trust Account. The fund contains Swainson's hawk mitigation fees collected prior to permit issuance on January 9, 2019. This Conservancy will exhaust these funds by purchasing conservation easements and close the account.
- Pre-permit Endowment Fund. This fund contains revenue from endowments to monitor conservation easements collected prior to issuance of the permits on January 9, 2019.
- Post-permit Endowment Fund. The Conservancy places a portion of every mitigation fee in this fund to save for management and monitoring of the reserve system after the permit term ends in 50 years.

The proposed FY21-22 budgets for the Mitigation Fee Fund, the Grant Fund, the Other Revenue Fund, and the Mitigation Trust Account are presented in Attachment A. The proposed FY 21-22 budgets for the Pre-Permit Endowment Fund and Post-Permit Endowment Fund are presented in Attachment B. A schedule of consultant and service contracts is included in Attachment C. A report on current grant balances is included in Attachment D; there is an additional \$24,000 in pending invoices that will be submitted shortly to the California Department of Fish and Wildlife. The budget was reviewed by Yolo County's Chief Financial Officer and the City of Davis' Assistant City Manager and Finance Director.

The Conservancy expects to end the FY20-21 with almost \$1.4 million in fund balance. This fund balance is largely due to approximately in \$750,000 in fund balance within the Mitigation Trust Account. Overall, the Conservancy continues to strengthen its fiscal position and the fiscal outlook for FY21-22 is positive. Highlights of the FY21-22 budget include:

Continued emphasis on easement acquisition. The Conservancy anticipates more robust permit activity than in prior years. This in turn will require additional easement acquisition activity. Staff continues to make progress on securing easements with the \$5 million US Fish and Wildlife Service Section 6 grant. As a point of clarification, the FY20-21 budget contemplated recognizing \$5 million in grant revenue, however, staff has subsequently learned that these funds will not pass through the Conservancy budget, but rather the Wildlife Conservation Board will directly make payment to the easement seller at the conclusion of the acquisition process for the benefit of the Conservancy. This is why this the \$5 million does not appear in the Conservancy's FY21-22 budget. Furthermore, this budget includes \$350,000 in Mitigation Fee Fund revenue for the purposes of conservation easement acquisition. Staff anticipates using these funds to target smaller conservastion easements that are not of sufficient size to warrant inclusion in a grant applications. Finally, staff recommends expending the approximately \$750,000 in the Mitigation Trust Account to acquire easements for the benefit of the Swainson's Hawk, per the requirements of this account; staff anticipates issuing a solicitiation to identify interested easement sellers.

Conservative estimate of mitigation fee revenue. Staff has received preliminary applications with a total land cover fee revenue of approximately \$1.3 million which staff anticipates will make final payment within the next 3-6 months, as described in Attachment D. Beyond that, staff is aware of



two large projects slated for FY21-22 the either of which has the potential to generate over \$1 million in land cover fees. For the purposes of the FY21-22 budget, staff has conservatively budgeted \$1.5 million in land cover fee revenue.

Continuation of current administrative model. The FY21-22 budget anticipates a continuation of the County providing administrative services and the majority of the existing consultant contracts being renewed.

Repayment of loans to member agencies. Given the positive fiscal outlook, the FY21-22 budget proposes repaying the \$213,523 in loans provided to the Conservancy from member agencies. Staff recommends the Board provide authorization to repay the outstanding loan balances in full. The table below details the outstanding loan balances.

Table 1. Outstanding Loan Balances

Member Agency	Amount
City of Davis	\$101,389
City of Winters	\$10,745
County of Yolo	\$101,389
Total	\$213,523

For FY21-22 staff proposes the following organizational and budget goals. Outcomes of the FY20-21 organizational and budget goals are included in Attachment G.

### FY21-22 Organizational and Budget Goals

- Close at least five easements and fully expend and close the Mitigation Trust Account
- Complete development and implementation of permiting, reserve system, and monitoring database
- Complete transition of endowment funds to a community foundation
- Engage the Department of Water Resources on matters related to mitigation credit agreements including the West Sacramento Area Flood Control Agency pilot mitigation credit agreement

#### ATTACHMENTS:

Attachment A. Mitigation Fee Fund, Grant Fund, Other Revenue Fund, and Mitigation Trust Account Budgets

