

RESOLUTION 23-22

**A RESOLUTION OF THE GOVERNING BOARD OF THE
SANTA CLARA VALLEY OPEN SPACE AUTHORITY
AUTHORIZING THE GENERAL MANAGER TO EXECUTE PARTICIPATING SPECIAL ENTITY AGREEMENT
WITH THE SANTA CLARA VALLEY HABITAT AGENCY**

WHEREAS, the Santa Clara Valley Open Space Authority (Authority) manages and provides opportunities for recreation on its open space preserves to connect people to nature; and,

WHEREAS, the Llagas Creek Bridge and Day Use Area Project (project) would provide infrastructure to allow year-round public access across Llagas Creek and include the development of an accessible interpretive trail; and,

WHEREAS, the Santa Clara Valley Habitat Plan (Habitat Plan) provides permitting coverage to eligible Participating Special Entities (PSE) for eligible projects and their respective impacts to natural land cover; and,

WHEREAS, the project is a covered project under the Habitat Plan; and,

WHEREAS, based on biological surveys of the project site, land cover impacts were assessed and documented for the Santa Clara Valley Habitat Agency and used to calculate permit fees; and,

WHEREAS, the project has been reviewed by the Wildlife Agencies for compliance with the Habitat Plan and a PSE Agreement with Conditions of Approval has been delivered for execution by the Authority. Once the Agreement has been executed, a Certificate of Inclusion for the project will be issued to the Authority; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the General Manager to execute the Participating Special Entity Agreement with the Santa Clara Valley Habitat Agency to secure Habitat Plan coverage for the Llagas Creek Bridge and Day Use Area Project.

BE IT FURTHER RESOLVED THAT the General Manager is hereby authorized and directed, on behalf of the Authority and in its name, to execute and deliver such other documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of the above resolution.

PASSED, APPROVED AND ADOPTED on the March 23, 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Helen Chapman, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William P. Parkin, Legal Counsel

Caroline Hernandez, Clerk of the Board