



SANTA CLARA VALLEY
HABITAT AGENCY

Governing Board Members

Roland Velasco, City of Gilroy
Rene Spring, City of Morgan Hill
Yvonne Martinez Beltran, City of Morgan Hill

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

Implementation Board Members

Roland Velasco, City of Gilroy
Mike Wasserman, County of Santa Clara
Don Rocha, County of Santa Clara
Ann Calnan, VTA

Maya Esparza, City of San Jose
Rene Spring, City of Morgan Hill
Vice Chair 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, JANUARY 21, 2021

JOINT GOVERNING AND IMPLEMENTATION BOARD MEETING

3:00 PM

VIRTUAL MEETING

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:

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

Those members of the public wishing to participate remotely may do so via the electronic meeting at: <http://bit.ly/012121HabitatAgencyJointGBandIB> or by calling in to: (669) 900-9128, then enter the meeting id: 861 8747 1202#.

Public comment for Governing Board meetings will be accepted via email to angie.gonzalez@morganhill.ca.gov. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

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

CONSENT AGENDA:

1. **APPROVE THE MINUTES OF THE SEPTEMBER 17, 2020 REGULAR JOINT MEETING OF THE GOVERNING AND IMPLEMENTATION BOARD** 7-10
Recommended Action: Approve minutes.

REGULAR BUSINESS:

2. **RECOMMENDATION ON POSSIBLE CHANGES TO THE PRIVATE DEVELOPMENT AREAS MAP** 11-40
Recommended Action: Receive staff report in response to public comment regarding possible errors in the Private Development Areas Map and direct staff to consider any necessary revisions of the Map when the Habitat Plan is first amended.

02 PRESENTATION

02 PRESENTATION FROM THE PUBLIC

3. **FY 2019 – 2020 FISCAL AUDIT PRESENTATION** 41-42
Recommended Action: Receive presentation.

03 PRESENTATION

- 4. **REPORT FROM THE EXECUTIVE OFFICER**.....43-50
Recommended Action: Receive verbal report.

04 SUPPLEMENT 1

GOVERNING BOARD ACTION

CONSENT AGENDA:

- 5. **AB 1600 DEVELOPMENT IMPACT FEE REPORT – FISCAL YEAR 2019-20**.....51-58
Recommended Action: Review and Accept the AB 1600 Development Impact Fee Report for FY 2019-20.

- 6. **FISCAL YEAR 2019-20 AUDIT REPORT**.....59-92
Recommended Action: Accept the Santa Clara Valley Habitat Agency Audit Report for the fiscal year ended June 30, 2020.

- 7. **FINAL REPORT, FISCAL YEAR 2019-2020 REVENUE AND BUDGET EXPENDITURES**.....93-208
Recommended Action: Review the revenue and expenditures for Fiscal Year 2019-2020, July 1, 2019 through June 30, 2020.

- 8. **RESOLUTION ACCEPTING CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LOCAL ASSISTANCE GRANT FUNDS TO CONTRIBUTE TO THE NAME THAT JEWELFLOWER: USING GENETICS AND FIELD SURVEYS TO DETERMINE TAXONOMIC BOUNDARIES AND DEFINE OCCURRENCES FOR THE MOST BEAUTIFUL JEWELFLOWER AND METCALF CANYON JEWELFLOWER ON COYOTE RIDGE PROJECT**209-220
Recommended Action: Adopt resolution accepting the grant award from, and entering into a grant agreement with, the State of California Department of Fish and Wildlife (DFW) for a local assistance grant (LAG) for the Name that Jewelflower: Using Genetics and Field Surveys to Determine Taxonomic Boundaries and Define Occurrences for the Most Beautiful Jewelflower and Metcalf Canyon Jewelflower on Coyote Ridge Project (project) in the amount of \$90,929, and appoint the Executive Officer or designee 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 CDFW grant on November 30, 2020.

- 9. **RESOLUTION ACCEPTING WILDLIFE CONSERVATION BOARD PROPOSITION 68 WILDLIFE CORRIDOR AND FISH PASSAGE PROGRAM FUNDS TO CONDUCT A SR-152 PACHECO CREEK WILDLIFE CONNECTIVITY AND CORRIDOR ENHANCEMENT PROJECT**.....221-258
Recommended Action: Adopt resolution accepting the grant award from, and entering into a grant agreement with, the Wildlife Conservation Board (WCB) for a Wildlife Corridor and Fish Passage Program grant for a SR-152 Pacheco Creek Wildlife Connectivity and Corridor Enhancement Project in the amount of \$802,000 and appoint the Executive Officer or designee 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 notified of the pending award from WCB on September 25, 2020.

10. RESOLUTION ACCEPTING CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LOCAL ASSISTANCE GRANT FUNDS TO CONDUCT A SR-152 PACHECO PASS AND COYOTE VALLEY REGIONAL WILDLIFE CONNECTIVITY STUDY R 2019-20 259-270

Recommended Action: Adopt resolution accepting the grant award from, and entering into a grant agreement with, the State of California Department of Fish and Wildlife (DFW) for a local assistance grant (LAG) for the SR-152 Pacheco Pass and Coyote Valley Regional Wildlife Connectivity Study in the amount of \$90,000, and appoint the Executive Officer or designee 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 CDFW grant on November 30, 2020.

REGULAR BUSINESS:

11. SELECTION OF 2021 GOVERNING BOARD CHAIR AND VICE-CHAIR 271-272

Recommended Action: Select a Governing Board Chair and Vice-Chair for 2021.

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:

12. APPROVE THE MINUTES OF THE NOVEMBER 19, 2020 REGULAR MEETING OF THE IMPLEMENTATION BOARD 273-276

Recommended Action: Approve minutes.

13. SELECTION OF 2021 IMPLEMENTATION BOARD CHAIR AND VICE-CHAIR 277-278

Recommended Action: Select an Implementation Board Chair and Vice-Chair for 2021.

14. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A 7-YEAR AGREEMENT WITH TALON ECOLOGICAL RESEARCH GROUP FOR TIER 3 BURROWING OWL CONSERVATION IMPLEMENTATION 279-289

Recommended Action: Authorize the Executive Officer to execute a not to exceed \$703,600 7-year sole-source Professional Services Agreement with Talon Ecological Research Group for Tier 3 Burrowing Owl Conservation Implementation.

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 18, 2021 Joint Governing and Implementation Board Meeting
- June 17, 2021 Governing Board Meeting
- September 16, 2021 Joint Governing and Implementation Board Meeting

Implementation Board:

- March 18, 2021 Joint Governing and Implementation Board Meeting
- May 20, 2021 Implementation Board Meeting
- July 15, 2021 Implementation Board Meeting
- September 16, 2021 Joint Governing and Implementation Board Meeting
- November 18, 2021 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.