



Midpeninsula Regional  
Open Space District

R-20-63  
Meeting 20-13  
June 24, 2020

### AGENDA ITEM 3

#### AGENDA ITEM

Approval of a Commemorative Bench for State Senator Jim Beall at El Sereno Open Space Preserve

#### GENERAL MANAGER'S RECOMMENDATION *den*

Approve the recommendation from the Legislative, Funding and Public Affairs Committee 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.

#### SUMMARY

The General Manager is forwarding a recommendation from the Legislative, Funding, and Public Affairs Committee that originated with a request from Board Director Pete Siemens to install a commemorative bench in honor of State Senator Jim Beall for his support to the Midpeninsula Regional Open Space District (District) in pursuing land protection and public access opportunities. The recommendation is consistent with Board Policy 5.01 *Site Naming, Gift and Special Recognition*. Installation of the new bench, plaque, and related trail signage is estimated to cost \$2,420. Sufficient funds are included in the Fiscal Year 2020-21 within the Land and Facilities Department budget to cover the associated expenditures.

#### DISCUSSION

State Senator Jim Beall has served the constituents of the South Bay, including residents in the southern reaches of the District's jurisdiction, for over 30 years and has been a life-long South Bay resident. He has held municipal office seats at all levels of government, including as a City of San Jose councilmember, Santa Clara County board supervisor, state assemblymember, and state senator. Senator Beall has been an active supporter of the District in his role both locally and in Sacramento. His term in the California Senate concludes in December 2020.

His history with the lands surrounding what is today Lexington Reservoir and the Lexington Valley goes back multiple generations. It is his connections with this land that to this day continue to inspire his dedication for protecting the Lexington Valley and its majestic redwood-forested covered hillsides, lush creek corridors, mature stands of chaparral, elegant rock outcrops, and scenic vistas. Senator Beall's grandparents moved to Los Gatos in 1930 and lived on Montevina Road. In the early 1940s, they moved to downtown Los Gatos, where Senator Beall's father graduated from Los Gatos High School. Since he was a child, Senator Beall explored the beautiful trails in the Santa Cruz Mountains with his father and brothers. He remembers hiking trails along Trout Creek before Lexington Reservoir was built. Later, after

graduating from San Jose State University, Senator Beall worked for the Town of Los Gatos as an assistant planner. He still explores the trails today with his wife, Pat.

For the past 12 years, Senator Beall has been part of the District's state legislative delegation as both an assemblymember and senator. In 2016, he reached out to the District with an interest in permanently protecting the combined holdings of San Jose Water Company (SJWC), totaling almost 6,500 acres in the Lexington Valley. This area, which the District has identified as a regional "Priority Conservation Area" also includes 1,000 acres of redwood forests. To expedite the ability of the District to potentially purchase SJWC lands, Senator Beall authored and worked to pass bill SB 492. The legislation streamlines the traditional regulatory processes governing land acquisitions overseen by the California Public Utilities Commission. In 2018, he secured a \$10 million state budget allocation to support SJWC land acquisitions. At this time, the District is working on a potential acquisition in El Sereno Open Space Preserve that may benefit from both of these efforts. In further assistance to the District, Senator Beall is currently working to expand the range of applicable projects that may utilize these funds (attachment 1).

Further still, Senator Beall played a significant role in allocating \$3.0 million in Prop 68 (2018) funding for District projects in the Upper Guadalupe Watershed. This funding has contributed greatly toward watershed improvements and public access projects at Bear Creek Redwood Open Space Preserve.

Senator Beall has also taken an active role in the promotion of the District's Highway 17 Wildlife and Trail Crossings Project with Caltrans. In his 2018 legislation, SB 1, also known as the "gas tax," he ensured that \$120 million would be available for advance mitigation projects to offset the impacts of transportation projects on adjacent habitats and corridors for wildlife movement. He is also pursuing the allocation of \$20 million in SB 1 advance mitigation funds and other Caltrans programmatic funding for the Highway 17 crossings project.

### ***Commemorative Bench***

A bench location in either the Sierra Azul or Bear Creek Redwoods Open Space Preserves was first considered due to their high visitation rates and close personal connection to Senator Beall. Upon consultation, Senator Beall expressed interest in the Lexington Vista site at El Sereno Open Space Preserve (attachments 2 and 3). The Board may, of course, consider alternative locations as it deems appropriate.

