



R-20-58
Meeting 20-12
June 10, 2020

AGENDA ITEM 6

AGENDA ITEM

Recycled Paper Policy Revision

GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Authorize the specification of 100% recycled paper stock, when feasible, for high quantity printing orders, including for brochure maps and the quarterly newsletter.
2. Adopt a revision to Board Policy 3.03 Section V.C, *Purchase of Recycled Products* to match Administrative Policy 4.03: "District staff shall purchase recycled products when the cost, suitability, and quality, taken together, provide the best outcome for the environment and best value for the public."

SUMMARY

Policy 3.03, Section V.C., *Purchase of Recycled Products* (Attachment 1) requires Midpeninsula Regional Open Space District (District) staff to purchase recycled products whenever such products are available at equal cost to non-recycled products and when fitness and quality are equal. In compliance with this policy, current recycled and "green" materials specifications for printing vendors are set based on costs, to ensure that costs for green products are comparable to non-recycled products. As such, current specifications focus on the use of soy-based inks and paper stock with minimum recycled content of 30% post-consumer waste. In June 2019, as part of an award of contract for printing and mailing services, the Board of Directors (Board) directed the General Manager to report back to the Board with information and recommendations for increasing recycled paper use. On June 10, the Board of Directors will review information gathered and consider recommendations as forwarded by the Legislative, Funding, and Public Affairs Committee to revise Policy 3.03 for expanded purchase and use of recycled paper content. The recommended changes allow the use of 100% post-consumer waste (PCW), processed chlorine free (PCF) recycled paper for items printed in high quantity, such as brochure maps and the quarterly newsletter.

DISCUSSION

While much of the information published by the District is in digital form and posted to the *openspace.org* website or printed on demand in-house, some materials, such as direct mail notifications, brochures, maps, and the quarterly newsletter are printed using outside vendors. As routine and repetitive supplies and services, printing services in excess of \$50,000 are governed by Section IV. H of Board Policy 3.03. Qualified printing vendors are selected through competitive bidding procedures using District printing specifications and a sample set of representative projects. Vendor pricing is compared, and the lowest qualified bidders are

awarded on-call, multi-year contracts to secure the best pricing and to assure continuity of service. Vendor performance is monitored with each project and documented to ensure expectations are met and pricing remains competitive.

In keeping with Environmental Protection Agency (EPA) Recovered Materials Advisory Notice (RMAN) recommendations, staff currently specifies the use of paper with a minimum of 30% PCW and the use of soy inks for projects printed by outside vendors.

Historically, 100% PCW paper has not been specified because of the significantly higher comparable cost in compliance with Board Policy 3.03 Section V.C., which currently states, “District staff shall purchase recycled products whenever such products are available *at equal cost* to non-recycled products and when fitness and quality are equal.”

Considerations for Higher Recycled Content Paper

Board policy aside, using a higher percentage PCW paper provides environmental benefits that align with the District’s mission:

- **Recycled paper reduces demand for fresh (green) wood.**
 - For example, our current practice of printing our quarterly newsletter on 30% PCW paper saves 2.15 tons of fresh wood over nonrecycled paper per issue.¹ Changing the specs to print on 100% PCW paper could save an additional 4.14 tons of fresh wood per issue, or 16.56 tons of fresh wood annually (4 issues).
- **Producing recycled pulp uses less water and energy** during manufacturing because fibers have already been processed at least once.
 - In 30% PCW paper, this amounts to saving 1,000 gallons of water and 5.5 million BTUs of energy over nonrecycled paper; 100% PCW paper could save an additional 2,000 gallons of water and 10.1 million BTUs of energy per issue, or 8,000 gallons of water and 40.4 million BTUs of energy annually.¹
- **Recycled paper reduces solid waste** by diverting usable paper from the waste stream.
 - With 30% PCW paper, 40 pounds of solid waste is diverted per issue; 100% PCW paper could save an additional 90 pounds of solid waste per issue, or 360 pounds per year.¹
- **Recycled paper produces less greenhouse gas.**
 - Producing 30% PCW paper reduces CO₂ by 5,600 pounds per issue over nonrecycled paper; 100% PCW paper could reduce CO₂ by an additional 10,500 pounds, or 42,000 pounds of CO₂ per year.¹

