

# SANTA CLARA VALLEY HABITAT AGENCY

## IMPLEMENTATION BOARD REGULAR MEETING MINUTES

THURSDAY, MAY 17, 2018

3:00 PM

### CALL TO ORDER

Vice-Chair Courtney called the regular Implementation Board meeting to order at 3:06 p.m.

### ROLL CALL

IMPLEMENTATION BOARD:

PRESENT: Tucker, Wasserman, Panakkal, Courtney, Ho, Carman, Arenas (Arrived at 3:12 p.m.)

ABSENT: Keegan, LeZotte, Constantine, Harney

STAFF/OUTSIDE AGENCIES:

PRESENT: Edmund Sullivan, Valerie Armento, Angie Gonzalez, Terah Donovan

### REPORT FROM THE CHAIR

None.

### REPORT FROM THE PUBLIC ADVISORY COMMISSION

Chair Walt Glines reported that the PAC reviewed the operating budget, automatic fee adjustment and the Habitat Plan report. They also agreed to talk about the lack of wildlife passing through the High Speed Rail cross at Pacheco Pass.

### PUBLIC COMMENTS: ITEMS NOT ON THE AGENDA

Vice-Chair Courtney opened public comment at 3:09 p.m.

Hearing no requests to speak, the public comment was closed.

## IMPLEMENTATION BOARD ACTION

### REGULAR BUSINESS:

#### 6. FRIENDS OF THE SANTA CLARA VALLEY HABITAT AGENCY UPDATE

Recommended Action: *Informational item only. No action required.*

Agency Counsel Valerie Armento presented the report and answered questions.

*No action taken.*

## **IMPLEMENTATION BOARD ACTION**

### **CONSENT AGENDA:**

**1. EXECUTIVE OFFICER EMPLOYMENT AGREEMENT**

**Recommended Action: Approve** the First Amendment to the Executive Officer's 2015 Employment Agreement.

**2. SECOND AMENDMENT WITH ATKINSON-FARASYN, LLP**

**Recommended Action: Approve** the three-year Second Amendment with Atkinson-Farasyn, LLP for the services of Valerie Armento as the Habitat Agency's General Counsel to extend the term of the agreement through June 30, 2021.

**3. MOU BETWEEN THE SANTA CLARA VALLEY OPEN SPACE AUTHORITY AND THE SANTA CLARA VALLEY HABITAT AGENCY**

**Recommended Action: Adopt** resolution authorizing the Executive Officer to execute the MOU between the Santa Clara Valley Open Space Authority and the Santa Clara Valley Habitat Agency.

*Action: On a motion by Board Member Wasserman and seconded by Board Member Panakkal approving the consent agenda. The motion passed by the following vote: Ayes 7 (Tucker, Wasserman, Panakkal, Courtney, Ho, Arenas, Carman); Noes 0; Absent 4 (Keegan, LeZotte, Constantine, Harney).*

### **REGULAR BUSINESS:**

**5. FISCAL YEAR 2018-19 DRAFT ANNUAL OPERATING BUDGET**

**Recommended Action: Review** and **Recommend** adoption of the DRAFT Annual Operating Budget for Fiscal Year 19 (2018-19).

Executive Officer Edmund Sullivan gave a presentation and answered questions.

*Action: On a motion by Board Member Wasserman and seconded by Board Member Tucker Recommend adoption of the DRAFT Annual Operating Budget for Fiscal Year 19 (2018-19). The motion passed by the following vote: Ayes 7 (Tucker, Wasserman, Panakkal, Courtney, Ho, Arenas, Carman); Noes 0; Absent 4 (Keegan, LeZotte, Constantine, Harney).*

**4. FISCAL YEAR 2016-17 ANNUAL REPORT**

**Recommended Action: Review** and **Accept** Santa Clara Valley Habitat Plan FY16-17 Annual Report.

Principal Program Manager Terah Donovan gave a presentation and answered questions.

