

# SANTA CLARA VALLEY HABITAT AGENCY

## IMPLEMENTATION BOARD REGULAR MEETING MINUTES

THURSDAY, MAY 18, 2017

3:00 PM

### **CALL TO ORDER**

Chair LeZotte called the regular Implementation Board meeting to order at 3:04 p.m.

### **ROLL CALL**

IMPLEMENTATION BOARD:

PRESENT: Harney, Wasserman, Constantine, Courtney, LeZotte, Rocha, Velasco (arrived at 3:06)

ABSENT: Panakkar, Keegan, Little, Calnan,

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 Public Advisory Commission was okay with the draft budget. He also stated that the Commissioners had some constructive comments on the annual report and those were incorporated in the report that staff will present.

### **PUBLIC COMMENTS: ITEMS NOT ON THE AGENDA**

Chair LeZotte opened public comment at 3:07 p.m.

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

## **JOINT GOVERNING AND IMPLEMENTATION BOARD ACTION**

### **REGULAR BUSINESS:**

#### **1. SANTA CLARA VALLEY HABITAT PLAN FISCAL YEAR 2015-16 ANNUAL REPORT**

**Recommended Action:** Review and accept Santa Clara Valley Habitat Plan FY1516 Annual Report and authorize submittal of Annual Report to the Wildlife Agencies.

Principal Program Manager Terah Donovan Presented the report.

*Action: On a motion by Board Member Wasserman and seconded by Board Member Rocha accepting the Santa Clara Valley Habitat Plan FY1516 Annual Report and authorizing submittal of Annual Report to the Wildlife Agencies. The motion passed by the following vote: Ayes 7 (Velasco, Constantine, Wasserman, Courtney, LeZotte, Harney, Rocha); Noes 0; Absent 4 (Panakkar, Little, Keegan, Calnan).*

**3. FISCAL YEAR 2017-2018 DRAFT ANNUAL OPERATING BUDGET**

**Recommended Action:** Review and recommend adoption of DRAFT Annual Operating Budget for Fiscal Year 18 (2017-2018).

Executive Officer Sullivan presented the report.

*Action: On a motion by Board Member Wasserman and seconded by Board Member Constantine recommending adoption of DRAFT Annual Operating Budget for Fiscal Year 18 (2017-2018). The motion passed by the following vote: Ayes 7 (Velasco, Constantine, Wasserman, Courtney, LeZotte, Harney, Rocha); Noes 0; Absent 4 (Panakkar, Little, Keegan, Calnan).*

**2. ANNUAL REPORT FOR THE HABITAT AGENCY'S REGIONAL GENERAL PERMIT 18 FROM THE U.S. ARMY CORPS OF ENGINEERS**

**Recommended Action:** Review and accept report on the Habitat Agency's first annual review of its USACE Regional General Permit.

Principal Planner Gerry Haas presented the report.

*No Action Taken.*

**3. REPORT FROM THE EXECUTIVE OFFICER**

**Recommended Action:** Receive report.

Executive Officer Sullivan announced that the California HCP Coalition had annual meeting here in Morgan Hill. Council Member Constantine welcomed about 65 attendees to Morgan Hill and it was a Successful event.

**CLOSED SESSION**

**MOVED CLOSED SESSION**

The Board Members moved to closed session at 4:00 p.m.

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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. Included are also Merced County APNs 078-010-001, 004, which will be excluded from sale)  
Agency negotiator: Edmund Sullivan  
Negotiating parties: Clark Company Ranch Real Estate  
Under negotiation: Price and terms

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Authority: Government Code 54956.8:  
Property: Metcalf Road (APNs: 627-11-013, 014, 015, 627-13-001, 002, 003, 004, 005, 006, and 007)  
Agency negotiator: Edmund Sullivan  
Negotiating parties: United Technologies Corporation  
Under negotiation: Price and terms

**EXECUTIVE OFFICER COMPENSATION**

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

**RECONVENE**

The meeting was reconvened at 5:02 p.m.

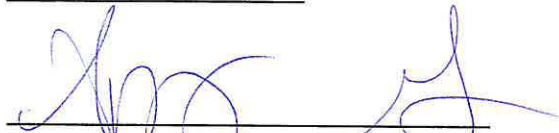
**CLOSED SESSION ANNOUNCEMENT**

Agency Counsel Armento announced that staff was directed with regard to the real estate items and a recommendation was made to the Governing Board on the Executive Officer item.

**ADJOURNMENT**

There being no further business, Chair LeZotte adjourned the meeting at 5:02 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.*