



SANTA CLARA VALLEY  
HABITAT AGENCY

#### **Governing Board Members**

**Vice Chair Cat Tucker**, City of Gilroy  
**Fred Tovar**, City of Gilroy  
**Rene Spring**, City of Morgan Hill  
**Rich Constantine**, City of Morgan Hill

**Maya Esparza**, City of San Jose  
**Pam Foley**, City of San Jose  
**Chair Mike Wasserman**, County of Santa  
**Joe Simitian**, County of Santa Clara

#### **Implementation Board Members**

**Cat Tucker**, City of Gilroy  
**Fred Tovar**, City of Gilroy  
**Mike Wasserman**, County of Santa Clara  
**Don Rocha**, County of Santa Clara  
**Ann Calnan**, VTA

**Maya Esparza**, City of San Jose  
**Meenaxi Panakkal**, City of San Jose  
**Vice Chair Rich Constantine**, City of Morgan Hill  
**Jennifer Carman**, City of Morgan Hill  
**Chair Linda J. LeZotte**, Santa Clara Valley Water District  
**Barbara F. Keegan**, Santa Clara Valley Water District

## **SANTA CLARA VALLEY HABITAT AGENCY**

**THURSDAY, MARCH 21, 2019**

**JOINT REGULAR GOVERNING AND IMPLEMENTATION BOARD MEETING**

**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:

#### **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 JANUARY 17, 2019 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD** ..... 7-14  
**Recommended Action: Approve** minutes.
- 2. **WESTERN BURROWING OWL PROGRAM UPDATE** ..... 15-16  
**Recommended Action: Receive** presentation.
- 3. **FISCAL YEAR 2017-18 ANNUAL REPORT** ..... 17-230  
**Recommended Action: Review** and **Accept** Santa Clara Valley Habitat Agency Fiscal Year 2017-18 Annual Report.
- 4. **REPORT FROM THE EXECUTIVE OFFICER (INCLUDING PROPOSED BUDGET REVIEW)** ..... 231-236  
**Recommended Action: Receive** report.

**GOVERNING BOARD ACTION**

**REGULAR BUSINESS:**

- 5. **REVIEW OF FISCAL YEAR 2017-18 AUDIT** ..... 237-290  
**Recommended Action: Review** and **Accept** the Santa Clara Valley Habitat Agency Audit Report and Audit Report presentation for the year ended June 30, 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**

**REGULAR BUSINESS:**

- 6. **ADOPT RESOLUTION REVISING GENERAL CONTRACTING AND PROCUREMENT PROCEDURES** .....291-294  
**Recommended Action: Adopt** resolution to revise the internal policies and procedures for general contracting and procurement to more closely align with those for public works contracting with regard to amending contracts.
  
- 7. **APPOINTMENTS TO PUBLIC ADVISORY COMMISSION (PAC)**.....295-298  
**Recommended Action: Re-appoint** Walt Glines, Joseph Lovelace, and Jeff Brown to four-year terms on the Public Advisory Committee (PAC) and appoint Jake Grunbaum, from the business/development sector, to an initial four- year term to replace Richard Oliver.
  
- 8. **COYOTE RIDGE SEEP STUDY** .....299-326  
**Recommended Action: Authorize** the Executive Officer to execute a not to exceed \$122,436 Services Agreement with Balance Hydrologics, Inc. for the *Coyote Ridge Ponds and Spring Development Project*.
  
- 9. **FIRST AMENDMENT CHROMCZAK BURROWING OWL BANDING AGREEMENT**.....327-346  
**Recommended Action: Authorize** the Executive Officer to sign a \$9,735 contract amendment for Professional Services Agreement with Debra Chromczak to implement Western burrowing owl Tier 3 activities at the Don Edwards Wildlife Refuge – Warm Springs Unit and the San José/Santa Clara Regional Wastewater Facility (RWF).

**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:**

**EXECUTIVE OFFICER COMPENSATION**

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

**OPPORTUNITY FOR PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION**

**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:**

- June 20, 2019 Governing Board Meeting
- September 19, 2019 Joint Governing and Implementation Board Meeting

### **Implementation Board:**

- May 16, 2019 Implementation Board Meeting
- July 18, 2019 Implementation Board Meeting
- September 19, 2019 Joint Governing and Implementation Board Meeting
- November 21, 2019 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.bigelow@morganhill.ca.gov](mailto:michelle.bigelow@morganhill.ca.gov). Requests must be made as early as possible and at least two-full business days before the start of the meeting.*

PAGE INTENTIONALLY LEFT BLANK