



SPECIAL AND REGULAR MEETING

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

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, September 11, 2019

DRAFT MINUTES

SPECIAL MEETING

President Siemens called the special meeting of the Midpeninsula Regional Open Space District to order at 5:01 p.m.

ROLL CALL

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

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Engineering and Construction Manager Jay Lin, Senior Capital Project Manager Scott Reeves, and Senior Capital Manager Tanisha Werner

1. Administrative Office Project – Design Development Update (R-19-122)

Engineering and Construction Manager Jay Lin provided an overview of the project to date.

Senior Capitol Project Manager Scott Reeves described the recommendations included in the arborist report including trees proposed for removal, due to the poor health of the trees, to maintain public safety, and to provide for ADA access. Mr. Reeves displayed renderings of potential public benches, interpretive panels, and concrete designs.

The Board members provided comments regarding various design elements, including public benches, bicycle racks, etc.

The Board members provided comments related to the potential removal of trees on the property, including long-term maintenance costs, use of pavers rather than asphalt in the parking lot, and irrigation to improve the health of the trees.

Eric Skiba, project manager with Noll & Tam Architects, displayed various design options for exterior signage.

The Board members provided feedback on the three sign design options.

General Manager Ana Ruiz suggested a combination of options 1 and 3.

The Board directed the project team to return with various modified options at the October 9, 2019 meeting.

Amy Watson, project architect with Noll & Tam Architects, provided an overview of various interior design concepts and displayed potential materials for use in the design elements.

The Board members provided input and comments on the various proposed design elements.

Director Holman suggested including additional interpretive elements related to the Native American, agricultural, and Rancho history of the area. Additionally, art could be incorporated into the space, potentially through sponsorships.

Director Hassett suggested use of etched or frosted glass for the Boardroom divider in order to reduce distractions during public meetings.

Director Kersteen-Tucker suggested use of materials that have a rustic feel through use of reclaimed materials.

President Siemens spoke in support of only using the District's mission statement as a quote on the wall. He suggested using smaller quotes on plaques on the wall. President Siemens spoke in support of using a photograph of a District preserve on the elevator shaft. Finally, President Siemens suggested including colors throughout the building and less white space.

Ms. Watson reviewed the proposed options for the design and materials to be used for the Boardroom.

The Board members provided comments on the proposed design of the Boardrooms, including the height of the dais, window shading, and location of the projection screen.

The Board continued the special meeting until after the Board Business and Informational reports at 7:00 p.m.

The Board reconvened the special meeting at 7:57 p.m.

Mr. Lin provided an overview of the next steps on the project, including providing a cost estimate, Board approval of the design development plan prior to construction documents, and further discussion of reclaimed wood.

Public comments opened at 8:02 p.m.

No speakers present.

Public comments closed at 8:02 p.m.

No Board action required.

President Siemens adjourned the special meeting into closed session at 8:02 p.m.

REGULAR MEETING

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

ROLL CALL

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

Members Absent: None

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

ORAL COMMUNICATIONS

Tom Ridgen provided comments in support of the District allowing residents to use Blackberry Hill Road as a fire escape route.

Udi Fishman provided comments in support of the District allowing Blackberry Hill Road to be used as a fire escape route. The road is graded but needs clearing. Mr. Fishman requested the District allow the road to be studied to determine the extent of work that needs to be done.

Cathy Del Masso provided comments in support of the District allowing residents to use Blackberry Hill Road as a fire escape route.

Lynn Waters provided comments in support of the District allowing residents to use Blackberry Hill Road as a fire escape route. Ms. Waters also spoke about the dry vegetation in the area and illegal use of the area for parking along the dry grass.

Norm Picker provided comments regarding dog waste in Pulgas Ridge and requested the District take action to address the issue.

Kelly Abreu provided comments regarding dog waste at District preserves. Additionally, Mr. Abreu spoke regarding communication among park districts to address parking at District preserves, including installation of wheel stops and expanding parking lots.

Greg Schaffer spoke regarding trail closures in the Fremont Older Open Space Preserve and spoke in favor of repairing landslides along District trails prior to the winter season.

The Board by consensus referred the issue of using Blackberry Hill Road as a fire escape route to staff for further study.

ADOPTION OF AGENDA

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

VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:42 p.m.

No speakers present.

Public comment closed at 7:42 p.m.

Motion: Director Riffle moved, and Director Kersteen-Tucker seconded the motion to approve the Consent Calendar.