Providing a District commemorative bench for Senator Beall is consistent with Board Policy 5.01 *Site Naming and Special Recognition* (attachment 4), which includes the following criteria:

### III. SPECIAL RECOGNITION

The Legislative, Funding and Public Affairs Committee (LFPAC) shall be the committee designated to discuss all requests that meet the criteria of the policy for special recognition made by members of the Board of Directors, and after deliberation shall forward a recommendation to the full Board for a vote.

#### C. District Bench Dedications

These are benches which are installed by the District in response to requests by members of the Board of Directors to honor "Founders," "Significant Supporters", and "Volunteers".

- a) LFPAC can initiate a bench request and refer a decision to the full Board or individual Board members can initiate a bench request which will be referred to LFPAC for discussion before it is referred to the full Board for a final decision. Honorees must be "Founders", "Significant Supporters", and "Volunteers" (per policy Section III D below).
- b) For these benches there are no design specification limits or limits on their location. The District will pay for the lifetime cost of the bench.

#### D. Founders, Significant Supporters, and Volunteers

"Significant Supporters" shall be defined as individuals or group of individuals who have shown conspicuous or noteworthy support for the District through extraordinary contributions of time and effort to the advancement of the goals, philosophy and mission of the District.

The bench design would be the standard recycled composite plastic/wood lumber that is long-lasting, durable, environmentally friendly and low maintenance, with an embedded bronze plaque. The language on the plaque would be developed in consultation with Senator Beall and/or his chief of staff.

#### **FISCAL IMPACT**

The material and construction cost of the recommended action is estimated at \$2,420 and includes the following elements:

- Cost of a standard bench: \$705
- Cost of personalized plaque: \$320
- Cost of shipping of materials: \$295
- Cost of assembling and installing the bench and plaque: \$500
- Cost of future maintenance of bench and plaque: \$600

There are sufficient funds in the proposed FY21 Land & Facilities Department operating budget to cover the cost of the recommendation. The Board is considering adoption of the proposed FY21 Budget at this same June 24 meeting under a separate Agenda Item.

#### **BOARD COMMITTEE REVIEW**

LFPAC reviewed this item on May 26, 2020 and recommended Board approval (Attachment 5).

#### **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

#### **CEQA COMPLIANCE**

Section 15301 of the California Environmental Quality Act exempts the minor alteration of existing public structures or facilities, involving negligible or no expansion of existing use. The seating installation would be a minor alteration to an existing trail.

## NEXT STEPS

If approved by the Board, staff will begin ordering the signage and bench for installation in fall 2020, along with an installation ceremony as conditions permit.

### Attachments

1. Map of Land Purchases and Potential Projects Utilizing funding from Senator Beall
2. Map of El Sereno Open Space Preserve and Lexington Vista
3. Site Photo
4. Board Policy 5.01 *Site Naming, Gift and Special Recognition*
5. Draft LFPAC Minutes - May 24, 2020

