



EAST CONTRA  
COSTA COUNTY  
HABITAT  
CONSERVANCY

City of Brentwood

City of Clayton

City of Oakley

City of Pittsburg

Contra Costa County

# GOVERNING BOARD

## REGULAR MEETING

Friday, December 9, 2016  
11:00 a.m.

City of Brentwood  
Brentwood City Hall, Council Chambers  
150 City Park Way, Brentwood, CA 94513

### AGENDA

**11:00 a.m. Convene meeting.**

#### **Adjourn to Closed Session**

#### **CS1) Conference with Legal Counsel – Existing Litigation (Gov. Code, § 54956.9(d)(1))**

Discovery Builders, Inc. v. City of Brentwood, California; City Council of the City of Brentwood, et al.; Contra Costa County Superior Court, Case No. N13-1781

#### **Reconvene Open Session. Will not start before 11:20 a.m.**

- 1) **Report on any actions taken in Closed Session.**
- 2) **Introductions.**
- 3) **Public Comment on items that are not on the agenda** (public comment on items on the agenda will be taken with each agenda item).
- 4) **Consider the following CONSENT items:**
  - a) **APPROVE the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board meeting of October 24, 2016.**
  - b) **ACCEPT update on recently installed signs in the Vasco/Byron Corridor.**
  - c) **ACCEPT update on media coverage of Conservancy activities.**  
(Abigail Fateman)
- 5) **Consider the following Governing Board administrative matters:**
  - a) **CONFIRM Conservancy Chair and Vice Chair for 2017;**
  - b) **AUTHORIZE staff to schedule the next Governing Board meeting for February 2017 once Board membership for the year has been set. SET the schedule for the remainder of 2017 at the February meeting.**  
(Abigail Fateman)

- 6) Consider the following actions related to the Conservancy's Public Advisory Committee (PAC):
- a) **ACCEPT** resignation of Dick Vrmeer and **ACKNOWLEDGE** Mr. Vrmeer's contributions to the East Contra Costa County Habitat Conservancy and **DIRECT** staff to open recruitment for a Suburban/Rural Resident PAC member;
  - b) **REVIEW** the composition requirements of the Conservancy's PAC and attendance of Committee Members;
  - c) **ADOPT** PAC attendance policy, **DETERMINE** member selection process, and **REVIEW** current composition of PAC;
  - d) **ACCEPT** update on PAC 2016 activities.
- (Abigail Fateman)
- 7) Consider **APPROVING** recommendations from the Public Advisory Committee for the allocation of 2016 East Contra Costa County Habitat Conservancy Science and Research Grant Program grant funds for two projects totaling \$15,000.
- 8) Consider **APPROVING** the 2017 Conservancy Work Plan.  
(Abigail Fateman and Allison Cloney)
- 9) Consider the following actions related to legislative matters:
- a) **ADOPT** the 2017 Legislative Platform;
  - b) **SUPPORT** the California Habitat Conservation Planning Coalition 2017 Legislative Platform;
  - c) **ADOPT** Resolution 2016-04 to support working together with agencies from across California to request that the United States Congress restore overall funding of the U.S. Fish and Wildlife Service Cooperative Endangered Species Fund from approximately \$50 million to \$85 million in the Fiscal Year 2018 Interior and Related Agencies Appropriations bill;
  - d) **AUTHORIZE** the Chair or staff, as appropriate, to communicate items on the Platform to relevant members and staff of the U.S. Congress and the California Legislature, relevant federal and state agencies, potential advocacy partners and others;
  - e) **AUTHORIZE** payment of \$5,000 as membership dues for the California Habitat Conservation Planning Coalition in 2017;
  - f) **AUTHORIZE** payment of \$1,000 as membership dues for the National Habitat Conservation Plan Coalition;
  - g) **AUTHORIZE** payment of \$2,500 as membership dues for the Bay Area Open Space Council.
- (Abigail Fateman)
- 10) Consider the following actions related to Conservancy finances:
- a) **APPROVE** the 2017 Conservancy Budget;
  - b) **AUTHORIZE** staff to execute annual contracts for on-going consulting services with:
    - **ICF Jones and Stokes:** not to exceed \$95,000 for the term from January 1, 2017 to December 31, 2017;
    - **H.T. Harvey and Associates:** not to exceed \$40,000 for the term from January 1, 2017 to December 31, 2017;

