



SANTA CLARA VALLEY
HABITAT AGENCY

Governing Board Members

Vice Chair Cat Tucker, City of Gilroy

Fred Tovar, City of Gilroy

Rene Spring, City of Morgan Hill

Yvonne Martinez Beltran, City of Morgan Hill

Maya Esparza, City of San Jose

Pam Foley, City of San Jose

Chair Mike Wasserman, County of San

Joe Simitian, County of Santa Clara

Implementation Board Members

Cat Tucker, City of Gilroy

Fred Tovar, City of Gilroy

Mike Wasserman, County of Santa Clara

Don Rocha, County of Santa Clara

Ann Calnan, VTA

Maya Esparza, City of San Jose

Meenaxi Raval, City of San Jose

Rene Spring, City of Morgan Hill

Jennifer Carman, City of Morgan Hill

Chair Linda J. LeZotte, Santa Clara Valley Water District

Barbara F. Keegan, Santa Clara Valley Water District

SANTA CLARA VALLEY HABITAT AGENCY

THURSDAY, JANUARY 16, 2020

JOINT REGULAR GOVERNING AND IMPLEMENTATION BOARD MEETING

3:00 PM

MORGAN HILL CITY COUNCIL CHAMBER

17555 Peak Avenue, Morgan Hill

The regular meetings of both the Governing Board and the Implementation Board of the Santa Clara Valley Habitat Agency are hereby called for the above-described time and place. The agenda for the meetings is as follows:

AMENDED AGENDA

TELECONFERENCE

Governing Board Member Joe Simitian will be participating in the Governing Board meeting via teleconference as follows:

California Capitol Building

1303 10th St, Room 3146

Sacramento, CA 95814

The public may attend the Governing Board meeting and will have the opportunity for public comment from the Sacramento teleconference location.

Governing Board Member Pam Foley will be participating in the Governing Board meeting via teleconference as follows:

San Jose City Hall

**200 E. Santa Clara St., floor 18, office of Councilmember Pam Foley
San Jose, CA 95113**

The public may attend the Governing Board meeting and will have the opportunity for public comment from the San Jose teleconference location.

Governing and Implementation Board Member Maya Esparza will be participating in the Governing Board meeting via teleconference as follows:

San Jose City Hall

**200 E. Santa Clara St., floor 18, office of Councilmember Maya Esparza
San Jose, CA 95113**

The public may attend the Governing and Implementation Board meeting and will have the opportunity for public comment from the San Jose teleconference location.

CALL TO ORDER

ROLL CALL

REPORT FROM THE CHAIRS

Governing Board
Mike Wasserman

Implementation Board
Linda J. LeZotte

REPORT FROM THE PUBLIC ADVISORY COMMISSION

Walt Glines, Chair

PUBLIC COMMENTS: ITEMS NOT ON THE AGENDA

Members of the public may address the Governing Board and the Implementation Board concerning any item not on this agenda and within the respective subject matter jurisdiction of each of the Boards. The length of public comments may be limited by the Chair of each Board. With limited exceptions, the Boards are prohibited from discussing or taking action on any item not appearing on the posted agenda.

JOINT GOVERNING AND IMPLEMENTATION BOARD ACTION

CONSENT AGENDA:

1. APPROVE THE MINUTES OF THE SEPTEMBER 19, 2019 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD 7-12
Recommended Action: Approve minutes.

REGULAR BUSINESS:

2. REPORT FROM THE EXECUTIVE OFFICER
Recommended Action: Receive verbal report.

GOVERNING BOARD ACTION

CONSENT AGENDA:

3. AB 1600 DEVELOPMENT IMPACT FEE REPORT – FISCAL YEAR 2018 -19..... 13-16
Recommended Action: Review and Accept the AB 1600 Development Impact Fee Report for FY 2018-19.
4. RESOLUTION ACCEPTING CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LOCAL ASSISTANCE GRANT FUNDS TO CONTRIBUTE TO THE CREATION OF A FIRE MANAGEMENT PLAN AND POST-FIRE MONITORING AT THE COYOTE RIDGE OPEN SPACE PRESERVE 17-22
Recommended Action: Adopt resolution accepting the grant award from, and entering into a grant agreement with, the State of California Department of Fish and Wildlife (DFW) for a local assistance grant (LAG) for the Fire Management Plan and Post-Fire Monitoring at the Coyote Ridge Open Space Preserve (CROSP) in the amount of \$75,000, and appoint the Executive Officer or designee as agent for the Santa Clara Valley Habitat Agency to ensure all grant related tasks for the aforementioned project are completed. The Habitat Agency was awarded the CDFW grant on November 13, 2019.
5. RESOLUTION ACCEPTING CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LOCAL ASSISTANCE GRANT FUNDS TO CONTRIBUTE TO THE PAJARO RIVER AGRICULTURAL PRESERVE PHASE 1 RESTORATION PROJECT..... 23-32
Recommended Action: Adopt resolution accepting the grant award from, and entering into a grant agreement with, the State of California Department of Fish and Wildlife (DFW) for a local assistance grant (LAG) for the Pajaro River Agricultural Preserve Phase 1 Restoration Project in the amount of \$210,412, and appoint the Executive Officer or designee as agent for the Santa Clara Valley Habitat Agency to ensure all grant related tasks for the aforementioned project are completed. The Habitat Agency was awarded the CDFW grant on November 13, 2019.

