



SPECIAL AND REGULAR MEETING

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

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, June 26, 2019

DRAFT MINUTES

SPECIAL MEETING – STUDY SESSION

President Siemens called the special meeting of the Midpeninsula Regional Open Space District to order at 6:00 p.m.

ROLL CALL

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

Members Absent: None

Staff Present: Chief Financial Officer Stefan Jaskulak, Assistant General Counsel Mazarin Vakharia, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lenington, Climate Resiliency Fellow Hayley Edmonston

1. 2018 Greenhouse Gas Emissions Inventory Report (R-19-81)

Climate Resiliency Fellow Hayley Edmonston presented the staff report reviewing the 2018 Greenhouse Gas Inventory findings, including that the District is ahead of schedule to reach the first Climate Action Plan goal with a decrease in administrative emissions by 14%, and described changes already implemented in 2019.

Director Holman spoke in favor of including the amount of staff hours in the cost of administering the Climate Action Plan to understand the full cost of the program.

The Board members commented on the need to increase District efforts to further reduce greenhouse gas (GHG) emissions in the coming years because many of the already implemented changes were not caused by changes to District processes but by purchasing flight offsets, reduced employee commuting, and using renewable electricity and renewable diesel.

Director Kishimoto commented on the need to increase the percentage of waste diversion.

Assistant General Manager Brian Malone described the systems currently in place for waste diversion at the field offices, and explained the systems will likely need improvement in the future. Additionally, waste is further sorted by waste companies.

Directors Hassett and Holman spoke in favor of selecting local contractors to reduce GHG emissions.

Director Riffle spoke in favor of the District moving towards more energy efficient equipment to create true reductions in District energy usage.

Public comments opened at 7:00 p.m.

No speakers present.

Public comments closed at 7:00 p.m.

No Board action required.

President Siemens adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:01 p.m.

REGULAR MEETING

President Siemens called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:05 p.m.

ROLL CALL

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

Members Absent: None

Staff Present: Chief Financial Officer Stefan Jaskulak, Assistant General Counsel Mazarin Vakharia, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Controller Mike Foster, District Clerk/Assistant to the General Manager Jennifer Woodworth, Budget & Analysis Manager Carmen Narayanan, Finance Manager Andrew Taylor, Natural Resources Manager Kirk Lenington, Visitor Services Manager Matt Anderson, Planning Manager Jane Mark, Land & Facilities Manager Michael Jurich, Engineering & Construction Manager Jay Lin, Human Resources Manager Candice Basnight, Information Systems & Technology Manager Casey Hiatt, Public Affairs Manager Kori Skinner, Real Property Manager Mike Williams, Budget Analyst I Lupe Hernandez, and Budget Analyst I Elissa Martinez

ORAL COMMUNICATIONS

Rhoda Fry spoke in opposition to the expansion of Lehigh Quarry and Lehigh’s ongoing pollution of air and water.

ADOPTION OF AGENDA

President Siemens suggested moving item 10 before item 9.

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

VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:12 p.m.

No speakers present.

Public comment closed at 7:12 p.m.

Motion: Director Riffle moved, and Director Hassett seconded the motion to approve the Consent Calendar, as amended.

VOTE: 7-0-0

- 1. Approve June 12, 2019 Minutes**
- 2. Claims Report**
- 3. Approval of an Agreement with Chavan & Associates to provide Financial Auditing Services for Fiscal Year (FY) 2018-19 through FY2020-21, for a Not-To-Exceed Total Amount of \$70,500 (R-19-87)**

Controller’s Recommendation: Appoint Chavan & Associates as the District’s financial auditor for FY2018-19 through FY2020-21 and authorize the General Manager to execute a three year contract and engagement letter agreement for a not-to-exceed amount of \$70,500.

