



Midpeninsula Regional
Open Space District

Meeting 15-13

**SPECIAL AND REGULAR MEETING
BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

330 Distel Circle
Los Altos, CA 94022

Wednesday, May 13, 2015
SPECIAL MEETING BEGINS AT 5:00
REGULAR MEETING BEGINS AT 7:00

A G E N D A

**5:00 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

ROLL CALL

- 1. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(GOVERNMENT CODE SECTION 54957(b)(1))
Title of Employees: Controller, General Counsel and General Manager**

ADJOURNMENT

**7:00 REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT**

ORAL COMMUNICATIONS

The Board President will invite public comment on items not the agenda. Each speaker will ordinarily be limited to three minutes; however, the Brown Act (Open Meeting Law) does not allow action by the Board of Directors on items not on the agenda. If you wish to address the Board, please complete a speaker card and give it to the District Clerk. Individuals are limited to one appearance during this section.

ADOPTION OF AGENDA

SPECIAL ORDER OF THE DAY

**Introduction of: Frank Hernandez, Finance & Budget Analyst II and Coty Sifuentes, IPM
Coordinator**

CONSENT CALENDAR

All items on the Consent Calendar may be approved without discussion by one motion. Board members,

the General Manager, and members of the public may request that an item be removed from the Consent Calendar during consideration of the Consent Calendar.

1. Approve Claims Report

2. Written Communications

Karl Rowley

3. Contract for Completion of the Mindego Ranch Remediation and Demolition Project at Russian Ridge Open Space Preserve (R-15-75)

Staff Contact: Aaron Hébert, Project Manager

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Randazzo Enterprises, Inc., of Castroville, CA, for a not-to-exceed amount of \$180,055 to complete the Mindego Ranch Remediation and Demolition Project at the Russian Ridge Open Space Preserve. The not-to-exceed amount includes a base bid of \$145,995 for demolition and remediation, a 15% contingency amount of \$21,900, and an allowance of \$12,160 for potential stand down time related to delays to protect the federally-endangered San Francisco garter snake, if encountered during construction.

4. Contract for Legal Services in Litigation, *Mahronich et al v. Presentation Center, et al.* (R-15-80)

Staff Contact: Sheryl Schaffner, General Counsel

General Manager's Recommendation: Approve a contract with Howard Rome Martin & Ridley LLP for an amount not-to-exceed \$30,000 for legal services relating to pending litigation.

5. Special Legal Services Contract relating to Real Property Issues (R-15-76)

Staff Contact: Sheryl Schaffner, General Counsel

General Manager's Recommendation: Approve the proposed contract with Price, Postel & Parma, LLP, for Special Legal Services relating to Real Property for a total not-to-exceed amount of \$100,000

BOARD BUSINESS

The President will invite public comment on agenda items at the time each item is considered by the Board of Directors. Each speaker will ordinarily be limited to three minutes. Alternately, you may comment to the Board by a written communication, which the Board appreciates.

6. Appointment of Chris Furniss and Natalie Hanna as Peace Officers (R-15-61)

Staff Contact: Michael Newburn, Operations Manager

General Manager's Recommendation: Adopt Resolutions of the Board of Directors of the Midpeninsula Regional Open Space District appointing Chris Furniss and Natalie Hanna as Peace Officers.

7. Resolution Approving Documents Relating to Issuance of General Obligation Bonds, Series 2015A (R-15-72)

Staff Contact: Michael Foster, Controller

General Manager's Recommendation: Adopt a Resolution of the Board of Directors of the Midpeninsula Regional Open Space District authorizing the issuance and sale of General

Obligation Bonds, Series 2015A, approving an Official Statement, and providing other matters properly related thereto.

8. Resolution of Support Endorsing Six Priority Conservation Areas in San Mateo County and Nine Priority Conservation Areas in Santa Clara County nominated by the Midpeninsula Regional Open Space District; and a Resolution of Support for Two Priority Conservation Areas Nominated by the California State Coastal Conservancy and a Resolution of Support for One Priority Conservation Area Nominated by the City of Menlo Park (R-15-73)

Staff Contact: Jane Mark, AICP, Planning Manager

General Manager's Recommendations:

1. Adopt a resolution of support endorsing the nomination of six (6) Priority Conservation Areas in San Mateo County and nine (9) Priority Conservation Areas in Santa Clara County, as well as the PCA designation categories selected for the existing and new Priority Conservation Areas.
2. Adopt resolutions of support for the nomination of the following Priority Conservation Areas by other agencies: 1) the Menlo Park and East Palo Alto Baylands, which includes Ravenswood Open Space Preserve, nominated by the City of Menlo Park and 2) the corridors for the California Coastal Trail and San Francisco Bay Area Water Trail nominated by the California State Coastal Conservancy.

