



Midpeninsula Regional
Open Space District

Board Meeting 15-14

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, May 27, 2015

DRAFT MINUTES

SPECIAL MEETING – CLOSED SESSION

CALL TO ORDER

President Siemens called the Special Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 5:09 p.m.

ROLL CALL

Members Present: Jed Cyr, Cecily Harris, Curt Riffle, and Pete Siemens

Members Absent: Nonette Hanko, Larry Hassett, Yoriko Kishimoto

Staff Present: General Manager Steve Abbors, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner

ORAL COMMUNICATIONS

None.

CLOSED SESSION

The Board of Directors convened into closed session at 5:10 p.m.

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

Property: Rancho San Antonio Contract with Santa Clara County

Agency Negotiator: Stephen E. Abbors, General Manager and Kevin Woodhouse, Assistant General Manager

Negotiating Party: Robb Courtney, Santa Clara County Director of Parks and Recreation Department

Under Negotiation: Terms of real property transaction

2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency Designated Representatives: Steve Abbors, General Manager, Kevin Woodhouse, Assistant General Manager, Sheryl Schaffner, General Counsel, Jack Hughes, Liebert Cassidy Whitmore

Employee Organization: Field Employee Association

ADJOURNMENT

President Siemens adjourned the Special Meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:00 p.m.

REGULAR MEETING

CALL TO ORDER

President Siemens called the Regular Meeting of the Midpeninsula Regional Open Space District to order at 7:04 p.m.

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

ROLL CALL

Members Present: Jed Cyr, Cecily Harris, Curt Riffle, and Pete Siemens

Members Absent: Nonette Hanko, Larry Hassett, and Yoriko Kishimoto

Staff Present: General Manager Steve Abbors, Assistant General Manager Kevin Woodhouse, Assistant General Manager Ana Ruiz, General Counsel Sheryl Schaffner, Operations Manager Michael Newburn, Planning Manager Jane Mark, Public Affairs Manager Shelly Lewis, Natural Resources Kirk Lenington, Real Property Manager Mike Williams, Administrative Services Manager Kate Drayson, and District Clerk Jennifer Woodworth

ORAL COMMUNICATIONS

None.

ADOPTION OF AGENDA

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

VOTE: 4-0-0 (Directors Hanko, Hassett, and Kishimoto absent.)

SPECIAL ORDER OF THE DAY

Human Resources Supervisor introduced Rutuja Khare, Human Resources Technician.

CONSENT CALENDAR

1. **Approve Claims Report**
2. **Written Communications:** Andy Lott, Anne Paulson, Eric Solberg and Patrick Leal
3. **Contract for Professional Legal Services (R-15-77)**

General Manager's Recommendations:

Authorize the General Manager to extend the professional services contract with Liebert Cassidy Whitmore as follows:

1. Authorize extension of the contract for Fiscal Year 2015-16 with expenditures not to exceed \$80,000, for employment relations and labor negotiation consulting services.
 2. Authorize the General Manager to extend the contract for up to two subsequent years (Fiscal Years 2016-17 and 2017-18) with a not to exceed amount of \$50,000 in each respective fiscal year.
4. **Contract Award for Hazardous Materials Remediation and Improvements to a Tenant Residence at 4411 Alpine Road, Portola Valley, in the Hawthorns Area of Windy Hill Open Space Preserve (R-15-81)**

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Belz Construction, Inc. of Orangevale, CA, for a not-to-exceed amount of \$188,600, which includes the base bid amount of \$164,000 and a 15% contingency amount of \$24,600, to complete a hazardous materials remediation and improvements to the Alpine Road residence in the Hawthorns Area of Windy Hill Open Space Preserve.

5. **Use and Management Plan Amendment to Close Two Designated Trail Segments at Purisima Creek Open Space Preserve to Improve Visitor Safety (R-15-83)**

General Manager's Recommendations:

The General Manager recommends the Board approve the following recommendations from the Planning and Natural Resources Committee:

1. Find that the recommended actions are Categorically Exempt under the California Environmental Quality Act.
2. Adopt a Use and Management Plan Amendment to close the majority of the Lobitos Creek Trail in Purisima Creek Open Space Preserve except for the first ¼ mile.
3. Adopt a Use and Management Plan Amendment to close the last ¼ mile of the North Ridge Trail in Purisima Creek Open Space Preserve.

