



Midpeninsula Regional
Open Space District

July 24, 2024
Board Meeting 24-20

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Wednesday, July 24, 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

President MacNiven called the special meeting of the Midpeninsula Regional Open Space District to order at 5:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Craig Gleason, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret MacNiven, and Curt Riffle

Members Absent: Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, District Clerk/Assistant to the General Manager Maria Soria, Real Property Manager Allen Ishibashi, Real Property Agent 1 Jasmine Leong

Director Holman attended the Special Meeting at 5:08 p.m.

President MacNiven announced that 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. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: Santa Clara County APN: 544-02-004

Agency Negotiator: Allen Ishibashi, Real Property Manager

Negotiating Party: Mark E. Edwards

Under Negotiation: Purchase Terms

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: Santa Clara County APN: 517-24-020

Agency Negotiator: Jasmine Leong, Real Property Agent I

Negotiating Party: Anne Dunham

Under Negotiation: Purchase Terms

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: Santa Clara County APN: 562-23-006

Agency Negotiator: Allen Ishibashi, Real Property Manager

Negotiating Party: Drew Reid, Coldwell Banker

Under Negotiation: Purchase Terms

Public comment opened at 5:00 p.m.

District Clerk Maria Soria reported no public comments were submitted for the closed session item.

Public comment closed at 5:00 p.m.

The Board convened into closed session at 5:01 p.m.

ADJOURNMENT

President MacNiven adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:57 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 7:08 p.m.

ROLL CALL

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

Members Absent: None

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, District Clerk/Assistant to the General Manager Maria Soria, Executive Assistant/Deputy District Clerk Shaylynn Nelson, Area Superintendent Brad Pennington, Management Analyst II Deborah Bazar, and Visitor Services Manager/Chief Ranger Matt Anderson

President MacNiven announced that 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, that was physically posted at the District's Administrative Office, and on the District website.

REPORT OUT OF CLOSED SESSION

President MacNiven reported the Board met in closed session, and no reportable action was taken.

ORAL COMMUNICATIONS

Public comment opened at 7:08 p.m.

District Clerk Soria reported there were no public speakers for this item.

Public comment closed at 7:08 p.m.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:09 p.m.

Ms. Soria reported there were no public speakers for this item.

Public comment closed at 7:09 p.m.

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

ROLL CALL VOTE: 7-0-0

- 1. Approve the July 10, 2024 Board meeting minutes**
- 2. Approve Claims Report**
- 3. Amendment to the Agreement with Santa Clara County for Communications Services (R-24-94)**
General Manager's Recommendation: Authorize the General Manager to amend a contract with Santa Clara County to perform annual maintenance, assist with design consultation and review, install and verify a new digital simulcast radio communications system, and extend the term to June 30, 2027, in the amount of \$111,848, for a total contract amount not-to-exceed \$161,848.

4. Revisions to Board Policy 3.03 - Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing (R-24-96)

General Manager's Recommendation: Review and approve the proposed changes to Board Policy 3.03 - Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing to increase the General Manager's expenditure authority by 2% pursuant to California Public Resources Code section 5549(b)(2).

BOARD BUSINESS

5. Second reading and adoption of revised "Ordinance for Use of Midpeninsula Regional Open Space District Lands" (R-24-97)

Foothills Area Superintendent Brad Pennington stated that today is the second reading of the Ordinance for the Use of Midpeninsula Regional Open Space District Lands and there has been no changes since last presented to the Board on July 10.

Public comment opened at 7:10 p.m.

Ms. Soria reported there were no public speakers for this item.

Public comment closed at 7:10 p.m.

Motion: Director Kersteen-Tucker moved, and Director Riffle seconded the motion to waive second reading, read by title only, and adopt the Ordinance for Use of Midpeninsula Regional Open Space District Lands and adopt the Bail Schedule as revised.

