



SPECIAL AND REGULAR MEETING

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

Wednesday, July 8, 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, Larry Hassett, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, and Curt Riffle

Members Absent: Pete Siemens

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Resources Management Specialist II Matt Sharp Chaney

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.

1. Midpeninsula Regional Open Space District Mountain Lion Conservation Efforts (R-20-71)

General Manager Ana Ruiz commented on the importance of District preservation of the natural resources and native habitats, including mountain lion populations. One project aimed at protecting mountain lions is the proposed Highway 17 wildlife corridor being led the District.

Resource Management Specialist II Matt Sharp Chaney provided the staff presentation describing the life cycle of mountain lions, preferred habitat, diet, and the ecological roles of mountain lions. Mr. Sharp Chaney provided an overview of the District's mission statements, policies, and procedures aimed at protecting mountain lions and their habitats. Various impacts and factors influence mountain lion population size, including depredation and poaching, roadkill, disease, genetic isolation, rodenticide, and availability of prey. The legal status of mountain lions in California has changed over the years from being a bounty predator to a current listing as a candidate species under the California Endangered Species Act. The District's Highway 17 wildlife corridor project seeks to reduce deaths in an area identified to have frequent mountain lion crossings and attempted crossings. Additionally, the District has taken other numerous steps to protect mountain lions, including supporting legislation that provides protections for mountain lions, evaluating non-lethal tools to reduce conflicts between mountain lions and livestock, providing education and outreach to preserve visitors, and posting information at District preserves and on the District's webpage about mountain lions. Using an adaptive management strategy for public safety, the District manages its response to mountain lion sightings and encounters. Mr. Sharp Chaney described the District's partnership with the San Francisco Puma Project over the last ten years and important findings resulting from the Puma Project's research. Finally, Mr. Sharp Chaney described future opportunities the District may have to study mountain lions.

Director Siemens joined the meeting at 5:36 p.m.

Director Hassett inquired regarding potential additional protections resulting from listing mountain lions on the California Endangered Species Act, such as depredation permits.

Mr. Sharp Chaney stated that additional protections have not yet been determined, but some potential regulations may relate to the California Environmental Quality Act analysis or affect depredation permit issuance.

Director Kishimoto inquired regarding the impact of drought and wildfire on mountain lions and whether the proposed studies will examine these impacts.

Mr. Sharp Chaney stated drought and wildfire can have a profound impact on mountain lions and other wildlife, including lack of prey and water, movement of mountain lions to more urban areas, and a further decrease in genetic diversity. The current proposed studies are not planned to study the impact of drought and wildfire, however, in the event these occur, the studies will provide data related to the impact on populations from these conditions.

Director Riffle inquired how we can learn if a healthy mountain lion population exists.

Mr. Sharp Chaney stated a genetic metric is needed, and connectivity of adjoining populations is key to increasing genetic diversity.

Director Riffle inquired regarding comments he has received regarding a population explosion of mountain lions in the San Mateo Coast region and whether the District has data that supports those statements.

Mr. Sharp Chaney stated that the population may seem to be growing based on an increase in mountain lion sightings; however, the District does not currently have data regarding a growing population but hopes future research will provide answers. Additional sightings may be due to additional reports given the increased use of wildlife cameras, prevalence of cell phone use, and a growing human population in the wildland-urban interface area.

Director Riffle inquired regarding regional coordination and cooperation related to mountain lions.

Mr. Sharp Chaney reported the Peninsula Open Space Trust, Santa Cruz Mountain Stewardship Network, and other agencies are working to increase wildlife connectivity and corridors to increase permeability for mountain lions to cross freeway corridors. Also, regional partners may be able to gather additional data to learn more about the mountain lion population.

Director Kishimoto left the meeting at 6:28 p.m.

Director Kersteen-Tucker inquired regarding District policies and the role these play regarding other partners and agencies.

Mr. Sharp Chaney reported the District shares its policies and procedures, which are often incorporated into other organization's policies.

Director Siemens commented on the importance of the Highway 17 crossing for the future of the species.

President Holman inquired if there are potential legislative changes related to the application of rodenticides.

Government Affairs Specialist Joshua Hugg reported legislation is being discussed at the state level but is unlikely to pass this year. The District is in discussions to have the bill move forward in the next legislative session.

President Holman inquired regarding the impact of roadways on the mountain lion population.

Mr. Sharp Chaney stated roadways have a significant impact due to roadkill and lack of wildlife connectivity and efforts are needed to provide as much permeable access as possible.

President Holman inquired regarding deer population in the state and how that may impact mountain lion population.

Mr. Sharp Chaney reported no definitive data exists regarding deer population, but current data suggests the deer population is decreasing.

Public comments opened at 6:44 p.m.

Patrick Noon reported that he has video of a mountain lion sighting that he would like to submit to the District.

Sharon Negri suggested that in response to mountain lion habituation the District may consider decommissioning a trail.

Public hearing closed at 6:46 p.m.

