



**SPECIAL AND REGULAR MEETING**

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

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

**January 23, 2019**

**DRAFT MINUTES**

**SPECIAL MEETING – STUDY SESSION**

Vice-President Holman called the special meeting of the Midpeninsula Regional Open Space District to order at 5:03 p.m.

**ROLL CALL**

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

Members Absent: Pete Siemens

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, Engineering & Construction Manager Jay Lin, Senior Capital Project Manager Felipe Nistal, Senior Real Property Agent Allen Ishibashi, Public Affairs Manager Korrine Skinner, Public Affairs Specialist II Cydney Bieber

**1. Presentation and Discussion of the Administrative Office Remodel Schematic Design (R-19-06)**

Senior Capital Project Manager Felipe Nistal provided an overview of the history of the project, including creation of an ad hoc committee to work on the project, selection of the architectural firm, and refinement of the schematic design.

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak provided information regarding the reservation of District funds for a new office building throughout prior budget years.

Director Riffle commented on the need to include information regarding how proceeds from the sale of 330 Distel Circle will offset costs of the purchase and remodel of 5050 El Camino Real.

Director Kersteen-Tucker suggested including information related to the District's current cost of renting office space and the lease income to be received from the 5050 El Camino Real in the public outreach plan.

Vice-President Holman commented on the need for the number of District staff to grow as public access in preserves grows and suggested including this information in the public outreach plan.

Director Hassett commented on the District's savings once it no longer leases additional office space.

Director Kersteen-Tucker spoke in favor of increased staff productivity, which the District will experience once staff is consolidated into a single building.

Assistant Susanna Chan presented information regarding the District's public outreach plan, which will be initiated once escrow closes on February 1, 2019. Outreach includes partner agencies, neighbors, tenants, and members of the general public, and seeks to inform stakeholders of the purpose, needs, and progress of the project and to explain how the project supports the District's mission. The District will use a variety of communication methods to keep stakeholders informed.

Public Affairs Specialist II Cydney Bieber commented on the various methods of informing stakeholders and members of the public regarding the project, including frequent project webpage updates, social media updates, and fact sheets.

Janet Tam, co-founder and principal of Noll & Tam, the District's architectural firm, introduced the project team and reviewed the project's guiding principles.

Eric Skiba, project manager, reviewed various elements of the current building, including existing partitions in the building, concrete flooring for the first floor, lack of a public lobby, non code-compliant restrooms, elevators, etc. Mr. Skiba reviewed three versions of the building design and highlighted elements of each: (1) baseline, which brings the building into code compliance; (2) enhanced, which would provide for a public lobby and a limited number of operable windows; (3) aspirational, which would create a net zero energy building.

Jane Catalano, associate principal and designer, reviewed the initial renderings of the building describing the use of space throughout the building, such as the Boardroom, public lobby, staff cubicles and offices, ADA accessible entrances, collaboration areas, etc. Design elements are intended to maximize natural light and workplace collaboration. Ms. Catalano reviewed the various department adjacencies and proposed lease space.

Mr. Skiba reviewed the project elements aimed at improving the building's energy efficiency. Elements include replacing insulation, a new roof, use of energy efficient windows, etc. Replacement of all windows would increase energy efficiency by 25%. Using improved glazing and operational windows would also increase comfort and productivity levels in the building, reduce UV light, and increase efficiency for the heating and cooling system.

Amy Watson, architect, reviewed the proposed landscapes updates for the site, including building an ADA accessible ramp and building entrance. The proposed landscape design seeks to preserve and protect existing redwood trees at the front of the property. Ms. Watson also reviewed the proposed native and drought-tolerant plants to be used for the landscape design. Finally, Ms. Watson described various options for meeting the City of Los Altos' public art requirement.

Vice-President Holman commented on the proposed public entrance and plaza speaking in favor of an entrance that reflects the District's open space mission. Additionally, Vice-President Holman inquired if the ad hoc committee or Board had discussed sponsorship or naming rights for the building.

Ms. Ruiz reported the Board or ad hoc committee has not discussed the issue of naming rights previously but could in the future.

Director Hassett commented that the Board selected Noll & Tam partially based on their proposed design for the building, including the public entrance.

Director Kishimoto commented that the visual of the building from El Camino Real is of the redwood trees on the property.

Director Kishimoto spoke regarding the public art element, commenting on the public art element at the Cooley Landing Education Center.

Ms. Watson reviewed various Los Altos city requirements, which could affect the timeline of the project, and the number of required parking spaces. Ms. Watson described the limitations associated with the layout of the Boardroom based on the concrete slab under the first floor and displayed options for the Boardroom layout and overflow seating area in the atrium.