ROLL CALL VOTE: 7-0-0

6. Award of Contract to RACOM Corporation to Replace an Existing Very High Frequency (VHF) Analog Conventional System with a P25 Digital Conventional System for the Radio System Assessment and Upgrade Project (R-24-95)

Management Analyst II Deborah Bazar provided the staff presentation for the District's radio project and the award of contract to RACOM Corporation. She explained the current radio system needs upgrading as the equipment is reaching end-of-life and the manufacturers no longer fabricate replacement parts or provide support. There are also coverage issues in existing District lands and potential acquisitions. The upgrade will improve both the patrol radio system and the administrative/maintenance radio system and coverage will be improved. The RACOM cost of services and infrastructure is \$1,893,479 with a contingency of 5% requested in the amount of \$94,674 for a total of contract amount of \$1,988,153. Additionally, staff recommends entering into a Support Agreement with RACOM for ongoing technical support for a total contract amount not-to-exceed \$376,969 over 10 years.

Director Riffle inquired if the District will now have better coverage with the upgraded system.

Ms. Bazar mentioned that the system cannot effectively reach deep ravines, valleys, redwood groves, and other remote areas. The proposed project will provide significant improvement but there will always be gaps.

Director Riffle commented that while speaking with rangers, he has discovered that rangers are on their own if they cannot access radio coverage, and inquired if the District should pursue better coverage.

Ms. Bazar responded that the current solution is the best achievable at this time, unless the District opts to construct its own radio towers and sites. She mentioned that an engineer had conducted a comprehensive system assessment and modeling of all the area's towers. From these models, it was determined that this setup provides the most benefit to the District. To address some of the coverage issues, satellite phones have also been acquired.

Director Kersteen-Tucker inquired if there will still be challenges at Pigeon Point even with satellite phones which work coastwide, other than within the canyons.

Ms. Bazar responded that the satellite phones are primarily for supporting district staff who are out on the coast. Once Pigeon Point communication tower is operational, coverage should improve significantly.

Director Kersteen-Tucker inquired if Pigeon Point was in-line for service.

Ms. Bazar stated that Pigeon Point's current equipment shelter lacks space for new equipment and currently there are no plans to upgrade or expand the shelter. The priority has been for Pescadero. Efforts are ongoing to prioritize Pigeon Point, including district offers to expand the shelter or provide generators. Staff has also considered constructing a new shelter and tower in Cloverdale but it would be an expensive option.

General Manager Ana Ruiz commend Ms. Bazar for her incredible work on this challenging project. She faced numerous obstacles and issues, but she persevered. Despite the difficulties and time-consuming efforts with Motorola, she found a creative solution to make it work, and is thankful for her dedication.

Public comment opened at 7:46 p.m.

Ms. Soria reported there were no public speakers for this item.

Public comment closed at 7:46 p.m.

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

1. Award a contract to RACOM Corporation to provide equipment, services, installation, and testing for the Radio System Assessment and Upgrade project for a not-to-exceed base amount of \$1,893,479.
2. Authorize a 5% contingency in the amount of \$94,674 to cover unforeseen issues related to the upgrade project, for a total contract amount not-to-exceed \$1,988,153.
3. Authorize the General Manager to execute a Support Agreement with RACOM for firmware, software, and technical support to the new radio system (once completed) with annual operating costs totaling \$39,481 per year for years two through five, and \$43,809 per year for years six through ten, for a total contract amount not to-exceed \$376,969.

ROLL CALL VOTE: 7-0-0

7. Staging/Parking Area and Trailhead Design Guidelines (R-24-98)

Assistant General Manager Susanna Chan provided the staff presentation for the Staging Area/Parking and Trailhead Design Guidelines (Design Guidelines). She began by explaining the background for the Design Guidelines, including the staging/parking areas and trailheads, the Board's request for design guidelines, retaining CSW/ST2 to assist developing the Design Guidelines. On March 13, staff presented initial design guideline elements to the Board, receiving early feedback. Subsequently, on May 8, the Board reviewed and commented on the draft Design Guidelines. She explained that the document is not a stand-alone document, and it centers on the District's two mission statements and complements existing District policies and guidelines that guide public access projects. It is a living document, and future updates are anticipated as the guidelines are tested against various project types, sizes, budgets, and constraints. Any future potential changes that challenge the values, approach, or design elements that the Board has approved will be brought to the Board for final approval. Lastly, Ms. Chan highlighted the key changes which were made based on feedback received from the May 8 meeting.

Director Riffle noted that the Board had received numerous comments from the equestrian community regarding asphalt, and as an equestrian, he understood their concerns and asked if staff would like to comment.