Attachment B. Pre-Permit Endowment Fund and Post-Permit Endowment Fund Budgets

Attachment C. Schedule of Proposed Consultant and Service Contracts

Attachment D. Grant Balances

Attachment E. Revenue Forecast

Attachment F. Budget Resolution

Attachment G. FY20-21 Organization and Budget Goals Outcomes



			Beginning				FY20-21	E	stimated			Esti	mated
			ance FY20-		FY 20-21	-	stimated		FY20-21	Pi	roposed FY21-		
Fund #	Description		21		Budget		Actual		Ending		22 Budget	Bala	
	Mitigation Fee Fund	\$	332,811						644,366	Ś	-	Ś	644,366
	Revenues	•	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$	397,600	\$	640,000		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$	1,500,000	•	,
	Fees			\$	397,600		640,000			\$	1,500,000		
					,,,,,,	•	,				, ,		
	Exependitures			\$	(864,904)	\$	(328,445)			\$	(1,410,000)		
	Insurance-public liability			\$	(6,000)	\$	(500)			\$	(500)		
	Prof & spec svc-auditing and accounting			\$	(31,000)	\$	(15,000)			\$	(40,000)		
	Prof & spec svc- legal			\$	(11,000)	\$	(5,000)			\$	(20,000)		
	Prof & spec svc-other			\$	(810,904)	\$	(307,495)			\$	(710,000)		
	Board meeting stipends			\$	(6,000)	\$	(450)			\$	(8,000)		
	Easements- Non-depreciable			\$	-	\$	-			\$	(350,000)		
	Loan repayment			\$	-	\$	-			\$	(213,523)		
	Contigency									\$	(67,977)		
	Use (Contribution) to Fund Balance									\$	(90,000)		
	Transfer to reserve			\$	-	\$	-			\$	(90,000)		
6945	Mitigation Trust Account Fund	\$	736,373					\$	745,775	\$	(755,775)	\$	-
	Revenues			\$	10,000		10,000			\$	10,000		
	Interest			\$	10,000	\$	10,000			\$	10,000		
	Expenditures			\$	(745,000)		(598)			\$	(755,775)		
	Prof & spec svc- legal			\$	(5,000)		-						
	Prof & spec svc-other			\$	(50,000)	\$	(598)			\$	-		
	Easements- Non-depreciable			\$	(690,000)	-				\$	(755,775)		
										_			
6946	Grant Fund	\$	(33,792)					\$	(33,792)		33,792	Ş	-
	Revenues				4,969,891		136,046			\$	133,792		
	Other revenue- State			\$	4,969,891	\$	136,046			\$	133,792		
	- "			_	()	_	(			_			
	Expenditures				(4,970,891)		(136,046)			\$	(100,000)		
	Prof & spec svc-other			\$	(170,891)		(136,046)			\$	(100,000)		
	Easements- Non-depreciable			Ş	(4,800,000)	Ş	-			\$	-		
6040	Other Pevenue Fund	\$	42 255					\$	26 025	Ļ		ċ	26,025
6949	Other Revenue Fund Revenues	Ş	42,255	\$	60,002	ċ	770	Ş	26,025	\$	25,000	\$	20,025
	Charges for service			\$	60,002						25,000		
	Charges for service			Ş	00,002	Ç	770			\$	25,000		
	Expenditures			\$	(45,268)	¢	(17,000)			\$	(25,000)		
	Prof & spec svc-other			\$	(45,268)		(17,000)			\$	(25,000)		
	Troi & spec syc-other			ب	(73,200)	ب	(17,000)			ب	(23,000)		
All Funds		\$	1,077,647					\$	1,382,374	\$	(721,983)	\$	660,391
	Revenues	<b>T</b>	_,0,0	\$	5,437,493	\$	786,816	7	_,==,=,=, +	\$	1,668,792		223,031
	Exependitures				(6,618,882)		(482,089)			\$	(2,290,775)		
	Use (Contribution) to Fund Balance			\$	-	\$	(90,000)			\$	(90,000)		
	ose (some issueron) to runia balance			7		7	(30,000)			Y	(30,000)		