- **Monk and Associates: not to exceed \$60,000 for the term from January 1, 2017 to December 31, 2017.**
  - **Nomad Ecology: not to exceed \$205,000 for the term from January 1, 2017 to December 31, 2017.**
  - **Sapere Environmental: not to exceed \$25,000 for the term December 9, 2016 to December 31, 2017.**
  - **Habitat Restoration Services (formerly Restoration Resources): not to exceed \$100,000 for the term from January 1, 2017 to December 31, 2017;**
  - **Thunder Mountain Enterprises: not to exceed \$50,000 for the term from January 1, 2017 to December 31, 2017;**
  - **California Retaining Walls, Co.: not to exceed \$50,000 for the term from January 1, 2017 to December 31, 2017;**
- c) **AUTHORIZE staff to execute contract amendments for on-going consulting, restoration and land management services with:**
- **Go Native, Inc.: extend the contract term from December 31, 2016 to December 31, 2017;**
  - **Vollmar Natural Lands Consulting: increase the contract amount by \$45,000 from \$105,000 to \$150,000 and extend the term from December 31, 2016 to December 31, 2017;**
- d) **AUTHORIZE staff to execute a contract for legal services with Resources Law Group: not to exceed \$110,000 for a term from January 1, 2017 through December 31, 2017;**
- e) **AUTHORIZE staff to amend an existing contract for legal services with Abbott and Kindermann to extend the contract term one year to December 31, 2017.**
- f) **AUTHORIZE staff to execute a cost-sharing agreement with the East Bay Regional Park District for \$100,000 for land acquisition through December 2017.**  
(Joanne Chiu and Abigail Fateman)

- 11) **Consider AUTHORIZING staff to execute a funding agreement with the East Bay Regional Park District, one state grant agreement with the Wildlife Conservation Board, and one federal subgrant agreement with the Wildlife Conservation Board for federal funds for acquisition of the Campos property (APN 001-011-021; unincorporated Contra Costa County, CA). (Joanne Chiu)**
- 12) **Consider AUTHORIZING staff to execute a funding agreement with the East Bay Regional Park District, one state grant agreement with the Wildlife Conservation Board, and one federal subgrant agreement with the Wildlife Conservation Board for federal funds for acquisition of the Save Mount Diablo Nortonville property (APN 075-070-002; unincorporated Contra Costa County, CA). (Joanne Chiu)**
- 13) **Consider the following actions related to the acquisition of the Viera North Peak Property:**
- a) **AUTHORIZE East Contra Costa County Habitat Conservancy (Conservancy) staff to enter into an Option, Purchase and Sale Agreement with Save Mount Diablo (Seller).**
  - b) **AUTHORIZE Conservancy staff to enter into one state grant agreement with the Wildlife Conservation Board (WCB), and one federal subgrant agreement with**

**the WCB for acquisition of the Viera North Peak property (APN 078-110-005; Unincorporated Contra Costa County, CA).**

- c) **AUTHORIZE Conservancy staff to exercise the Option, Purchase and Sale Agreement after receiving grant funding approval from WCB.**

(Joanne Chiu)

- 14) **Consider the following actions related to extending take coverage to Phillips 66 Pipeline LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2016:**

- a) **AUTHORIZE staff to execute a Participating Special Entity Agreement with Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2016;**
- b) **AUTHORIZE staff to file a Notice of Exemption with the County Clerk for the project.**

(Allison Cloney)

- 15) **RECOGNIZE Conservancy Board Member Piepho for her service to the East Contra Costa County Habitat Conservancy.**

- 16) **Adjourn. The next Governing Board meeting is February 2017.**

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If you have questions about this agenda or desire additional meeting materials, you may contact Maureen Parkes of the Contra Costa County Department of Conservation and Development at 925-674-7203.

*The Conservancy will provide reasonable accommodation for persons with disabilities planning to participate in this meeting who contact staff at least 24 hours before the meeting*