- 4. Contract Amendment with Phytosphere to Continue Sudden Oak Death Research (R-19-83)**

General Manager’s Recommendation: Authorize the General Manager to amend a contract with Phytosphere Research, in the amount of \$10,000, for a total not-to-exceed contract amount of \$86,500, to continue monitoring treatment methods to suppress the spread of Sudden Oak Death in Open Space Preserves through the end of Fiscal Year 2019-20.

5. Written Response to Frank Bakonyi

General Manager's Recommendation: Approve the written response to Mr. Bakonyi

6. Authorization to contribute a \$2 Million payments of FY2018-19 budget savings to the District's Section 115 Trust administered by Public Agency Retirement Services (PARS) (R-19-88)

General Manager's Recommendation: Authorization to deposit \$2 Million into the Midpeninsula Regional Open Space District's (District) PARS account established under a Section 115 Trust as further funding of the District's strategy to pre-fund its pension obligations.

7. New Board Policy 3.02 – General Accounting, Internal Control and Capital Assets Policy and Annual Review of Finance Policies for 2019 (R-19-89)

General Manager's Recommendation: Recommend Board approval of the proposed new Board Policy 3.02 - General Accounting Policy, approve changes to 3.07 - Fund Balance Policy and 3.08 - Statement of Investment, and reaffirm 3.09 - Debt Management Policy.

President Siemens suggested amending policy 3.08 Guideline 1 to read as follows:

The General Manager or CFO ~~are~~is responsible for approving the Controller's designation of the amount of funds available for investment for longer than one year.

BOARD BUSINESS

8. Fiscal Year 2019-20 Budget and Capital Improvement and Action Plan (R-19-82)

Budget & Analysis Manager Carmen Narayanan provided the staff report describing the proposed Fiscal Year 2019-20 budget by fund and the proposed staffing changes.

Public comments opened at 7:17 p.m.

No speakers present.

Public comments closed at 7:17 p.m.

The members of the Board spoke in favor of the proposed budget and commented on the thorough process used to develop the proposed budget.

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

1. Adopt a Resolution approving the Fiscal Year (FY) 2019-20 Budget and Capital Improvement and Action Plan.
2. Approve two and a half new full-time equivalent positions (FTEs) in the Visitor and Field Services business line.
3. Approve one new FTE in the Finance and Administrative Services business line.
4. Approve one new classification in the Visitor and Field Services business line.
5. Adopt a Resolution approving the Classification and Compensation Plan.

VOTE: 7-0-0

9. La Honda Public Access Working Group Appointments (R-19-85)

Item 9 was heard after Item 10.

Director Kishimoto suggested appointing an alternate for the community stakeholders to serve on the working group in the event that one of those stakeholders were unable to attend a meeting.

Motion: Director Kishimoto moved, and Director Cyr seconded the motion to appoint the next highest ranked applicant as an alternate for the community stakeholders to the working group.

Director Cyr spoke against the motion stating that an alternate may disrupt the balance of the membership of the working group.

Director Cyr withdrew his second.

Public comments opened at 8:49 p.m.

Barbara Hooper commented on the impact of preserves on the neighboring communities.

Public comments closed at 8:52 p.m.

Director Riffle left the dais at 8:51 p.m.

Director Kishimoto withdrew her motion.

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

1. Appoint members to serve on the La Honda Public Access Working Group as listed in the staff report.
2. Approve a preferred method to fill a vacancy for the La Honda Public Access Working Group in case one arises:
 - a. If a vacancy is a La Honda Area Representative, appoint a new member to the Working Group from the interviewee list established by the Board on June 19, 2019; and
 - b. If a vacancy is a ward representative, the Director for that ward would select a new representative to serve on the Working Group.

VOTE: 6-0-0 (Director Riffle absent)

The Board recessed at 8:54 p.m. and reconvened at 8:56 p.m. with Directors Cyr, Hassett, Holman, Kersteen-Tucker, Kishimoto, and Siemens present.

10. Rancho San Antonio Multimodal Access Study (R-19-86)

Item 10 was heard after Item 8.

