



SPECIAL AND REGULAR MEETING

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

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, January 9, 2019

DRAFT MINUTES

SPECIAL MEETING

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 6:30 p.m.

ROLL CALL

Members Present: Jed Cyr, Karen Holman, Larry Hassett, Zoe Kersteen-Tucker, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth

1. Swearing in of New Board Members for the Term Starting January 2019

District Clerk Jennifer Woodworth administered the Oath of Office to Directors Siemens, Kishimoto, and Hassett.

Santa Clara County Supervisor Joe Simitian administered the Oath of Office to Director Holman.

Public comments opened at 6:32 p.m.

Winter Dellenbach congratulated Karen Holman on her election to the Board of Directors.

Public comments closed at 6:34 p.m.

The members of the Board and staff shared words of congratulations and welcome for the newly sworn in Board members.

No Board action required.

President Cyr adjourned the special meeting at 6:43 p.m.

REGULAR MEETING

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

ROLL CALL

Members Present: Jed Cyr, Karen Holman, Larry Hassett, Zoe Kersteen-Tucker, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Governmental Affairs Specialist Joshua Hugg, Natural Resources Manager Kirk Lenington, Visitor Services Manager Matt Anderson, Engineering and Construction Manager Jay Lin

ORAL COMMUNICATIONS

Pat Starrett congratulated Karen Holman on her election to the Board of Directors.

ADOPTION OF AGENDA

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

VOTE: 7-0-0

1. Election of the Calendar Year 2019 Officers for the Midpeninsula Regional Open Space District Board of Directors (R-19-02)

President Cyr reflected on the District's accomplishments and highlights for the 2018 calendar year.

District Clerk Jennifer Woodworth explained the nomination process.

Director Riffle suggested creating written guidelines for selecting the Board President as follows: the Board member representing the ward, which ward has not held the position of president for the longest absence, would be nominated to serve as the Board President. If the director

representing that ward is newly elected, the Board member could serve as the Board Vice-President to allow the director to become familiarized with the Board and District before serving as Board President. The ward that has the second longest absence in serving as president would be nominated to serve as vice-president. A director may decline the position of president or vice-president if desired.

Director Kishimoto spoke in favor of creating a guideline describing the proposed process but not a written policy.

The Board by consensus directed staff to include the guidelines for the Board officer nomination and selection process in the annual Board report for selecting Board officers.

Ms. Woodworth called for nominations for Board President.

Director Hassett nominated Director Siemens for President and Director Riffle seconded the nomination. No further nominations were presented.

Public comment opened at 7:24 p.m.

No speakers present.

Public comment closed at 7:24 p.m.

Motion: Director Cyr moved, and Director Kishimoto seconded the motion to close the nominations for Board President.

VOTE: 7-0-0

By a vote of 7 to 0, the Board elected Director Siemens as Board President for Calendar Year 2019.

President Siemens called for nominations for Board Vice President.

Director Riffle nominated Director Holman for Vice President and Director Kishimoto seconded the nomination. No further nominations were presented.

Motion: Director Hassett moved, and Director Cyr seconded the motion to close the nominations for Board Vice-President.

VOTE: 7-0-0

By a vote of 7 to 0, the Board elected Director Holman as Board Vice President for Calendar Year 2019.

President Siemens called for nominations for Board Treasurer.

Director Riffle nominated Director Kishimoto for Board Treasurer, and Director Kersteen-Tucker seconded the nomination. No further nominations were presented.

Motion: Director Cyr moved, and Director Riffle seconded the motion to close the nominations for Board Treasurer.

VOTE: 7-0-0

By a vote of 7 to 0, the Board elected Director Kishimoto as Board Treasurer for the 2019 calendar year.

President Siemens called for nominations for Board Secretary. Director Kishimoto nominated Director Kersteen-Tucker for Board Secretary and Director Holman seconded the nomination. No further nominations were presented.

Motion: Director Cyr moved, and Director Riffle seconded the motion to close the nominations for Board Secretary.

VOTE: 7-0-0

By a vote of 7 to 0, the Board elected Director Kersteen-Tucker as Board Secretary for Calendar Year 2019.

Director Kishimoto thanked Director Cyr for his service as Board President.

CONSENT CALENDAR

Public comment opened at 7:40 p.m.

No speakers present.

Public comment closed at 7:40 p.m.

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

VOTE: 7-0-0

2. Approve November 28, 2018, December 6, 2018, and December 12, 2018 Minutes

Director Holman stated for the record she will abstain for this item.

Director Kersteen-Tucker stated for the record she will abstain for the November 28, 2018 Minutes.

3. Claims Report

4. Award of Contract for Botanical Services (R-19-03)

General Manager's Recommendation:

1. Authorize the General Manager to enter into a multi-year contract with Vollmar Natural Lands Consulting of Berkeley, California to provide botanical services to support capital and operational projects for a base amount not to exceed \$72,460.
2. Authorize a 10% contingency of \$7,246 to be awarded if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$79,706.

5. Board Response to Written Communications from Charlie Krenz

General Manager's Recommendation: Approve the proposed response to Charlie Krenz.

BOARD BUSINESS**6. District Legislative Proposals for 2019 (R-19-04)**

Governmental Affairs Specialist Joshua Hugg provided the staff report describing the overlapping and redundant permitting process for projects, which increases project costs and extends project delivery times. The proposed legislation seeks exemption from local and county permitting requirements similar to California state parks and would only apply to certain types of low-impact, minor work.