These environmental benefits do entail an increased cost. While prices for recycled content paper have dropped significantly in recent years, they remain higher than virgin paper. To evaluate the cost implications of increasing to 100% PCW paper, staff requested comparison options for typical print projects from current on-call printing vendors. The cost increase for each publication depends on the amount of paper used, which is determined by the quantity printed and the finished size and page count of the item. For example, cost estimates for a recent issue of the *Open Space Views* newsletter showed a quantity of 13,200 printed on 30% PCW paper costs \$5,980, while printing on 100% recycled paper would be \$13,710. The expected cost of four issues would increase by approximately \$31,000 annually. The cost impact of brochure maps is more challenging to estimate, as brochure size and quantity needed differs by preserve. Estimates showed that using 100% PCW paper increased costs by \$0.06 to \$0.10 per brochure printed

(brochures typically cost \$0.30 to \$0.50 each, depending on size and quantity printed). Calculated over a typical year, specifying 100% PCW, PCF paper for all high quantity publications (including brochures and newsletter) is estimated to increase total annual printing costs approximately \$60,000.

Due to advances in technology and processes, 30% PCW recycled paper with the same brilliance and print performance as virgin (nonrecycled) paper is readily available. For paper stocks with recycled content above 30% PCW, brilliance and performance is also comparable to virgin paper, however, the significantly higher cost does limit the widespread availability of papers with higher than 30% PCW recycled content, requiring lead time for special orders given that these products are in much less demand on the open market. According to our vendors, typical recycled paper that can be more readily sourced are those with recycled content of 10%, 30% and 100% PCW. A wide sampling of printing vendors confirmed the availability of 100% PCW options that are comparable to the 30% PCW paper stocks currently used for brochure maps and the quarterly newsletter. As a special-order product, the 100% PCW stock requires an additional seven to 10 days lead time, which can be accommodated by adjusting the District's publication process to order in advance. Staff and the District's contract graphic design consultants have reviewed available stock samples and confirmed their suitability for use in both publications.

Other agency paper use policies

Staff reached out to partner agencies, including Santa Clara County Parks, San Mateo County Parks, Santa Clara Valley Open Space Authority, East Bay Regional Park District, and Peninsula Open Space Trust to inquire about their current paper usage, any existing policies or guidelines that specify recycled content minimums for printing projects, or other environmental specifications. Most other agencies do not have *policies* regarding recycled paper content, instead making it a best practice to incorporate paper selection that meets budget and project requirements.

Agency	Policy or Guidelines	PCW Content	Soy-based Inks	FSC* Required
Santa Clara County Parks	No	30%-100%	Yes	Yes
San Mateo County Parks	Yes	30%	Yes	Yes
Open Space Authority	No	30%-100%	Yes	No
East Bay Parks	No	30%-100%	Yes	Yes
POST	No	30%	Yes	No
District (Midpen)	Yes	30%	Yes	Yes

**Meets Forest Stewardship Council standards to make sure that forestry is practiced in an environmentally responsible and socially beneficial manner.*

While the District does not do enough printing to impact the market for 100% PCW stock alone, a shift in our specifications could potentially play a small part in a larger effort to create a sustained market for higher recycled content paper products.

Environmental processing and chemical use

Most paper must be bleached to give it the white look preferred for color and image quality. According to the California Department of Resources Recycling and Recovery ([CalRecycle](#)), traditional bleaching processes involve chlorine or its derivatives, which can be harmful to the environment, particularly aquatic environments. Many manufacturers offer paper that is processed chlorine-free (PCF), using alternate technologies such as oxygen, ozone, or hydrogen

peroxide. Additional research on this specification found PCF processing to be most common with 100% PCW paper. Currently, the District does not specify PCF as a requirement, yet if the District were to specify 100% PCW with printed projects, it is recommended to require the paper be PCF as well.

Local versus Non-local Vendors

Beyond recycled content, the distance paper stock and printed paper materials travel also adds environmental impacts to printing projects. Historically, the District has not considered distance in selecting printing vendors other than that firms submitting bid proposals are required to have a quick turnaround time and the ability to respond to urgent project requests. The printing industry has consolidated significantly and District print vendor requests for proposal qualifications often receive interest from national, as well as international firms, and sometimes those firms have local offices. The District purchasing policy does not currently incorporate a local preference consideration, in part because such a policy would need to include specific findings for legal compliance. Local preference purchasing rules for certain types of purchases could be researched further at the Board's direction.

