



## DRAFT MINUTES

**SANTA CLARA COUNTY OPEN SPACE AUTHORITY**  
**Regular Meeting**  
**Thursday, June 24, 2010**  
**Meeting 10-12**

<b>ROLL CALL</b>	Chairperson Sequoia Hall called the <b>regular</b> meeting of the Santa Clara County Open Space Authority (OSA) to order at <b>6:30 p.m.</b> at the Administrative Office, 6980 Santa Teresa Blvd. Suite 100, San Jose, California.
<b>Members Present</b>	Sequoia Hall, Alex Kennett, Virginia Holtz, Garnetta Annable, Calvin Gill, Jim Foran
<b>Members Excused Absent</b>	Mike Potter
<b>Members Unexcused Absent</b>	None
<b>CONVENE TO CLOSED SESSION</b>	At 6:30 p.m. Director Hall convened the meeting to Closed Session.
<b>RETURN FROM CLOSED SESSION</b>	The Board members returned from Closed Session at 7:12 p.m. Director Hall stated there were no reportable actions
<b>Staff Present</b>	Patrick Congdon, General Manager William Parkin, Legal Counsel Lauren (Crook) Monack, Clerk of the Board Jayne Brownlee, Accountant Dana Litwin, Volunteer & Outreach Coordinator
<b>Public Present</b>	Roland LeBrun Jeanette Hynson, SCI Consultants Don Hordness Henry Coletto Jan Webb Bob Clement Martha Schauss One other person (name unknown)
<b>ADOPTION OF AGENDA</b>	Director Kennett moved to adopt the agenda. Director Gill seconded the motion. The motion passed 6-0
<b>PUBLIC PRESENTATIONS</b>	Director Hall asked if there were any public presentations for items not on the agenda.

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Henry Coletto addressed the Board thanking them and the Use and Management Committee for addressing the issues related to the grazing program.

P. Congdon introduced the Authority's new Volunteer and Outreach Coordinator, Dana Litwin.

D. Litwin greeted the Board and said she was looking forward to working for the Open Space Authority.

**WRITTEN  
COMMUNICATIONS**

Director Hall asked if there were any written communications.

L. Monack stated there were no written communications.

**APPROVAL OF  
MINUTES**

June 10, 2010 Minutes

Director Holtz moved to approve the minutes of June 10, 2010. Director Kennett seconded the motion. The motion passed 5-0; Director Annable abstained because she was not in attendance at the June 10, 2010 meeting.

**APPROVAL OF  
CONSENT ITEM(S)**

- **Adopt two (2) resolutions modifying Contribution and Employer Pick-Up provisions for the California Public Employees Retirement System (CalPERS)**

Director G. Annable moved to approve the Consent Items. Director V. Holtz seconded the motion. The motion passed 6-0.

**BOARD BUSINESS**

**Agenda Item #1: Review and Approve Citizen's Advisory Committee Application for the position of Agriculture Representative Submitted by Don Hordness**

P. Congdon introduced Don Horndess.

D. Hordness greeted the Board and answered Board questions.

Director Kennett moved to approve Don Hordness as the Agriculture Representative on the Citizen's Advisory Committee. Director Gill seconded the motion. The motion passed 6-0.

**Agenda Item #2: Public Hearing and Approval of the Engineer's Report & Levying the Annual Assessment for Open Space Acquisition & Maintenance District No. 1 – Renewal for Fiscal Year 2010/2011.**

P. Congdon stated that the Engineer's Report was before the Board for a public hearing and approval by the Board. He noted that J. Hynson of SCI was in attendance to answer any questions the Board may have.

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Director Hall opened the public hearing.

Noting that no member of the public wished to comment, he closed the public hearing.

Motion: Director Foran made a motion to approve Resolution 10-20. Director Holtz seconded the motion. The motion passed 6-0.

**Agenda Item #3: Public Hearing and Approval of Annual Budget for FY 2010/2011**

P. Congdon stated that the final Budget for FY 2010/2011 was before the Board for their approval. He noted that Jayne Brownlee, the OSA Accountant was in attendance to answer any questions.

J. Brownlee greeted the Board members.

Board discussion ensued.

Director Hall opened the public hearing.

Noting that no member of the public wished to comment, he closed the public hearing.

Motion: Director Foran made a motion to adopt Resolution 10-22. Director Kennett seconded the motion. The motion passed 6-0.

**Agenda Item #4: Presentation of Third Quarter Financial Statements and Investment Reports for the Fiscal Year 2009/2010 ending March 31, 2010.**

J. Brownlee addressed the Board and gave a presentation of the 3<sup>rd</sup> Quarter Financials for FY 2009/2010.

Director Hall asked if the Investment Report had been received.

