



#### Governing Board Members

**Rebeca Armendariz**, City of Gilroy  
**Carol Marques**, City of Gilroy  
**Chair Rene Spring**, City of Morgan Hill  
**Marilyn Librers**, City of Morgan Hill

**Vice Chair David Cohen**, City of San Jose  
**Bien Doan**, City of San Jose  
**Sylvia Arenas**, County of Santa Clara  
**Joe Simitian**, County of Santa Clara

## **SANTA CLARA VALLEY HABITAT AGENCY**

**THURSDAY, JUNE 15, 2023**

**GOVERNING BOARD MEETING**

**3:00 PM**

**MORGAN HILL CITY COUNCIL CHAMBER**

**17555 Peak Avenue, Morgan Hill**

#### **HYBRID MEETING**

The regular meetings of the Governing 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:

#### **TELECONFERENCE**

Governing Board Members will be participating in the Board meeting via teleconference as follows:

##### **County Government Center**

**70 W. Hedding Street, 10<sup>th</sup> Floor Supervisors Conference Room  
San Jose CA, 95110**

##### **San Jose City Hall**

**200 E. Santa Clara Street, 18<sup>th</sup> Floor Tower Room T-1854  
San Jose, CA 95113**

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

### **MEETING GUIDELINES**

Those members of the community that would like to participate in the meeting remotely may do so by joining the virtual meeting at: <https://bit.ly/GBMtg2023> or by calling: (669) 900-9128, then enter the webinar id: 819 4700 5529#.

Public comment may be provided in the following ways:

- In person
- Join the virtual meeting via the link above, when public comment is opened, raise your virtual hand, and be called upon to speak for up to 3 minutes
- Join the virtual meeting by calling the number above, dial \*9 to raise your hand and be called upon to speak for up to 3 minutes
- Send public comments in writing to the Agency Secretary at [cityclerk@morganhill.ca.gov](mailto:cityclerk@morganhill.ca.gov)

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### **CALL TO ORDER**

### **ROLL CALL**

### **REPORT FROM THE CHAIR**

Governing Board  
*Rene Spring*

### **REPORT FROM THE PUBLIC ADVISORY COMMISSION**

*Julie Hutcheson, Chair*

### **PUBLIC COMMENTS: ITEMS NOT ON THE AGENDA**

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

**CONSENT AGENDA:**

1. **AB 1600 DEVELOPMENT IMPACT FEE REPORT – FISCAL YEAR 2021-22**.....5-12  
**Recommended Action:** Review and Accept the AB 1600 Development Impact Fee Report for FY 2021-22.
  
2. **CONSIDERATION AND ADOPTION OF CHANGES TO 2023–2024 BURROWING OWL IMPACT FEE ZONES**.....13-54  
**Recommended Action:** Adopt Resolution Revising Fiscal Year 2023–2024 Burrowing Owl Conservation Fee Zone Map.
  
3. **2023-24 DEVELOPMENT FEE ADJUSTMENTS**.....55-66  
**Recommended Action:** Review automatic inflation adjusted mitigation fees increase upon new public and private development within the geographic boundaries of the Santa Clara Valley Habitat Plan Area for Fiscal Year 2023-24 and the non-mitigation charges for participating special entities.
  
4. **AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROBERT D. SPENCER – URBAN ECONOMICS FOR FUNDING PLAN IMPLEMENTATION**.....67-82  
**Recommended Action:** Authorize the Executive Officer to execute a 48-month not to exceed \$130,000 Professional Services Agreement with Robert D. Spencer – Urban Economics for Funding Plan Implementation Monitoring and Support.

**REGULAR BUSINESS:**

5. **SANTA CLARA VALLEY HABITAT PLAN FY2022 ANNUAL REPORT**.....83-156  
**Recommended Action:** Review the Santa Clara Valley Habitat Plan Fiscal Year 2021-2022 Annual Report.
  
6. **ADOPTION OF FISCAL YEAR 2023-2024 AND 2024-2025 ANNUAL OPERATING BUDGET**.....157-212  
**Recommended Action:** Review Operating Budget and adopt resolution for the Operating Budget Fiscal Year 2024 and Fiscal Year 2025.

**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.

**ADJOURNMENT**

**OPPORTUNITY FOR PUBLIC COMMENT**

**UPCOMING MEETINGS**

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

- September 21, 2023          Joint Governing and Implementation Board Meeting

## **NOTICE**

*Any documents produced by the Santa Clara Valley Habitat Agency and distributed to the majority of the Governing 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 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 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, 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 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.*

*Persons interested in proposing an item for the Governing Board agenda should contact a member of the Governing Board who may place an item on the agenda for a future Governing 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, 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 [kim.mancera@morganhill.ca.gov](mailto:kim.mancera@morganhill.ca.gov). Requests must be made as early as possible and at least two-full business days before the start of the meeting.*