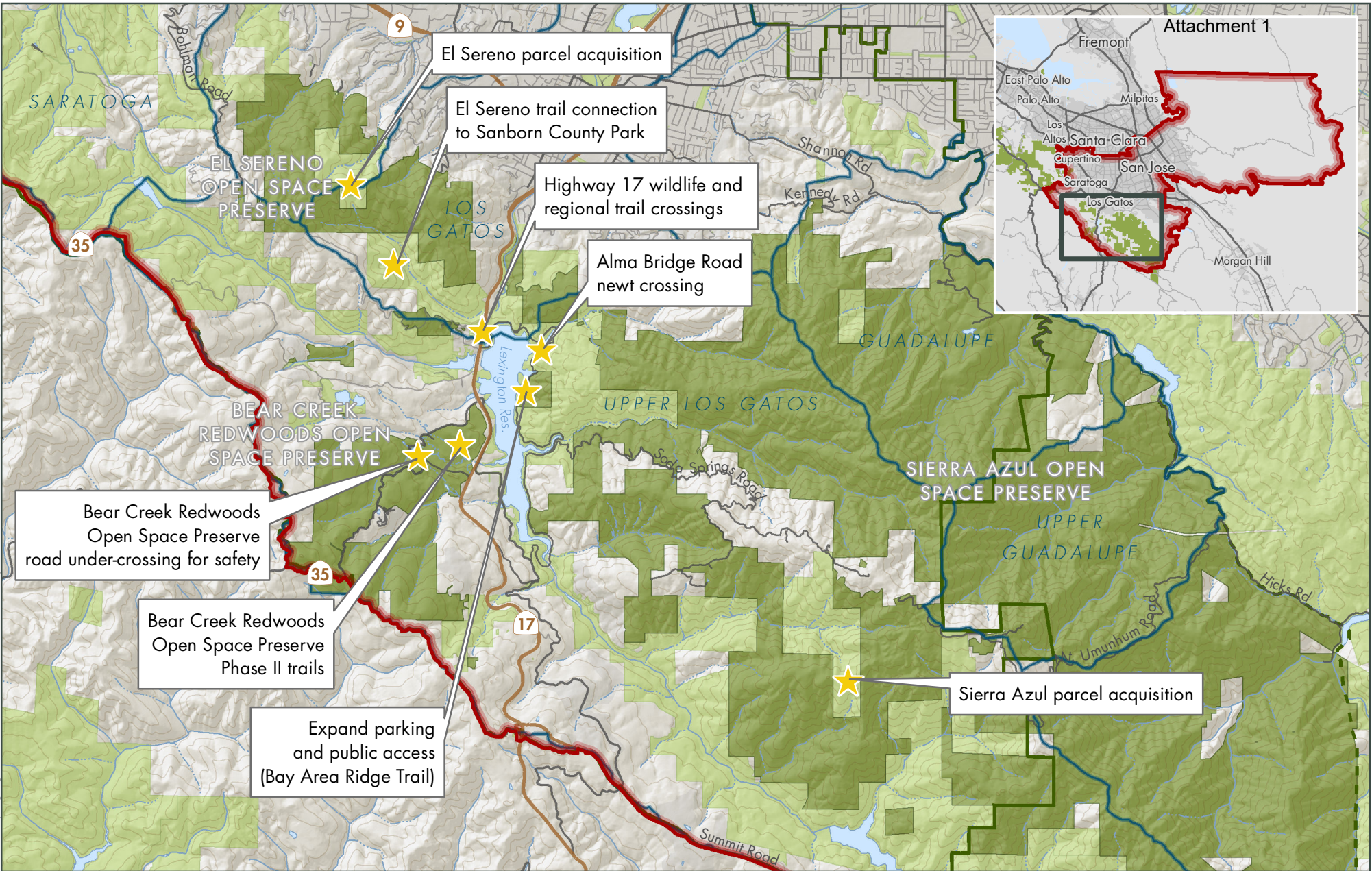
Responsible Department Head:

Korrine Skinner, Public Affairs Manager

Staff contact:

Joshua Hugg, Governmental Affairs Specialist

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Created By: ngreig



### District Projects – Underway, Planned, or Potential in Senate District 15

- Midpen preserves
- Other protected lands
- Private property
- Senate District 15
- Potential Midpen project
- Watershed boundary

Midpeninsula Regional  
Open Space District  
(Midpen)  
5/15/2020



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.

Attachment 2: Map of El Sereno Open Space Preserve and Proposed Lexington Vista Bench Location



**El Sereno Open Space Preserve**

MIDPENINSULA REGIONAL OPEN SPACE

For More Information Visit [www.openspace.org](http://www.openspace.org) or call (650) 691-1200

**Map Legend**

- Midpen Preserve
- Closed Area - No Public Access
- Other Public Land
- Private or Leased Land - No Public Access
- No Public Entry in Midpen Water Areas
- Highway or Major Road
- Important Road
- Hiking Only
- Hiking, Bicycling
- Hiking, Bicycling, Equestrian
- Trail Junction
- Gate (#)
- Parking lot
- Roadside Parking
- Point of Interest
- Picnic Table
- Public Phone
- Restroom

Dogs on leash permitted on all El Sereno trails

**In case of emergency, call 911 or 24-hour Ranger Dispatch at (650) 968-4411.**

For your safety, and the protection of the preserves:  
 The preserve is open from dawn until one-half hour after sunset.  
 Please leave natural features, plants, and animals undisturbed.  
 Pack it in, pack it out- Please do not litter;  
 Auto burglaries are increasing:  
 Take valuables with you and lock your vehicle.

