



SPECIAL AND REGULAR MEETING

**BOARD OF DIRECTORS
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

Wednesday, July 10, 2024

*The Board of Directors conducted this meeting in accordance with
California Government Code section 54953.*

DRAFT MINUTES

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT – STUDY SESSION**

President MacNiven called the special meeting of the Midpeninsula Regional Open Space District to order at 5:30 p.m.

ROLL CALL

Members Present: Jed Cyr, Craig Gleason, Karen Holman, Yoriko Kishimoto, Margaret MacNiven, and Curt Riffle

Members Absent: Zoe Kersteen-Tucker

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Executive Assistant/Deputy District Clerk Loana Lumina-Hsu, Executive Assistant/Deputy District Clerk Shaylynn Nelson, Senior Planner Tina Hugg, Planner III Galli Basson

President MacNiven announced this meeting is being held in accordance with Government Code section 54953. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website.

1. Hawthorns Historic Complex – Draft Vision and Goals (R-24-86)

Planner III Galli Basson provided the staff presentation on the draft Vision and nine Historic Complex Goals for the Hawthorns Historic Complex. She explained the next steps, with Board approval anticipated for August 28, 2024.

Director Kishimoto inquired and received confirmation that there has been some archaeology work at the site and there were findings.

Director Kishimoto inquired if the findings will be included as part of the indigenous history.

Ms. Balli stated the District would like to highlight the findings and staff will be engaging with the Indigenous groups. The inclusion of the findings will be dependent on the engagement.

Director Kishimoto asked if the Hawthorns area will have a similar integration of elements and history as the Alma College Interpretive Area at Bear Creek Redwoods Open Space Preserve.

Ms. Balli stated staff is exploring the feasibility as there are different site constraints at the Hawthorns area.

Director Riffle asked for additional information regarding the easement.

Ms. Basson explained the property has a conservation easement written in 2005, which is highly restrictive. The easement limits uses of the property in order to protect conservation values. Staff is working closely with Peninsula Open Space Trust (POST) to stay consistent with the easement. She stated some of the structures are 130 years old.

Public comment opened at 5:54 p.m.

Executive Assistant/Deputy District Clerk Loana Lumina Hsu stated Kristi Corley registered to provide an oral comment, however, Ms. Corley was not in attendance virtually or in-person and there were no further public speakers for this item.

Public comment closed at 5:55 p.m.

Director Riffle requested an explanation of how the Hawthorns Area Plan project will be proceeding in conjunction with the Hawthorns Historic Complex project.

Ms. Basson stated the Hawthorns Area Plan Public Access Working Group (PAWG) completed their tasks and their recommendations will go to the Planning and Natural Resources Committee currently scheduled for September 17, 2024. The Committee will consider forwarding the recommendations to the full Board. Once the Board makes a final decision on the recommendations, staff will work on drafting a document called the Hawthorns Area Plan. The Plan will guide the use and management of the Hawthorns Historic Complex.

Director Kishimoto inquired if it is possible to bring back animals.

Ms. Basson stated staff is exploring the possibility of having a limited number of animals as part of the programming and would have to fit within the area goals and the conservation easement.

Ms. Basson explained after the feasibility phase, there will be opportunity to delve into the features that the District would like to highlight and how the District would like the public to experience them. She stated because of the site constraints, staff is figuring out what the District can and cannot do at the site.

Director Kishimoto asked staff to note her interest in the olive orchard as part of the landscape architecture.

Director Holman stated the olive orchard generated numerous conversations during PAWG meetings.

Senior Planner Tina Hugg stated staff has received much feedback on the olive orchard. Staff will be coming up with options that fit within the District’s mission, which will be presented for consideration when this item returns to the Board.

No Board action required.

ADJOURNMENT

President MacNiven adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:13 p.m.

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

President MacNiven called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Craig Gleason, Karen Holman, Yoriko Kishimoto, Margaret MacNiven, and Curt Riffle

Members Absent: Zoe Kersteen-Tucker

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Executive Assistant/Deputy District Clerk Loana Lumina-Hsu, Executive Assistant/Deputy District Clerk Shaylynn Nelson, Grants Program Manager Carol Schimke, Accounting Technician Cristeen Shima-Kunze, Public Affairs Manager Lori Low, Management Analyst II Tina Perez, Lead Ranger Steven Johnson, Chief Ranger/Visitor Services Manager Matt Anderson, Area Superintendent Brad Pennington, Natural Resources Manager Kirk Lenington, Senior Resource Management Specialist Coty Sifuentes-Winter, Resource Management Specialist III Meredith Manning,

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PLEDGE OF ALLEGIANCE

Lead Ranger Steven Johnson lead the Pledge of Allegiance.

ORAL COMMUNICATIONS

Public comment opened at 7:02 p.m.

Melany Moore, Friends of Bear Creek Stables, thanked the Board Directors who are participating in the working groups.

Public comment closed at 7:03 p.m.

ADOPTION OF AGENDA

Motion: Director Cyr moved, and Director Kishimoto seconded the motion to adopt the agenda.

