



Governing Board Members

Cat Tucker, City of Gilroy

Daniel Harney, City of Gilroy

Steve Tate, City of Morgan Hill

Rich Constantine, City of Morgan Hill

Sylvia Arenas, City of San Jose

Donald Rocha, City of San Jose

Mike Wasserman, County of Santa Clara

Joe Simitian, County of Santa Clara

Implementation Board Members

Cat Tucker, City of Gilroy

Daniel Harney, City of Gilroy

Rich Constantine, City of Morgan Hill

Leslie Little, City of Morgan Hill

Ann Calnan, VTA

Sylvia Arenas, City of San Jose

Meenaxi Panakkal, City of San Jose

Mike Wasserman, County of Santa Clara

Robb Courtney, County of Santa Clara

Linda J. LeZotte, Santa Clara Valley Water District

Barbara F. Keegan, Santa Clara Valley Water District

SANTA CLARA VALLEY HABITAT AGENCY

JOINT REGULAR GOVERNING AND IMPLEMENTATION BOARD MEETING

THURSDAY, JANUARY 18, 2018

3:00 PM

MORGAN HILL CITY COUNCIL CHAMBER

17555 Peak Avenue, Morgan Hill

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:

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 SEPTEMBER 21, 2017 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD**.....9-16
Recommended Action: Approve minutes.
2. **COYOTE VALLEY LANDSCAPE LINKAGE REPORT** 17-44
Recommended Action: Receive the report
3. **Pacheco Creek Reserve Restoration Update**45-50
Recommended Action: Review and accept the Santa Clara Valley Habitat Agency restoration update for the Pacheco Creek Reserve.
4. **FRIENDS OF THE SANTA CLARA VALLEY HABITAT AGENCY FORMATION UPDATE**51-52
Recommended Action: Informational item only. No action required.
5. **REVIEW CHANGE IN WESTERN BURROWING OWL IMPACT FEE ZONES– FISCAL YEAR 2018-19**53-108
Recommended Action: Review changes to Burrowing Owl Impact Fee Zones.
6. **REPORT FROM THE EXECUTIVE OFFICER**
Recommended Action: Receive the report.

GOVERNING BOARD ACTION

CONSENT AGENDA:

7. **REVIEW CHANGE IN WESTERN BURROWING OWL IMPACT FEE ZONES– FISCAL YEAR 2018-19** 109-140
Recommended Action: Adopt resolution adopting the revised Burrowing Owl Conservation Fee Map.
8. **APPROVAL OF LOCAL ASSISTANCE GRANT (LAG) PROGRAM APPLICATION AND RECEIPT OF FUNDS (PACHECO PASS)**141-148
Recommended Action: Adopt resolution approving the filing of an application with State of California Department of Fish and Wildlife (DFW) for a local assistance grant for *Wildlife Permeability and Hazards across Highway 152 Pacheco Pass: Establishing a Baseline to inform Infrastructure and Restoration* in the amount of \$30,450 and appointing the Executive Officer as agent for the Santa Clara Valley Habitat Agency to ensure all grant related tasks for the aforementioned project are completed

9. **APPROVAL OF LOCAL ASSISTANCE GRANT (LAG) PROGRAM APPLICATION AND RECEIPT OF FUNDS (TREES)**149-174
Recommended Action: Adopt resolution approving the filing of an application with State of California Department of Fish and Wildlife (DFW) for a local assistance grant for *Genetics Study of Hybridization between California Sycamore and London Plan Tree in the amount of \$76,093*, appointing the Executive Officer as agent for the Santa Clara Valley Habitat Agency to ensure all grant related tasks for the aforementioned project are completed, and authorize the Executive Officer to execute a not to exceed \$91,093 Professional Services Agreement with H.T. Harvey & Associates to implement the grant-funded project.

REGULAR BUSINESS:

10. **SELECTION OF 2018 GOVERNING BOARD CHAIR AND VICE CHAIR**.....175-176
Recommended Action: Select a Chair and Vice-Chair for 2018.

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:

11. **APPROVAL OF AGREEMENT WITH CREEKSIDE SCIENCE FOR MONITORING ON COYOTE RIDGE OPEN SPACE PRESERVE**.....177-188
Recommended Action: Authorize the Executive Officer to execute a not to exceed \$129,875 Professional Services Agreement with Creekside Science for Monitoring on Coyote Ridge Open Space Preserve.
12. **APPROVAL OF AGREEMENT WITH DEBRA CHROMCZAK TO TRAP AND BAND WESTERN BURROWING OWLS**189-204
Recommended Action: Authorize the Executive Officer to execute a two year not to exceed \$67,500 sole-source Professional Services Agreement with Debra Chromczak for trapping and banding burrowing owls at the Regional Wastewater Facility and the Don Edwards Wildlife Refuge.
13. **APPROVAL OF CALERO COUNTY PARK POND AND WETLAND RESTORATION PROJECT AGREEMENT WITH H.T. HARVEY AND ASSOCIATES**205-230
Recommended Action: Authorize the Executive Officer to execute a not to exceed \$84,112 Service Agreement with H.T. Harvey & Associates for the Calero County Park Pond and Wetland Restoration Project.