Ms. Tam provided information related to the next steps of the project and cost estimate, including the team's commitment to providing a fiscally responsible project.

Public comments opened at 7:04 p.m.

No speakers present.

Public comments closed at 7:04 p.m.

Members of the Board thanked the members of staff, project team, and ad hoc committee for their work on the project.

Vice-President Holman requested a copy of the presentation and that additional information be provided related to the potential for staggering the timing of the design options, such as new glazing over a longer period. Vice-President Holman commented on the lower improved environmental impact of a remodel over rebuild. Director Holman suggested the District should educate and inform the public of the rationale for its decisions. Finally, Vice-President Holman requested the project team return with options for replacing some of the windows but potentially not all of them.

No Board action required.

**ADJOURNMENT**

Vice-President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:12 p.m.

**REGULAR MEETING**

Vice-President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:22 p.m.

**ROLL CALL**

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

Members Absent: Pete Siemens

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, Engineering & Construction Manager Jay Lin, Senior Capital Project Manager Felipe Nistal, Senior Real Property Agent Allen Ishibashi, Public Affairs Manager Korrine Skinner

**ORAL COMMUNICATIONS**

No speakers present.

**ADOPTION OF AGENDA**

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

**VOTE:** 6-0-0 (Director Siemens absent)

**SPECIAL ORDERS OF THE DAY**

- Introduction of staff
  - Jasmine Leong, Administrative Assistant
  - Korinne Skinner, Public Affairs Manager

**CONSENT CALENDAR**

Director Riffle pulled Item 4 from the Consent Calendar.

Public comment opened at 7:28 p.m.

No speakers present.

Public comment closed at 7:28 p.m.

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

**VOTE: 6-0-0** (Director Siemens absent)

1. **Approve January 9, 2019 Minutes**
2. **Claims Report**
3. **Appointment of Board of Directors Standing Committee Members and Representatives to Various Bodies, Including the Governing Board of the Midpeninsula Regional Open Space District Financing Authority, for Calendar Year 2019 (R-19-07)**

Board President's Recommendations:

1. Approve the Board President's appointments to the Board Standing Committees and other bodies, including the Governing Board of the Midpeninsula Regional Open Space District Financing Authority, and determine the compensation status for attendance at these meetings.
2. Approve formation of an ad hoc committee to meet with a liaison committee of the Santa Cruz County Local Agency Formation Commission to discuss the upcoming service review of the District, and authorize the Board President to appoint three Directors to serve on the ad hoc committee.

4. **Board Compensation Policy Amendment (R-19-08)**

Item 4 was heard after approval of the Consent Calendar.

Director Riffle inquired regarding the intent of the legislation.

General Counsel Hilary Stevenson explained the legislation allows boards of special districts to adopt a resolution of findings to increase the number of compensable meeting days per month (in the District's case, to a maximum of six). Additionally the legislation allows boards of special districts to adopt an ordinance increasing the compensation per meeting day up to 5%, which would be \$105.

Director Riffle commented that the service Board members provide is not based on monetary compensation and spoke against legislators voting in favor of their own salary increases. Director Riffle also spoke against a 5% increase when staff typically receives a 3% raise.

Director Kersteen-Tucker spoke against increasing the per meeting day compensation and in favor of increasing the number of compensable meeting days.

Director Kishimoto spoke in favor of small incremental increases rather than infrequently by large amounts and spoke in favor of increasing the number of compensable meetings per month.

Director Cyr commented on the changes to the Director's employment status by the Internal Revenue Service, which effectively lowered the compensation received by the Board.

Ms. Stevenson explained that based on her interpretation of the ordinance, the Board would need to adopt an ordinance setting a “baseline” compensation (of, for instance, \$105), in order to create flexibility for future increases.

Vice-President Holman suggested bringing forward an ordinance as part of the fiscal year and budget cycle.

Public comments opened at 7:45 p.m.

No speakers present.

Public comments closed at 7:45 p.m.

**Motion:** Director Holman moved, and Director Cyr seconded the motion to

1. Adopt a Resolution approving amendments to Board Policy 6.06 – *Meeting Compensation, Reimbursement of Authorized Necessary Expenses for Performance of Official Duties, and Adoption of Ethics Training Requirements Pursuant to Government Code Section 53232 et seq. (AB1234)* – to increase the number of compensable meetings from five to six per month.
2. Direct the General Manager to bring additional information back to the Board as part of the fiscal year budget cycle, to inform the Board’s direction regarding increasing Board per-meeting compensation up to 5%.