Planner II Leialani Hufana provided the staff report describing the public use of Rancho San Antonio Open Space Preserve and County Park and the management agreement the District has with Santa Clara County where the District agrees to manage, patrol, and maintain the park. Ms. Hufana reviewed ongoing parking challenges at the park and previous actions taken to address parking challenges for the site. Ms. Hufana outlined the proposed scope of work for the

multimodal study, which includes a parking and transportation demand analysis, and the proposed short-term measures to address parking challenges. Medium- and long-term measures are not currently being proposed for Board approval. Following completion of the parking and transportation demand analysis study, staff will return with a revised list of medium- and long-term measures to the Planning and Natural Resources Committee and Board for further discussion and consideration.

Director Holman suggested including information on the District's website regarding peak traffic times.

Director Holman suggested moving partnering with other cities to establish new bike-friendly routes to the Preserve to a short-term solution.

Planning Manager Jane Mark reported that this measure was considered medium-term by staff due to the time it may take to coordinate and collaborate with representative of nearby cities.

Director Kersteen-Tucker requested clarification regarding potential metered parking.

Director Holman commented that the Planning and Natural Resources Committee was opposed to metered parking due to the visual disturbance meters could create, but additional information on this and other medium- and long-term measures would be further studied in the parking and transportation demand analysis study.

Director Kishimoto suggested including a timeframe to initiate partnership conversations with neighboring cities regarding new bike-friendly routes to access the preserve.

Public comments opened at 7:50 p.m.

Rhoda Fry spoke in opposition to parking meters. Additionally, Ms. Fry spoke against Lehigh Quarry's operations that occur near Ranch San Antonio. Finally, Ms. Fry spoke regarding potential access from the Oak Valley neighborhood.

Betty Kayton spoke regarding an entrance to Rancho San Antonio near Rhus Ridge and spoke in favor of District helping to pay for repaving the road there. Additionally, Ms. Kayton spoke against including parking near the Rhus Ridge entrance on District brochures.

Leigh Stevens, neighbor to the preserve, spoke regarding the impact of preserve visitors impacting her street. Ms. Stevens spoke in opposition to metered parking. Finally, Ms. Stevens spoke in favor of partnering with the Silicon Valley Bike Coalition to open a connection to the bike path near the Hammond-Snyder Loop Trail following completion of the Santa Clara Valley Water District project.

Jerry Wittenauer, a member of the equestrian community, spoke in favor of the horse trailer parking at the park and continued equestrian use of the site. Mr. Wittenauer spoke against use of a large shuttle bus and in favor of a potentially smaller shuttle van.

Evelyn Horng spoke regarding the negative impact of parking and foot track on her street in a neighboring community and requested the impacts on nearby communities also be considered during the impact study.

Bud Cristal spoke regarding the increased number of visitors to the preserve in recent years. Mr. Cristal spoke in favor of considering a parking garage on the site.

Hal Feeney spoke in favor of collecting data related to the impacts on neighboring communities outside the preserve and not only number of visitors to the preserve. Mr. Feeney spoke in favor of looking closely at alternate access points.

Mary Jo Feeney spoke regarding the use of Mora Drive as a walk-in entrance only.

Rich Redelfs spoke in favor of making the preserve and its trails more bicycle friendly, including potential construction of additional bicycle trails. Mr. Redelfs spoke in favor of using technology to notify visitors of parking availability.

Ry Smith spoke against installation of parking meters.

Charles Bodine spoke against installation of parking meters or use of shuttles in order to maintain the character of the neighborhood and the preserve.

Teresa Baker commented on the increased population in the Bay Area and spoke in favor of increased parking for the preserve, including building a parking garage, to allow more people to visit to the preserve.

Public comments closed at 8:20 p.m.

Director Riffle requested additional information regarding the scope of the parking and transportation demand analysis study and suggested including scope tasks that list specific areas for counting visitors that access the preserve in various ways.

Director Hassett spoke in opposition to a metering system and in favor of additional parking in the parking boundaries.

