



#### Governing Board Members

*Vice Chair* **Cat Tucker**, City of Gilroy  
**Roland Velasco**, 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 Santa Clara  
**Joe Simitian**, County of Santa Clara

#### Implementation Board Members

**Cat Tucker**, City of Gilroy  
**Roland Velasco**, 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  
*Vice Chair* **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, SEPTEMBER 17, 2020**

**VIRTUAL JOINT 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:

### **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: <http://bit.ly/091720HabitatAgencyJointGBandIBMtg> or by calling in to: (669) 900-9128, then enter the meeting id: 813 3921 6795#.

Public comment for Governing and Implementation Board meetings will be accepted via email to [angie.gonzalez@morganhill.ca.gov](mailto: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 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**

**REGULAR BUSINESS:**

1. **APPROVE THE MINUTES OF THE MARCH 19, 2020 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD** ..... 7-12  
**Recommended Action:** Approve minutes.
2. **WESTERN BURROWING OWL PROGRAM UPDATE** ..... 13-14  
**Recommended Action:** Receive presentation on Western Burrowing Owl Program.
3. **REPORT FROM THE EXECUTIVE OFFICER** ..... 15-16  
**Recommended Action:** Receive verbal report.

## **GOVERNING BOARD ACTION**

### **CONSENT AGENDA:**

4. **APPROVE THE MINUTES OF THE JUNE 18, 2020 REGULAR MEETING OF THE GOVERNING BOARD** ..... 17-20  
**Recommended Action:** Approve minutes.
  
5. **AMENDMENT TO CONFLICT OF INTEREST CODE FOR THE HABITAT AGENCY** ..... 21-28  
**Recommended Action:** Adopt resolution amending the Habitat Agency's Conflict of Interest Code.
  
6. **RESOLUTION AUTHORIZING THE GOVERNMENT BOARD TO ENTER INTO A GRANT AGREEMENT WITH THE WILDLIFE CONSERVATION BOARD** ..... 29-34  
**Recommended Action:** Adopt resolution approving the Santa Clara Valley Habitat Agency Application for Grant Funds from the Wildlife Conservation Board for the Wildlife Passage and Fish Passage Program.

### **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:**

7. **PAJARO RIVER AGRICULTURAL PRESERVE RESTORATION PROJECT AGREEMENT WITH TRIANGLE PROPERTIES/ICF TEAM** ..... 35-50  
**Recommended Action:** Authorize the Executive Officer to execute a not to exceed \$325,900 Service Agreement with the Triangle Properties/ICF team to complete baseline and feasibility studies, design, and permitting for the Pajaro River Agricultural Preserve Restoration Project.

### **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.

**CLOSED SESSION:**

**OPPORTUNITY FOR PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION:**

EXECUTIVE OFFICER COMPENSATION

Authority: Government Code 54957(b)

Employee Performance Evaluation: Executive Officer

**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*

- November 19, 2020 Implementation Board Meeting
- January 21, 2021 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 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](mailto: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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