J. Brownlee stated she had not yet received the Investment Report from the County.

Director Hall asked that if the item could be postponed and J. Brownlee could return to the Board with the Investment Report from the County when it is received.

Director Foran asked to have included a Statement of Net Assets.

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Director Hall asked if any members of the public wished to comment on the item.

Roland LeBrun greeted the Board. He asked for which easement was being referred to in the budget; he asked what kind of professional services were covered; and asked what occupancy referred to.

P. Congdon stated that the easement was with the Santa Clara Valley Water District which was placed on the lands in Sierra Vista that were formerly owned by Mary Moore.

J. Brownlee stated that occupancy referred to office rent and storage facilities used by the Authority. She noted that professional services were for outside services performed such as engineering, auditors, etc.

S. Hall reiterated that the item would be coming back to the Board at the next meeting with all of the associated attachments.

**Agenda Item #5: Authorization to enter into a Purchase Agreement with San Jose State University Tower Real Estate Fund LLC for the acquisition of 228 Acres, APN#: 562-18-009**

P. Congdon introduced the item and gave a summary of the property. He stated the recommendation is that the Board approves the purchase of the property for \$572,450.

Director Foran moved to approve Resolution 10-23, Authorization to enter into a Purchase Agreement with San Jose State University Tower Real Estate Fund LLC for the acquisition of 228 Acres, APN#: 562-18-009. Director Gill seconded the motion. Motion passed 6-0.

**Agenda Item #6: Authorization to enter into Entry and Construction Agreement with Waste Management of California, Inc. for Sierra Vista Preserve Restoration Project and Removal of the Vilas Dam.**

P. Congdon introduced the item and gave a summary of the report. He stated the dam, when it was created, did not have adequate spillage.

Director Kennett moved approve Resolution 10-24, Authorization to enter into Entry and Construction Agreement with Waste Management of California, Inc. for Sierra Vista Preserve Restoration Project and Removal of the Vilas Dam.

Director Annable asked for an amendment to clarify that the Authority would be paying for the dam removal only.

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B. Parkin suggested the resolution be amended as follows:

**NOW, THEREFORE, BE IT RESOLVED**, that the Board authorizes the General Manager to enter into an Entry and Construction Agreement with Waste Management of California Inc., for the restoration of the historic stream corridor, including the Authority's payment for removal of the Vilas Dam,...

Director Kennett accepted the amendment to change the language in the resolution. Director Foran seconded the motion. Motion passed 6-0.

**COMMITTEE MEETING SUMMARIES**

**Citizen's Advisory  
Committee**

Director Hall stated there was no meeting and no report.

**Acquisition  
Committee**

Director Hall stated there was no meeting and no report.

**Use & Management  
Committee**

Director Hall stated that the Committee met before the meeting and there was no report.

**Administration &  
Budget Committee**

Director Hall stated there was no meeting and no report.

**General Manager  
Evaluation Ad Hoc  
Committee**

Director Hall stated there was no meeting and no report. He stated that the Committee was to be formally dissolved.

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**General Manager's  
Report**

P. Congdon stated that he distributed a document provided by Garnetta Annable showing County Parks' schedule of meetings regarding their acquisition program; He distributed a letter he received from Vice Mayor Judy Chirco thanking the Authority for attending the Celebrate Cambrian festival.

**Legal Counsel Report**

W. Parkin stated he had no report.

**Board Member  
Reports**

Director Gill stated he attended the Punjabi Festival the previous weekend. He said he also attended some local community meetings.

Director Holtz attended the stakeholders meeting of the HCP.

Director Kennett stated that the Committee for Green Foothills conducted a tour of the Coyote Valley on June 19<sup>th</sup>.

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Director Foran attended a meeting of the Bay Trail directors. He noted that there were two gaps left in the trail in Santa Clara County. He said that one was through the sewage treatment plant which is city-owned property; from Milpitas to Alviso. He noted the facility is undergoing a master plan process. He said the public comment period on the master plan is June 30.

Director Annable stated that the County Parks would be holding a series of workshops for the criteria for land acquisition funds and are looking for groups to mail out the information to. She stated that the Ridge Trail would be participating in some local events including Festival in the Park.

Director Hall gave a report on the HCP Liaison meeting. He noted that there was discussion of dropping the NCCP portion of the plan.

**ADJOURNMENT**

Director Hall adjourned the meeting 8:18 pm

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