ROLL CALL VOTE: 6-0-0 (Director Zoe Kersteen-Tucker absent.)

SPECIAL ORDERS OF THE DAY

- **Introduction of Staff**
 - Carol Schimke, Grants Program Manager
 - Cristeen Shima-Kunze, Accounting Technician
 - Lori Low, Public Affairs Manager
 - Tina Perez, Management Analyst II
- **Proclamation**
 - Recognizing the Retirement of Ranger Ken Miller

CONSENT CALENDAR

Public comment opened at 7:22 p.m.

Ms. Lumina-Hsu stated Kristi Corley registered to provide an oral comment, however, Ms. Corley was not in attendance virtually or in-person and there were no further public speakers for this item.

Public comment closed at 7:23 p.m.

Motion: Director Riffle moved, and Director Cyr seconded the motion to approve the Consent Calendar.

ROLL CALL VOTE: 6-0-0 (Director Zoe Kersteen-Tucker absent.)

1. **Approve the June 25, 2024 and June 26, 2024 meeting minutes**
2. **Approve Claims Report**
3. **Hawthorns Historic Complex – Approval of Interim Stabilization and Debris Removal Plan (R-24-87)**

General Manager's Recommendation: Approve Interim Stabilization and Debris Removal Plan for Hawthorns Historic Complex as recommended by the Hawthorns Historic Complex Ad Hoc Committee.

4. Approval of selected Phase II Trail Segment names at Bear Creek Redwoods Open Space Preserve, renaming of the Alma Trail, and naming of the existing ADA-accessible path through the Alma Cultural Landscape Area (R-24-88)

General Manager's Recommendations:

1. Review and affirm the Legislative, Funding & Public Affairs Committee's recommendation to rename the Alma Trail as Upper Pete Siemens Trail.
2. Review and affirm the following Legislative, Funding & Public Affairs Committee recommended names for Phase II trail segments:
 - a. Segment 1 – Lower Pete Siemens Trail
 - b. Segment 2 – Thimbleberry Trail
 - c. Segment 3 – Toad Hollow Trail
 - d. Segment 4 – Oak Knoll Trail
 - e. Segment 5 – Myotis Trail
 - f. Segment 6 – Beaver Trail
 - g. Segment 7 – Salamander Springs Trail
 - h. Segment 8 – Big Eared Bat Trail
 - i. Segment 9 – Radio Hill Trail
 - j. Existing ADA-accessible path – Almadale Trail

5. Contract Amendment for Bear Creek Redwoods Mitigation and Monitoring Plan Consultation (R-24-89)

General Manager's Recommendations:

1. Authorize the General Manager to execute a contract amendment with AECOM Technical Services, Inc., of Oakland, California, to provide project management support and prepare a Mitigation and Monitoring Plan for the Bear Creek Redwoods Phase II North Parking Area project, in the amount of \$29,573, bringing the contract base amount to a not-to-exceed total of \$65,553.
2. Authorize a 15% contingency of \$4,436 to cover unforeseen conditions and complexities for the Mitigation and Monitoring Plan for a total contract amount not-to-exceed \$69,989.
3. Authorize an allowance to provide biological consultation on the Bear Creek Redwoods Stables Capital Maintenance and Repair Project, including a riparian delineation, in the amount of \$20,000, bringing the contract amount to a not-to exceed total of \$89,989.

6. Correction to the Classification and Compensation Plan and a Corresponding Correction in the Midpeninsula Regional Open Space District Memorandum of Understanding with the Field Employees Association (R-24-90)

General Manager's Recommendations:

Adopt a resolution:

1. Approving a corrected Classification and Compensation Plan for Midpeninsula Regional Open Space District Employees.

2. Approving a corrected Appendix A to the Memorandum of Understanding with the Field Employees Association.

7. Updates to Board Policy 5.02 – *Good Neighbor Policy* (R-24-91)

General Manager’s Recommendation: Adopt the proposed updates to Board Policy 5.02 – *Good Neighbor Policy* to clarify language and reflect current best practices.

BOARD BUSINESS

8. Proposed Third-Party Compensatory Mitigation Project at Bear Creek Redwoods Open Space Preserve (R-24-92)

Senior Resource Management Specialist Coty Sifuentes-Winter provided the staff presentation for the proposed third-party compensatory mitigation project at Bear Creek Redwoods (BCR) Open Space Preserve. He reviewed the differences between restoration and mitigation and explained the habitat types present at the wet meadow in BCR and the existing conditions.

Consultant Katie Gallagher with H.T. Harvey & Associates reviewed the existing habitats, habitat impacts, and channel restoration at the offsite development project location.

Mr. Sifuentes-Winter presented the proposed off-site mitigation at BCR, which includes restoring 1.43 acres of the wetland, creation of 0.04 acres of wetland, and riparian enhancements. He noted additional restoration work would be required beyond the proposed mitigation work, and this project will lay the foundation for the future restoration work.