**VOTE: 6-0-0** (Director Siemens absent)

**5. Award of Contract for Vegetation Mapping Services in San Mateo County (R-19-10)**

General Manager’s Recommendations:

1. Authorize the General Manager to enter into a multi-year cooperative agreement with Golden Gate National Parks Conservancy of San Francisco, California, who is the lead in contracting for regional vegetation mapping services, for an amount not to exceed \$150,000.
2. Authorize a 12% contingency of \$18,000 to request additional mapping services, if deemed beneficial and appropriate, for a total contract amount not-to-exceed \$168,000.

**6. Board Response to Written Communications from JC Wang and Emma Cate**

General Manager’s Recommendation: Approve the proposed response to JC Wang and Emma Cate.

**7. Award of contract for professional engineering services to complete the Mount Umunhum Radar Tower Assessment Project at Sierra Azul Open Space Preserve (R-19-09)**

General Manager’s Recommendations:

1. Authorize the General Manager to enter into contract with Wiss, Janney, Elstner Associates, Inc., of Emeryville, California for a not-to-exceed base contract amount of \$107,700.
2. Authorize a 15% contract contingency of \$16,155 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$123,855.

**BOARD BUSINESS**

**8. Local/County Permit Exemptions - Legislative Proposal for 2019 (R-19-12)**

Ms. Ruiz explained the agenda item is being brought back to the Board at this time to keep the option open to pursue legislation. The Board can decide in March whether to continue to move forward with the legislation.

Governmental Affairs Specialist Joshua Hugg provided the staff report describing the overlapping and redundant permitting process for projects, which can increase project costs and extend project delivery times. Mr. Hugg provided a list of District projects that would be affected by the proposed legislation, which will be presented in more detail at a future Board meeting. 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, such as ranch road and retaining wall repairs, construction of narrow trails and pedestrian bridges, and habitat restoration projects. Mr. Hugg reviewed the state legislative calendar and upcoming deadlines affecting the proposed legislation.

Director Kersteen-Tucker inquired if the East Bay Regional Park District (EBRPD) has committed to co-sponsoring the bill.

Ms. Ruiz reported EBRPD is tentatively supporting the bill, but additional details must first be finalized.

Director Hassett spoke in favor of the General Manager's recommendation.

Vice-President Holman commented the legislation should account for future Boards and District staff, which may not be as committed to preservation as the current Board and staff. Vice-President Holman also spoke in favor of preserving CEQA requirements and ensuring that the permitting process remains hands-on for District projects.

Mr. Hugg reported staff will return to the Board on February 13, 2019 with specific project case studies to further illustrate to the Board the types of projects and permitting processes the proposed legislation would apply to.

Ms. Ruiz explained that many local jurisdictions are unfamiliar with the types of projects completed by the District, which can cause confusion and delays with the permitting process.

Vice-President Holman suggested creation of District standards for projects, which could be provided to permitting agencies and hold future District staff and Boards to best management practices.

Public comments opened at 8:19 p.m.

No speakers present.

Public comments closed at 8:19 p.m.

**Motion:** Director Cyr moved, and Director Hassett seconded the motion to

1. Authorize the General Manager to initiate a spot bill, in light of impending legislative deadlines, to keep the option of pursuing this bill open during the 2019-20 State Legislative Session.
2. Direct the General Manager to return to the Board with case studies of current permitting hurdles and definitions of work that would be exempted, as well as further information and direction on the scope of the bill, to confirm Board support for this legislative effort.

**VOTE: 6-0-0** (Director Siemens absent)

**INFORMATIONAL REPORTS**

A. Committee Reports

Director Hassett reported the Planning and Natural Resources Committee met on January 22, 2019 to discuss the Toto Ranch Rangeland Management Plan.

B. Staff Reports

Mr. Jaskulak reported the Measure AA Bond Oversight Committee met on January 16, 2019 to select sample transactions for review.

Ms. Ruiz reported the Santa Clara County Historical Heritage Commission met again to review the District's application regarding Alma College, and the commission's vote was not definitive. The decision will now be made by the Santa Clara County Planning Director.

C. Director Reports

The Board members submitted their compensatory reports.

Director Hassett reported his attendance at the South Skyline Association's quarterly meeting, where a District grazing tenant spoke regarding their grazing operations.

Director Kishimoto reported her attendance at meetings of the Santa Clara Valley Water District's Water Commission and Santa Clara County Consolidated Redevelopment Successor Agency.

Director Riffle commented on a recent San Jose City Council meeting regarding preservation of open space in Coyote Valley, and a council meeting will be held on February 12, 2019.

Director Kersteen-Tucker reported her participation in a San Mateo County presentation on king tides.

Vice-President Holman commented on her recent orientation tour of District properties.

**ADJOURNMENT**

Vice-President Holman adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:37 p.m.



---

Jennifer Woodworth, MMC  
District Clerk