

North Santa Clara Resource Conservation District

An independent special district of the State of California

ACTION MINUTES

Regular Meeting of the Board of Directors

Thursday, November 7, 2024, at 5:30 p.m.

Meeting held at 888 N. 1st Street, Suite 204, 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 Vice President Bautista. Directors present: Vice President Gail Bautista and Directors Entin, Maitiski, and Quintero (arrived at 5:49 p.m. and left during Item 9). Executive Director/District Clerk Stephanie Moreno and District Counsel Julie Gantenbein.
2. **Meeting Agenda:** Executive Director Moreno reported that she had requested that the presenters (Item 5) delay their presentation until the December meeting to allow Director Quintero to participate in the candidate interviews, as she has to leave the meeting at 6:45 p.m.

Motion: Approve the agenda as amended with Item 5 continued until the next meeting. (Entin/Maitiski; 3-0-0; Quintero absent)
3. **Public Comment:** None
4. **Consent Agenda:** Executive Director Moreno requested that the September minutes be amended to state that “no action was taken” during closed session.

Motion: Approve the consent agenda as amended. (Maitiski/Entin; 3-0-0; Quintero absent)
5. **Presentation:** *Continued until the December meeting.*
6. **Partner Reports:**
 - 6.1 *USDA-NRCS:* No report.
 - 6.2 *Other Partners:* No reports.
7. **Administration:**
 - 7.1 *Director Vacancies:*
 - 7.1.1 *Appointment Process Update:* Executive Director Moreno reported on communications with the County Clerk of the Board’s Office regarding the appointment process. She clarified the Board of Supervisors does not have a deadline for appointments, so it is possible that a candidate could submit an application to the County after the Board of Directors makes their recommendation and still be considered for appointment by the County.
 - 7.1.2 *Candidates Interviews:* The Board held interviews of the two (2) candidates (Melanie Richardson and Matt Roben) who had submitted a District application and had accepted the invitation to interview for one of the three (3) positions on the NSCRCD Board of Directors with terms scheduled to expire on November 29, 2024.
 - 7.1.3 *Board Recommendation:*

Motion: Approve a resolution requesting the re-appointment of Gail Bautista as a District Director. (Entin/Frank; 4-0-0)

Motion: Recommend Melanie Richardson and Matt Roben to fill the two (2) vacant seats. (Bautista/Quintero; 4-0-0)

7.2 **District Officers:**

Motion: Frank Maitski be President and Gail Bautista continue as Vice President, effective immediately. (Entin/Quintero; 4-0-0)

After the passage of the motion, President Maitski assumed responsibility as the presiding officer for the remainder of the meeting.

7.3 **Associate Directors:** Executive Director Moreno reported that Associate Directors Johmann and Leikam have decided not to pursue additional terms, and Associate Director Wilson has resigned.

7.4 **SWOT Analysis:** Executive Director Moreno gave an update on progress and let the Board know that based on the final number of interviews and stakeholders, additional hours may be needed to complete the analysis.

8. Programs and Projects:

8.1 **Logo Contest:** Executive Director Moreno reported that no applications were received. The Board by consensus agreed to add Director Entin to the ad hoc naming and branding committee with Vice President Bautista to discuss next steps for logo development.

8.2 **West Santa Clara County Landscape Resilience Project:** Executive Director Moreno reviewed insurance issues regarding the ability of the District to serve as CEQA lead agency for the Santa Clara FireSafe Council and reported that the District's role is being put on hold while they look for a successor lead agency.

9. Board Member, Associate Director, Committee, and Executive Director Reports: President Maitski reported on the prescribed burn he attended recently at the invitation of CAL FIRE and gave an update on CARCD Bylaws Committee progress. Associate Director Lanman gave an update on research projects and Executive Director Moreno gave a brief update on several programs and projects.

10. Closed Session:

10.1 Initiation of litigation pursuant to Government Code section 54956.9(d)(4) (1 item).

10.2 Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) (1 item).

