



FINAL MINUTES

SANTA CLARA COUNTY OPEN SPACE AUTHORITY
Regular Meeting
Thursday, February 11, 2010
Meeting 10-03

ROLL CALL	Chairperson Sequoia Hall called the regular meeting of the Santa Clara County Open Space Authority (OSA) to order at 6:31 p.m. at the Santa Clara County Administrative Office, 6980 Santa Teresa Blvd. Suite 100, San Jose, California.
Members Present	Alex Kennett, Sequoia Hall, Virginia Holtz, Mike Potter, Garnetta Annable
Members Excused Absent	Kalvin Gill, Jim Foran
Members Unexcused Absent	None
Staff Present	Patrick Congdon, General Manager Bill Parkin, Legal Counsel Lauren Crook, Clerk of the Board Rachel Santos, Open Space Planner
Public Present	Greg West Dorsey Moore, CAC member Bob Clement Henry Coletto Taisia McMahan Larry Ames John Fioretta
CONVENE TO CLOSED SESSION	At 6:31p.m. Director Hall convened the meeting to Closed Session.
RETURN FROM CLOSED SESSION	The Board members returned from Closed Session at 7:15 p.m. Director Hall stated that closed session would reconvene at the end of the open session meeting.
ADOPTION OF AGENDA	Director Kennett moved to adopt the Agenda. Director Potter seconded the motion. The motion passed 5-0.
PUBLIC PRESENTATIONS	Director Hall asked if there were any public presentations. Henry Coletto introduced himself and stated he had a statement he'd like to

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read. He said cattle grazing has become a popular management tool to reduce invasive plants to enhance native grasses and other native plants. He noted that on the Open Space Authority's Coyote Ridge lands, grazing is supposed to be benefitting serpentine and the bay checkerspot butterfly. Any benefits of using cattle grazing must be carefully planned with the number used and the timing they are allowed to graze as well as careful monitoring. From what he's seen on OSA lands, grazing may benefit the cattle owner but not the native plants or animals. He said they are disappointed with the direction that OSA has taken in the use of grazing on our public lands and would like to ask the OSA directors why open space goals are not being met. He said they would like to know how grazing leases are handed out, how much revenue is being brought in from the leases and how grazing impacts are being monitored and why these lands are not being managed for the protection of the native ecosystems and especially water quality. While sustainable local agriculture is also one of OSA's stated goals, he said they doubt that the taxpayers supporting OSA realize that agriculture is being favored over protection of these OSA lands. Someone needs to be held accountable for the misuse of these public lands. The changes need to be made now. He invited the board of directors to tour OSA lands starting with the Doan Ranch to observe the poor condition of the lands and to see firsthand what livestock grazing is doing to the land. He passed out some pictures of the Doan Ranch.

Bob Clement introduced himself stating that he volunteers at the Los Osos ecological reserve. He said that on the Open Space Authority's website it's stated that the Open Space Authority's primary goal is the preservation of undeveloped land in its natural state. Highest priority is given to lands to preserve the territory of wildlife and native plants, safeguard water sources and maintain landscapes and vistas and offer outdoor recreation that is compatible with the natural environment. Resource management goals include improving biodiversity, protecting rare, threatened and endangered species and maintaining a place in the landscape for people through compatible recreation and agricultural activity.

He continued by saying that cattle grazing as seen on Open Space Authority lands is not at a level as stated by the resource management goals. He said that the level of cattle grazing that is occurring on Open Space Authority lands degrades wildlife and native plant habitat and water quality as well as the scenic and recreational values of the land. Over the last several years he has frequently driven past the Doan Ranch and been consistently disappointed to see the level of habit degradation that has occurred. Grasslands, woodlands and riparian habitat are in some cases being obliterated by cattle. The situation has been brought to the attention of Open Space Authority staff but the site continues to suffer. As recently as last month, cattle were seen grazing in an area of riparian habitat on the property; an area that should be protected.

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He said that another prime example of poor management can be seen on Bloomfield Road where the Open Space Authority has purchased a conservation easement on private land. He said that the area is essentially being used for a feed lot for cattle. He said that during the summer months, tons of bell peppers have been dumped on the land. He handed out some pictures of the Doan Ranch and Bloomfield Road.

Director Hall stated that during his work with Supervisor Beall, he recalls the conversations about cattle grazing and hearing the different methods of cattle grazing. He noted that one method is to move the cattle quickly.

Director Holtz asked if those were the only two properties that had been visited and if they had visited any others.

Mr. Clement stated he had not visited other OSA properties.

Director Annable suggested that the issue of grazing be brought to the Use and Management Committee for review.