**Attachment 3**

Lexington Vista at El Sereno Open Space Preserve – Towards Lexington Reservoir



## Midpeninsula Regional Open Space District

## Board Policy Manual

<b>Site Naming, Gift, and Special Recognition</b>	<b>Policy 5.01 Chapter 5 – Historical/Cultural</b>
Effective Date: 8/25/93	Revised Date: 12/12/18
Prior Versions: 8/25/93, 9/14/94, 6/24/98, 9/12/01, 10/8/08, 1/13/10, 10/27/10, 11/13/13	

I. SITE NAMING

All District site names and signs should be kept as simple and functional as possible. When a property is acquired, either as an addition to an existing preserve or for the establishment of a new preserve, a name will be recommended in the Preliminary Use and Management Plan. In most cases, "open space preserve" is appropriate as part of the name; however, there may be circumstances when another designation may be used. In some cases, a temporary name may be retained until the next Comprehensive Use and Management Plan review.

A. Open Space Preserves

The name given to each open space preserve should be general enough to remain suitable if the site is enlarged, but specific enough to give its location some significance. Properties added to an open space preserve may not always be contiguous with that preserve.

1. Preserves shall be named after:
  - a) Geographical features of broad, general significance to the preserve;
  - b) Historical persons, cultural names, uses, or events broadly associated with the locale.
2. Preserves shall not be named after any individuals other than historical persons as noted above.

B. Preserve Areas, Trails, Site Improvements, Historic Sites and Unnamed Natural Features

This designation refers to specific locations, land formations, trails, natural and physical features, staging areas and other site improvements, and areas of significance within open space preserves. Recognition of significant land gifts, including "bargain" purchases, will be negotiated at the time of the gift or bargain purchase.

1. Preserve areas, trails, site improvements including benches and bridges, historic sites and previously unnamed natural features shall ordinarily be named



after:

- a) Geographical, botanical or zoological identification;
- b) Historical persons, uses, or events associated with the site, or persons and organizations listed in Section III: "Special Recognition".

2. Preserve areas, trails, site improvements, historic sites and unnamed natural features may in rare instances be named after a living individual who has made an outstanding contribution to the District, subject to approval by the Board of Directors.

## II. GIFT RECOGNITION

The purpose of the gift recognition policy is to provide an opportunity for the District to recognize and commend individuals or groups that have made significant contributions of cash, equipment, materials, goods or professional services toward the enhancement of the District, its programs, and its facilities.

### A. Unsolicited Cash Gifts:

Up to \$25	Postcard of thanks
\$26 to \$499	Letter signed by General Manager
\$500 to \$1,999	Letter signed by President of the Board
\$2,000 to \$4,999	Letter signed by President of the Board and District gift item (note cards, etc.)
\$5,000 to \$9,999	Letter signed by President of the Board and framed photograph of favorite District preserve
\$10,000 or more	Letter signed by President of the Board and Resolution and framed photograph of District preserve and mention in a District publication*

\*These items will be provided only if desired by the donor.

## III. SPECIAL RECOGNITION

The Legislative, Funding and Public Affairs Committee (LFPAC) shall be the committee designated to discuss all requests that meet the criteria of the policy for special recognition made by members of the Board of Directors, and after deliberation shall forward a recommendation to the full Board for a vote.

The General Manager or his/her designee will review constituent bench dedication requests to determine eligibility based on the policy guidelines outlined below in Section III D.

Constituent bench requests may be brought to LFPAC if there exists ambiguity regarding whether the request meets the requirements below.

The District places benches in its preserves for three distinct purposes:

A. District Rest Benches

These benches provide constituents with a place to rest. District staff places these benches without involving a District committee or the full Board. Regular benches must be either a backed or a backless standard bench as described in Section V below.

B. Constituent Bench Dedications

These are benches which have been requested by constituents in order to honor or memorialize a member of the public and are funded by the requestors who must pay \$5,000 for a 10-year term. Requests must be in reference to a significant supporter or a volunteer, as defined in Section III D below. The General Manager or his/her designee reviews requests to determine if they meet the eligibility definitions. Requests that are administratively declined because they do not meet the eligibility definitions may be appealed to the General Manager for a second review. Eligible requests will be administratively implemented.

a) Constituent bench dedications shall only be selected from and placed in locations that have been pre-determined by the District and/or approved by the Planning and Natural Resources Committee and/or by the full Board of Directors.

b) If a request for a constituent bench meets the eligibility requirements, the requestor(s) shall pay for the cost of constructing, installing and maintaining a bench and plaque by contributing \$5,000 to cover the 10-year dedication term of the bench.

c) Bench plaques will be 2 x 6 inches in size.

d) Benches must be one of the two District standard bench designs.

e) Constituent bench dedications will have a term limit of 10 years. After 10 years, the original donor will have the option to contribute an additional \$5,000 donation for each additional 10-year term. Should the original donor decline to renew an existing bench, the bench will be offered to the public for re-dedication.