*Action: On a motion by Board Member Wasserman and seconded by Board Member Tucker Accepting Santa Clara Valley Habitat Plan FY16-17 Annual Report. The motion passed by the following vote: Ayes 7 (Tucker, Wasserman, Panakkal, Courtney, Ho, Arenas, Carman); Noes 0; Absent 4 (Keegan, LeZotte, Constantine, Harney).*

## **7. REPORT FROM THE EXECUTIVE OFFICER**

**Recommended Action:** Receive report.

Executive Officer Sullivan gave a report.

### **EXECUTIVE OFFICER NOTES:**

#### **ADVOCACY UPDATE**

##### **State**

NCCP/HCP California Coalition Sacramento Legislative Visit Day April 24<sup>th</sup>. What we discussed with legislators (Senators Beall & Wieckowski) and their staffs:

- Support for CDFW BCP that could fund NCCP/HCP dedicated staff
- Support for WCB BCP that could direct SB 5 money to NCCP/HCP planning and implementation
- Support for GGRF funding that does not discriminate against fee/title acquisition
- Overall support for NCCP/HCPs
- Support for AB 1015 (Allen) on climate resiliency and adaptation

Next steps – facilitate legislator visits to Plan Area

##### **Federal**

National HCP Coalition Washington D.C. Advocacy Trip April 10-12. I met one-on- with Congressman Panetta and Congresswoman Lofgren, and with the staff of our other two congress members and our two senators. With members of the National Coalition I also met with the following key individuals/committees:

- Administration:
  - Gary Frazer, Assistant Dir. Ecological Services, USFWS
  - Gary Sheehan, Deputy Director, USFWS
  - Aurelia Skipwith, Deputy Assistant Secretary of Interior for Fish, Wildlife and Parks
  - Emma Roach, Office of Management and Budget
  - Ted Boling, Council on Environmental Quality
- Congress:
  - House Interior Appropriations Committee
  - Senate Interior Appropriations Committee
  - House Natural Resources Committee
  - Senate Environment and Public Works Committee

Topics included maintaining 2018 Section 6 funding levels, permit integration, Department of Interior staffing, and overall importance of HCPs.

Next steps -- discussion

#### **GRANT UPDATE**

- We submitted two grants totaling \$945,000 for stream restoration work at on our Pacheco Creek property.

- Section 6 USWFS ESA Grant – 2017 award (discussion)

**LAND ACQUISITION/RESERVE SYSTEM UPDATE**

- Calero Park enrollment into Reserve System – ongoing
- UTC- Shingle Valley – negotiations are moving along
- Regional Wastewater Facility Bufferlands enrollment into Reserve System is expected later this year.
- Others – OSA taking the lead. Currently OSA is in the early stages of sensitive negotiations. I will discuss with IB when I can.
- Landowner mailing – attached (discussion)

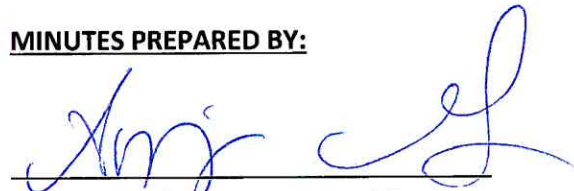
**FUTURE IMPLEMENTATION BOARD INITIATED AGENDA ITEMS:**

None.

**ADJOURNMENT**

There being no further business, Vice-Chair Courtney adjourned the meeting at 4:17 p.m.

**MINUTES PREPARED BY:**



**Angie Gonzalez, Deputy Board Secretary**

**NOTICE**

*Any documents produced by the Santa Clara Valley Habitat Agency and distributed to the majority of the Implementation and/or Governing 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 17555 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 Implementation and/or Governing 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 Implementation and/or Governing 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 Implementation and/or Governing 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 Implementation and/or Governing 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 Implementation and/or Governing Board.*

*Persons interested in proposing an item for the Implementation and/or Governing Board agenda should contact a member of the Implementation and/or Governing Board who may place an item on the agenda for a future Implementation and/or Governing 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 Implementation and/or Governing 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.*