To continue to support green initiatives, the General Manager recommends the District continue prioritizing environmentally friendly materials, including FSC-certified paper and use of soy-based inks. The additional cost of recycled paper that is processed chlorine-free is a reasonable tradeoff to promote the District's sustainability goals and the Board-adopted Climate Action Plan. The General Manager requests the Board consider the following recommendations:

1. Authorize of the specification of 100% recycled paper stock, when feasible, for high quantity printing orders, including for brochure maps and the quarterly newsletter.
2. Revise Board Policy 3.03 Section V.C, *Purchase of Recycled Products* to match Administrative Policy 4.03: "District staff shall purchase recycled products when the cost, suitability, and quality, taken together, provide the best outcome for the environment and best value for the public."

In researching current recycled paper industry trends, staff also conducted a price comparison on paper stocks used for in-house copiers, evaluating currently used nonrecycled paper to 30% and 100% recycled paper. Staff found only a modest increase of \$1,500 per year to switch from the current nonrecycled paper to 100% recycled paper, therefore, the General Manager implemented this change. Additionally, staff will continue to look for ways to support the reduction of paper usage, whenever possible, through initiatives like encouraging preserve visitors to reuse brochure maps, use digital maps like GeoPDFs, and snapshots of displayed maps or smartphone trail guide applications like OuterSpatial.

FISCAL IMPACT

Using higher recycled content paper is expected to increase the District's annual printing budget by approximately \$60,000, which translates to an estimated 34% increase for fiscal year 2020. This increase may be offset in future years by a reduction in printed materials or as recycled content products continue to decrease in price. Printing budgets for future fiscal years will be adopted annually as a part of the annual Budget and Action Plan process. Switching to 100% recycled copier paper for in-house printing projects will also cost the District 34% more, amounting to an estimated annual additional cost of \$1,500.

BOARD COMMITTEE REVIEW

The Legislative, Funding, and Public Affairs Committee (LFPAC) reviewed this item on April 14, 2020 and again on May 26, 2020 to review a correction. The Committee recommended forwarding the general manager's recommendations to the full Board at both meetings.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

Upon approval of the general manager's recommendations, staff will begin specifying that high quantity publications, including the quarterly newsletter and brochure maps, be printed on 100% PCF, PCW paper stock, whenever possible, beginning in FY21. Staff will also continue to purchase recycled copier paper stock.

Attachments

1. Board Policy 3.03, with proposed amendment
2. Legislative, Funding, and Public Affairs Committee Approved Minutes of April 14, 2020
3. Legislative, Funding, and Public Affairs Committee Draft Minutes of May 26, 2020

Responsible Department Head:
Korrine Skinner, Public Affairs

Prepared by:
Korrine Skinner, Manager, Public Affairs

Midpeninsula Regional Open Space District

Board Policy Manual

Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing Policy	Policy 3.03 Chapter 3 – Fiscal Management
Effective Date: 7/24/02	Revised Date: 01/24/18
Prior Versions: 12/16/09, 1/27/10, 9/23/15	

Purpose

The purpose of this policy is to ensure that the District obtains quality services, supplies, material and labor at the lowest possible cost, and to provide a uniform method for procurement of services and supplies. In addition, through proper documentation, conformance to this Policy will enable the District's constituents to know that their public funds are being spent responsibly, and potential vendors and contractors to know that they are being treated equitably.

Policy

I. PURCHASING AUTHORITY

There are three levels of authority for purchases: Board Approval, General Manager Approval and General Manager Delegated Approval. The maximum purchasing authority amounts refer to the total price of an order, including tax and/or shipping, which may include more than one item and also includes change orders and contract amendments. As used in this Policy, the term “purchasing” refers collectively to contracting or procurement of services, supplies, material or labor, including Capital Improvements.

A. Board Approval for Purchases In Excess of \$50,000

If the cost for furnishing services, supplies, materials, labor, or other valuable consideration to the District will exceed Fifty Thousand Dollars (\$50,000), approval from the Board of Directors is required prior to entering into the contract.

The Board may reject all bids and re-advertise, or by a five-sevenths vote may elect to purchase the materials or supplies in the open market, or to construct a building, structure, or improvement using District personnel.

1. Signature

Contracts which have been approved by the Board shall be signed by the General Manager or designee, unless the Board has directed that the President sign on behalf of the District. The District Clerk shall sign all such contracts and affix the seal of the District.

B. General Manager Approval for Purchases Not Exceeding \$50,000

Pursuant to Public Resources Code 5549, the General Manager may obtain bids without advertisement or published notice inviting bids and may authorize and execute contracts for payment for services, supplies, material, labor, or other valuable consideration for any purpose, including the new construction of any building, structure, or improvement, in an amount not exceeding \$50,000. Such expenditures shall be reported to the Board of Directors at its next regular meeting, and may be reported on the Board's Claims List.

