



SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Wednesday, May 27, 2020

The Board of Directors conducted this meeting in accordance with California Governor Newsom's Executive Order N-29-20. All Board members and staff participated via teleconference.

DRAFT MINUTES

SPECIAL MEETING

President Holman called the special meeting of the Midpeninsula Regional Open Space District to order at 5:00 p.m.

ROLL CALL

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

Members Absent: Larry Hassett

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Natural Resources Manager Kirk Lenington, Senior Resource Management Specialist, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi

District Clerk Jennifer Woodworth reported no written comments were submitted for this item.

The Board of Directors convened into closed session at 5:02 p.m.

Director Hassett joined the meeting at 5:10 p.m.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: Lehigh Southwest Cement Company (Santa Clara County APNs: 351-09-003, 351-12-067, 351-09-023, 351-09-025, 351-10-037, 351-10-017, 351-10-019, 351-10-039, 351-10-044, 351-10-011, 351-10-030, 351-10-029, 351-10-023, 351-10-012, 351-10-038, 351-11-001, 351-11-005, 351-11-007, 351-11-012)

Agency Negotiator: Allen Ishibashi, Senior Real Property Agent and Brian Malone, Assistant General Manager

Negotiating Party: Erika Guerra
Under Negotiation: Price and terms

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

Title of Employee: General Manager

President Holman recessed the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District to the end of the regular meeting at 7:02 p.m.

REGULAR MEETING

President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:09 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: 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 Jennifer Woodworth

President Holman announced this meeting is being held in accordance with Governor Newsom’s Executive Order allowing Board members to participate remotely. The District has done its best to conduct a meeting where everyone has an opportunity to listen to the meeting and to provide comment. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District’s Administrative Office, and on the District website. President Holman described the process and protocols for the meeting.

REPORT OUT OF CLOSED SESSION

General Counsel Hilary Stevenson stated there was no reportable action from the closed session.

ORAL COMMUNICATIONS

District Clerk Jennifer Woodworth reported no written comments were submitted for this item.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:12 p.m.

District Clerk Jennifer Woodworth reported no written comments were submitted for this item.

Public comment closed at 7:12 p.m.

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

ROLL CALL VOTE: 7-0-0

- 1. Approve May 13, 2020 Minutes**
- 2. Claims Report**
- 3. Award of Contract for Vegetation Mapping Services in Santa Clara and Santa Cruz Counties (R-20-50)**

General Manager's Recommendation:

1. Authorize the General Manager to enter into a four-year cooperative agreement with San Mateo County Resource Conservation District for regional vegetation mapping services, for an amount not-to-exceed \$200,000.
2. Authorize a 12% contingency of \$24,000 to request additional mapping services, if deemed beneficial and appropriate, for a total contract amount not-to-exceed \$224,000.

4. Subcontractor Substitution for the Ravenswood Bay Trail Connection Project (R-20-52)

General Manager's Recommendations: Consent to a subcontractor substitution for the Ravenswood Bay Trail Connection Project.

5. Award of Contract for Web Design and Development Services (R-20-51)

General Manager's Recommendations: Authorize the General Manager to enter into a four-year contract with Rootid for an amount not to exceed \$138,218 for website design and development, content migration, and four years of ongoing maintenance and strategic support.

6. Written Response to Sue Dremann

General Manager's Recommendations: Approve the written response to comments submitted by Sue Dremann.

7. Written Response to Craig Dremann

General Manager's Recommendations: Approve the written response to comments submitted by Craig Dremann.

BOARD BUSINESS**8. Award of Contract to AECOM for the Project Approval and Environmental Document Phase of the Highway 17 Wildlife and Regional Trail Crossings and Trail Connections Project (R-20-53)**

General Manager Ana Ruiz provided an overview of the project and described the high level of support for the project by members of the public as demonstrated during the Vision Plan process and Measure AA.

