

SANTA CLARA VALLEY HABITAT AGENCY

GOVERNING AND IMPLEMENTATION BOARD

VIRTUAL MEETING MINUTES

THURSDAY, March 17, 2022

3:00 P.M.

CALL TO ORDER

Chair Wasserman called the Joint Governing and Implementation Board meeting to order at 3:01 p.m.

GOVERNING BOARD ATTENDANCE:

PRESENT: Blankley, Cohen, Foley, Marques, Simitian, Spring, Wasserman

ABSENT: Martinez Beltran

IMPLEMENTATION BOARD ATTENDANCE

PRESENT: Carman, Calnan, Keegan, LeZotte, Marques, Rocha, Spring, Wasserman, Carman

ABSENT: Armendariz, Mahan

STAFF/OUTSIDE AGENCIES:

PRESENT: Edmund Sullivan, Valerie Armento, Philip Higgins and Kim Mancera

REPORT FROM THE CHAIRS

None

REPORT FROM THE CHAIRS

None

REPORT FROM THE PUBLIC ADVISORY COMMISSION

None

PUBLIC COMMENTS: ITEMS NOT ON THE AGENDA

Chair Wasserman opened the public comment at 3:04 p.m.

There being no requests to speak, public comment was closed.

JOINT GOVERNING AND IMPLEMENTATION BOARD ACTION

CONSENT AGENDA:

Action: On a motion by Board Member Simitian and seconded by Board Member Spring approving the Consent Agenda. The motion passed by the following vote: Ayes 12 (Blankley, Carman, Cohen, Calnan, Foley, Keegan, LeZotte, Marques, Rocha, Simitian, Spring, Wasserman); Noes 0; Absent 3 (Armendariz, Mahan, Martinez Beltran)

- 1. ACCEPT THE BOARD FINDINGS REQUIRED BY AB 361 IN ORDER TO HOLD THIS MEETING BY TELECONFERENCING ELECTRONICALLY: (1) THE MARCH 4, 2020 GOVERNOR'S PROCLAMATION OF A STATE OF EMERGENCY IS STILL IN EFFECT, (2) THE COUNTY OF SANTA CLARA AND PUBLIC HEALTH OFFICIALS CONTINUE TO ENCOURAGE SOCIAL DISTANCING, AND (3) THE PANDEMIC CONTINUES AND MEETING IN PERSON COULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES.**
- 2. APPROVE THE MINUTES OF THE JANUARY 20, 2022 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD**
Recommended Action: Approve minutes.

REGULAR BUSINESS:

- 3. BURROWING OWL BREEDING SEASON SURVEY PRESENTATION**
Recommended Action: Receive presentation.

Phillip Higgins gave a presentation and answered questions.

Edmund Sullivan answered questions.

Chair Wasserman opened the public comment at 3:35 p.m.
There being no requests to speak, public comment was closed.

Action: On a motion by Board Member Simitian and seconded by Board Member Spring to report back at the next meeting with a status report. A 1st amendment to the motion to create a resolution to submit to California Fish and Wildlife laying out how they are a barrier to the Burrowing Owl Program. A 2nd amendment to the motion to direct staff to work through legislative budget process to the extent that is appropriate and desirable. The motion passed by the following vote: Ayes 12 (Blankley, Carman, Cohen, Calnan, Foley, Keegan, LeZotte, Marques, Rocha, Simitian, Spring, Wasserman); Noes 0; Absent 3 (Armendariz, Mahan, Martinez Beltran)

GOVERNING BOARD ACTION

CONSENT AGENDA:

Action: On a motion by Board Member Wasserman and seconded by Board Member Carman approving the Consent Agenda. The motion passed by the following vote: Ayes 7 (Blankley, Cohen, Foley, Marques, Simitian Spring, Wasserman); Noes 0; Abstain: 0; Absent 1 (Martinez Beltran)

- 4. CONSIDERATION AND ADOPTION OF CHANGES TO 2022–2023 BURROWING OWL IMPACT FEE ZONES**
Recommended Action: Adopt Resolution Revising 2021–2022 Burrowing Owl Conservation Fee Zone Map.

- 5. RESOLUTION ACCEPTING CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE PLANNING ASSISTANCE GRANT FOR A MAJOR AMENDMENT TO THE SANTA CLARA VALLEY HABITAT PLAN**
Recommended Action: Adopt a resolution accepting the grant award from, and entering into a grant agreement with, the State of California Department of Fish and Wildlife (CDFW) for a Planning Assistance Grant for the first Habitat Plan Amendment (project) in the amount of up to \$850,000 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.

Chair Wasserman opened the public comment at 3:48 p.m.
There being no requests to speak, public comment was closed.

FUTURE GOVERNING BOARD INITIATED AGENDA ITEMS:

None

GOVERNING BOARD ADJOURNMENT

There being no further business, Chair Wasserman adjourned the Governing Board meeting at 3:49 p.m.

IMPLEMENTATION BOARD ACTION

CONSENT AGENDA:

Action: On a motion by Board Member Spring and seconded by Board Member Cohen approving the Consent Agenda. The motion passed by the following vote: Ayes 8 (Calnan , Carman, Keegan, LeZotte, Marques, Rocha, Spring, Wasserman); Noes 0; Abstain: 0; Absent 2 (Armendariz).

- 6. CALERO COUNTY PARK POND AND WETLAND RESTORATION PROJECT AGREEMENT WITH H.T. HARVEY & ASSOCIATES**
Recommended Action: Authorize the Executive Officer to execute a not-to-exceed \$70,504 Service Agreement with H.T. Harvey & Associates for the Calero County Park Pond and Wetland Restoration Project.

7. AGREEMENT WITH ESA TO ASSIST WITH THE PACHECO PASS (STATE ROUTE 152) WILDLIFE OVERPASS PLANNING PROJECT

Recommended Action: Authorize the Executive Officer to execute a not-to-exceed \$270,644 Service Agreement with ESA to support the Santa Clara Valley Habitat Agency with implementation of the Pacheco Pass (State Route 152) Wildlife Overpass Planning Project.

8. APPOINTMENT TO PAC

Recommended Action: Approve the recommendation of the Executive Officer to appoint Dan Steven to an initial four-year term on the Public Advisory Committee (PAC) representing the public.

FUTURE IMPLEMENTATION BOARD INITIATED AGENDA ITEMS:

None

OPPORTUNITY FOR PUBLIC COMMENT

Chair LeZotte opened the public comment at 3:52 p.m. There being no requests to speak, public comment was closed.

CLOSED SESSION:

EXECUTIVE OFFICER COMPENSATION

Authority: Government Code 54957(b)
Employee Performance Evaluation: Executive Officer

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

Valerie Armento announced that the Implementation Board met regarding the Executive Officer evaluation. No action taken.

OPPORTUNITY FOR PUBLIC COMMENT

Chair LeZotte opened the public comment at 4:08 p.m. There being no requests to speak, public comment was closed.

IMPLEMENTATION BOARD ADJOURNMENT

There being no further business, the Implementation Board meeting adjourned at 4:09 p.m

MINUTES PREPARED BY:



Kim Mancera, Secretary