



**EAST CONTRA
COSTA COUNTY
HABITAT
CONSERVANCY**

City of Brentwood

City of Clayton

City of Oakley

City of Pittsburg

Contra Costa County

GOVERNING BOARD

SPECIAL MEETING

Monday, June 4, 2018

2:00 p.m.

City of Clayton

Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517

AGENDA

2:00 p.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.

- 1) Report on any actions taken in Closed Session. Open Session will not start before 2:30 p.m.**
- 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 Records from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board meetings of February 26, 2018 and April 23, 2018.**
 - b) ACCEPT update on media coverage of Conservancy activities.**
 - c) Consider the following actions related to the Conservancy’s Public Advisory Committee (PAC):**
 - i. ACCEPT Kelly Davidson’s resignation from the PAC; and**
 - ii. DIRECT Conservancy staff to open recruitment to fill one seat in the Suburban/Rural Residents stakeholder group of the Public Advisory Committee.**

(Abigail Fateman)

5) 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 2018:

- a) **FIND** that on the basis of the whole record before the Conservancy that there is no substantial evidence that the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2018 project as mitigated will have a significant effect on the environment and that the March 21, 2018, Mitigated Negative Declaration is adequate for the purpose of compliance with the California Environmental Quality Act (CEQA) and reflects the Conservancy's independent judgment and analysis. **ADOPT** the March 21, 2018 Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program prepared for the project;
 - b) **AUTHORIZE** staff to execute a Participating Special Entity Agreement with Phillips 66 Pipeline, LLC for take coverage of the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2018 Project; and
 - c) **DIRECT** staff to file a CEQA Notice of Determination with the County Clerk.
- (Allison Cloney)

6) Consider the following actions related to extending take coverage to ACD-TI Oakley, LLC for the Cypress Preserve Project:

- a) **ADOPT** the Findings of Fact pursuant to CEQA;
- b) **AUTHORIZE** staff to execute the Agreement Regarding the Extension of Take Authorization for the Cypress Preserve Project with ACD-TI Oakley, LLC, the City of Oakley, and the Wildlife Heritage Foundation, agreeing to ECCC HCP/NCCP-acceptable alternative means of fulfilling a portion of the ECCC HCP/NCCP mitigation fees, which includes land dedication, applicant-responsible wetland restoration, and the establishment of ongoing assessments; and
- c) **DIRECT** staff to file a CEQA Notice of Determination for this Board action with the County Clerk.

(Joanne Chiu)

7) Consider the following actions to implement the Horse Valley Creek and Wetland Restoration Project ("Project"):

- a) **ADOPT** the Findings of Fact pursuant to CEQA;
- b) **AUTHORIZE** Conservancy staff to execute the Agreement Between East Bay Regional Park District and East Contra Costa County Habitat Conservancy Relating to Habitat Restoration at Horse Valley, approving the payment of up to \$710,103.26 to the East Bay Regional Park District for construction of the Project,;
- c) **DIRECT** staff to file a CEQA Notice of Determination for this Board action with the County Clerk; and
- d) **DIRECT** Conservancy staff to monitor construction of the Project and inspect final improvements to confirm completion of the Project in accordance with the plans and specifications.

(Abigail Fateman)

- 8) Consider the following actions related to the Conservancy's finances:
- a) AUTHORIZE staff to execute an amendment to the existing contract with ICF Jones and Stokes, Inc. to increase the contract limit by \$50,000 from \$120,000 to \$170,000 with no change to the contract term.
 - b) AUTHORIZE staff to execute a contract amendment with Vollmar Natural Lands Consulting for increase the contract limit by \$45,000 from \$195,000 to \$240,000 and extend the term through March 31, 2019.
 - c) AUTHORIZE staff to execute a contract with Evans and De Shazo, Inc. for up to \$6,000 for a term from June 15, 2018 through December 31, 2018.
- (Abigail Fateman)

Adjourn. The next regular Governing Board meeting is June 25, 2018.

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.*