Ms. Chan stated that asphalt has been a surface paving material for a long time and is generally not considered toxic. It is not soluble in water and typically does not leach chemicals into the soil. The District has used asphalt as a parking area material for several parking areas, and those projects require permits from regulatory agencies responsible for protecting natural resources and the environment. Staff has not received comments regarding the use of asphalt. Furthermore, she explained that one of the elements in the document relates to equestrian parking specifically, on page 20, which includes a statement that staff should consider equine friendly servicing materials for parking and trail routes. She also noted that despite the document being in draft form and awaiting final approval, some of its guidance is already being applied to current projects such as the La Honda Creek Parking Area Project, which includes multiple parking areas. One of the parking areas is anticipated to accommodate equestrian parking at Sears Ranch, and gravel is proposed instead of asphalt. This illustrates how these principles are being used in current and future designs.

Director Gleason asked whether there was a similar discussion for the Bear Creek North Parking.

Ms. Chan stated that alternative surface materials are being evaluated instead of asphalt. These considerations are in the conceptual phase and will be thoroughly vetted during the detailed design process.

Director Holman suggested adding the words "ecologically sensitive" before "recreational uses" in the third sentence of page 3 under Midpen Public Access Planning Process. The District's mission statement includes the term "ecologically sensitive." She commented that low-intensity and ecologically sensitive are not necessarily redundant. The revised sentence would read: "...provision of public access to open space lands for low-intensity and *ecologically sensitive* recreational uses."

Ms. Chan confirmed she would add it to the document.

Director Holman raised concerns about the signage guidelines on page 35. She noted that the current guidelines for revising the Sign Manual only includes two bullet points: use a minimalist approach and about sign frames. She believes there should be additional bullet points, such as avoiding reflective signs, limiting sign height, and consider viewscapes, that would guide the Sign Manual. The current language is not reflected in improved signage in the parking areas.

Ms. Chan responded that some of the items mentioned, such as reflective signs, are operational requirements needed to enforce regulations at night. Certain signs, like ADA regulatory signs, must meet specific standards which are reflected in the Sign Manual. However, other elements related to signage that are not required by state laws can be considered. She added, that if other areas are identified in the future that address some of Director Holman's concerns and are not required by standards, they can be considered for inclusion and the document can be updated accordingly.

Director Holman asked if there have been any conversations with San Mateo County Board of Supervisors regarding the required EV parking in all parking lots including remote parking lots.

Ms. Chan stated that staff has not had conversations with the County Supervisors and noted that San Mateo County requires EV charging stations as part of their general plan goals. She mentioned that at the May 8 Board meeting, there were discussions about EV charging stations or implementation of the transportation demand management strategies. The feedback from the Board was to consider EV charging stations, even if it may not be immediately implemented. The plan was to include infrastructure that will support EV charging stations in the future which is reflected in the document.

Public comment opened at 8:16 p.m.

Ms. Soria reported there were no public speakers for this item.

Public comment closed at 8:16 p.m.

Director Riffle thanked Ms. Chan and the consultants for effectively capturing the intended directions. He also expressed appreciation for Director Holman's extra effort in incorporating her feedback. He appreciates that the document sets guidelines and that it does not set specifics which he believes was the intent of the document. He expressed concerned that documents tend to get too specific in certain areas rather than set guidelines, for example, signage which should be managed by the responsible parties. Overall, he feels the document successfully provides clear guidelines.

Director Kishimoto acknowledged the existing ambiguity about how each guideline relates to the policies but expressed satisfaction with the document as it stands. She suggested that any needed changes could be addressed in the future.

Director Gleason commented that there are some principles outlined that are good in general for the open space. He suggested that these same ideas should be considered when planning trails and roads, such as designing elements that reflect and complement the surrounding environment. This includes using native materials when possible or complementary imported materials when necessary, and balancing durability and maintenance considerations against the design principles.

While he's not proposing any specific changes, he emphasized the importance of keeping these considerations in mind.

Director Cyr stated that staff did a fantastic job, and the document is incredibly thorough.

Director Kishimoto asked in relation to asphalt does the District know enough about the cumulative impact or will staff continue to learn more about it.

