

North Santa Clara Resource Conservation District

An independent special district of the State of California

SUMMARY MINUTES

Regular Meeting of the Board of Directors

Thursday, September 5, 2024, at 5:30 p.m.

Meeting held at 1560 Berger Drive, San Jose, CA 95112

Note: Though agenda items may be considered out of order (for example, to accommodate the schedules of guest speakers and/or members of the public in attendance for a specific item, or when items are removed from the consent agenda), the official minutes remain recorded in the same order as originally published in the official agenda. Number of votes are reflected in the following order: Aye-Nay-Abstention, with nays and abstentions called out by Director name.

1. **Call to Order:** The meeting was called to order by President Hare. Directors present: President Susan Hare, Vice President Bautista, and Directors Jeannie Entin, Frank Maitski and Paula Quintero (arrived at 5:44 p.m.; left at approximately 8:42) Executive staff present: Executive Director/District Clerk Stephanie Moreno and District Counsel Julie Gantenbein.
2. **Meeting Agenda:**

Motion: Approve the agenda as presented. (Bautista/Hare; 4-0-0; Quintero absent)
3. **Public Comment – Matters Not on the Agenda:** None
4. **Consent Agenda:** President Hare requested that Items 4.1 and 4.2 be moved to the regular agenda. Director Entin requested that Item 4.5 be moved to the regular agenda.

Motion: Approve the consent agenda minus Items 4.1, 4.2, and 4.5. (Maitski/Bautista; 4-0-0; Quintero absent)

 - 4.1 **Approve minutes for the May 2, 2024 Regular Board meeting:** President Hare requested an amendment.

Motion: Approve the Thursday May 2nd summary minutes with the addition of “The Board did not adopt the recommendations and deferred discussion to a later to-be-named date” to Item 7.1.1. (Hare/Maitski; 4-0-0; Quintero absent)
 - 4.2 **Approve minutes for the May 15, 2024 Special Board meeting:** President Hare requested the minutes be deferred.

Motion: Defer the minutes for the May 15th meeting to the next regularly scheduled meeting. (Hare/Bautista; 4-0-0; Quintero absent)
 - 4.5 **Authorize registration, travel, and lodging expenditures for Directors Entin and Maitski to attend the CARCD Annual Membership Meeting and Conference, and authorize the Executive Director to approve an excess lodging rate of up to \$159.00 per night, plus taxes and fees, for conference attendees:** Director Entin reported that she would no longer be able to attend the conference.

Motion: Authorize registration, travel, and lodging expenditures for Director Maitski and no other changes as written to that item. (Hare/Entin; 4-0-0; Quintero absent)
5. **Partner Reports:**
 - 5.1 **USDA-NRCS:** No report.
 - 5.2 **Other Partners:** Report received from Seth Schalet, CEO, Santa Clara County FireSafe Council.

6. Administration:

6.1 Director Appointment:

6.1.1 *Report to Board regarding meeting between Board President Susan Hare and Office of the County Clerk, Boards and Commissions:* President Hare reviewed her written report.

6.1.2 *Discussion and potential action regarding documentation of County-RCD appointment coordination procedures (including confirmation regarding appointment effective date):* The Board discussed the draft document prepared by President Hare entitled *Draft 8.27.24 Procedures for Appointment to North Santa Clara Resource Conservation District. Final draft approved by the County Clerk, submitted for discussion by NSCRCD directors.* Executive Director Moreno noted that the District does not have access to verify voter registration and residency, as set forth in the draft. District Counsel Gantenbein asked for clarification on the process for incumbents wishing to be re-appointed; President Hare responded that if the Director does not give notice, it is presumed by the County that they wish re-appointment. District Counsel Gantenbein suggested it may be helpful to develop a standard form for the Directors to use to provide notice to the County whether or not they wish to seek another term; President Hare indicated she would prefer to incorporate language into the draft document rather than creating a separate document. District Counsel Gantenbein recommended to the Board that some documentation of the mutual agreement be recorded with the County and the County be responsible for qualifying candidates. Directors discussed additional changes to the draft; President Hare recorded the requested changes and will discuss them with the County.

Motion: Approve draft 8.27.24 as prepared by President Hare with the changes made during discussion. (Maitski/Quintero; 5-0-0).

6.1.3 *Discussion and potential action regarding initiation of recruitment process:* During discussion, President Hare recorded requested changes to the District's application that she will have forwarded to the Executive Director for implementation.

Motion: Initiate recruitment process immediately, with candidates who submit a supplemental application by October 7, 2024 being eligible for interview with NSCRCD for possible recommendation to the Board of Supervisors, and that special meetings be scheduled on October 15 and October 16th to interview candidates for the vacancies. (Hare/Bautista; 5-0-0).

6.1.4 *Discussion and potential action regarding report from ad hoc committee delivered at the May 2, 2024 Board meeting (Rubric and Process for Director Vacancy Appointment):* After discussion, President Hare requested that Director Entin write up a high level "welcome to the interview" process and that Vice President Bautista revise the rubric, with both to be presented at the next meeting.

6.2 District Office Space:

Motion: Move back to the 1st Street site. (Maitski/Entin; 3-2-0; Bautista and Quintero opposed).

6.3 FY 24-25 Proposed Budget:

Motion: Approve the budget as stated. (Maitski/Bautista; 4-0-0; Quintero absent).