1. Administrative Purchasing Policy/Procedure

The General Manager shall issue an Administrative Purchasing Policy/Procedure, which provides appropriate guidance to staff to ensure that all District purchases are made in accordance with this Policy and required documentation procedures are followed.

The General Manager shall issue written delegation of purchasing authority to those job classifications whose duties include making purchases within his or her area of responsibility. Purchasing authority limits shall be consistent with this Policy. Such written delegation of purchasing authority shall include the authority to execute contracts, purchase orders, and other documents necessary to approve a purchase within the employee's purchasing authority.

C. Contract Change Orders

Staff may issue change orders to a contract, provided that the aggregate of all change orders to that contract does not exceed fifteen percent (15%) of the original contract price. A larger contingency may be authorized, based on unusual circumstances. Change orders shall not exceed the total contract amount approved by the Board, General Manager or other District employee as authorized by this Policy, including any contingency amount. Any expenditure beyond the originally approved contract and contingency amount shall be approved by the party authorized at that expenditure level under this Policy.

II. SOLICITATION OF BIDS

A. Solicitation of Formal Advertised Bids for Expenditures Exceeding \$50,000

When any expenditure for projects, excluding Professional services, is expected to exceed \$50,000, the District shall conduct a formal bidding process pursuant to Public Resources Code section 5594.

This type of formal bidding process typically includes the issuance of written plans or specifications describing the goods or services to be provided and the receipt of written bids from the bidders involved. Staff shall attempt to solicit formal bids from a minimum of three bidders. Following Board approval, the contract shall then be executed by the General Manager or designee, unless the Board President's signature is required. The Contract shall be awarded to the lowest responsible, responsive bidder, except as otherwise provided in this Policy.

B. Solicitation of Three Written Bids for Expenditures Exceeding \$25,000 but Not Exceeding \$50,000

When any expenditure is expected to exceed \$25,000, but not exceed \$50,000, the District shall solicit written proposals from a minimum of three (3) bidders. The General Manager's or designee's approval of the contract or purchase order is required as applicable under this Policy.

C. Solicitation of Three Quotes or Proposals for Expenditures Exceeding \$5,000 but Not Exceeding \$25,000

When any expenditure is expected to exceed \$5,000, but not exceed \$25,000, the staff member responsible for the purchase is to solicit a minimum of three (3) quotes or proposals to provide the goods or services. Such quotes shall be documented in writing pursuant to the Administrative Purchasing Policy/Procedure.

D. Expenditures Not Exceeding \$5,000

Staff members shall obtain competitive cost information, whenever feasible, for any District purchase even though formal cost quotations are not required for goods or services costing \$5,000 or less.

III. Professional Services

Professional consultant services are of a technical and professional nature, and, due to the nature of the services to be provided, do not readily fall within the "low bid" competitive bidding process. In addition, State law requires that selection of professional consultants in the categories of architects, landscape architects, engineers, surveyors, construction managers, and environmental consulting be made on the basis of demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services. Professional consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a price that is fair and reasonable. Professional services agreements shall include the full scope of anticipated services for the project, program or annual service agreements and shall not be split into smaller units for the purpose of circumvention of this Policy and the required purchasing procedures.

A. Selection Procedures for Professional Services in Excess of \$50,000

When the cost for professional services is expected to be in excess of \$50,000, the District shall prepare a Request for Qualifications (RFQ) outlining the professional's qualifications, relevant experience, staffing and support and hourly rates. This information becomes the basis for negotiating a contract or a Request for Proposal (RFP) outlining the terms, conditions and specifications of the services required by the District. The District may also prepare, as an alternative, a Request for Qualifications and Proposal, combining the required elements of the RFQ and the RFP described above. A minimum of three (3) qualified firms or individuals shall be invited to submit qualifications and/or proposals.

District staff will review the proposals received, will select the most qualified firms for interviews, and will rank the consultants based upon criteria including but not limited to the following:

- i. Ability of the consultants to perform the specific tasks outlined in the RFP/RFQ.
- ii. Qualifications of the specific individuals who will work on the project.
- iii. Amount and quality of time key personnel will be involved in their respective portions of the project.
- iv. Reasonableness of the fee requested to do the work; comparability of fee to similar services offered by other qualified consultants.
- v. Demonstrated record of success by the consultant on work previously performed for the District or for other public agencies or enterprises.
- vi. The specific method and techniques to be employed by the consultant on the project or problem.
- vii. Ability of the consultant to provide appropriate insurance in adequate amounts, including errors and omissions if applicable.