Director Kersteen-Tucker commented on the impact of increased visitors at many of the District's preserves and suggested convening a working group for Rancho San Antonio similar to the one being convened for La Honda.

Director Holman suggested including neighbors in the current stakeholder group.

Director Kishimoto spoke regarding potential visitors that may not visit the preserve due to a lack of parking.

Director Holman suggested including as a short-term solution to use technology to monitor parking.

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

1. Approve the proposed scope of work related to the Rancho San Antonio Multimodal Access Study: Phase 1 Parking and Transportation Demand Analysis.
2. Approve the recommended short-term measures that can be initiated within Fiscal Years 2019-20 and 2020-21.

3. Authorize the Board President to appoint two Board Members to assist staff in pursuing coordination and partnership opportunities (described in Attachment 2) with other jurisdictions.

VOTE: 7-0-0

11. Award of Contract for Forest Inventory and Management Planning, La Honda Creek Open Space Preserve (R-19-84)

Senior Resource Management Specialist Matt Baldzikowski presented the staff report reviewing the La Honda Creek Master Plan and resource management policies that address forest management in the District. Mr. Baldzikowski described the geographic area included in the La Honda Forest and Management Plan pilot project. Finally, Mr. Baldzikowski described how forest management can be utilized for natural resource protection and preservation and provided several examples.

Director Hassett inquired regarding the purpose of studying historic logging roads within the preserve's conservation management unit areas.

Mr. Baldzikowski reported the study would be to determine if the roads should be removed for restoration purposes.

Director Holman requested clarification regarding forest inventory because tree count information may be helpful in calculating carbon sequestration.

Mr. Baldzikowski provided a definition of forest inventory and reported that the information may potentially be used to support carbon sequestration data.

Public comments opened at 9:36 p.m.

Dennis Danielson spoke in favor of the General Manager's recommendation and in favor of using this project as a successful template for future similar projects.

Public comments closed at 9:40 p.m.

Motion: Director Kersteen-Tucker moved, and Director Holman seconded the motion to:

1. Authorize the General Manager to enter into contract with Sicular Environmental Consulting and Natural Lands Management of Berkeley, California for \$79,993.
2. Authorize a 15% contingency of \$12,000 to be expended only if necessary to cover unanticipated conditions or needs, for a total contract amount not-to-exceed \$91,993.

VOTE: 6-0-0 (Director Riffle absent)

INFORMATIONAL MEMORANDUM

- Legislative Actions Update to Board

INFORMATIONAL REPORTS

A. Committee Reports

Director Kishimoto reported the Action Plan and Budget Committee met on June 18, 2019.

Director Siemens reported the Board Appointee Evaluation Committee met on June 18, 2019 to set the schedule for the annual evaluation process.

B. Staff Reports

Real Property Manager Mike Williams provided updates on the following projects: purchase of an addition to the El Sereno Open Space Preserve, exchange agreement with Caltrans for a portion of the Ravenswood Bay Trail, and closing escrows on the Giusti and Woodruff Redwoods properties.

District Clerk Jennifer Woodworth reminded the Board of the open house being held at the administrative office on June 27, 2019 regarding Bear Creek Stables.

Assistant General Manager Brian Malone provided an update on the covered walkway at the Mount Umunhum radar tower allowing the trail to be reopened. Mr. Malone reported that he provided an update on the radar tower to the Santa Clara County Historic Heritage Commission who recommended interim roof repairs and applying for historic designation of the radar tower.

C. Director Reports

The Board members submitted their compensatory reports.

Director Kersteen-Tucker reported on a recent event honoring Lennie Roberts for her work on the Devil's Slide tunnels.

Director Kishimoto reported on recent conversations with Portola Valley regarding the Hawthorns property.

Director Holman suggested examining artifacts gathered by Ken Fisher to determine if any may be displayed in the District's new office building.

President Siemens attended a meeting with legislative representatives and their staffs to discuss the Highway 17 crossing project.

ADJOURNMENT

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 10:03 p.m.

Jennifer Woodworth, MMC
District Clerk