P. Congdon thanked Henry Coletto for coming to the meeting. He said he had several items to respond to. He started by saying that the OSA holds a conservation easement on 301 acres off of Bloomfield Road. He said the Conservation Easement protects the agricultural production that occurs on the property but in no way restricts, controls or demands that certain levels of grazing, types of livestock or stocking rates be limited. He said the conservation easement does not give the Authority the right to dictate how the agricultural operation is run other than if chemicals are being used or if there is a health and safety issue. Then the Open Space Authority could contact the fee-interest owner and request that action be taken. He continued by saying that in the case of Bloomfield Road the OSA's responsibility is that the property is not developed and the structures that are there now are the only structures on the property. He stated that stocking rates, fee and type of fee and the other issues brought up, the Open Space Authority has no control over. He stated it is the choice and obligation of the land owner and not the Open Space Authority to decide how to manage their agricultural operation.

Regarding concerns about the Doan Ranch, P. Congdon continued by saying he has spoken to H. Coletto in the past regarding his concerns. He said that the area has experienced a period of moderate to severe drought and he has been working with the grazing tenant to reduce the animal stocking rates. He said because of finances it was difficult for the property owner to take immediate action to reduce stocking rates. He noted that H. Coletto had contacted him again to express his concern and that he contacted the grazing tenant again and the stocking rate was reduced. He said the rate wasn't reduced to the level the OSA wanted but he was in the process of reducing animals on the property. He continued by saying that one of the methods of

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reduction used by the grazing tenant was to move the cattle to the adjoining property to the west however there was no fence to prevent the cattle from coming back to the Doan property. He noted that once the adjoining property was fed off, the cattle came back to the Doan property. He said the grazing tenant was contacted again and efforts were made to move the cattle off the property. Over the last six months efforts have been made to move the cattle off the property entirely and the grazing tenant has been made aware that the cattle were not to return to the property. He said the Authority has a five year contract with the grazing tenant and the contract has specific guidelines that have been established. He said that there was a time last year when the residual dry matter dropped below acceptable standards and he let H. Coletto know that had happened.

P. Congdon stated the cattle have been moved off the property. He said that over the past year, and in part due to Authority's own planning, staff has been changing fencing to better accommodate wildlife on the property. He said that the front pastures have been fenced off and allowed to reach a better state of equilibrium and vegetative diversity which will lessen the impact to the creek corridor. He said that riparian vegetation is returning.

He said that in the back portion of the property, though the grazing intensity has been high, there seems to be little indication that biodiversity has decreased and, in fact, in the past two weeks California tiger salamander was found at two different locations on the property. He noted they have never been seen on the property before.

He said other surveys continue and that US Fish and Wildlife and Cal Fish and Game biologists have been up to the property and agree that the intensity of grazing needs to change but that is currently underway. He said the property has not reached a point where the area is in a state of resource degradation. He noted that staff has made much effort to correct the issues that are on the property.

He said the agency does make an effort to maintain the welfare of agriculture in the county. He said that resources should not be sacrificed but a balance must be struck between the sustainability of the land with the viability of the ranching family. He said it is prudent to be flexible.

Director Annable stated she would like to see the issue go to the Use & Management Committee.

Taisia McMahon of Save Our Trails would like to request the opportunity to give a ten minute presentation to the Board regarding securing funding for the Three Creeks Trail project.

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Larry Ames introduced himself to the Board and stated he was also in support of securing funding for the Three Creeks Trail.

Director Hall asked that P. Congdon put the presentation on a future meeting agenda.

**WRITTEN
COMMUNICATIONS**

Director Hall asked if there were any written communications.

P. Congdon stated that there were none.

**APPROVAL OF
MINUTES**

January 28, 2010

Director Hall noted that the Board had before them a revised copy of the minutes for their approval.

Director Holtz moved to adopt the revised minutes of January 28, 2010.

Director Annable clarified the minutes concerning her comments on page 3, 2nd paragraph by striking unnecessary language after the first semi-colon, the sentence beginning, "She noted that John Fioretta..." and ending with, "...and what framework to use."

Director Holtz approved the motion to amend the revised minutes. A. Kennett seconded the motion. The motion passed 4-0; A. Kennett abstained because he was not in attendance at the January 28, 2010 meeting.

**APPROVAL OF
CONSENT ITEMS**

Director Hall noted that there were no items on Consent.

BOARD BUSINESS

Agenda Item #1: Presentation of 2010 Outreach Events

P. Congdon introduced the item stating that the Report lists the 2010 Community Event Schedule for 2010. He stated that Celebrate Cambrian will be held on May 15.

Director Kennett noted that Morgan Hill Earth Day would not be held on April 22 but instead would be scheduled to coincide with the opening of the 3rd Street Promenade. The date has not been set yet.

Director Hall asked if any members of the public would like to comment. He noted that no one wished to comment.