For the categories of architects, landscape architects, engineers, surveyors, construction managers, and environmental consultants, initial selection of the most qualified and competent consultants shall not include the cost criteria listed in Section III.A. of this Policy. After staff has determined the most qualified and competent consultants, this cost criteria shall be considered in negotiating a professional services agreement with the selected consultant.

B. Selection Procedures for Professional Services in Excess of \$10,000 but Not Exceeding \$50,000

District staff shall solicit written proposals from a minimum of three (3) qualified consultants. A formal RFP/ RFQ is not required. The selection shall be based upon the criteria noted in Section III.A.. The General Manager or designee may approve the selection and execute the agreement.

C. Selection Procedures for Professional Services in Not Exceeding \$10,000

District staff shall maintain current files on qualified consultants in appropriate categories. The department shall, by telephone, email, or letter, contact at least three (3) qualified consultants and request them to submit a proposal either orally or in writing. Oral proposals shall be memorialized in writing, pursuant to the Administrative Purchasing Policy/Procedure. The selection shall be based upon the criteria noted in Section III.A. and per the Administrative Purchasing Procedure. The authorized Department Manager or other authorized District employee may approve the selection and execute the agreement.

D. Renewal of Contracts with Professional Consultants

The District may, at its sole discretion, and after following required consultant selection procedures, enter into consultant agreements which contain provisions authorizing their extension or renewal. However, recommendations to extend or renew an existing contract with

a professional consultant should include an annual written evaluation of the work performed by the consultant as well as a determination that the fees being charged are comparable to similar services offered by other consultants at the time of renewal or extension. If the total amount of the original and renewed contract in any one fiscal year does not exceed \$50,000, the General Manager or designee may execute the agreement. If the total amount exceeds \$50,000, the request must be approved by the Board.

E. Conflict of Law

These procedures are not applicable where superseded by local, state or federal law, where the terms of grant funding provide for the use of other consultant selection procedures, or where the District is obligated to select consultants through the use of different procedures, such as due to the requirements of an insurance or self-insurance program.

F. Special Circumstances

These procedures are not applicable when three (3) bids or proposals are unavailable, or if it is appropriate and in the best interest of the District under the specific circumstances, to limit the number of bids or proposals solicited. The basis for such action shall be documented in writing and approved by the General Manager or designee in his/her absence. When Board approval is required, the documented basis for such action shall be included in the report to the Board.

G. Prequalified Consultant File

When, after District staff has undertaken the selection procedures as set out in this Policy and determined that a consultant is qualified and competent in the performance of the professional services in the consultant's category, District staff may maintain a current file of such consultants in their appropriate categories. For a period of four (4) years from determination of the qualification of such consultant, District staff may select such a prequalified consultant from the current file of prequalified consultants for the performance of professional services.

IV. EXCEPTIONS TO STANDARD PURCHASING PROCEDURES

A. Emergency Conditions

An emergency is defined as a breakdown in machinery or equipment or a natural disaster resulting in the inability of the District to provide services, or a threat to public health, safety, or welfare, including, but not limited to, threatened damage to natural resources. In the case of an emergency determined by the District, or federal, state, or other local jurisdictions requiring an immediate purchase, the General Manager or designee may authorize District staff to secure in the open market, at the lowest obtainable price, any services, supplies, material or labor required to respond to the emergency, regardless of the amount of the expenditure. The General Manager shall, as soon as possible, provide a full written explanation of the circumstances to the Board.

In the case of a disaster or for civil defense, nothing contained in this Policy shall limit the authority of the General Manager to make purchases and take such other emergency steps as are, or may be, authorized by the Board.

B. Limited Availability/Sole Source

Occasionally, necessary supplies, materials, equipment, or services are of a unique type, are of a proprietary nature, or are otherwise of such a required and specific design or construction, or are for purposes of maintaining consistency and operational efficiency, so as to be available from only one source. After reasonable efforts to find alternative suppliers, the District may dispense with the requirement of competitive bids and recommend negotiating and making the purchase from the sole source. The basis for the sole source recommendation shall be documented in writing and approved, in advance, by the Board for purchases exceeding \$50,000, and the General Manager or other authorized District employee, for purchases not exceeding \$50,000.

C. Cooperative Purchasing

The District shall have the authority to join in cooperative purchasing agreements with other public agencies, (e.g., the State of California, counties, cities, schools, or other special districts), to purchase goods or services at a price established by that agency through a competitive bidding process. The General Manager or designee may authorize and execute such cooperative purchasing agreements.