Senior Planner Meredith Manning provided the staff report describing project progress and milestones to date, including multiple public meetings, entering into an agreement with Caltrans to assign them to be the lead agency for NEPA review, and assistance in seeking funding sources. Ms. Manning reviewed the project cost estimates, which will be refined once a trail alternative is selected. Ms. Manning described the project timeline with the environmental review being completed in 2022-2023 and construction beginning in 2025 or beyond.

Director Riffle inquired regarding the ability of equestrian users to access to the crossing.

Ms. Manning reported the connecting trails are multi-use allowing for cycling, equestrian, and dogs on leash. It is anticipated that the crossing will also be multi-use.

Ms. Manning described the process for the request for proposals and qualifications from the various consultants. Ms. Manning described the criteria used to evaluate the proposals and the evaluation team, which included a Caltrans representative. Ms. Manning displayed example projects designed by AECOM and described their qualifications and components of the AECOM proposal.

Governmental Affairs Specialist Josh Hugg described the legislative assistance the District is seeking to support the project, such as state budget allocations.

Ms. Manning described the mitigation credit agreement investigation, which credits can augment general funds and/or offset project impacts in advance of implementation. The project may have an opportunity for mitigation credits, which will be determined as part of the AECOM agreement. Ms. Manning described various project supporters and potential funding partners.

Public comment opened at 8:31 p.m.

District Clerk Jennifer Woodworth read the submitted written comment into the record.

Ross Heitkamp stated his support for the Highway 17 crossing project stating the project can provide safe crossings for wildlife and individuals hiking or cycling. Mr. Heitkamp stated improvements are needed on both sides of the crossing to ensure all routes are possible to people and animals.

Jerry Wittenauer, an equestrian speaking on behalf of ETRAC and Quicksilver Endurance Riders, expressed support for the project and encouraged the Board to pursue a project that provides equestrian access to the proposed crossing.

Alex Sabo on behalf of the Bay Area Ridge Trail Council thanked District staff for their work on the project stating the project will provide a vital habitat linkage for wildlife and access for the planned multi-use Bay Area Ridge Trail. The Bay Area Ridge Trail Council supports the project and hopes to continue to work with the District in the future to provide advocacy and outreach on the project.

Public comment closed at 8:35 p.m.

The members of the Board complemented thanked staff for their work and spoke in strong support of the project.

Director Siemens cautioned against using Caltrans for the design work and spoke in favor of the District contracting for the design work. Director Siemens urged the staff to move forward with the trail work once a project location is selected to help move the project along.

Motion: Director Hassett moved and Director Siemens seconded the motion to:

1. Authorize the General Manager to enter into a contract with AECOM for a base not-to-exceed amount of \$1,180,385 for environmental and engineering consulting services for the Highway 17 Wildlife and Regional Trail Crossings and Trail Connections Project.
2. Authorize an approximate 10% contingency of \$118,330 to be reserved for unforeseen conditions, for a total contract amount not-to-exceed \$1,580,000.
3. Authorize \$281,285 in allowances, as described in the report, for additional environmental and engineering consulting services beyond the base contract scope of work to be used only if deemed necessary.

ROLL CALL VOTE: 7-0-0

INFORMATIONAL MEMORANDUM

- Calendar Year 2019 Ranger Activity Report
- Calendar Year 2019 Annual Report on Estimated Visitor Counts
- April 8 and April 22, 2020 Multiple Structures Stabilization Reports Clarification on the Fiscal Impact Tables Information

INFORMATIONAL REPORTS

A. Committee Reports

Director Kishimoto reported the Action Plan & Budget Committee met to review and discuss the draft budget and action plan that will be presented to the Board in June.

Director Kersteen-Tucker reported the Legislative, Funding, and Public Affairs Committee met on Tuesday to discuss a commemorative bench for California State Senator Jim Beall and regarding proposed updates to District policy related to use of recycled paper.

B. Staff Reports

No staff reports.

C. Director Reports

The Board members submitted their compensatory reports.

ADJOURNMENT

President Holman adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District back into closed session at 8:52 p.m.

ADJOURNMENT

President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:53 p.m.

Jennifer Woodworth, MMC
District Clerk