VOTE: 4-0-0 (Directors Hanco, Hassett, and Kishimoto absent.)

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

VOTE: 4-0-0 (Directors Hanco, Hassett, and Kishimoto absent.)

BOARD BUSINESS

6. **Update on Actions of Mutual Interest taken by the District and by Lehigh Southwest Cement Company during the Past Year (R-15-84)**

General Manager Steve Abbors provided comments regarding District's work with Lehigh Hanson and the District's ongoing relationship with the company.

Kari Saragusa, Region West President of Lehigh Hanson, described the history of the plant, the cement manufacturing process used by Lehigh Hanson, and the agencies Lehigh Hanson works with, including Bay Area Quality Management District, the Regional Water Quality Control Board, and Santa Clara County. Mr. Saragusa described the ongoing oversight and reporting requirements completed by Santa Clara County and Lehigh Hanson. Mr. Saragusa provided an update on the East Materials Storage Area, such as recontouring the materials, working with the Regional Water Quality Control Board to determine ideal cap and cover materials, and eliminating disposal of overburden on the site. Finally, Mr. Saragusa described the terms of the recent Environmental Protection Agency lawsuit settlement and Sierra Club Consent Decree, including the proposed treatment process to lower selenium levels and restoration of Permanente Creek.

Director Riffle inquired regarding the necessity of the lawsuit for Lehigh Hanson to complete work to lower their selenium levels.

Mr. Saragusa explained that Lehigh Hanson was already working with the Bay Area Quality Management District and the Regional Water Quality Control Board to lower selenium levels prior to the lawsuit filed by the Sierra Club.

Public hearing opened at 7:54 p.m.

No speakers present.

Public hearing closed at 7:55 p.m.

7. Fiscal Year 2014-15 Action Plan Year End Review and List of Accomplishments (R-15-79)

Mr. Abbors provided comments regarding previous fiscal year's accomplishments and thanked staff for their efforts.

The department managers provided brief descriptions of significant projects completed by their departments during the 2014-15 fiscal year as described in the Action Plan Year End Review and List of Accomplishments

8. Acceptance of the Financial and Operational Sustainability Model Study Final Report (R-15-82)

Assistant General Manager Kevin Woodhouse provided a brief description of the Financial and Operational Sustainability Model (FOSM) Study process to date including encouraging staff members to provide input, Board study sessions, and implementation.

Nancy Hetrick of Management Partners provided a summary of the FOSM final report. Ms. Hetrick described ongoing implementation measures including the Information Technology Strategic Plan, reviewing classifications to provide for staff development and growth, and job specification development and recruitment of newly created positions.

The Board thanked the members of District staff and also Management Partners for the hard work and accomplishments achieved in the last year.

Motion: Director Cyr moved and Director Riffle seconded the motion to accept the Financial and Operational Sustainability Model Study Final Report prepared by Management Partners.

VOTE: 4-0-0 (Directors Hanko, Hassett, and Kishimoto absent.)

INFORMATIONAL REPORTS

A. Committee Reports

No committee reports.

B. Staff Reports

Assistant General Manager Kevin Woodhouse provided an update on second session of Stewardship 5.0 created to build trust among the 25 stakeholders. At an upcoming meeting stakeholders will be working to determine the network's structure, funding, projects, and consider the implications of the network to the agencies and region.

Assistant General Manager Ana Ruiz provided an update on recruitment for capital project managers. Ms. Ruiz also reported that the District will be applying for newly available grant funds from Stanford University for the Ravenswood Bay Trail alignment. Ms. Ruiz also reported staff will be bringing forward a proposal to move the start of the District's fiscal year to July 1st.

Mr. Abbors provided additional information regarding the possible grant funding for the Bay Trail, which would allow for Measure AA funds currently assigned to the Bay Trail project to be freed for other Measure AA projects.

C. Director Reports

The Board submitted their compensatory forms to the District Clerk.

Director Siemens reported that he presented to the Silicon Valley Association of Realtors providing information about the District, Measure AA, and ongoing District projects.

ADJOURNMENT

President Siemens adjourned the Regular Meeting at 9:22 p.m.

Jennifer Woodworth, CMC
District Clerk