



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 Clara
Joe Simitian, County of Santa Clara

SANTA CLARA VALLEY HABITAT AGENCY

ANNUAL MEETING

THURSDAY, JUNE 20, 2019

GOVERNING BOARD MEETING

3:00 PM

MORGAN HILL CITY COUNCIL CHAMBER

17555 Peak Avenue, Morgan Hill

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

County of Santa Clara Government Center
70 W. Hedding St, 10th floor
San Jose, CA 95110

The public may attend the Governing Board meeting and will have the opportunity for public comment from the Palo Alto teleconference location.

CALL TO ORDER

ROLL CALL

REPORT FROM THE CHAIR

Governing Board
Mike Wasserman

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.

GOVERNING BOARD ACTION

CONSENT AGENDA:

1. **AGREEMENT WITH DEBRA CHROMCZAK TO IMPLEMENT THE JUVENILE WESTERN BURROWING OWL OVERWINTERING PROJECT**..... **7-28**
Recommended Action: Authorize the Executive Officer to execute a 7-year not to exceed agreement for \$177,514 with Debra Chromczak in partnership with the Peninsula Humane Society to implement the Juvenile Western Burrowing Owl Overwintering Project.

2. **PACHECO CREEK RESERVE RIPARIAN AND UPLAND PLANTING RESTORATION PROJECT – CONTRACT AMENDMENT** **29-42**
Recommended Action: Authorize the Executive Officer to execute a not to exceed \$85,640 Amendment to the Agreement with Point Blue Conservation Science for the design and implementation of a riparian and upland planting restoration project at the Habitat Agency’s Pacheco Creek Reserve.

3. **APPOINTMENT OF ABIGAIL RAMSDEN TO THE PUBLIC ADVISORY COMMITTEE**..... **43-46**
Recommended Action: Approve the recommendation of the Executive Officer to appoint Abigail Ramsden, representing the environmental/conservation community, to the Public Advisory Committee (PAC) to finish the four-year term vacated by Craige Edgerton.

4. **FINAL SANTA CLARA VALLEY HABITAT PLAN 4TH ANNUAL REPORT FISCAL YEAR 1718**..... **47-286**
Recommended Action: Accept final Santa Clara Valley Habitat Plan 4th Annual Report Fiscal Year 2017-18 and submit to the Wildlife Agencies.

5. **REVISION TO CONTRACTING PROCUREMENT PROCEDURES RELATED TO ADMINISTRATIVE FEES..** **287-292**
Recommended Action: Revise the internal policies and procedures for both general contracting and procurement and public works to limit the amount of administrative fees contractors may charge.

- 6. **APPROVE A 2019-2020 SALARY INCREASE FOR THE EXECUTIVE OFFICER CONSISTENT WITH THE JULY 1, 2015 CONTRACT FOR SERVICES, AMENDED JULY 1, 2018** **293-296**
Recommended Action: Adopt resolution approving a 2019-2020 salary increase of 5% for the Executive Officer and award a merit bonus of 4%, consistent with the provisions of the contract for services dated July 1, 2015 and amended July 1, 2018.

- 7. **AGREEMENT WITH MOSS, LEVY & HARTZHEIM LLP TO PROVIDE ACCOUNTING ASSISTANCE OVERVIEW AND ADMINISTRATION** **297-314**
Recommended Action: Authorize the Executive Officer to execute a 3-year not to exceed agreement for \$64,600 with Moss, Levy & Hartzheim LLP, to continue to provide monthly, quarterly, and annual accounting assistance overview and administration.

REGULAR BUSINESS:

- 8. **BAIRD RANCH PURCHASE AND SALE AGREEMENT** **315-340**
Recommended Action: Authorize the Executive Officer to sign a Purchase and Sale Agreement (PSA) to acquire up to 832 acres of the Tilton Ranch identified as the Baird Parcels (APNs 764-07-005, 764-07-008 and 764-07-009) for up to \$8,320,000 (\$10,000 per acre).

- 9. **COYOTE RIDGE OPEN SPACE PRESERVE PONDS RESTORATION PROJECT – CONSTRUCTION CONTRACT** **341-356**
Recommended Action: Authorize the Executive Officer to execute a not to exceed \$475,000 service agreement with Go Native, Inc. for the construction (Phase 2) of a design build contract for the *Coyote Ridge Ponds Restoration Project*.

- 10. **COYOTE RIDGE OPEN SPACE PRESERVE PONDS RESTORATION PROJECT – MANAGEMENT AND MONITORING CONTRACT** **357-370**
Recommended Action: Authorize the Executive Officer to execute a not-to-exceed \$314,000 5-year Service Agreement with Camara Environmental Consulting (Camara Consulting) for Phase 3 (management and monitoring) of a design build contract for the *Coyote Ridge Ponds Restoration Project*.

- 11. **ADOPTION OF FISCAL YEAR 2019-2020 AND 2020-2021 ANNUAL OPERATING BUDGET** **371-414**
Recommended Action: Review and **Adopt** the Operating Budget for Fiscal Year 2020 and Fiscal Year 2021.

- 12. **REPORT FROM THE EXECUTIVE OFFICER**
Recommended Action: Receive report.

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.

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Authority: Government Code 54956.8:
Property: Baird Ranch APNs: 764-07-002; 764-07-005; 764-07-008; 764-07-009
Agency negotiator: Edmund Sullivan
Negotiating parties: Santa Clara Valley Habitat Agency
Under negotiation: Price and terms

Authority: Government Code 54956.8:
Property: UTC APNs: 627-13-001, 627-13-002, 627-13-003, 627-13-004, 627-13-005, 627-13-006, 627-13-007, 627-11-013, 627-11-014 and 627-11-015
Agency negotiator: Edmund Sullivan
Negotiating parties: Santa Clara Valley Habitat Agency
Under negotiation: Price and terms

RECONVENE

CLOSED SESSION ANNOUNCEMENT

GOVERNING 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:

- September 19, 2019 Joint Governing and Implementation Board Meeting

Implementation Board:

- 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.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.

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