Director Gleason inquired on impacts to trail use.

Mr. Sifuentes-Winter stated there would be no impact to trail use with the caveat that during the first stages of mitigation work, during earth moving, the trail may be temporarily closed to allow equipment to arrive on-site.

Director Riffle requested further explanation of the finances for the project and the long-term impact on staff for complying and monitoring to meet reporting requirements.

Mr. Sifuentes-Winter stated if the item was approved, the District would go into funding negotiations, which would include staff time, constructions costs, and planning costs. He stated it should be a net zero financial. However, there are some risks since the developer would like to provide the funding up front with the District completing the mitigation monitoring work. He stated the District will need to scope the work correctly because the District will be financially responsible to meet success criteria of the mitigation project.

Director Riffle requested an explanation on the reporting of the mitigation project.

Mr. Sifuentes-Winter explained staff goes to the mitigation site twice a year and monitors based off the success criteria outlined within the permits from the regulatory agencies. Staff will then write a report, which is sent to the regulatory agencies. The regulatory agencies receive and review the reports to make sure the District is meeting the success criteria.

Director Cyr noted that the costs over 10 years will increase and requested staff to build increased costs into consideration.

Mr. Sifuentes-Winter confirmed staff will take escalation costs over time into consideration.

Public comment opened at 7:53 p.m.

Ms. Lumina-Hsu reported there were no public speakers for this item.

Public comment closed at 7:53 p.m.

Director Holman suggested an amendment to the motion, adding an inclusion escalation factor for inflation.

Mr. Sifuentes-Winter explained the approval for the mitigation agreement will return to the Board. This future item will include an explanation of how the costs were estimated, including the use of inflation factors.

Director Holman withdrew her amendment.

Motion: Director Kishimoto moved, and Director Riffle seconded the motion to

1. Accept staff's analysis of the proposed third-party compensatory mitigation project at Bear Creek Redwoods Open Space Preserve to restore 1.43 acres of seasonal wetland and riparian habitat.
2. Authorize the General Manager to negotiate a mitigation agreement with KM-ECR, LLC, (estimated at \$450,000 to \$640,000 over ten years) and return for future approval of the mitigation agreement.

ROLL CALL VOTE: 6-0-0 (Director Zoe Kersteen-Tucker absent.)

9. First reading of revised "Ordinance for Use of Midpeninsula Regional Open Space District Lands" (R-24-93)

Foothills Area Superintendent Brad Pennington provided the staff presentation for the first reading of the revised Ordinance for Use of Midpeninsula Regional Open Space District Lands. He reviewed the two parts of the ordinance, which consist of the ordinance itself and the bail schedule. He reviewed the changes and new additions to the Ordinance, and changes to the bail schedule.

Public comment opened at 8:07 p.m.

Ms. Lumina-Hsu reported there were no public speakers for this item.

Public comment closed at 8:07 p.m.

Motion: Director Kishimoto moved, and Director Cyr seconded the motion to

1. Waive reading, read by title only, and introduce the proposed amendments to the Ordinance regulating use of Midpeninsula Regional Open Space District Lands for adoption at the next regular meeting of July 24, 2024.

2. Recommend proposed updates to the Bail Schedule for adoption at the next regular Board meeting of July 24, 2024.

ROLL CALL VOTE: 6-0-0 (Director Zoe Kersteen-Tucker absent.)

INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported on the Bear Creek Stables Ad Hoc Committee Focused Working Group for Fundraising and Partnerships meets once per week and is exploring opportunities.

Director Holman reported the Bear Creek Stables Ad Hoc Committee Focused Working Group: for Architecture, Site Design, and Engineering met and are now working as three subcommittees. She reported the meeting is scheduled for the upcoming weekend and there will be a site visit with District staff on July 15, 2024.

Director Gleason reported the Bear Creek Stables Ad Hoc Committee Focused Working Group for Operations and Planning meets each week with a site visit scheduled for July 11, 2024.

B. Staff Reports

Ms. Ruiz stated she and President MacNiven will be attending the San Mateo County Parks Centennial celebration.

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak stated the District closed the bond deal on July 8, 2024 for approximately \$37,000,000.

C. Director Reports

Director Holman stated she and Assistant General Manager Brian Malone will be presenting to the Palo Alto Kiwanis Club on the Alpine Trail on July 11, 2024.

Director Cyr stated he attended the Fair Political Practices Commission (FPPC) workshops on Forms 420 and 700.

President MacNiven stated she, Assistant General Manager Brian Malone, and Governmental Affairs Specialist Josh Hugg met with the Mayor of East Palo Alto Antonio Lopez and toured Ravenswood and Pulgas Ridge Open Space Preserves.

Mr. Malone explained Mayor Lopez is a candidate for the San Mateo County Board of Supervisors and Mr. Hugg is scheduling tours to meet with the candidates and introduce the District before they become the elected official.

ADJOURNMENT

President MacNiven adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 8:18 p.m.

Loana Lumina-Hsu
Executive Assistant / Deputy District Clerk