



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

Thursday, May 27, 2010  
12:15 p.m.

Office of Supervisor Federal Glover  
315 E. Leland Road  
Pittsburg, Ca 94565

← NEW LOCATION!

### AGENDA

- 1) **Introductions and pledge of allegiance.**
- 2) **Public Comment** on items that are not on the agenda (public comment on items on the agenda will be taken with each agenda item).
- 3) **Consider AUTHORIZING the Executive Director to execute an amendment to the block grant Agreement with the California Wildlife Conservation Board (grant agreement number SG-8015TM) to address expenditure of lease revenue and possible extension of agreement term after seeking approval from the Chair that the amendment to the Agreement is consistent with the intent of the Board.**

#### Adjourn to Closed Session

- 4) **Closed Session: Conference With Real Property Negotiators**  
Property: APN 001-011-047 (Byron area)  
Agency Negotiators: John Kopchik and Abby Fateman  
Negotiating Parties Conservancy and East Bay Regional Park District  
Under negotiation: Price and payment terms
- 5) **Closed Session: Conference With Real Property Negotiators**  
Property: APN 001-021-007 (Byron area)  
Agency Negotiators: John Kopchik and Abby Fateman  
Negotiating Parties: Conservancy and East Bay Regional Park District  
Under negotiation: Price and payment terms

#### Reconvene Open Session

- 6) **Report on any actions taken in Closed Session.**
- 7) **Adjourn. (We expect to adjourn before 1:00 p.m.)**

*If you have questions about this agenda or desire additional meeting materials, you may contact John Kopchik of the Contra Costa County Department of Conservation and Development at 925-335-1227.*

*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.*

**EAST CONTRA COSTA COUNTY  
HABITAT CONSERVANCY**

**DATE:** May 27, 2010  
**TO:** Governing Board  
**FROM:** Conservancy Staff  
**SUBJECT:** Amendment to Grant Agreement with the Wildlife Conservation Board

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**RECOMMENDATION**

AUTHORIZE the Executive Director to execute an amendment to the Block Grant Agreement with the California Wildlife Conservation Board (grant agreement number SG-8015TM) to address expenditure of lease revenue and the possible extension of grant term. AUTHORIZE staff to sign all the documents necessary to execute the Agreement after seeking approval from the Chair that the amendment to the Agreement is consistent with the intent of the Board.

**DISCUSSION**

At the July 16, 2009 meeting the Conservancy Governing Board (“Board”) preliminarily approved Agreement SG-8015TM (“Block Grant Agreement”) with the California Wildlife Conservation Board (WCB) that would provide \$6,531,054 from the federal Cooperative Endangered Species Conservation Fund (“Section 6 Funds”) for land acquisition projects on a block grant basis. At the December 16, 2009 meeting the Board reviewed and approved the revised draft. During this meeting the Board authorized the Executive Director to sign all the documents in order to execute the agreement and close on the Vaquero Farms South property, the first property to be purchased pursuant to the Block Grant Agreement. One or possibly two amendments are necessary to the Block Grant Agreement in order to assist East Bay Regional Park District (“EBRPD”) with the purchase of properties to become part of the HCP/NCCP Preserve System.

CONTINUED ON ATTACHMENT: <u>YES</u>	
ACTION OF BOARD ON: <u>May 27, 2010</u>	APPROVED AS RECOMMENDED: _____
OTHER: _____	
<b><u>VOTE OF BOARD MEMBERS</u></b>	
__ UNANIMOUS	
AYES: _____	I HEARBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.
NOES: _____	
ABSENT: _____	
ABSTAIN: _____	
	ATTESTED _____ CATHERINE KUTSURIS, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY
	BY: _____, DEPUTY

**Amendment One:** The amendment that will definitely be required is an amendment to address the expenditure of lease revenue from property acquired with funds from the Block Grant Agreement. One pending acquisition is expected to earn approximately \$75,000 annually in lease revenue from existing cellular telephone installations. WCB and the U.S. Fish and Wildlife Service (“FWS”) require that the Block Grant Agreement be amended to specify how such revenues will be used prior to allowing their funds to be used for the purchase. Conservancy, EBRPD, WCB and FWS staff have discussed the proposed content of the amendment and are working on the language for the amendment. The amendment will provide that EBRPD, as the owner of the property, will receive the revenue and deposit it to a separate account. The revenues may be used for the following purposes:

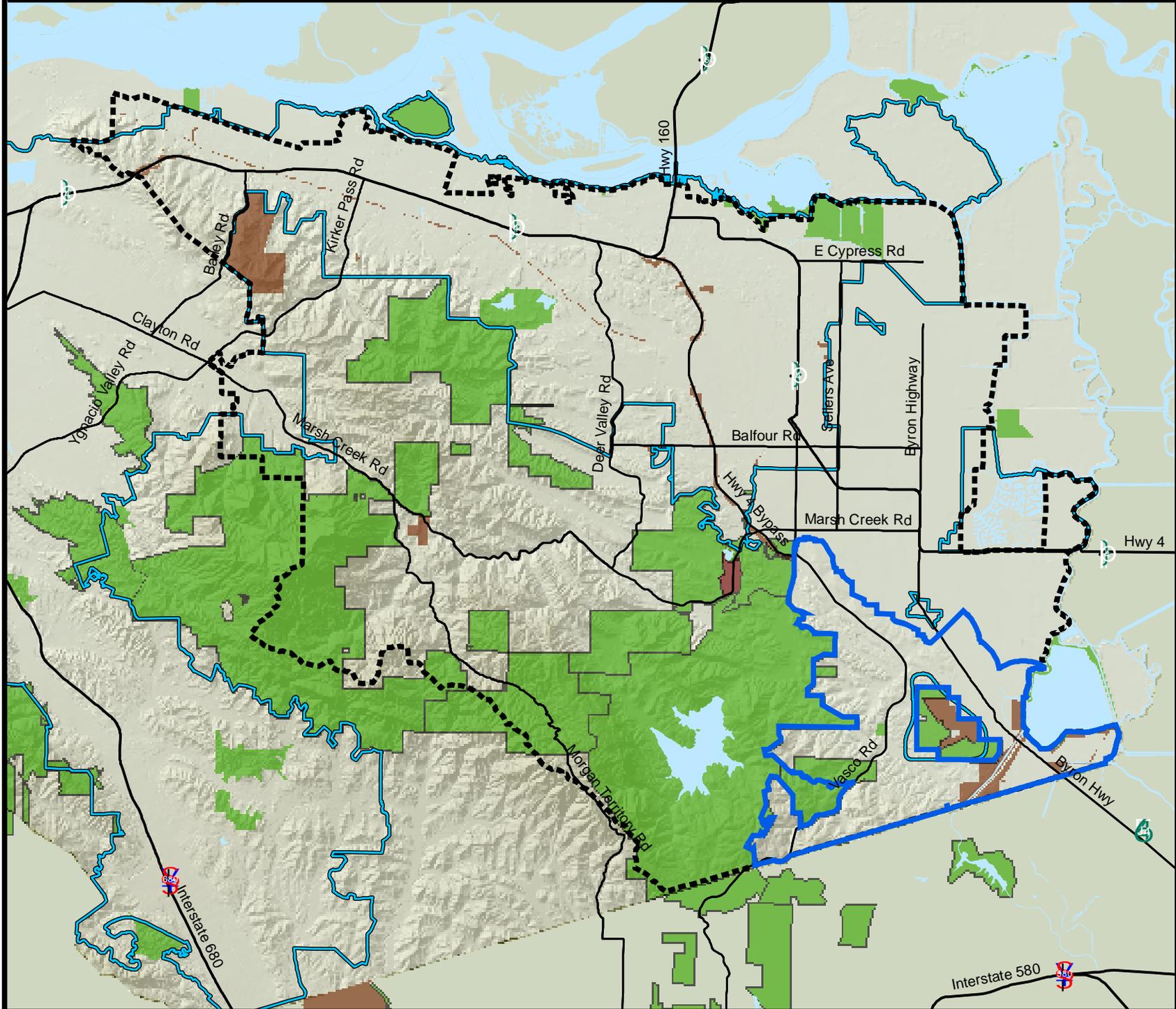
- a) Additional land acquisition to the HCP/NCCP Preserve System by EBRPD in the area that is eligible for the Block Grant Agreement.
- b) Management consistent with the HCP/NCCP of the current and future HCP/NCCP Preserve System lands within the area eligible for the Block Grant Agreement, including but not limited to:
  - o construction, repair and maintenance of fences and livestock watering facilities
  - o park rangers, police and fire
  - o habitat enhancement
  - o monitoring and adaptive management.
- c) A non-wasting endowment to pay for management activities described in item (b) in the long term. The lease revenue cannot be counted on indefinitely and placing a portion of the funds into an endowment is intended to help pay for maintenance at such time when the lease revenue ceases.

**Amendment Two:** The other potential amendment is an extension of the grant term. The Block Grant Agreement is set to expire on June 30, 2010. WCB has requested from FWS an extension of the federal grant contract that funds the Block Grant Agreement and if this request is successful, the Block Grant Agreement will need to be amended to extend the term to match the extension of the federal contract to WCB.

**Attachments:**

- Map of Eligibility Area for Block Grant Agreement

Areas Eligible for Block Grant Agreement with WCB for FY06 Section 6 Funds



- Legend**
-  Inventory Area
  -  County Urban Limit Line
  -  Major Rd / Hwy
  -  Public Facilities with Undeveloped Land
  -  Non-Urban Parks, Public Watershed Lands, and Deed Restricted Open Space. (as of Nov 2003)
  -  Area Eligible for Block Grant Agreement

