



Governing Board Members

Vice Chair Cat Tucker, City of Gilroy
Fred Tovar, City of Gilroy
Rene Spring, City of Morgan Hill
Rich Constantine, City of Morgan Hill

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

SANTA CLARA VALLEY HABITAT AGENCY

SPECIAL MEETING

THURSDAY, JUNE 27, 2019

GOVERNING BOARD MEETING

2:00 PM

MORGAN HILL CITY COUNCIL CHAMBER

17555 Peak Avenue, Morgan Hill

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 Chair Mike Wasserman will be participating in the Special Governing Board meeting via teleconference as follows:

Santa Clara County Library District
1370 Dell Ave, Farrier Conference Room
Campbell, CA 95008

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

San Jose City Hall
200 E. Santa Clara Street, Tower 1853
San Jose CA, 95113

Governing Board Member Fred Tovar will be participating in the Special Governing Board meeting via teleconference as follows:

International Technological University
2711 North 1st Street, Room 101F
San Jose CA, 95134

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

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 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.

GOVERNING BOARD ACTION

CONSENT AGENDA:

1. **AGREEMENT WITH DEBRA CHROMCZAK TO IMPLEMENT THE JUVENILE WESTERN BURROWING OWL OVERWINTERING PROJECT** **7-28**
Recommended Action: Authorize the Executive Officer to execute a 7-year not to exceed agreement for \$177,514 with Debra Chromczak in partnership with the Peninsula Humane Society to implement the Juvenile Western Burrowing Owl Overwintering Project.
2. **PACHECO CREEK RESERVE RIPARIAN AND UPLAND PLANTING RESTORATION PROJECT – CONTRACT AMENDMENT** **29-42**
Recommended Action: Authorize the Executive Officer to execute a not to exceed \$85,640 Amendment to the Agreement with Point Blue Conservation Science for the design and implementation of a riparian and upland planting restoration at the Habitat Agency’s Pacheco Creek Reserve.

3. **FINAL SANTA CLARA VALLEY HABITAT PLAN 4TH ANNUAL REPORT FISCAL YEAR 2017-18**43-282
Recommended Action: Accept Final Santa Clara Valley Habitat Plan 4th Annual Report Fiscal Year 2017-18 and submit to the Wildlife Agencies.

4. **REVISION TO CONTRACTING PROCUREMENT PROCEDURES RELATED TO ADMINISTRATIVE FEES** 283-288
Recommended Action: Adopt resolution to revise the internal policies and procedures for both general contracting and procurement and public works to limit the amount of administrative fees contractors charge.

5. **AGREEMENT WITH MOSS, LEVY & HARTZHEIM LLP TO PROVIDE ACCOUNTING ASSISTANCE OVERVIEW AND ADMINISTRATION**.....289-306
Recommended Action: Authorize the Executive Officer to execute a 3-year not to exceed agreement for \$64,600 with Moss, Levy & Hartzheim LLP, to continue to provide monthly, quarterly, and annual accounting assistance overview and administration.

6. **COYOTE RIDGE OPEN SPACE PRESERVE PONDS RESTORATION PROJECT – CONSTRUCTION CONTRACT**307-322
Recommended Action: Authorize the Executive Officer to execute a not to exceed \$475,000 service agreement with Go Native, Inc. for Phase 2 (construction) of a design-build contract for the *Coyote Ridge Ponds Restoration Project*.

7. **COYOTE RIDGE OPEN SPACE PRESERVE PONDS RESTORATION PROJECT – MANAGEMENT AND MONITORING CONTRACT**.....323-336
Recommended Action: Authorize the Executive Officer to execute a not-to-exceed \$314,000 5-year Service Agreement with Camara Environmental Consulting for Phase 3 (management and monitoring) of a design-build contract for the *Coyote Ridge Ponds Restoration Project*.

8. **WILDLIFE CORRIDOR AND FISH PASSAGE GRANT APPLICATION**337-340
Recommended Action: Adopt resolution approving the application for Proposition 68 grant funds from the Wildlife Conservation Board for the Wildlife Passage and Fish Passage Program for \$495,000.

9. **APPOINTMENT OF ABIGAIL RAMSDEN TO THE PUBLIC ADVISORY COMMITTEE**.....341-344
Recommended Action: Approve the recommendation of the Executive Officer to appoint Abigail Ramsden, representing the environmental/conservation community, to the Public Advisory Committee (PAC) to finish the four-year term vacated by Craige Edgerton.

10. **APPROVE A 2019-2020 SALARY INCREASE FOR THE EXECUTIVE OFFICER CONSISTENT WITH THE JULY 1, 2015 CONTRACT FOR SERVICES, AMENDED JULY 1, 2018**345-348
Recommended Action: Adopt resolution approving a 2019-2020 salary increase of 5% for The Executive Officer and award a merit bonus of 4%, consistent with the provisions of the contract for services dated July 1, 2015 and amended July 1, 2018.

REGULAR BUSINESS:

11. BAIRD RANCH PURCHASE AND SALE AGREEMENT.....349-374

Recommended Action: Authorize the Executive Officer to sign a Purchase and Sale Agreement (PSA) to acquire up to 832 acres of the Tilton Ranch identified as the Baird Parcels (APNs 764-07-005, 764-07-008 and 764-07-009) for up to \$8,320,000 (\$10,000 per acre). The parties anticipate the close of escrow to occur on or before October 30, 2019.

12. ADOPTION OF FISCAL YEAR 2019-2020 AND 2020-2021 ANNUAL OPERATING BUDGET375-417

Recommended Action: Adopt resolution approving the Operating Budget for Fiscal Year 2020 and Fiscal Year 2021.

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

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:

- September 19, 2019 Joint Governing and Implementation Board Meeting

Implementation Board:

- July 18, 2019 Implementation Board Meeting
- September 19, 2019 Joint Governing and Implementation Board Meeting
- November 21, 2019 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.bigelow@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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