

DRAFT MINUTES
Board of Directors Regular Meeting
Meeting 23-17
September 14, 2023

Board Room of the Open Space Authority Administrative Office
33 Las Colinas Lane, San José, CA 95119



DRAFT MINUTES

CALL TO ORDER / ROLL CALL

Chair Helen Chapman called the meeting of the Santa Clara Valley Open Space Authority Board of Directors to order at 6:31 pm in person and via Zoom teleconference.

Members Present Clerk of the Board Caroline Hernandez performed Roll Call:
Alex Kennett, Mike Flaughner, Helen Chapman, Garnetta Annable, Vicki Alexander, Mike Potter and Calvin Gill were present for roll call.

Members Absent None

Staff Present General Manager Andrea Mackenzie
Assistant General Manager Matt Freeman
Assistant General Manager Lea Rauscher
External Affairs Manager Marc Landgraf
Natural Resources Manager Aaron Hébert
Public Information Officer Charlotte Graham
Human Resources Officer Elizabeth Loretto
Fiscal Services Officer Justina Tien
Real Property Program Manager Linda Kwong

Legal Counsel William Parkin
Clerk of the Board Caroline Hernandez

NEW STAFF INTRODUCTIONS

- Natural Resources Manager Aaron Hébert introduced Rachel Clemons, Watershed Restoration Specialist.

ANNOUNCEMENT

Legal Counsel William Parkin made an announcement regarding Closed Session; one item regarding anticipated litigation and one item regarding real property negotiations as listed on the agenda.

The Directors convened to closed session at 6:34 pm.

CONVENE TO CLOSED SESSION

- 1 Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to Government Code section 54956.9(d)(4) (one case)

Parties: Authority, Edgar and Suleyma Andrade, Zanker Road Resource Management, Ltd., First American Title Insurance Company

- 2 Conference with Real Property Negotiator: Government Code Section 54956.8
Agency Negotiator: Andrea Mackenzie, General Manager / Matt Freeman, Assistant General Manager
Under Negotiations: Instructions to negotiator will concern price and terms of payment
Real Property: APNs: 712-05-009, 712-05-012, 712-11-003, 712-17-001
Negotiating Parties: Santa Clara Valley Habitat Agency

REPORT FROM CLOSED SESSION

The Directors returned from Closed Session at 7:07 pm.

PUBLIC COMMENTS

Director Chapman asked if there were any members of the public who wished to speak on any item not on the agenda. There were none.

APPROVAL OF MINUTES

- August 10, 2023

Director Chapman called for a motion. Director Kennett moved to approve the minutes of August 10, 2023. Directors Gill seconded the motion.

The motion passed.

(**Vote:** 7-0-0. **Ayes:** Alex Kennett, Mike Flaughner, Helen Chapman, Garnetta Annable, Vicki Alexander, Mike Potter, Calvin Gill. **Noes:** None. **Abstention:** None.)

APPROVAL OF CONSENT ITEM(S)

- C1 **Informational Item: Check Register and Fund Balance Ending July 31, 2023**
- C2 **Approval of Contract to Maggiora Brother's Drilling, Inc. for the South Pajaro River Agricultural Preserve Well Equipment Upgrade**
- C3 **Authorize the General Manager / An Assistant General Manager to Approve the Amendment to Lease with B&T Farms, M&T Farms, ET Farms LLC and MH Pumpkins LLC**
- C4 **Approval of Contract with Ameredia, Inc. for Ethnic Marketing and Public Relations Services**

Director Chapman called for a motion. Director Potter moved to approve the Consent Items 1 through 4 excluding none. Director Alexander seconded the motion.

The motion passed.

(**Vote:** 7-0-0. **Ayes:** Alex Kennett, Mike Flaughner, Helen Chapman, Garnetta Annable, Vicki Alexander, Mike Potter, Calvin Gill. **Noes:** None. **Abstention:** None.)

NEW BUSINESS

- 1 **Consideration of a Resolution of Necessity to Exercise the Power of Eminent Domain to Acquire a Vacant Parcel Adjacent to the Authority's 60-acre Holding Located at Laguna Avenue and Santa Teresa Boulevard (Property), and a Finding that Acquisition of the Property is Exempt from the Requirements of the California Environmental Quality Act**

Director Chapman called for a motion. Director Annable moved to approve Resolution 23-51 Authorizing the Use of Eminent Domain to Protect Agricultural Land in Coyote Valley. Director Potter seconded the motion.

The motion passed.

(**Vote:** 7-0-0. **Ayes:** Alex Kennett, Mike Flaughner, Helen Chapman, Garnetta Annable, Vicki Alexander, Mike Potter, Calvin Gill. **Noes:** None. **Abstention:** None.)

2 Informational Item: Presentation from Rohan Pandit, Executive Director of Silicon Valley Youth Climate Action

General Manager Andrea Mackenzie introduced the item and invited Rohan Pandit, Executive Director of the Silicon Valley Youth Climate Action to present.

3 Informational Item: Open Space Authority Fiscal Year 2022/2023 4th Quarter Financial and Work Plan Update

Fiscal Services Officer Justina Tien presented the item.

4 Review and Approve Responses to the Expenditure Plan Oversight Committee's Fiscal Year 2021/2022 Oversight Report

Fiscal Services Officer Justina Tien presented the item.

COMMITTEE MEETING SUMMARIES

- Administration and Budget Committee – Presented

INFORMATIONAL REPORTS

- General Manager -- Presented
- Staff -- Presented
- Legal Counsel -- Presented
- Board Member Reports, Liaison Updates & Comments -- Presented

RECONVENE TO CLOSED SESSION

The Directors reconvened to Closed Session at 8:59 pm.

REPORT FROM CLOSED SESSION

The Directors returned from Closed Session at 10:10 pm.

There was no report from Closed Session.

ADJOURNMENT

Director Chapman adjourned the meeting at 10:10 pm.

Respectfully Submitted by Caroline Hernandez
Clerk of the Board