1. Purchases Exceeding \$50,000

The formal competitive bidding procedures of Section II.A. for purchases exceeding \$50,000 are not required when the other public agency has secured a price through a formal, advertised competitive bidding process. Board approval is required prior to purchase.

2. Purchases Not Exceeding \$50,000

The bidding procedures of Section II. B. for purchases not exceeding \$50,000 are not required when the other public agency has secured a price through a competitive bidding process. Approval from the General Manager or designee is required prior to purchase.

H. Open Purchase Orders for Routine and Repetitive Supplies and Services

Open purchase orders may be entered into with vendors who are expected to supply routine services, supplies, materials or labor to the District on a regular basis throughout the fiscal year (such as gasoline, discing, road maintenance, vehicle maintenance, printing, office supplies and field hardware). Open purchase orders shall be closed at the conclusion of each fiscal year. Vendors of repetitive supplies and services shall be selected through the competitive bidding procedures set out in Section II, based upon the anticipated or budgeted cumulative cost of the supply or service. Where competitive bidding procedures cannot feasibly be used, a comparison of vendors' prices will be made and staff will provide written documentation of the price

quotations used to select the vendor with the lowest cost, pursuant to the Administrative Purchasing Policy/Procedure. Multi-year contracts can be entered into only when appropriate and necessary to secure the best pricing or assure continuity of service. An annual review of the services and prices provided shall be documented by District staff to assure that the vendor is meeting the District's needs and expectations and remains at a competitive price. Whenever feasible, multi-year contracts for service or supplies shall provide that the option to renew or extend the contract is at the District's sole discretion.

I. Design Build Contracts

Pursuant to Public Resources Code section 5580, upon approval by the Board, the design-build process (Public Contract Code sections 22160-22169) may be used to assign contracts for the construction of facilities or other buildings in the district. The minimum project limitation of one million dollars for design build projects set forth in the Public Contract Code does not apply to District design-build projects.

A Conflict of Interest Policy for design-build contracts required by Public Contract Code section 22162 is included in the Design-Build Contracts - Conflicts of Interest (Board Policy 6.09).

V. GENERAL PROVISIONS

A. Conflict of Interest

No District employee or official shall be financially interested, directly or indirectly, in any purchase, contract, sale, or transaction to which the District is a party and which comes before said official or employee for recommendation or action. Any purchase, contract, sale, or transaction in which any employee or official is or becomes financially interested shall become void at the election of the District. No employee or official shall realize any personal gain from any purchase, contract, sale, or transaction involving the District. More information can be found in Board Policy 6.02 – Conflict of Interest Code.

B. Credit Cards

The General Manager may approve the use of District credit cards for District purchases by authorized employees. Employees utilizing a credit card shall not exceed his/her purchasing authority, as authorized in this Policy and as delegated by the General Manager, unless prior approval is given by a supervisor with the appropriate purchasing authority. All card holders must follow the credit card procedures outlined in the Administrative Purchasing Policy/Procedure. District credit cards shall not be issued to individual members of the District Board of Directors.

C. Purchase of Recycled Products

District staff shall purchase recycled products **when the cost, suitability, and quality, taken together, provide the best outcome for the environment and best value for the public**

~~whenever such products are available at equal cost to non-recycled products and when fitness and quality are equal.~~

D. Violations of This Policy

Employees are subject to disciplinary action up to and including termination for violation of this Policy.



Midpeninsula Regional
Open Space District

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

LEGISLATIVE, FUNDING, AND PUBLIC AFFAIRS COMMITTEE

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

Tuesday, April 14, 2020

APPROVED MINUTES*

CALL TO ORDER

Director Kersteen-Tucker called the meeting of the Legislative, Funding, and Public Affairs Committee to order at 2:00 p.m.

ROLL CALL

Members present: Jed Cyr, Larry Hassett, and Zoe Kersteen-Tucker

Members absent: None

Staff present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner, Planning Manager Jane Mark, Planner III Gretchen Laustsen, Planner I Melissa Borgesi

District Clerk Jennifer Woodworth announced this meeting is being held in accordance with Governor Newsom's Executive Order allowing Committee 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. Ms. Woodworth described the process and protocols for the meeting.

ORAL COMMUNICATIONS

Ms. Woodworth reported no public comments had been submitted

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ADOPTION OF AGENDA

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

ROLL CALL VOTE: 3-0-0

COMMITTEE BUSINESS

1. Approve the January 28, 2020 Legislative, Funding, & Public Affairs Committee Meeting Minutes.

District Clerk Jennifer Woodworth announced a small change to the minutes that had been included into the Committee packet.