REGULAR BUSINESS:

14. APPROVAL OF EMPLOYEE SERVICES AGREEMENT WITH SANTA CLARA COUNTY231-246

Recommended Action: **Authorize** the Executive Officer to execute an Employee Services Agreement with Santa Clara County relating to providing sharing of County staff in an amount not to exceed \$319,125 for period January 23, 2018 through June 30, 2023, with two options for five-year renewals.

15. SELECTION OF 2018 IMPLEMENTATION BOARD CHAIR AND VICE CHAIR247-248

Recommended Action: **Select** a Chair and Vice-Chair for 2018.

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Authority: Government Code 54956.8:
Property: Richmond Ranch (APNs: 660-01-001, 002, 014, 678-01-001, 627-11-005)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Laumont (APNs: 042-21-007, 008, 009, 010, 011, 012, 013, 014, 595-09-002, 627-22-003)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Rancho El Toro (APNs: 898-11-003, 004, 008, 016, 020, 021, 022, 023, 027, 028, 030, 031, 032, 898-13-006, 007, 031, 898-14-016, 026, 898-47-001, 002, 003, 004, 005, 898-48-001, 898-49-001, 003, 898-50-001, 002, 898-51-001, 898-52-003, 006, 898-13-001, 002, 003, 004, 005)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: UTC-Shingle Valley (APNs: 627-11-013, 014, 015, 627-13-001, 002, 003, 004, 005, 006, 007)

Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Sargent Ranch (APNs: 810-37-006, 007, 008, 810-38-002, 009, 014, 015, 016, 017)

Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Young Ranch (APNs: 678-01-004, 678-01-018, 678-11-003, 678-12-001, 678-15-016, 729-57-003)

Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Alameda (APNs: 042-16-002, 042-21-015, 016)

Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Coyote (APNs: 627-12-014, 015, 016, 627-14-011, 708-22-003, 708-30-001, 708-31-004, 708-32-004, 712-03-099, 712-05-010, 729-48-005, 729-51-004, 729-52-008, 729-53-001, 729-53-002, 729-53-003, 729-53-004, 729-54-002, 729-55-006, 729-55-007, 764-07-009, 678-10-018, 678-11-001, 678-11-002, 729-57-003, 898-07-004, 898-07-005, 898-27-009, 627-13-009, 627-13-010, 627-13-011, 627-14-024, 042-07-012, 042-17-017, 042-17-018, 042-17-020, 042-21-004, 042-21-005, 042-21-006, 595-09-001, 595-09-002, 627-01-005, 627-22-010, 627-22-012, 627-22-013)

Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Uvas (APN's: 810-08-001, 810-25-002, 810-25-003, 810-35-007, 810-36-001, 810-36-002, 810-37-005, 810-19-013p, 810-20-106p, 810-22-009p, 712-30-001, 712-30-002, 712-30-004, 776-31-002, 776-31-004, 779-23-010, 779-27-003, 810-10-003, 808-01-014p, 810-21-001p, 810-21-003p, 810-21-004p, 810-21-005p, 810-21-007p, 810-22-008p, 810-22-014p, 810-47-COMp)

Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Guadalupe (APN's: 701-30-002, 701-30-003, 708-33-008, 742-09-046, 742-09-048, 742-09-049, 015-03-061, 015-30-098, 015-31-061, 015,31-062, 706-11-023, 708-21-004, 708-21-005)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Llagas (APN's: 712-29-001, 712-29-002, 712-30-003, 712-31-001, 764-27-024, 764-28-007, 779-22-002, 779-23-009)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Pacheco (APN's: 898-14-020, 898-57-002, 898-52-004, 898-52-005, 898-53-001, 898-53-002, 898-57-001, 898-20-005, 898-20-032, 898-20-043, 898-27-005, 898-27-006, 898-27-007, 898-27-008, 898-27-010, 898-27-017, 898-50-001, 898-21-018, 898-21-023)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: Bechtel (APN's: 712-29-005, 712-30-001, 002, 004, 712-31-014, 015)
Agency negotiator: Edmund Sullivan
Under negotiation: Price and terms

RECONVENE

CLOSED SESSION ANNOUNCEMENT

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

Governing Board:

- March 15, 2018 Joint Governing and Implementation Board Meeting
- June 21, 2018 Governing Board Meeting
- September 20, 2018 Joint Governing and Implementation Board Meeting

Implementation Board:

- March 15, 2018 Joint Governing and Implementation Board Meeting
- May 17, 2018 Implementation Board Meeting
- July 19, 2018 Implementation Board Meeting
- September 20, 2018 Joint Governing and Implementation Board Meeting
- November 15, 2018 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.