



Governing Board Members

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Pam Foley, City of San Jose
Chair Mike Wasserman, County of Santa Clara
Joe Simitian, County of Santa Clara

SANTA CLARA VALLEY HABITAT AGENCY

VIRTUAL MEETING

THURSDAY, JUNE 18, 2020

GOVERNING BOARD MEETING

3:00 PM

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

Those members of the public wishing to participate remotely may do so via the electronic meeting at: <https://bit.ly/061820governingboard> or by calling in to: (669) 900-9128, then enter the meeting id: 864 7123 9674.

Public comment for Governing Board meetings will be accepted via email to angie.gonzalez@morganhill.ca.gov. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

CALL TO ORDER

ROLL CALL

REPORT FROM THE CHAIR

Governing Board
Mike Wasserman

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 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 of the Board. With limited exceptions, the Board is prohibited from discussing or taking action on any item not appearing on the posted agenda.

GOVERNING BOARD ACTION

CONSENT AGENDA:

1. **U.S. ARMY CORPS OF ENGINEERS FUNDING ASSURANCE LETTERS FOR THE SAN FELIPE RESTORATION PROJECT, AND THE COYOTE RIDGE OPEN SPACE PRESERVE (CROSP) PONDS RESTORATION PROJECTS** 7-12
Recommended Action: Adopt two resolutions authorizing the Executive Officer to submit a funding assurance letter for each of the two site-specific mitigation projects to the U.S. Army Corps of Engineers (San Felipe Creek Restoration Project and the Coyote Ridge Ponds Restoration Project).

2. **FOURTH AMENDMENT TO AGREEMENT WITH THE COUNTY OF SANTA CLARA FOR GEOGRAPHIC INFORMATION SYSTEM SERVICES**..... 13-26
Recommended Action: Adopt resolution authorizing the Executive Officer to execute the Fourth Amendment to the 2013-approved Agreement with the County of Santa Clara for Geographic Information System Services for \$127,971, increasing the not-to-exceed amount to \$651,281, through June 30, 2022.

3. **EAST COYOTE RIDGE BOUNDARY FENCE WITH UTC-PW-RETAINED LANDS SERVICE AGREEMENT WITH SOUTHWEST FENCE AND SUPPLY**..... 27-34
Recommended Action: Authorize the Executive Officer to negotiate a contract agreement not to exceed \$475,000 with Southwest Fence and Supply for: (1) the installation of approximately 32,500 feet of cattle fencing along the new East Coyote Ridge property boundary with UTC-PW; (2) remove and dispose of approximately 27,063 feet of chain-link security fencing and dilapidated cattle fencing; and (3) replacement of 7,500 feet of cattle fencing along the Metcalf Road property boundary.

4. **RESOLUTION AUTHORIZING THE GOVERNING BOARD TO ENTER INTO A GRANT AGREEMENT WITH THE WILDLIFE CONSERVATION BOARD (Malech Ranch)**.....35-58
Recommended Action: Adopt resolution authorizing Grant Agreement with the Wildlife Conservation Board for the acquisition of a Conservation Easement over the Malech Ranch (Assessor’s Parcel Numbers 898-53-003 and 898-54-004) totaling approximately 770 acres in Santa Clara County for \$1,887,000.

5. **RESOLUTION AUTHORIZING THE GOVERNING BOARD TO ENTER INTO A GRANT AGREEMENT WITH THE WILDLIFE CONSERVATION BOARD (Tilton Ranch)**..... 59-90
Recommended Action: Adopt resolution authorizing Grant Agreement with the Wildlife Conservation Board for the acquisition of a portion of the Tilton Ranch (Assessor’s Parcel Numbers 712-05-009 & 012; 712-11-003) totaling approximately 1,806 Acres in Santa Clara County for \$15,080,000.

REGULAR BUSINESS:

6. **FIVE-YEAR REVIEW OF SANTA CLARA VALLEY HABITAT PLAN COSTS, FUNDING AND DEVELOPMENT FEES**91-270
Recommended Action:
 1. **Accept** the *Five-Year Review of the Santa Clara Valley Habitat Plan Costs, Funding, and Development Fees* report, dated June 2020. (Attachment A)
 2. **Adopt** by resolution the schedule of development fees for FY 2020-21 imposed upon new public and private development within the geographic boundaries of the Santa Clara Valley Habitat Plan area and non-mitigation charges on participating special entities that are based on the 2020 Nexus Study, adjusted for inflation. (Attachment C)

7. **SANTA CLARA VALLEY HABITAT PLAN FY1819 ANNUAL REPORT**271-380
Recommended Action: Review and **accept** Santa Clara Valley Habitat Plan FY1819 Annual Report.

8. **REVIEW OF FISCAL YEAR 2020-2021 OPERATING BUDGET**381-388
Recommended Action: Review adjustments to Operating Budget for Fiscal Year 2021

9. **REPORT FROM THE EXECUTIVE OFFICER**389-391
Recommended Action: Receive verbal report.

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

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

Governing Board:

- September 17, 2020 Joint Governing and Implementation Board Meeting

Implementation Board:

- 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.

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