



Midpeninsula Regional
Open Space District

October 23, 2019
Board Meeting 19-27

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, October 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 6:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Karen Holman, and Curt Riffle

Members Absent: Zoe Kersteen-Tucker, Yoriko Kishimoto, and Pete Siemens

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner,

1. Review of 2019 State of California Legislative Session – Board of Directors Briefing on Matters of Interest to Midpeninsula Regional Open Space District (R-19-133)

District lobbyist Julie Malinowski-Ball with Public Policy Associates provided an overview of the legislative bills signed and vetoed by Governor Newsom related to issues of interest to the District. Ms. Malinowski-Ball summarized bills related to wildfire prevention and forest health, affordable housing, and funding challenges for special districts.

District lobbyist Reed Addis with Environmental and Energy Consulting provided updates on bills related to issues of District interest, including wildlife corridors, climate adaptation, Proposition 68 funds, the Greenhouse Gas Reduction Fund, etc.

Board members requested and received clarification regarding several specific bills.

Public comments opened at 7:02 p.m.

No speakers present.

Public comments closed at 7:02 p.m.

No Board action required.

Vice-President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:02 p.m.

REGULAR MEETING

Vice-President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:02 p.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Karen Holman, and Curt Riffle

Members Absent: Zoe Kersteen-Tucker, Yoriko Kishimoto, and 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, Public Affairs Manager Kori Skinner, Natural Resources Manager Kirk Lenington, Senior Resource Management Specialist Julie Andersen, Land & Facilities Manager Michael Jurich, Senior Capital Project Manager Tanisha Werner

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

Vice-President Holman stated Item 4 would be continued to the following Board meeting.

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

VOTE: 4-0-0 (Director Kersteen-Tucker, Kishimoto, and Siemens absent)

SPECIAL ORDERS OF THE DAY

- Introduction of Management Talent Exchange Program Participant
 - Deborah Hirst, Climate Resiliency/Regional Trails Specialist

CONSENT CALENDAR

Item 4 continued to the following regular Board meeting.

Public comment opened at 7:08 p.m.

No speakers present.

Public comment closed at 7:08 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to approve the Consent Calendar, except for Item 4.

VOTE: 4-0-0 (Director Kersteen-Tucker, Kishimoto, and Siemens absent)

- 1. Approve October 9, 2019 Minutes**
- 2. Claims Report**
- 3. Approval of Amendments to the Personnel Policies and Procedures Manual (R-19-134)**

General Manager's Recommendation: Adopt a Resolution approving the amendments to the Personnel Policies and Procedures Manual.

- 4. Resolution to accept grant funding from the California Natural Resources Agency for the proposed future purchase of the Gordon Ridge property. (R-19-135)**

General Manager's Recommendation: Adopt a resolution by roll call vote authorizing the General Manager to execute a funding agreement with the California Natural Resources Agency for the proposed future purchase of the Gordon Ridge property as an addition to Tunitas Creek Open Space Preserve.

BOARD BUSINESS

- 5. Highway 17 Crossings Alternatives, Caltrans Project Study Report, Environmental Review, Public Outreach and Funding (R-19-136)**

Senior Resource Management Specialist Julie Andersen provided an overview of the project, including purpose and goals, public meetings held throughout the project, and the Caltrans process being followed.

Randy Anderson, project consultant from Trail People, described the reasons behind the recommendation for two separate structures for wildlife and trail crossings and the rankings of the various crossing alternatives.

Ms. Andersen described the two wildlife crossings and two trail crossings recommended for further study, the benefits and related limitations for each alternative, and estimated costs. Ms. Andersen described the connections between the recommended trail crossings to existing trails, such as the Ridge and Los Gatos Creek Trails, and level of public and partner support. Ms. Andersen reported wildlife fencing will be needed the wildlife crossing to direct wildlife to the crossing and will require monitoring and adaptive management. Finally, Ms. Andersen described

the conclusion for Phase I (project initiation) and the next phase (environmental review) of the project and the proposed future outreach and funding approaches.

Director Riffle inquired regarding funding support from Caltrans.

Ms. Andersen reported Caltrans cannot allocate any funding until after Phase II is complete. The District will enter into agreements with Caltrans at each phase, some of which Caltrans will cover the costs. Potential funding opportunities have been identified and may be further explored following environmental review. Also, the District plans to request that Caltrans own the structures.

General Manager Ana Ruiz reported she met with Senator Jim Beall today and discussed this project. Senator Beall is supportive of the project and may be able to help the District seek project funding.

Director Riffle inquired if monitoring would occur following project completion of the project to determine its effectiveness.

Ms. Andersen reported that wildlife cameras would be installed to monitor wildlife crossings in addition to other data gathered through roadkill data and mountain lion collar monitors.

Director Holman inquired when the design would be available for Board review.

Ms. Andersen reported this will be available during the design phase, which occurs after environmental review.

Public comments opened at 7:45 p.m.

Paul Billig spoke in favor of the project and its ability to create a connection for the Bay Area Ridge Trail.

Public comments closed at 7:47 p.m.