Motion: Director Hassett moved, and Director Cyr seconded the motion to approve the January 28, 2020 Legislative, Funding, and Public Affairs committee meeting minutes, as amended.

Public comment opened at 2:02 p.m.

Ms. Woodworth reported no public comments had been submitted

Public comment closed at 2:02 p.m.

ROLL CALL VOTE: 3-0-0

2. Paper Usage and Standards (R-20-36)

Public Affairs Manager Korrine Skinner provided the staff presentation. Ms. Skinner described the various environmental benefits of recycled paper, including reduced demand for fresh wood, decrease in water and energy use during the manufacturing process, and a reduction of solid waste production. Ms. Skinner explained the fiscal impact of moving to 100% recycled paper and the potential printing delays due to the need to preorder the paper stock. Finally, Ms. Skinner described the proposed modification to Board policy 3.03 related to the purchase of recycled paper stock.

Director Hassett inquired regarding the large cost increase related to the Open Space Views newsletter.

Ms. Skinner reported that this is due to the number of pages being printed and the large number of newsletters printed for distribution.

The Committee members spoke in favor of using 100% recycled paper and communicating with the public about the environmental benefits of using the 100% recycled paper.

General Manager Ana Ruiz suggested including an article on the topic in an upcoming newsletter.

Director Kersteen-Tucker inquired regarding inclusion of a local preference in the policy.

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General Counsel Hilary Stevenson reported a local preference can be allowed for the procurement of goods and can be further discussed at the Board level.

Public comment opened at 2:34 p.m.

Ms. Woodworth reported no public comments had been submitted.

Public comment closed at 2:34 p.m.

Motion: Director Hassett moved, and Director Cyr seconded the motion to forward the following recommendations to the Board of Directors for approval:

1. Authorize the addition of a specific exemption in Board Policy 3.03 Section V.C. to allow the purchase of recycled paper stock when the cost is higher than nonrecycled products of similar fitness and quality.
2. Authorize the specification of 100% post-consumer waste (PCW), processed chlorine-free (PCF) recycled paper, when feasible, for high-quantity printing orders, including for brochure maps and the quarterly newsletter.

ROLL CALL VOTE: 3-0-0

3. Midpeninsula Regional Open Space District Board Compensation Policy (R-20-37)

General Counsel Hilary Stevenson described the Board's previous discussions and actions regarding Board compensation. In January 2020, the Board adopted findings related to the number of monthly meetings and approved a 5% increase, as permitted under state law.

Director Hassett requested clarification regarding compensation of "one-on-one meetings with the General Manager involving operations of the District" in subsection *f*.

Ms. Stevenson reported that all compensated meeting would relate to the business of the District and suggested adding the example of an agenda review meeting.

Director Cyr suggested having flexibility and clarity in compensating for community or public outreach events so that purely social events are not compensated.

Ms. Stevenson suggested adding "excluding purely social events" to the end of subsection *i*.

The Committee members agreed with the suggested addition.

Public comment opened at 2:50 p.m.

Ms. Woodworth reported no public comments had been submitted.

Public comment closed at 2:50 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to recommend Board approval of a revised list of compensable meetings for inclusion in *Board Policy 6.06--Meeting Compensation, Reimbursement of Authorized Necessary Expenses for Performance of Official*

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Duties, and Adoption of Ethics Training Requirements Pursuant to Government Code Section 53232 et seq. (AB1234), with the suggested changes to subsections f and i.

ROLL CALL VOTE: 3-0-0

4. Recognition of Significant Partners at Ravenswood Open Space Preserve (R-20-38)

Planner I Melissa Borgesi presented the staff report describing the various partners proposed for recognition at the Ravenswood Open Space Preserve and displayed a proposed mockup of the partner signboard.

Director Kersteen-Tucker suggested prominently adding language to the sign thanking San Mateo and Santa Clara taxpayers.

Ms. Borgesi reported that a Measure AA sign will also be installed onsite that thanks District taxpayers.

Public comment opened at 2:59 p.m.

Ms. Woodworth reported no public comments had been submitted.