Director Holman expressed concerns regarding future District actions and suggested additional definitions be included to define the types of exemptions allowed. Additionally, Director Holman inquired if the exemptions extend to state and federal permitting.

General Manager Ana Ruiz explained the proposed exemptions only relate to local and county permitting requirements and the District would still be subject to state and federal agency permitting requirements. The District would continue to follow a public process for District projects, and the proposed legislation seeks to reduce permitting redundancies on low impact projects.

Director Kersteen-Tucker expressed a desire to maintain ample opportunities for public comments.

Public comments opened at 7:54 p.m.

No speakers present.

Public comments closed at 7:54 p.m.

Mr. Hugg described the second proposed legislation, which will attempt to promote the use of industry recognized best management practices in nurseries across the state through preferential state contracting incentives in order to minimize the risk of phytophthora pathogens in plant materials.

Natural Resources Manager Kirk Lenington described several of the various best management practices required to remove phytophthora pathogens from plant materials.

Public comments opened at 8:03 p.m.

No speakers present.

Public comments closed at 8:03 p.m.

Director Holman suggested inclusion of definitions of exempted projects and the redundant permitting process to be exempted.

Motion: Director Cyr moved, and Director Holman seconded the motion to direct the General Manager to return to the Board to review and confirm the draft bill language relating to local and county permit exemptions, which shall include definitions of types of exempted projects and the redundant permitting processes to be exempted.

VOTE: 7-0-0

Motion: Director Kersteen-Tucker moved, and Director Riffle seconded the motion to direct the General Manager to pursue a legislative proposal related to phytophthora pathogens as outlined in the staff report during the 2019-20 State Legislative Session.

VOTE: 7-0-0

7. 2019 Legislative Program (R-19-01)

Governmental Affairs Specialist Joshua Hugg reviewed the District's legislative proposals for the upcoming 2019-20 legislative session.

Director Kishimoto commented on the State Water Resources Control Board's allocation of unimpaired water flow for the natural environment stating the District may want to take a position on this issue in the future.

Director Holman suggested the following addition to the legislative program:

“Proposition 68 Implementation: The District supports efforts to ensure that parks bond funds are allocated in a timely, equitable, and responsible manner, and that resulting grant programs are designed appropriately to benefit the District and its mission.”

Director Hassett commented on the current bidding and contracting requirements.

Ms. Ruiz reported staff is researching various options and will return to the full Board in the spring with the options.

Director Kersteen-Tucker suggested including in 2019 regional and local priorities: Tracking funding opportunities under San Mateo County Transit District's Measure W, which includes funding for biking, pedestrian, and other regional transit improvements.

Director Holman inquired if other entities, such as Stanford, are included in restricting the expansion of urban growth boundaries.

Ms. Ruiz reported the District does track Stanford's activities under their general use permit, especially as it relates to open space buffers surrounding the campus.

Public comments opened at 8:35 p.m.

No speakers present.

Public comments closed at 8:35 p.m.

Motion: Director Kersteen-Tucker moved, and Director Holman seconded the motion to adopt the Legislative Program for 2019, which outlines the 2019 legislative priorities and policies for Midpeninsula Regional Open Space District, with the following amendments:

Proposition 68 Implementation: The District supports efforts to ensure that parks bond funds are allocated in a timely, equitable, and responsible manner, and that resulting grant programs are designed appropriately to benefit the District and its mission.

2019 Regional/Local Priorities

Priority Area:

San Mateo County Transit District (SamTrans), Measure W Implementation

The District supports advance mitigation allocation guideline development for SamTrans' recently passed Measure W funds that enables implementation of District priority projects.

VOTE: 7-0-0

INFORMATIONAL MEMORANDUM

- Docent and Volunteer Structure Study – Implementation Update
- Administrative Office Remodel Project Update

INFORMATIONAL REPORTS

A. Committee Reports

No committee reports.

B. Staff Reports

Assistant General Manager Brian Malone reported he will be attending a meeting of the Santa Clara Valley Open Space Authority where former Director Hanco will be honored with a resolution.

Ms. Ruiz reported she met with Shiloh Ballard of the Silicon Valley Bicycle Coalition to discuss potential projects for coordination, such as encouraging bicycle routes and bicycle travel to Rancho San Antonio. Coordinated efforts may include new maps highlighting bicycle routes and District-hosted bicycle rides from nearby neighborhoods to foster bicycle travel. Ms. Ruiz also reported the Santa Cruz County Local Agency Formation Commission (LAFCO) will be conducting service and sphere reviews for special districts in Santa Cruz County. LAFCO is interesting in working with a District ad hoc committee to discuss any issues that arise related to the review. Staff will bring forward more information on this item at the next Board meeting.

C. Director Reports

The Board members submitted their compensatory reports.

Directors Hassett, Kishimoto, and Kersteen-Tucker reported their attendance at the Peninsula Open Space Trust's Tunitas Creek Beach open house on January 1, 2019.

Director Cyr commented on recent news articles that describe evidence of the inefficiency of open concept office spaces.

Director Kersteen-Tucker reported the public comment period for the California Coastal Commission Strategic Plan is now open.

President Siemens requested the Board members submit to him their preferences for serving on the 2019 standing committees by Wednesday, January 16, 2019.

ADJOURNMENT

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:58 p.m.

Jennifer Woodworth, MMC
District Clerk