



SANTA CLARA VALLEY
HABITAT AGENCY

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

Sergio Jimenez, 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

Vacant, City of San Jose

Mike Wasserman, County of Santa Clara

Robb Courtney, County of Santa Clara

Linda J. LeZotte, Santa Clara Valley Water District

John Varella, Santa Clara Valley Water District

SANTA CLARA VALLEY HABITAT AGENCY

JOINT REGULAR GOVERNING AND IMPLEMENTATION BOARD MEETING

THURSDAY, JANUARY 19, 2017

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:

TELECONFERENCE **(Governing Board only)**

Governing Board Member Joe Simitian will be participating in the Governing Board meeting via teleconference as follows:

County of Santa Clara
70 W. Hedding Street, East Wing, 10th Floor
San Jose, CA 95110
Supervisor's Conference Room

The public may attend the Governing Board meeting and will have the opportunity for public comment from the San Jose lo teleconference location. There is no teleconference participation for the meeting of the Implementation Board.

CALL TO ORDER

ROLL CALL

REPORT FROM THE CHAIRS

Governing Board

Mike Wasserman

Implementation Board

Linda 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 15, 2016 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD** 5-12
Recommended Action: **Approve** minutes.
- 2. **REPORT FROM THE EXECUTIVE OFFICER**
Recommended Action: Receive report.

MEETING HANDOUTS

GOVERNING BOARD ACTION

CONSENT AGENDA:

- 3. **AB 1600 DEVELOPMENT IMPACT FEE REPORT – FISCAL YEAR 2015-16**..... 13-18
Recommended Action: **Review** and **Accept** the AB 1600 Development Impact Fee Report for FY 2015-16.
- 4. **APPROVAL OF LOCAL ASSISTANCE GRANT (LAG) PROGRAM APPLICATION AND RECEIPT OF FUNDS** . 19-24
Recommended Action: **Adopt** resolution approving the filing of an application with the State of California Department of Fish and Wildlife (DFW) for a local assistance grant for *Monitoring Nitrogen Deposition in Santa Clara Valley* research study in the amount of \$80,000 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. The Habitat Agency was awarded the DFW grant on September 13, 2016.
- 5. **BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODE FOR THE HABITAT AGENCY** 25-34
Recommended Action: **Adopt** resolution amending the Habitat Agency’s Conflict of Interest Code to add disclosure requirements for three staff positions.

REGULAR BUSINESS:

- 6. **SELECTION OF 2017 GOVERNING BOARD CHAIR AND VICE CHAIR**..... 35-36
Recommended Action: **Select** a Chair and Vice-Chair for 2017.

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. **APPROVE THE MINUTES OF THE NOVEMBER 17, 2016 REGULAR MEETING OF THE IMPLEMENTATION BOARD**.....37--42
Recommended Action: **Approve** minutes.

- 8. **APPROVAL OF AGREEMENT WITH CREEKSIDE CENTER FOR EARTH OBSERVATION – MONITORING NITROGEN DEPOSITION IN THE SANTA CLARA VALLEY**.....43-50
Recommended Action: **Authorize** the Executive Officer to execute a not to exceed \$90,000 Professional Services Agreement with Creekside Center for Earth Observation for Monitoring Nitrogen Deposition in the Santa Clara Valley.

- 9. **APPROVAL OF AGREEMENT WITH NOMAD ECOLOGY FOR MONITORING AT CALERO COUNT PARK** ..51-56
Recommended Action: **Authorize** the Executive Officer to execute a not to exceed \$127,865 Professional Services Agreement with Nomad Ecology for Monitoring at Calero County Park.

REGULAR BUSINESS:

- 10. **SELECTION OF 2017 IMPLEMENTATION BOARD CHAIR AND VICE CHAIR**57-58
Recommended Action: **Select** a Chair and Vice-Chair for 2017.

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.

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 16, 2017 Joint Governing and Implementation Board Meeting
- June 15, 2017 Governing Board Meeting
- September 21, 2017 Joint Governing and Implementation Board Meeting

Implementation Board:

- March 16, 2017 Joint Governing and Implementation Board Meeting
- May 18, 2017 Implementation Board Meeting
- July 20, 2017 Implementation Board Meeting
- September 21, 2017 Joint Governing and Implementation Board Meeting
- November 16, 2017 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.