										Proposed		
			Beginning		FY 20-21		FY20-21	timated FY20-21		FY21-22		imated FY21-22
Fund #	Description	Bala	nce FY20-21		Budget	Es	timated Actual	Ending Balance		Budget	Er	nding Balance
6947 P	re Permit Endowment Fund	\$	413,359					\$ 380,392	\$	-	\$	388,392
R	evenues			\$	7,500		2,500		\$	10,000		
Ir	nterest			\$	7,500	\$	2,500		\$	5,000		
	xependitures			\$	(15,000)		(35,468)		\$	(2,000)		
	rof & spec svc-other			\$	(15,000)	\$	(2,000)		\$	(2,000)		
Т	ransfer out			-		\$	(33,468)		-			
l	Use (Contribution) to Fund Bala	nce		\$	-	\$	-		\$	(8,000)		
(	Contribution to fund balance			\$	-	\$	-		\$	(8,000)		
6948 P	ost Permit Endowment Fund	\$	19,825					\$ 34,925	\$	-	\$	74,925
R	evenues			\$	11,600	\$	15,100		\$	40,000		
F	ees			\$	11,500	\$	15,000		\$	39,000		
lr	nterest			\$	100	\$	100		\$	1,000		
E.	xependitures			\$	(4,000)	\$	-		\$	-		
	rof & spec svc-other			\$	(4,000)							
	Use (Contribution) to Fund Bala	nce							\$	(40,000)		
	Transfer to reserve								Ś	(40,000)		

## **Professional Services Summary (not including legal or accounting)**

Contractor	Service	Fee	Funded	Gra	nt Funded	Tot	al
Yolo County	General Administration	\$	125,000	\$	50,000	\$	175,000
ICF	SME	\$	100,000	\$	-	\$	100,000
Estep	SME	\$	50,000	\$	-	\$	50,000
Conservation Land Group	CE Acquisition Assistance	\$	50,000	\$	-	\$	50,000
Resource Conservation District	Monitoring	\$	25,000	\$	-	\$	25,000
Alford Environmental	Reserve System Establishment	\$	85,000	\$	50,000	\$	135,000
Other	Miscellaneous Professional Services	\$	275,000	\$	-	\$	275,000
Total		\$	710,000	\$	100,000	\$	810,000

## **HABITAT GRANT INVOICE LOG FY20-21**

Invoice Number	Sent To					
	Cont To					
	Sent 10	For	Date Sent	Invoice Total	Retention	Date Received
FY18-19						
1	Celestial Reysner (WCB)	April 2019	8/2/2019	\$ 14,270.65	\$ (1,427.07)	9/22/2019
2	Celestial Reysner (WCB)	May 2019	8/2/2019	\$ 23,384.32	\$ (2,338.43)	9/22/2019
3	Celestial Reysner (WCB)	June 2019	8/2/2019	\$ 27,880.49	\$ (2,788.05)	9/22/2019
4	Celestial Reysner (WCB)	July 2019	12/2/2019	\$ 18,292.18	\$ (1,829.22)	1/13/2020
5	Celestial Reysner (WCB)	Aug 2019	12/2/2019	\$ 7,504.79	\$ (750.48)	1/13/2020
6	Celestial Reysner (WCB)	Sep 2019	2/24/2020	\$ 16,204.74	\$ (1,620.47)	4/2/2020
7	Celestial Reysner (WCB)	Oct 2019	3/5/2020	\$ 9,087.83	\$ (908.78)	5/22/2020
8	Celestial Reysner (WCB)	Nov 2019	4/13/2020	\$ 12,091.16	\$ (1,209.12)	5/22/2020
9	Celestial Reysner (WCB)	Dec 2019	5/7/2020	\$ 11,750.50	\$ 1,175.05	6/5/2020
10	Celestial Reysner (WCB)	Jan 2020	5/28/2020	\$ 14,251.25	\$ (1,425.13)	6/25/2020
11	Celestial Reysner (WCB)	Feb 2020	6/19/2020	\$ 2,962.61	\$ (296.26)	8/14/2020
12	Celestial Reysner (WCB)	Mar 2020	6/19/2020	\$ 7,877.45	\$ (787.75)	8/14/2020
13	Celestial Reysner (WCB)	Apr 2020	6/19/2020	\$ 4,431.25	\$ (443.13)	8/14/2020
14	Celestial Reysner (WCB)	May 2020	6/25/2020	\$ 5,486.29	\$ (548.63)	8/14/2020
15	Celestial Reysner (WCB)	Jun 2020	8/10/2020	\$ 13,224.95	\$ (1,322.50)	9/23/2021
16	Celestial Reysner (WCB)	July 2020	10/9/2020	\$ 7,924.41	\$ (792.44)	11/18/2020
17	Celestial Reysner (WCB)	August 2020	10/9/2020	\$ 7,799.30	\$ (779.93)	11/18/2020
18	Celestial Reysner (WCB)	Sep 2020	11/30/2020	\$ 9,415.70	\$ (941.57)	1/29/2021
19	Celestial Reysner (WCB)	Oct 2020	11/30/2020	\$ 4,573.22	\$ (457.32)	2/10/2021
20	Celestial Reysner (WCB)	Nov 2020	1/19/2021	\$ 6,305.39	\$ (630.54)	
21	Celestial Reysner (WCB)	Dec 2020	1/19/2021	\$ 5,375.98	\$ (537.60)	
22	Celestial Reysner (WCB)	Jan 2021	5/11/2021	\$ 2,159.37	\$ (215.94)	
23	Celestial Reysner (WCB)	Feb 2021	5/11/2021	\$ 1,367.89	\$ (136.79)	
24	Celestial Reysner (WCB)	March 2021	5/11/2021	\$ 1,089.15	\$ (108.92)	
Totals				\$234,710.87	-\$21,121.01	