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

1. Authorize the General Manager to approve the final Caltrans Project Study Report - Project Development Support document.
2. Approve the proposed approach for project environmental review pursuant to the California Environmental Quality Act and the National Environmental Policy Act to evaluate highway crossing alternatives for wildlife and trail use.
3. Adopt a Resolution authorizing the General Manager to enter into a Cooperative Agreement with Caltrans to begin the Caltrans Project Approval and Environmental Document for the proposed project.

VOTE: 4-0-0 (Director Kersteen-Tucker, Kishimoto, and Siemens absent)

6. Lone Madrone Ranch (formally McDonald Ranch) Grazing Lease in La Honda Creek Open Space Preserve (R-19-137)

Land & Facilities Manager Michael Jurich provided the staff presentation describing the location and history of Lone Madrone Ranch (formerly McDonald Ranch), including grazing on the property. Mr. Jurich described the history of the current grazing lease with Erik and Doniga Markegard and requirements included in the new grazing lease, including weekly inspection of the premise, submittal of monthly stocking reports, infrastructure improvements, and site visits by staff.

Director Riffle requested clarification regarding the additional lease requirements and the reasons for their inclusion.

Mr. Jurich stated the purpose of the requirements are twofold: to complete necessary upgrades because the ranch had not been grazed for a long period and has required numerous infrastructure improvements, and to address concerns that arose following the recent cattle loss at the ranch.

Assistant General Manager Brian Malone reported the lease terms are the same as are used for other grazing leases, but there is a higher level of District staff involvement and District commitment to also complete improvements. Mr. Malone stated the requirements are for a shorter term for implementation and monitoring before determining whether the lease will be extended.

Director Riffle inquired whether the introduction of public access would affect the lease.

Mr. Jurich reported this will not affect the lease terms. In other areas with public access and active grazing, staff works directly with the tenants, which would also occur for this tenant.

Public comments opened at 8:12 p.m.

No speakers present.

Public comments closed at 8:12 p.m.

Motion: Director Riffle moved, and Director Hassett seconded the motion to adopt a resolution authorizing the General Manager to enter into a new two-year grazing lease with an option for a one-year extension at Lone Madrone Ranch in La Honda Creek Open Space Preserve with current Lessee, Erik and Doniga Markegard.

VOTE: 4-0-0 (Director Kersteen-Tucker, Kishimoto, and Siemens absent)

The Board recessed at 8:14 p.m. and reconvened at 8:19 p.m. with Directors Cyr, Hassett, Holman, and Riffle present.

7. Award of Contract for the South Area Field Office Project (19-138)

Senior Capital Project Manager Tanisha Werner provided the staff report describing the history of the project to date, location of the project, and displayed photos of the current building conditions. Ms. Werner reviewed the planned exterior and interior features of the building and various bid alternates that contractors also bid on, including those being recommended for inclusion in the construction contract. The project is anticipated to be completed in early 2021.

Director Cyr suggested painting the metal siding to a more natural color.

Ms. Werner reported the building siding will be tan in color.

Director Riffle spoke in support of incorporating climate efficiency and green design features into the building.

Ms. Ruiz reported that staff can report back to the Board on these but were largely constrained by the budget.

Director Holman inquired why replacement of siding on the building's south wall is not included in the base bid and contingency.

Ms. Werner reported replacement of the south wall was not included in the project scope and may not be needed.

Ms. Ruiz stated the contract contingency is being preserved for other possible issues that may arise related to the site, such as contamination.

Public comments opened at 8:41 p.m.

No speakers present.

Public comments closed at 8:41 p.m.

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

1. Award a contract to Agbayani Construction Corporation of Daly City, California for a base contract amount of \$3,529,000, which includes bid alternates #5 and #7.
2. Authorize a 15% construction contingency of \$529,350 to be reserved for unanticipated issues, for a not-to-exceed total contract amount of \$4,058,350.
3. Separately authorize bid alternate #1 for \$75,000, for a total not-to-exceed contract amount of \$4,133,350, to be awarded if during demolition the south wall is deemed to require replacement; this fixed charge is excluded from the 15% contract contingency calculation.

VOTE: 4-0-0 (Director Kersteen-Tucker, Kishimoto, and Siemens absent)

INFORMATIONAL REPORTS

A. Committee Reports

Director Cyr reported the Planning and Natural Resources Committee met yesterday to discuss the draft grazing policy and received feedback from the public and an addendum to the Mindego Ranch Grazing Management Plan.

B. Staff Reports

Ms. Ruiz reported on the recent Ravenswood Bay Trail kickoff event and an event held by the Silicon Valley Bicycle Coalition. Ms. Ruiz reported staff and members of the Board continue

their briefing meetings with local elected officials to discuss current and upcoming District projects.

C. Director Reports

The Board members submitted their compensatory reports.

Director Cyr reported he attended a meeting of the Santa Clara Valley Water Commission.

Directors Hassett and Riffle reported their attendance at the October 19, 2019 La Honda Public Access Working Group site tour and commended staff for the work done.

Vice-President Holman reported on her recent meetings with Los Altos Mayor Lynette Eng, Senator Jim Beall, Santa Clara County Supervisor and Board President Joe Simitian, and San Mateo County Supervisor Dave Pine.

ADJOURNMENT

Vice-President Holman adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:00 p.m.

Jennifer Woodworth, MMC
District Clerk