Agenda Item #2: Discussion of Role of Citizen's Advisory Committee (CAC) Representatives

Director Annable noted that CAC has been discussing appointing liaisons to

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standing Board committees. She stated that she reviewed the CAC Handbook and noted that it states that in Section 3.5 that if the CAC wants to make a formal recommendation to the Board, the CAC must put it in writing and include justification for their recommendations. She suggested that in regards to the CAC appointing liaisons to the Board's standing committees, the item be referred back to the CAC for a stronger dialogue on whether they want to commit to the time it would take to attend standing committee meetings. If they chose to pursue it they could bring their written recommendation to the Board.

She noted that one of the other questions that came forward in the dialogue was the issue of what the responsibilities and duties of the CAC are in terms of regular Board meetings. She stated that Section 3.3 of the CAC Handbook states that "a member of the Citizen's Advisory Committee will attend..." without specifying which position would be responsible. She noted that a representative is already provided for in terms of the regular Board meeting.

She said that another element in the CAC Handbook states, in Section 2, encourages each of the CAC members to attend, at least once a year, a regular Board meeting and to standing committee meetings.

She said that in terms of if a CAC member is designated as a representative or a liaison, and the Board looks at the issue of the distinction between the two, she suggested the General Manager use a model to describe the difference.

Director Hall clarified that the issue was to be returned to the CAC for further discussion within that group and for possible development of a recommendation to the Board.

Director Holtz suggested that the term "representative" be used instead of "liaison".

Bill Parkin stated that he wanted to be clear that whatever term the Board decided to use for the CAC, whether it is "liaison" or "representative" that they are not present at a meeting as members of the Board or a subcommittee of the Board.

Board discussion ensued.

Director Hall asked if any member of the public would like to comment.

John Fioretta commented saying that members of the CAC do not have a preference as to terminology and the CAC had no intention of wanting to become a part of any committee.

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D. Moore stated that the dialog at the CAC was to assign someone to attend committee meetings.

Director Hall stated that he would be adding an item to the next agenda to revisit the Board committee meeting assignments.

Agenda Item #3: Presentation and Direction to Staff Regarding Proposed Development of Sierra Vista Open Space Preserve

P. Congdon and R. Santos gave a presentation on the status of proposed development at Sierra Vista Open Space Preserve.

P. Congdon stated that due to cost constraints associated with road improvements, construction costs and other costs associated with having a law enforcement presence, he recommended that the Board postpone moving forward on development of planned staging area on Sierra Road.

Board discussion ensued.

Director Holtz suggested allowing limited access through Alum Rock Park.

Henry Coletto stated he thought it would be a good idea to offer more access to the public.

Director Hall stated that though he is generally in favor of opening Authority land to the public, he felt that the costs associated to improving Sierra Vista at this time is prohibitive. He suggested that the Use & Management Committee have a look at the possibilities for developing limited access to Sierra Vista.

Director Kennett stated that he was in favor of postponing the project until it could be developed completely.

P. Congdon stated that staff is looking into an alternative trail route at Sierra Vista.

Director Potter stated he was intrigued by the idea of finding a way to opening the trail network without going all of the way to Sierra Road.

Director Potter made a motion to postpone development of the Sierra Road staging area and work on developing an extension of the trail network within Sierra Vista from Alum Rock Park. Director Holtz seconded the motion. The motion passed 4-1. Ayes: A. Kennett, M. Potter, S. Hall, V. Holtz. Noes: G. Annable

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COMMITTEE MEETING SUMMARIES

Citizen's Advisory Committee Director Hall stated there was no meeting of the CAC.

Acquisition Committee Director Hall stated there was no report.

Use & Management Committee Director Hall stated there was no report.

Administration & Budget Committee Director Hall stated that the Committee met prior to the Board meeting.
P. Congdon stated that staff would be bringing a proposal for amendment to the FY 2009/2010 budget at the February 25, 2010 meeting.

General Manager Evaluation Ad Hoc Committee Director Hall stated the committee did not meet and there was no report.

General Manager's Report P. Congdon stated that he had not report

Legal Counsel Report W. Parkin stated he had no report.

Board Member Reports Director Potter stated he would be attending the Special Districts Association quarterly meeting in March.

Director Holtz stated she attended a meeting of the Martial Cottle Task Force at the beginning of February. She noted funding was available to begin the initial phase of the project.

Director Kennett stated a meeting was scheduled for February 18 at the Morgan Hill Community Center to discuss development of a 20-acre parcel in the southeast quadrant of the catholic boy's high school.

Director Annable stated she had no report.

Director Hall stated that the hiking supply store in Campbell displays the Authority's brochures for the public.

RECONVENE TO CLOSED SESSION Director Hall reconvened the meeting to closed session at 8:50 p.m.

RETURN FROM The Board returned from closed session at 10:08 p.m. Director Hall noted

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CLOSED SESSION there were no reportable actions.

ADJOURNMENT Director Hall adjourned the meeting at 10:08 pm

Respectfully submitted by
Lauren Crook
Clerk of the Board