Award \$275,000.00 Remaining \$40,289.13

2019 Lc	2019 Local Assistance Grant (LAG2) (P1820101) Exp: 12/31/21 Customer#:1732 Account: 401340					
Invoice						
Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received
FY 18-19						
1	lan Boyd (CDFW)	Qtr 4 (May 15 - Jun 2019)	12/19/2019	\$ 1,100.00	n/a	4/2/2020
2	lan Boyd (CDFW)	Qtr 1 (Jul, Aug, Sep 2019)	2/25/2020	\$ 2,072.50	n/a	4/3/2020
3	lan Boyd (CDFW)	Qtr 2 (Oct, Nov, Dec 2019)	6/18/2020	\$ 5,093.75	n/a	8/26/2020
4	lan Boyd (CDFW)	Qtr 3 (Jan, Feb, Mar 2020)	6/18/2020	\$ 6,116.25	n/a	8/28/2020
5	lan Boyd (CDFW)	Qtr 4 (Apr, May, Jun 2020)	8/6/2020	\$ 901.25	n/a	11/19/2020
6	Gabe Quillman (CDFW)	Qtr 1 (Jul, Aug, Sep 2020)	11/20/2020	\$ 27,986.28	n/a	1/29/2021
7	Gabe Quillman (CDFW)	Qtr 2 (Oct, Nov, Dec 2020)	2/17/2021	\$ 11,603.56	n/a	
Totals				\$ 54,873.59		

## Yolo Habitat Conservancy FY21-22- 6 month revenue forecast

Timeline	Project Name	Acreage	Estima	ted Fees
0-3 months				
	Wilbur Ellis	16.14	\$	227,470
	Hay Kingdom	4.3	\$	60,342
	MP Environmental	11.3	\$	171,398
	River One	4.65	\$	70,536
		Estimated total	\$	529,746
4-6 months				
	County Road 98	55	\$	834,295
	Yarbrough Southport	146.75		
	Phase 1			
	Teichert Shifler	277		
		Estimated total	\$	834,295



June 1, 2021

#### **RESOLUTION NO. 21-03**

## Resolution of the Yolo Habitat Conservancy Board of Directors Adopting the Fiscal Year 2021-22 Budget

**WHEREAS,** the Board of Directors ("Board") of the Yolo Habitat Conservancy ("YHC") has heard and considered annual budgets for the FY 2021-22 Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account Fund, Pre-Permit Endowment Fund, and the Post-Permit Endowment Fund (collectively, the "Fiscal Year 2021-22 Budget"); and

**WHEREAS**, the May 17, 2021 staff report for the Fiscal Year 2021-22 budget provides information regarding each fund or account included in the overall YHC budget; and

**WHEREAS**, the recommended budgets for the Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account Fund, Pre-Permit Endowment Fund, and the Post-Permit Endowment Fund are balanced, with total revenues and other available funds equaling or exceeding total expenditures; and

**WHEREAS,** at the conclusion of the Board's consideration of this item at its May 17, 2021 public meeting, the Board of Directors determined that it was necessary and appropriate to approve the Fiscal Year 2021-22 Budget;

NOW, THEREFORE, the Board of Directors of the YHC hereby resolves as follows:

- 1. The Board adopts the Mitigation Fee Fund budget and approves the appropriations of \$1,500,000 based on the revenue of \$1,500,000, as set forth therein.
- 2. The Board adopts the Grant Fund budget and approves the appropriations of \$100,000 based on the revenue of \$133,792, as set forth therein.
- 3. The Board adopts the Other Revenue Fund budget and approves the appropriations of \$25,000 based on the revenue of \$25,000 as set forth therein.
- 4. The Board adopts the Mitigation Trust Account Fund budget and approves the appropriations of \$755,775 based on the revenue of \$10,000 and use of the available fund balance of \$745,775 (Mitigation Trust Account Fund), as set forth therein.
- 5. The Board adopts the Pre-permit Endowment Fund budget and approves the appropriations of \$10,000 based on the revenue of \$10,000, as set forth therein.
- 6. The Board adopts the Post-permit Endowment Fund budget and approves the appropriations of \$40,000 based on the revenue of \$40,000, as set forth therein.
- 7. The Board adopts the annual work plan for FY2020-21, as set forth in the staff report accompanying this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Yolo Habitat Conservancy on May 17, 2021, by the following vote:

AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

NOES: None. ABSENT: None. ABSTAIN: None.

Yolo Habitat Conservancy

Will Arnold, Chair

Attest:

Julie Dachtler, Clerk of the Board

By: <u>Julie Dachtler</u>

Approved As To Form:

Philip J. Pogledich, County Counsel
Counsel to the Yolo Habitat Conservancy

FY20-21 Yolo Habitat Conservancy Organizational and Budget Goals- Final Report

Organizational Goal	Status
Maintain a waiting list of at least four landowners seeking easements	The Conservancy is currently working on establishing conservation easements on 6 properties (3 private landowner and 3 member agency sites) and has 6 additional private landowner sites currently on the candidate easement site waiting list.
Complete easement on the Woodland-Reiff property in partnership with the Yolo County Cache Creek Resource Management Plan program	The final draft easement and management plans have been approved by the Wildlife Agencies. These documents are pending final approval from the Conservancy Board and County Board of Supervisors.
Develop a permanent permit tracking system to replace the temporary system	The task is currently in progress and is expected to be completed by Q1 FY22
Complete a three-year grant application strategy that matches projects with grant applications	This task is currently in progress and will be completed by the end of the Q4 FY21.
Close at least three easements	The Tule Ranch easement upgrade and enrollment in the Yolo HCP/NCCP was finalized in November. The Conservancy anticipates completing three additional easements by the end of the fiscal year (Woodland Reiff SwHa, Woodland Reiff VELB, and Correll).
Apply for at least three implementation grants.	The Conservancy applied for and was awarded two Local Assistance Grants from CDFW this fiscal year. The Conservancy submitted a Section 6 Land Acquisition grant proposal and anticipates receiving a response regarding the funding status for the grant request in the first half of FY21-22. The Conservancy also partnered with the County on the preparation of a SALC grant that was awarded to the County.
Identify at least two additional Cache Creek Resources Management Plan properties on which the County and the Conservancy agree to place easements and secure approval from the Yolo County Board of Supervisors	The Conservancy has been actively working with the County to establish easements on the Woodland Reiff and Correll properties during FY20-21and has started due diligence efforts for the Rodgers and Millsap properties.
Complete assessment in partnership with City of Davis Open Space Program of the potential for enrolling Davis	The Conservancy has had multiple conversations with City of Davis staff regarding potential partnership options for this property. The City is planning to start an evaluation to assess these and other options for the site.

Wetlands property as a Yolo HCP/NCCP reserve property.	
Conduct at least one	Due to the ongoing impact of COVID-19, Conservancy staff
	coordinated video conference with calls with each of the
0 3	member agency staffs to provide Yolo HCP/NCCP permit
	application review training. Conservancy staff continues to hold
	monthly check-in calls with the member agencies to
	troubleshoot any issues.

Budget Goal	Status
Pay back member agency loans	The FY21-22 budget proposed repaying all outstanding loans in
in part or in total	full.
Work with County fiscal staff to	This task has been completed.
create Excel models that	
translate software reports into	
annual report tables	
Increase reserve to 15% in	The FY21-22 proposed budget increases the reserve by an
anticipation of economic	additional \$90,000.
downturn	
Evaluate staffing needs to	Staff has revised contract scopes of work and budgets as part of
inform hiring decisions and	the FY21-22 budget to ensure sufficient capacity to complete
development of the 2021-22	necessary activities in FY21-22.
budget	-