11. Report from Closed Session.

11.1 Direction to counsel to initiate an action has been given. In the action, the defendants and other particulars shall once formally commenced be disclosed to any person upon inquiry in accordance with Government Code Section 54957.1.

11.2 No action to report.

12. New Business/Items for Next Agenda: Board meeting time/meals and ad hoc naming and branding committee report.

13. Meeting Adjourned at 8:01 p.m.

Consent Agenda

4.1 Approve minutes for the September 5, 2024 Special Board meeting.

4.2 Accept financial statements for September 2024.

4.3 Authorize the Executive Director to open new checking and savings accounts, with the Board President and Executive Director as signatories per the District's Financial Policy adopted on June 6, 2024, at a second financial institution that meets the District's banking needs and provides federal deposit insurance.

4.4 Reschedule the January Board of Directors Regular Meeting from January 2, 2025 to January 9, 2025, due to the holiday on January 1, 2025.

- 4.5 Adopt the FY 2024-25 annual work plan in alignment with the adopted 2024-25 Budget and 2019-2024 Long Range Plan.
- 4.6 Authorize the Executive Director to abstain from voting in the California Special Districts Association election to approve changes to the association bylaws.
- 4.7 Authorize the Executive Director to execute an amendment in an amount not to exceed \$11,900 to the agreement with Ascent for environmental consulting services for NSCRCD's *San Antonio Valley Vegetation Treatment Project* (Project ID 2024-31), required by the scope of work for CAL FIRE Agreement 5GA21155.
- 4.8 Authorize the Executive Director to execute an agreement with Kurey and Associates for on-call prevailing wage services; funding to be provided on a proportional basis via the *CARCD-WCB Los Gatos Creek Watershed Restoration Services Agreement*, the *NSCRCD-City of San José Partnership Agreement*, and the NSCRCD general fund.
- 4.9 Authorize the Executive Director to execute an agreement with Erendira Saenz of Globally You for on-call Spanish interpretation and translation services; funding to be provided on a proportional basis via the *NRCS Farm and Ranch Resilience Program Cooperative Agreements*, the *NSCRCD-City of San José Partnership Agreement*, the *Resilient and Equitable Urban Stream Corridors Grant Agreement*, and NSCRCD general fund.
- 4.10 Authorize the Executive Director to execute an agreement with Minh An Nguyen for on-call Vietnamese interpretation and translation services; funding to be provided on a proportional basis through the *NRCS Farm and Ranch Resilience Program Agreements*, the *NSCRCD-City of San José Partnership Agreement*, the *Resilient and Equitable Urban Stream Corridors Grant Agreement*, and the NSCRCD general fund.

Information Only:

- 4.11 Santa Clara County; *GASB 77 Tax Abatement Disclosure - FY2023-24*; received October 1, 2024.
 - 4.12 Santa Clara County; *North Santa Clara Resource Conservation District COI Code Approved by Code-Reviewing Body*; dated October 8, 2024.
 - 4.13 CAL FIRE Santa Clara Unit; *Fuel Treatment Effectiveness Monitoring & Fuel Treatment Tracking*; received October 22, 2024.
 - 4.14 US EPA Region 9; *EPA SFBWQIF-BIL funding opportunity is OPEN (to build resiliency in underserved communities)*; received October 25, 2024.
 - 4.15 Santa Clara County LAFCO; *LAFCO Policy Revisions – Second Round Public Review and Comment; Notice of LAFCO Public Hearing scheduled for December 4, 2024*; received October 29, 2024.
 - 4.16 Project Beaver; *Best Management Practices for Tree and Crop Protection*; forwarded by Heid Perriman, *Worth a Dam*, October 30, 2024.
 - 4.17 Alameda County RCD; *East Bay Wildlife Connectivity Virtual Stakeholder Meeting Recording*; forwarded by Rick Lanman, MD, NSCRCD Associate Director, November 2, 2024 (meeting held October 29, 2024 and recording available until November 22, 2024).
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