SUMMARY MINUTES
Regular Meeting
Monday, April 13, 2015
6:00 p.m.

Call to Order: President Castillo called the meeting to order at 6:05 p.m.

Directors Present: Roger Castillo, Rick Lanman, Bill Leikam, Mondy Lariz and Jim Moore. (Director Moore arrived at 6:06 p.m., and Director Lariz arrived at 6:24 p.m. due to a situation on the freeway that caused re-routing of traffic throughout the region.)

Staff Present: Stephanie Moreno, Executive Director/Clerk of the Board
Richard Roos-Collins, District Counsel (via teleconference for items 6e, 6f, and 7a).

NOTE: Due to the late arrival of directors and guests because of extreme traffic conditions, several items on the agenda were discussed out of order; for purposes of the summary minutes these are reported in the order originally presented on the published agenda.

1. Approval of the Agenda:
   Motion: Approve the agenda as presented. (Leikam/Lanman; 3-0-0; Moore and Lariz absent)

2. Approval of the Minutes from March 9, 2015
   Motion: Approve the minutes as presented. (Leikam/Lanman; 3-0-1; Moore abstained; Lariz absent)

3. Public Matters Not on the Agenda: No comments.

4. Agency Reports
   b. Santa Clara Valley Water District (SCVWD): Update by Ryan Heacock, Senior Environmental Planner.

5. Projects and Programs
   a. Consideration of a partnership request from SCVWD to coordinate a volunteer program and fund grants to community-based organizations for cleanup efforts in rivers and streams within SCVWD easements: Norma Camacho, Chief Operating Officer/Watersheds, and Afshin Rouhani, Project Manager, were present on behalf of SCVWD. ED Moreno gave background on initial discussions with the District, and COO Camacho reviewed the purpose and proposed scope of work for the agreement, which would include a 5-year term and a budget of $25,000/fiscal year, commencing with FY 2014-15. The Board noted that the section of river
selected by the District is outside of GCRCD boundaries, which could be an issue with LAFCO, and wanted to make sure program responsibilities would not shift the ED away from other District priorities. Board consensus was to allow discussions with SCVWD to move forward, with the District developing a draft agreement for review, and ED Moreno to follow up with LAFCO regarding the jurisdictional issue. Draft agreement will be presented to the GCRCD Board for a vote at a future meeting.

b. Request from Santa Clara County Open Space Authority (OSA) for letter of support for *Senate Bill 422 Santa Clara Valley Open-Space District*: ED Moreno presented the information from the OSA, and recommended the Board authorize her to send the letter of support.

   Motion: Authorize the Executive Director to send the letter of support as presented. (Lariz/Moore; 5-0-0)

c. Consideration of amendment to funding agreement with Santa Clara County Open Space Authority for the Coyote Valley Open Space Preserve Hedgerow Project: Due to the emerging threat of plant pathogen *Phytophthora* and the recent positive samples found in local native plant nurseries, OSA temporarily suspended the Hedgerow Project at Coyote Valley Open Space Preserve. They are now moving forward with the project, and plan to perform testing on a percentage of the plants to ensure they are not affected. They would like to know if the budgeted amount in the agreement for the consultant contract could instead be moved to testing costs, estimated at $2,000. The Board expressed some concern about having this percentage of the GCRCD funding going towards testing, and asked if there was an option to start the plants from seed to eliminate the pathogen risk. After discussion, they agreed to allow for some revision to the budget to allow the project to move forward.

   Motion: Authorize the Executive Director to amend the budget for the agreement to allow no more than one-half (1/2) of the grant award of $3,000 to be spent on laboratory testing. (Lanman/Leikam; 4-0-0; Lariz absent)

d. Consideration of GCRCD fiscal sponsorship agreement with the Stevens and Permanente Creeks Watershed Coalition (SPCWC) for a grant received from the Rose Foundation: *Director Lariz stepped down because he is a Director for the Coalition*. ED Moreno presented background on the grant and proposed study, for which $10,000 was received from the Rose Foundation based on an application submitted by SPCWC. She reviewed available information regarding the GCRCD acting as a fiscal sponsor, and recommended the Board instead consider conducting the study through a grant to or a partnership with the Stevens and Permanente Creeks Watershed Coalition.