9. Intent to Accept a Gift of a Conservation Easement over three Los Trancos County Water District Parcels, two located in unincorporated San Mateo County (Assessor Parcel Numbers 080-060-126 and 080-071-010) and one located in the Town of Portola Valley (Assessor Parcel Number 080-241-410) (R-15-77)

Staff Contact: Ana Ruiz, Assistant General Manager

General Manager's Recommendations:

1. Authorize the General Manager to negotiate the terms and conditions of a Conservation Easement over three Los Trancos County Water District (LTCWD) parcels with San Mateo County and Woodside Fire Protection District, the successors in interest to the LTCWD property, to conform to the terms specified herein. This authorization is contingent upon the completion of the LTCWD dissolution and transfer of properties as further described in this report.
2. Direct the General Manager to return to the Board of Directors for acceptance of the Conservation Easement once the various dissolution and property transfer approvals are secured through other agencies.

10. Proposed Purchase of the Ashworth Property as an addition to La Honda Creek Open Space Preserve located on Bear Gulch Road in unincorporated San Mateo County (Assessor's Parcel Number 075-340-240) (R-15-74)

Staff Contact: Allen Ishibashi, Senior Real Property Agent

General Manager's Recommendations:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Ashworth property.
3. Adopt a Preliminary Use and Management Plan for the property, as set out in the staff report.
4. Indicate the intention to withhold the Ashworth property as public open space.

11. **Proposed purchase of the Peninsula Open Space Trust (Hendry's Creek) property in partnership with Santa Clara Valley Water District as an addition to the Cathedral Oaks Area of the Sierra Azul Open Space Preserve, located at 20610 Aldercroft Heights Road, Los Gatos in unincorporated Santa Clara County (Santa Clara County Assessor's Parcel Numbers 558-27-007, 558-27-008, and 558-51-005) (R-15-71)**

Staff Contact: Michael C. Williams, Real Property Manager

General Manager's Recommendations:

1. Adopt a Resolution approving the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring Program for Hendry's Creek Project in accordance with the California Environmental Quality Act (CEQA), and adopt the findings set out in the Draft Resolution.
2. Adopt a Resolution authorizing execution of a Memorandum of Understanding with Peninsula Open Space Trust and Santa Clara Valley Water District to purchase the property and convey a Conservation Easement and Long-term Management Plan to Santa Clara Valley Water District.
3. Adopt the Amended Preliminary Use and Management Plan, which will be incorporated into the Long-term Management Plan, and name the property as an addition to the Cathedral Oaks Area of Sierra Azul Open Space Preserve.
4. Dedicate the property as public open space pursuant to the District's Annual Policy for Dedication of Lands.

INFORMATIONAL REPORTS – Reports on compensable meetings attended. Brief reports or announcements concerning activities of District Directors and staff; opportunity to refer public or Board questions to staff for factual information; request staff to report back to the Board on a matter at a future meeting; or direct staff to place a matter on a future agenda. Items in this category are for discussion and direction to staff only. No final policy action will be taken by the Board.

- A. Committee Reports
- B. Staff Reports
- C. Director Reports

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (650) 691-1200. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Written materials relating to an item on this Agenda that are considered to be a public record and are distributed to Board members less than 72 hours prior to the meeting, will be available for public inspection at the District's Administrative Office located at 330 Distel Circle, Los Altos, California 94022.

CERTIFICATION OF POSTING OF AGENDA

I, Maria Soria, Deputy District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the Special and Regular Meetings of the MROSD Board of Directors was posted and available for review on May 8, 2015, at the Administrative Offices of MROSD, 330 Distel Circle, Los Altos California, 94022. Agenda materials are also available on the District's website at <http://www.openspace.org>.

Maria Soria

Signed May 8, 2015 at Los Altos, California.