C. District Bench Dedications

These are benches which are installed by the District in response to requests by members of the Board of Directors to honor "Founders," "Significant Supporters", and "Volunteers".

a) LFPAC can initiate a bench request and refer a decision to the full Board or individual Board members can initiate a bench request which will be referred to LFPAC for discussion before it is referred to the full Board for a final decision. Honorees must be "Founders", "Significant Supporters", and "Volunteers" (per policy Section III D below).

b) For these benches there are no design specification limits or limits on their location. The District will pay for the lifetime cost of the bench.

D. Founders, Significant Supporters, and Volunteers

"Founders", "Significant Supporters", and "Volunteers" are eligible for special recognition, including memorials.

"Founders" shall be defined as an individual or group of individuals who participated in the formation of the District, or were significant supporters of the formation of the District.

"Significant Supporters" shall be defined as individuals or group of individuals who have shown conspicuous or noteworthy support for the District through extraordinary contributions of time and effort to the advancement of the goals, philosophy and mission of the District.

"Volunteers" shall be defined as individuals or groups of individuals who donated a minimum of 250 volunteer hours and 5 years of service to the District by working for the District's docent or volunteer program.

#### IV. RECOGNITION OF HISTORIC SITES

A. A recognition monument, normally in plaque form, may be considered by the Board if it is in relation to a specific existing building or other remaining structure of significant historic value. In such cases, the plaque will be affixed or in close proximity to the structure itself. If there is no structure, then recognition may be considered for inclusion on District informational materials or trail signage. Such a site, in the absence of a building or structure, will ordinarily not be physically marked except as determined by the Board on a case-by-case basis as part of the Use and Management planning process for the corresponding open space preserve.

Any Board-approved memorial names shall be included in site brochures, maps, or other informational materials.

#### V. STANDARD BENCH DESIGN SPECIFICATION

A. District Rest Benches and Constituent Bench Dedications, described in III (A) and (B) above, are limited to either of the two following standard bench designs:

Backed bench:

Dumor - Bench 88, recycled plastic slates (color: CEDAR), steel leg supports (color: BLACK, IMBEDDED)  
6' or 8' lengths

Backless bench:

Dumor - Bench 103, recycled plastic slates (color: CEDAR), steel leg supports (color: BLACK, IMBEDDED)  
103-60PL 6' long, 3 supports  
103-80PL 8' long, 3 supports

B. The General Manager or LFPAC can at any point bring designs to the Board that differ from the District's standard bench designs.

#### VI. PARTNER RECOGNITION SIGNBOARD

Partner recognition signboards provide an opportunity for the District to recognize and acknowledge significant partners who have made conspicuous or noteworthy contributions of cash, land, and/or time that were instrumental to the conservation, restoration, management,

and/or public opening of a preserve. Partners may include agencies, organizations, or individuals. Partner Recognition Signboards may also be used to satisfy recognition requirements specified in grant, purchase, or other funding agreements.

Excluding recognitions previously approved by the Board (e.g. recognitions required in Board-approved agreements and resolutions), LFPAC shall review and forward for Board approval the list of partner(s) to recognize on the Partner Recognition Signboard. Following Board approval, the General Manager or his/her designee will follow the guidelines and specifications listed below.

- a. Guidelines and Specifications:
  - a) Partner Recognition Signboards shall be standalone signboards that follow the same design specifications as the District's standard trailhead signboards to maintain District branding and visual cohesiveness.
  - b) Partner Recognition Signboards shall normally be placed directly adjacent to existing preserve signboards to consolidate trailhead information and signboard placement.
  - c) Recognition content shall include logos and/or names.
  - d) The District will review recognition content with each partner for accuracy and completeness.
  - e) The General Manager or his/her designee will approve the final recognition content.
  - f) Exceptions to these guidelines and specifications will be forwarded to LFPAC for review and to the full Board for consideration of approval.



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

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**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**

**Page 3**

Public Affairs Manager Korrine Skinner reported this item is bring brought back to the Committee to address a correction from the previous report the Committee discussed in April. Ms. Skinner explained the error and reported it does not significantly alter the fiscal impact of the proposed policy change and described a new revised edit to 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 when the item comes before the full Board for consideration.

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.

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Jennifer Woodworth, MMC  
District Clerk