   Motion: Authorize the Executive Director to sign an agreement with the Permanente Creeks Watershed Coalition in the amount of $10,000 for a study on Stevens Creek. (Lanman/Leikam; 4-0-0; Lariz stepped down.)

e. Update from Greg Kerekes on production of beaver video and Coyote Valley tour videography project: Greg Kerekes presented draft footage of his video work for the Board.

f. Update on the Pathways for Wildlife bobcat research project in the Coyote Valley: ED Moreno presented the written report submitted by the Tanya Diamond of Pathways for Wildlife. The Board would like to invite Ms. Diamond to attend another meeting to present additional information regarding her research.

g. Discussion regarding potential collaboration with Veggielution Community Farm and/or other community-based organizations to increase community access to fresh produce and to improve
linkages between small farmers and low-income residents: Director Lariz and ED Moreno discussed options for expanding access through additional partnerships with existing organizations. The Board concurred with exploring possible partnerships to accomplish this.

h. Authorization for the Executive Director to enter into an agreement with Midpeninsula Regional Open Space District (OSD) to have GCRCD fund a cultural study for the Hicks Creek site to formulate recommendations regarding a proposed fish passage project: ED Moreno reviewed the information received from OSD regarding the need for a cultural study before a fish passage barrier can be designed.

Motion: Authorize the ED to negotiate an agreement with the Midpeninsula Regional Open Space District to allow GCRCD to fund and manage a cultural study of the area proposed for a fish passage project, in an amount not to exceed $5,000.00. (Leikam/Moore; 5-0-0)

i. Report regarding collaboration with Alameda County RCD on a slaughter/processing survey of Santa Clara meat producers: ED Moreno gave an update to the Board.

j. Discussion regarding NRCS/GCRCD funding options available to offer riparian fencing to ranchers (continued from March 9, 2015): District Conservationist Pratt indicated a similar program had been developed with Loma Prieta RCD in the past, but current funding priorities do not support another at this time. However, the proposed cooperative agreement for GCRCD to conduct outreach to ranchers could address the educational aspects of riparian fencing.

k. Potential for a joint project with San Mateo RCD for a Los Trancos Creek fish barrier removal project: ED Moreno gave an update to the Board.

l. Formation of a coalition for a Basking Ridge/Highway 101 wildlife passage undercrossing: Director Lanman is interested in the GCRCD initiating a coalition to continued discussions on this topic.

6. Administrative (30 minutes)

a. Budget and expenditure report: ED Moreno reviewed financial documents with the Board.

b. Approval of resolution authorizing sale of District’s surplus personal property: Continued until the May meeting.

c. Reappointment requests for Directors Castillo and Lanman: The Board expressed concern that the County has failed to vote on their reappointments in excess of the timeframes set forth in State law, which authorized the RCD to act after 60 days.

Motion: Reappoint Roger Castillo to the GCRCD Board another 4-year term, which will end on November 30, 2018. (Leikam/Moore; 5-0-0)

Motion: Reappoint Rick Lanman to the GCRCD Board for another 4-year term, which will end on November 30, 2018. (Leikam/Moore; 5-0-0).

Directors Castillo and Lanman were sworn into office by ED Moreno, in her capacity as Clerk of the Board.


e. Approval of contract amendment to legal services contract with Water and Power Law Group (WPLG): ED Moreno reviewed the background of the existing contract with Santa Clara County Counsel, and recommended the existing legal services agreement with WPLG be amended to include general counsel services. She indicated the hourly rates with WPLG are lower than those of the County, so there should be a cost savings to the District.
Motion: Authorize President to sign amendment to agreement with WPLG, with agreement to be effective immediately. The agreement with the County will be allowed to expire at the end of its term in May 2015. (Lariz/Moore; 5-0-0)

f. Update on Reach 6, overview of the Water Year 2014 (WY2014) Mitigation Monitoring Report for the Guadalupe River Project, Downtown San Jose, Lower Guadalupe River Project, and Upper Guadalupe River Project (MMR) received from SCVWD, and notice of the May 2015 Adaptive Management Team meeting: WPLG gave an update to the Board, with input from Mr. Heacock.

7. Closed Session: Pending Litigation (Government Code Section 54956.9(a))

The Board met in Closed Session to confer with Legal Counsel regarding the following item:

a. Fish and Aquatic Habitat Collaborative Effort (FAHCE) Settlement Agreement regarding water rights of the Santa Clara Valley Water District on Coyote, Guadalupe, and Stevens Creeks. Direction was given to staff.

Return to Open Session: The Board returned to open session at approximately 8:15 p.m.

8. Director, Associate Director and Executive Director Reports