Ms. Chan reiterated that the District uses materials in projects requiring regulatory permits, which are overseen by agencies responsible for protecting the natural environment and resources. If any issues arise, these agencies will alert staff. She assured that staff will continue to monitor for new regulations, and if needed, the District will follow that guidance.

Director Kishimoto commented that the District often goes beyond meeting regulations and actively takes a leading role in considering environmental concerns.

Director Kersteen-Tucker commented that she was impressed with how the document strikes a balance between not being prescriptive but providing guidelines which is very representative of the District.

Director Holman expressed her gratitude for the document, noting that it represents a significant improvement. She mentioned that while she appreciates the overall quality, she wishes there was more guidance on signage. Lastly, she asked for confirmation if her addition of "ecologically sensitive" would be added to page 3 of the document.

Ms. Chan confirmed the addition.

Motion: Director Kishimoto moved, and Director Holman seconded the motion to review and approve the proposed Staging/Parking Area and Trailhead Design Guidelines with Director Holman's addition to page 3.

ROLL CALL VOTE: 7-0-0

INFORMATIONAL REPORTS

A. Committee Reports

None

B. Staff Reports

General Manager Ruiz reported that staff is actively touring with prospective candidates for seats. Recently, staff conducted a tour with Tara Sreekrishnan, a candidate for Assembly Member Low's seat. The tour took place at Fremont Older, and Director Gleason also participated. Additionally, Ms. Ruiz attended the Land & Facilities Department's annual retreat at Cherry Springs Pond. The retreat was well attended, with 60 people from the department. The theme of the day was change, and a facilitator led a discussion on the opportunities and challenges associated with change, and the importance of communication.

C. Director Reports

Director Cyr reported that he attended the Santa Clara Valley Water Commission meeting on July 24. Although the meeting was not held due to a lack of quorum, those present received a summary of the reports. Additionally, he attended the July 18 Docent Naturalist Graduation.

Director Riffle reported that he is continuing to work on the Bear Creek Stables Ad Hoc Funding and Partnership working group, and recently toured the Bear Creek Stables. He thanked Land & Facilities Manager Brandon Stewart and Engineering & Construction Manager Jay Lin, noting that the tour elevated the knowledge and appreciation of the working group members that attended. Additionally, he reported attending the July 18 Docent Naturalist Graduation on July 18, with celebrated 23 graduates. He also highlighted that one of the docents has 45 years of experience working with the District

Director Kersteen-Tucker reported that she also attended the Docent Naturalist Graduation on July 18. She expressed her gratitude to Deputy District Clerk Shaylynn Nelson and District Clerk Soria for their assistance with issuing her the nomination papers for the upcoming November 5, 2024 election.

Director Gleason reported that he continues to meet weekly with the Bear Creek Stables Operations and Programming working group. He will be meeting with Ms. Chan on July 25, and staff, to introduce the working group, discuss their direction, and prepare for the August 6 Bear Creek Ad Hoc Committee. Additionally, he thanked Assistant General Manager Brian Malone for taking him on a field trip to various locations in the trail system. During the trip, they discussed different surfaces and some of the public concerns, visiting numerous sites and had a great discussion. Lastly, he reported attending two candidate tours, both held at Fremont Older, as well as the July 18 Docent Naturalist graduation.

Director Holman reported on the third Bear Creek Stables ad hoc group and expressed her admiration for the expertise and dedication of the group members, who are willing to actively participate and work hard. The group meets weekly, and due to the subcommittees, they meet more frequently. She also thanked Melanie, one of the working group members in attendance. They held their first meeting with staff on July 15, which included a site visit with Senior Property Management Specialist Omar Smith, Mr. Stewart, and Mr. Lin. It was a productive meeting with a good exchange of thoughtful comments and ideas. She thanked Ms. Chan for the tone she set for this process, commending her great leadership. She also expressed gratitude to both Directors of the ad hoc committee and staff for their openness.

Director MacNiven reported that she attended the 100 anniversary of the San Mateo County Parks at Memorial Park and also attended the July 18 Docent Naturalist Graduation.

Director Kishimoto reported that on August 8 there will be a Rising Together: The Bay Adapt Summit meeting for those who are interested in attending.

ADJOURNMENT

President MacNiven adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 8:31 p.m.

Maria Soria, MMC, District Clerk