VOTE: 7-0-0

- 1. Approve August 28, 2019 Minutes**
- 2. Claims Report**
- 3. Contract Award for Budget Management Software to Questica Ltd. (R-19-121)**

General Manager's Recommendation: Authorize the General Manager to enter into a three-year contract with Questica Ltd. for an amount not to exceed \$127,350 for budget software acquisition, professional implementation services, and two years of software maintenance.

- 4. Proposed Agreement to exchange interests in real property between Frederick Holley and Maud Gleason (Holley-Gleason) and Midpeninsula Regional Open Space District (District). District to receive a public trail easement along a portion of Kennedy Trail in Sierra Azul Open Space Preserve (portion of Santa Clara APN 537-15-028) in exchange for a solar panel easement conveyed to Holley-Gleason at Sierra Azul Open Space Preserve (portion of Santa Clara APN 537-15-027). Pursuant to Public Resources Code section 5540.5, a unanimous vote of all seven Board members is required. (R-19-110)**

General Manager's Recommendation:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the report.
2. By a unanimous vote of the Board of Directors, adopt a resolution authorizing the agreement to exchange interest in real property between the District and Holley-Gleason.
3. Amend the Use and Management Plan to include the exchanged interest in real property.
4. Withhold dedication of the Exchange Property as public open space at this time.

5. Proposed Agreement to exchange interests in real property between Pacific Gas and Electric Company (PG&E) and Midpeninsula Regional Open Space District (District). District to receive a public roadway easement for a portion of Mt. Umunhum Road and a public trail easement for a portion of Woods Trail in Sierra Azul Open Space Preserve (portion of Santa Clara APN 583-24-004) in exchange for an easement for an existing gas line to be conveyed to PG&E at Pulgas Ridge Open Space Preserve (portion of San Mateo County APN 050-470-090). Pursuant to Public Resources Code section 5540.5, a unanimous vote of all seven Board members is required. (R-19-109)

General Manager's Recommendation:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the report.
2. By a unanimous vote of the Board of Directors, adopt a resolution authorizing the agreement to exchange interest in real property between the District and PG&E.
3. Amend the Use and Management Plan to include the exchanged interest in real property.
4. Withhold dedication of the Exchange Property as public open space at this time.

6. Bear Creek Road Culvert Replacement Funding Agreement between the County of Santa Clara and Midpeninsula Regional Open Space District(R-19-123)

General Manager's Recommendation: Adopt a resolution authorizing the General Manager to execute a Funding Agreement with the County of Santa Clara for the Briggs Creek Culvert Replacement underlying Bear Creek Road.

INFORMATIONAL MEMORANDUM

- Highway 17 Trail Connections -- Summary of Comments from July 9, 2019 Public Workshop in Los Gatos
- Pescadero-Butano Watershed Total Maximum Daily Load Regulations for Sediment Impairment

INFORMATIONAL REPORTS

A. Committee Reports

No committee reports.

B. Staff Reports

Assistant General Manager Susanna Chan reported that she will be attending a workshop of the Santa Clara County Board of Supervisors workshop to provide comments on the Stanford General Use Permit application.

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak reported the District has been awarded the Certificate of Achievement for Excellence in Financial Reporting (FY 2018) for its Comprehensive Annual Financial Report and Popular Annual Financial Report.

General Manager Ana Ruiz reported on the recent Oljon Trail ribbon-cutting event and that the District is sharing information with East Bay Regional Park District regarding historic structures.

C. Director Reports

The Board members submitted their compensatory reports.

Director Kersteen-Tucker reported she attended meeting of the San Mateo County Farm Bureau.

Director Riffle commented on the use of e-bike in open space throughout the region and cautioned the Board that the District needs to think carefully as it works to regulate e-bikes.

Director Kishimoto reported she and Director Kersteen-Tucker will be attending an upcoming meeting of the Santa Cruz Mountain Stewardship Network Spotlight on Stewardship tour.

Director Holman reported her attendance at a meeting of the Bay Restoration Authority.

President Siemens reported that he attended a meeting of the Santa Clara County Special District's Association.

The Board reconvened the special meeting at 7:57 p.m.

CLOSED SESSION

President Siemens called the closed session of the Midpeninsula Regional Open Space District to order at 8:15 p.m.

ROLL CALL

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

Members Absent: None

Staff Present: None

Public comments opened at 8:15 p.m.

No speakers present.

Public comments closed at 8:15 p.m.

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957(b)(1)

Title of Employee: Controller
General Counsel
General Manager

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6

Agency designated representatives: Board of Directors
Unrepresented Employees: Controller
General Counsel
General Manager

ADJOURNMENT

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

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 10:40 p.m.

Jennifer Woodworth, MMC
District Clerk