Public comment closed at 2:59 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to forward to the full Board of Directors the following recommended list of partners to be recognized for their significant contributions towards the construction of the Bay Trail at Ravenswood Open Space Preserve:

- California Natural Resource Agency, Urban Greening Grant Program
- California State Coastal Conservancy
- Caltrans
- County of San Mateo – Measure K
- County of Santa Clara
- San Francisco Public Utilities Commission
- Association of Bay Area Governments
- San Francisco Bay Trail
- City of East Palo Alto
- City of Menlo Park
- Facebook

ROLL CALL VOTE: 3-0-0

ADJOURNMENT

Director Kersteen-Tucker adjourned the meeting of the Legislative, Funding, and Public Affairs Committee at 3:00 p.m.

Jennifer Woodworth, MMC
 District Clerk



Midpeninsula Regional
Open Space District

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

LEGISLATIVE, FUNDING, AND PUBLIC AFFAIRS COMMITTEE

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

Tuesday, May 26, 2020

DRAFT MINUTES

CALL TO ORDER

Director Kersteen-Tucker called the meeting of the Legislative, Funding, and Public Affairs Committee to order at 2:02 p.m.

ROLL CALL

Members present: Jed Cyr, Larry Hassett, and Zoe Kersteen-Tucker

Members absent: None

Staff present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner, Governmental Affairs Specialist Joshua Hugg

District Clerk Jennifer Woodworth announced this meeting is being held in accordance with Governor Newsom's Executive Order allowing Committee 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. Ms. Woodworth described the process and protocols for the meeting.

ORAL COMMUNICATIONS

District Clerk Jennifer Woodworth reported no public comments had been submitted.

ADOPTION OF AGENDA

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

LFPAC
May 26, 2020

ROLL CALL VOTE: 3-0-0

COMMITTEE BUSINESS

1. Approve the April 14, 2020 Legislative, Funding, & Public Affairs Committee Meeting Minutes.

Motion: Director Cyr moved, and Director Hassett seconded the motion to approve the April 14, 2020 Legislative, Funding, and Public Affairs committee meeting minutes.

Public comment opened at 2:02 p.m.

No speakers present.

Public comment closed at 2:02 p.m.

ROLL CALL VOTE: 3-0-0

2. Consideration of a Commemorative Bench for State Senator Jim Beall at El Sereno Open Space Preserve (R-20-48)

Joshua Hugg, Governmental Affairs Specialist provided the staff report describing California State Senator Jim Beall's significant contributions to the District, including helping secure funding for District projects such as the Highway 17 crossings, streamlined process and funding for potential San Jose Water Company land acquisition, and trail and watershed projects at Bear Creek Redwoods Preserve. The proposed bench location overlooks the Lexington Reservoir, and Mr. Hugg described suggested language for the commemorative bench, which language would be approved by Senator Beall. Finally, Mr. Hugg described the next steps for the process.

The Committee members spoke in strong support of the general manager's recommendation and of Senator Beall's contributions to the District.

Public comment opened at 2:18 p.m.

District Clerk Jennifer Woodworth announced that no comments were submitted.

Public comment closed at 2:18 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to forward to the full Board of Directors a recommendation to install a commemorative bench and plaque in honor of significant supporter State Senator Jim Beall with a view over the Lexington Vista at El Sereno Open Space Preserve.

ROLL CALL VOTE: 3-0-0

3. Paper Usage Policy Update – Revised Information (R-20-49)

LFPAC
May 26, 2020

Public Affairs Manager Korrine Skinner reported this item is bring brought back to the Committee because there was an error in the previous report the Committee discussed in April. provided the staff presentation. Ms. Skinner explained the error and reported it does not significantly alter the fiscal impact of the proposed policy change and described the proposed policy language update.

Directors Cyr and Hassett suggested using the cost of the entire printing budget rather than using sample projects to simplify the explanation of the fiscal impact.

Public comment opened at 2:31 p.m.

District Clerk Jennifer Woodworth announced no public comments were submitted.

Public comment closed at 2:31 p.m.

Motion: Director Hassett moved, and Director Cyr seconded the motion to forward the following recommendations to the Board of Directors for approval:

1. Affirm the authorization of the specification of 100% recycled paper stock, when feasible, for high-quantity printing orders, including for brochure maps and the quarterly newsletter.
2. Update Board Policy 3.03 Section V.C, Purchase of Recycled Products to match Administrative Policy 4.03: “District staff shall purchase recycled products when the cost, suitability, and quality, taken together, provide the best outcome for the environment and best value for the public.”

ROLL CALL VOTE: 3-0-0

ADJOURNMENT

Director Kersteen-Tucker adjourned the meeting of the Legislative, Funding, and Public Affairs Committee at 2:32 p.m.

Jennifer Woodworth, MMC
District Clerk