REGULAR BUSINESS:

- 6. **REVIEW AND ACCEPT FISCAL YEAR 2018 -19 AUDIT REPORT** 33-66
Recommended Action: **Review** and **Accept** the Santa Clara Valley Habitat Agency Audit Report and Audit Report **Presentation** for the fiscal year ended June 30, 2019.
- 7. **SELECTION OF 2020 GOVERNING BOARD CHAIR AND VICE CHAIR** 67-68
Recommended Action: **Select** a Chair and Vice-Chair for 2020.

FUTURE GOVERNING BOARD INITIATED AGENDA ITEMS:

Note: In accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

GOVERNING BOARD ADJOURNMENT

IMPLEMENTATION BOARD ACTION

CONSENT AGENDA:

- 8. **APPROVE THE MINUTES OF THE NOVEMBER 21, 2019 REGULAR MEETING OF THE IMPLEMENTATION BOARD** 69-72
Recommended Action: **Approve** minutes.
- 9. **BURROWING OWL MANAGEMENT AGREEMENT DON EDWARDS WILDLIFE REFUGE WARM SPRINGS UNIT** 73-76
Recommended Action: **Authorize** Executive Officer to negotiate and execute a 5-year not to exceed \$420,000 agreement with Talon Ecological Research Group (Talon) and San Francisco Bay Bird Observatory (SFBBO) to manage Western Burrowing Owl at the 719-acre Don Edwards Wildlife Refuge Warm Springs Unit.
- 10. **AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A 34-MONTH AGREEMENT WITH TALON ECOLOGICAL RESEARCH GROUP FOR BURROWING OWL SUPPLEMENTAL FEEDING STUDY PHASE 2** 77-94
Recommended Action: **Authorize** the Executive Officer to execute a not to exceed \$213,178 34-month sole-source Professional Services Agreement with Talon Ecological Research Group to Implement the Burrowing Owl Supplemental Feeding Study Phase 2.

REGULAR BUSINESS:

- 11. **SELECTION OF 2020 IMPLEMENTATION BOARD CHAIR AND VICE CHAIR** **95**
Recommended Action: **Select** a Chair and Vice-Chair for 2020.

FUTURE IMPLEMENTATION BOARD INITIATED AGENDA ITEMS:

Note: In accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

IMPLEMENTATION BOARD ADJOURNMENT

UPCOMING MEETINGS

All regular meetings of the Santa Clara Valley Habitat Agency's Governing Board and Implementation Board are held at the City of Morgan Hill Council Chamber at 3:00 p.m. unless otherwise noted

Governing Board:

- March 19, 2020 Joint Governing and Implementation Board Meeting
- June 18, 2020 Governing Board Meeting
- September 17, 2020 Joint Governing and Implementation Board Meeting

Implementation Board:

- March 19, 2020 Joint Governing and Implementation Board Meeting
- May 21, 2020 Implementation Board Meeting
- July 16, 2020 Implementation Board Meeting
- September 17, 2020 Joint Governing and Implementation Board Meeting
- November 19, 2020 Implementation Board Meeting

NOTICE

Any documents produced by the Santa Clara Valley Habitat Agency and distributed to the majority of the Governing Board and/or Implementation Board less than 72 hours prior to an open meeting, will be made available for public inspection at the Santa Clara Valley Habitat Agency's public counter located at 17575 Peak Avenue, Morgan Hill, CA, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the Governing Board and/or Implementation Board concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Governing Board and/or Implementation Board on any issue that is on this agenda, please complete a speaker request card and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Governing Board and/or Implementation Board, but it is very helpful. When you are called, proceed to the podium and the Chair will recognize you. If you wish to address the Governing Board and/or Implementation Board on any other item of interest to the public, you may do so by during the public comment portion of the meeting following the same procedure described above. Public comments may be limited as to time by the Board Chairperson.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the Governing Board and/or Implementation Board.

Persons interested in proposing an item for the Governing Board and/or Implementation Board agenda should contact a member of the Governing Board and/or Implementation Board who may place an item on the agenda for a future Governing Board and/or Implementation Board meeting. Should your comments require Board action, your request may be placed on the next appropriate agenda. Board discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950

The time within which judicial review must be sought of the action by the Governing Board and/or Implementation Board, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Board Clerk's Office at (408) 779-7259, (408) 779-3117 (fax) or by email michelle.wilson@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.