6.4 *Annual Policy Review:* President Hare distributed copies to the Directors of a revised *Rules of Order Policy* she prepared, which included a recommended change of title to *Board Meetings and Agendas Policy*. Director Maitski commented that how things get on the agenda is missing from the recommended policy. President Hare reviewed the document and indicated she would provide it to the Executive Director after the meeting to give her an opportunity to make

comments, and that it would be brought back to the Board for consideration at the October meeting.

6.5 *District Personnel:*

Motion: Set aside time on the October agenda to conduct the Executive Director's performance evaluation for the period ending June 30, 2024. (Hare/Bautista; 4-0-0; Quintero absent).

7. Board Member, Associate Director, Committee, and Executive Director Reports:

7.1 President Hare requested that at the next meeting the following items be added to the agenda: minutes for all meetings through and including this meeting; status report on the logo contest; and Director Quintero's earlier request for a discussion of hiring support staff. In response to a question from Director Bautista, President Hare announced that the next meeting shall be held at the N. 1st Street location.

8. Closed Session:

8.1 *Conference with District Counsel—Potential Litigation (Government Code §54956.9(d)(4); 1 item).*

9. Report from Closed Session: Session not held.

10. Meeting adjourned:

Motion: Adjourn meeting. (Hare/Bautista; 4-0-0; Quintero absent)

Consent Agenda

- 4.1 Approve minutes for the May 2, 2024 Regular Board meeting. *(moved to regular agenda)*
- 4.2 Approve minutes for the May 15, 2024 Special Board meeting. *(moved to regular agenda)*
- 4.3 Accept financial statements for July 2024.
- 4.4 Authorize the Executive Director to reimburse District employees for safety and field equipment the Executive Director deems necessary for the safe and efficient discharge of employee and volunteer duties.
- 4.5 Authorize registration, travel, and lodging expenditures for Directors Entin and Maitski to attend the CARCD Annual Membership Meeting and Conference, and authorize the Executive Director to approve an excess lodging rate of up to \$159.00 per night, plus taxes and fees, for conference attendees. *(moved to regular agenda)*
- 4.6 Approve a resolution in support of CARCD member RCDs who submitted draft resolutions to CARCD for consideration at the 2024 Annual General Membership Meeting scheduled for December 10-12, 2024.
- 4.7 Authorize the Executive Director, in consultation with District Counsel and Director Maitski, the CARCD delegate and a member of the CARCD Bylaws Committee, to submit comments regarding the proposed amendments to the CARCD Bylaws (September 30, 2024 deadline).
- 4.8 Authorize the Executive Director, in consultation with District Counsel, to submit public comments regarding proposed revisions to the current Santa Clara LAFCO policies, including but not limited to those which will impact special district authority to provide services pursuant to Government Code Section 56133(e).
- 4.9 Authorize the Executive Director to submit a project proposal in the approximate amount of \$72,000 (with NSCRCD in-kind personnel costs of approximately \$8,600) to the Alameda County RCD to participate in a Greater Bay Area Conservation Hub (GBACH) regional application for a USDA-NRCS *Composting and Food Waste Reduction* grant for GBACH's *Building Equity and Growing Sustainable Agriculture through Composting and Food Waste Recovery with the Greater Bay Area Conservation Hub* project; if funded, NSCRCD will partner with Veggielution, Valley Verde, Garden to Table SV, UCCE Santa Clara, and Earth Foundries on local implementation; authorization is retroactive because GBACH's

decision was finalized after the August agenda was posted and the grant deadline was September 4, 2024.

- 4.10 Authorize the Board President to appoint a NSCRCD Director, subject to their concurrence, to be the designated representative to the Santa Clara County Special Districts Association (SCCSDA) for the remainder of 2024 to fill the vacancy left by the resignation of Director McColl (next meeting date September 9, 2024).

Information Only:

- 4.11 Valley Water; *Notice of Availability of Partially Recirculated Draft Environmental Impact Report*; dated August 5, 2024.
- 4.12 County of Santa Clara Controller-Treasurer's Office; *FY24 Year End Investment Information*, dated August 5, 2024.
- 4.13 County of Santa Clara Controller-Treasurer's Office; *June 30th, 2024, Detailed Investment Portfolio Listing*, dated August 19, 2024.
- 4.14 County of Santa Clara Controller-Treasurer's Office; *Excess ERAF Update*; dated August 20, 2024.
- 4.15 USDA-NRCS; *Notice of Grant and Agreement Award for NR249104XXXXC035*; new funding for Year 2 of the Farm and Ranch Resilience Program in the amount of \$75,000 (no match); dated August 29, 2024.
- 4.16 Santa Clara County Climate Collaborative; *2024-26 Strategic Plan*; received August 30, 2024.
- 4.17 USDA-NRCS; *Notice of Approved GADSUM-3 Submission Memo for a No-Cost Extension of Time for NR239104XXXXC014*; extension of term end date from August 31, 2024 to December 31, 2024; dated August 28, 2024.
- 4.18 Special Districts Risk Management Authority (SDRMA); *FY 24-25 Membership Certificate*; effective September 1, 2024.
- 4.19 County of Santa Clara; *2024 Local Agency Biennial Notice*; September 2, 2024.