



## Amended DRAFT MINUTES

SANTA CLARA COUNTY OPEN SPACE AUTHORITY  
Regular Meeting  
Thursday, May 27, 2010  
Meeting 10-10

**ROLL CALL** Chairperson Sequoia Hall called the **regular** meeting of the Santa Clara County Open Space Authority (OSA) to order at **6:30 p.m.** at the Santa Clara County Administrative Office, 6980 Santa Teresa Blvd. Suite 100, San Jose, California.

**Members Present** Sequoia Hall, Alex Kennett, Garnetta Annable, Virginia Holtz, Mike Potter, Calvin Gill, Jim Foran

**Members Excused  
Absent** None

**Members Unexcused  
Absent** None

**Staff Present** Patrick Congdon, General Manager  
William Parkin, Legal Counsel  
Lauren Crook, Clerk of the Board  
Rachel Santos, Open Space Planner

**Public Present** Gerard VanSteyn  
Greg West  
Eric Carruthers  
Taisia McMahon  
Dave Poeschel  
Margo Graziano  
Larry Ames  
Denelle Fedor  
Leslie Hamilton  
Bruce Tichinin  
Martin Delson  
Joan Bohnett  
Jack Nadeau  
David Dearborn  
Six other members of the public were present

**CONVENE TO  
CLOSED SESSION**

At 6:30 p.m. Director Hall convened the meeting to Closed Session.

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**RETURN FROM  
CLOSED SESSION**

The Board members returned from Closed Session at 6:58 p.m. Director Hall stated there were no reportable actions.

**ADOPTION OF  
AGENDA**

Director Potter moved to adopt the agenda. Director Gill seconded the motion.

Director Holtz stated she would like to discuss Gift Acceptance Policy and asked that it be removed from Consent and included in Board Business.

Directors Potter and Gill accepted the amendment to the agenda. The motion passed 7-0.

**PUBLIC  
PRESENTATIONS**

Director Hall asked if there were any public presentations for items not on the agenda.

L. Crook stated that there were no presentations.

**WRITTEN  
COMMUNICATIONS**

Director Hall asked if there were any written communications.

L. Crook stated there were no written communications.

**APPROVAL OF  
MINUTES**

Director Hall stated there were no minutes for approval

**APPROVAL OF  
CONSENT ITEM(S)**

- **Adopt Resolution accepting the preliminary Engineer's Report for District 1, declaring its intention to levy an annual assessment and directing that a public hearing be held to accept comments on the Report prior to renewal of Open Space & Maintenance District No. 1.**

Director Hall asked for a motion to approve the Consent Calendar.

Director Kennett made a motion to approve the Consent Calendar. Director Potter seconded the motion. The motion passed 7-0.

**BOARD BUSINESS**

**Agenda Item #1: Presentation by members of Save Our Trails regarding the Three Creeks Trail in San Jose.**

Taisia McMahan, President of Save Our Trails, gave a presentation to the Board regarding the Three Creeks Trail and asked for funds to help acquire the land to complete the project.

Larry Ames gave a PowerPoint presentation of the status of the Three Creeks Trail project in San Jose.

Denelle Fedor, Chief of Staff for Councilman Oliverio, stated the City of San Jose, through its General Plan and GreenPrint, support the trail.

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Board discussion ensued.

Bruce Tichinin of Save Our Trails addressed the Board and stated his support of the Three Creeks Trail Project.

Leslie Hamilton of Guadalupe River Park and Gardens stated her support of the Three Creeks Trail project.

Further Board discussion ensued.

Director Hall suggested that the Acquisition Committee review the possible acquisition possibilities for the Three Creeks Trail.

P. Congdon stated that staff has spoken to members of the City of San Jose about the project. He suggested that the Board direct him to meet again with staff at the City of San Jose, gather information on the current status and bring a report back to the Board before making a decision as to next steps.

Director Hall, on behalf of the Board, directed P. Congdon to meet with staff from City of San Jose regarding the Three Creeks Trail and return with a report for the Board at a future meeting.

**Agenda Item #2: Discussion of Gift Acceptance and Recognition Policy**

Director Holtz stated she had a suggested amendment to the Policy. She asked that the sections be reordered.

Director Holtz moved to send the Policy back to legal counsel and staff for further revisions. Director Kennett seconded the motion. **The motion passed 7-0.**

**COMMITTEE MEETING SUMMARIES**

**Citizen's Advisory  
Committee**

Director Holtz reported that Bill Parkin, the Authority's legal counsel, gave a presentation on the Brown Act, the Public Records Act and restrictions on political activities. She noted that the business items on the agenda were deferred to the next meeting.

Dave Poeschel stated he felt that the CAC Handbook could use an update and review by legal counsel.

**Acquisition  
Committee**

Director Hall stated the meeting scheduled for May 24<sup>th</sup> had been cancelled.

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**Use & Management  
Committee**

Director Holtz noted that the Committee met and they discussed the OSA grazing program.

**Administration &  
Budget Committee**

Director Hall stated there was no report.

**General Manager  
Evaluation Ad Hoc  
Committee**

Director Hall stated they did not meet. He noted that the beginning of the General Manager's evaluation process would be on the next meeting's Closed Session agenda.

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**General Manager's  
Report**

P. Congdon reported that Margo Graziano of Keen Hire, who is preparing the RFP for strategic planning, was in attendance. He noted that Dana Litwin, the Authority's new Volunteer Coordinator, started on May 17. He also stated that the OSA Summer Newsletter had just been mailed out.

**Legal Counsel Report**

W. Parkin stated he had a phone conference with the HCP attorney's group the day before. He noted that the attorneys for the cities and county have concerns about the Implementing Agreement regarding the funding requirements, the amount of acreage that must be set aside under the NCCP portion of the plan, and concerns over requirements that land be managed in perpetuity.

He said that there was an HCP Liaison's meeting earlier in the day and there was a presentation by someone representing the east Contra Costa HCP. He noted that one of the questions that came up about the difference between recovery and mitigation and how money for recovery is clearly accounted for and not used for mitigation. He said this is one of the issues that he and Pat have been working with Chris Beale, the attorney for the HCP. He said the Plan does not currently define the difference between the two, the concern being that public money not be used for mitigation.

**Board Member  
Reports**

Director Holtz stated she attended the HCP Liaison's meeting and summarized the highlights of the meeting.

Director Gill stated the 2010 San Jose Punjabi Festival would take place on June 19. He noted that everyone was welcome to attend.

Director Potter stated he had no report.

Director Kennett stated that the Committee for Green Foothills would be holding a tour of south county on June 19.

Director Foran stated that the Committee for Green Foothills tour would be highlighting the wildlife corridors in the area; He encouraged the other Board members to join flood control committees in their area.

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Director Annable stated she had no report.

Director Hall stated he had no report.

**ADJOURNMENT**

Director Hall adjourned the meeting 8:45 pm

Respectfully submitted by  
Lauren (Crook) Monack  
Clerk of the Board