Mr. Sharp Chaney stated that the District would research various options for responding to mountain lion habituation based on Board direction.

Directors Riffle and Kersteen-Tucker suggested sharing the meeting presentation and additional information with the public and members of the media previously interested in mountain lions.

Director Hassett commented on the District's conservation grazing program and compensation provided to grazing tenants in response to predation by mountain lions.

Mr. Sharp Chaney reported that success in the conservation grazing program and associated predation compensation may help similar programs be formed elsewhere and help the public and tenants increase awareness of the mountain lion's ecological role in a wildlife habitat.

President Holman suggested the District may want to lead a social media or public relations campaign with similar agencies regarding the impact of rodenticides on wildlife.

No Board action required.

President Holman adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:01 p.m.

REGULAR MEETING

President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:07 p.m.

ROLL CALL

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

Members Absent: Yoriko Kishimoto and Pete Siemens

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Chief Financial Officer Stefan Jaskulak, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Controller Mike Foster, District Clerk/Assistant to the General Manager Jennifer Woodworth, Finance Manager Andrew Taylor, Natural Resources Manager Kirk Lenington, Visitor Services Manager Matt Anderson, Planning Manager Jane Mark, Land & Facilities Manager Michael Jurich, Engineering & Construction Manager Jay Lin, Information Systems & Technology Manager Casey Hiatt, Public Affairs Manager Kori Skinner, Real Property Manager Mike Williams, Governmental Affairs Specialist Joh Hugg

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Director Siemens arrived at 7:09 p.m.

ORAL COMMUNICATIONS

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

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 6-0-0 (Director Kishimoto absent)

CONSENT CALENDAR

Public comment opened at 7:11 p.m.

District Clerk Jennifer Woodworth reported no public comments were submitted for the Consent Calendar.

Public comment closed at 7:11 p.m.

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

ROLL CALL VOTE: 6-0-0 (Director Kishimoto absent)

1. **Approve June 24, 2020 Minutes**
2. **Claims Report**
3. **Award of Contract for Mitigation Monitoring and Reporting at Eight Mitigation Sites for Five Years (2020-2024) (R-20-74)**

General Manager’s Recommendation:

1. Authorize the General Manager to enter into contract with Vollmar Natural Lands Consulting for the base contract price of \$81,292 to monitor eight mitigation sites for five years.
2. Authorize an allowance of \$20,000 to be expended only if additional mitigation sites require monitoring and reporting over the next five years.
3. Authorize a 10% contingency of \$8,130 to be expended only if the eight mitigation sites do not meet permit success criteria, additional years of monitoring are required, and/or

additional coordination with the permitting agencies is necessary, for a not-to-exceed total contract of \$109,422.

4. Award of Contract to Andreini Brothers for the ADA Barrier Removal Project at Russian Ridge, Monte Bello, and Windy Hill Open Space Preserves (R-20-66)

General Manager's Recommendation:

1. Authorize the General Manger to enter into a contract with Andreini Brothers of Half Moon Bay, CA, for the base amount of \$429,504.
2. Authorize a 13% contingency of \$55,836 to be reserved for unanticipated issues, bringing the total contract to a not-to-exceed amount of \$485,340.

5. Establish the Fiscal Year 2021 Tax Levy for the Midpeninsula Regional Open Space District's General Obligation Bonds - Series 2015A, Series 2015B, and Series 2018 (R-20-72)

General Manager's Recommendation: Adopt Resolutions of the Board of Directors of the Midpeninsula Regional Open Space District for each of San Mateo, Santa Clara, and Santa Cruz Counties to establish an ad valorem property tax levy of \$1.50 per \$100,000 (or \$0.0015 per \$100) in assessed value for the General Obligation Bonds – Series 2015A, Series 2015B, and Series 2018 (Measure AA).

BOARD BUSINESS

6. Review of 2020 State of California Legislative Session – Board of Directors Briefing on Matters of Interest to Midpeninsula Regional Open Space District (R-20-73)

Governmental Affairs Specialist Joshua Hugg provided the staff presentation and introduced the District's lobbying representatives: Russ Noack, Julee Malinowski-Ball, and Reed Addis.

Russ Noack with Public Policy Associates reported on the state of the 2020 Legislative Session, and on various legislative matters of interest to the District, including the workers' compensation in response to COVID-19, special district challenges related to the availability of COVID-19 federal funding, and state funding and tax measures, such as the potential Proposition 13 split roll taxation (Proposition 15) and property tax transfer (Proposition 19).

Julee Malinowski-Ball with Public Policy Associates provided an update regarding the 2020-2021 California state budget, including impacts on local government, funds for wildfire prevention, preparedness, and forest health, and public safety power shutoff response, mitigation, and funding.

Reed Addis with Environmental and Energy Consulting provided updates regarding Proposition 68 conservation funding, cap and trade/greenhouse gas reduction funds, wildlife corridors, various water and conservation bills, and potential funding measures.

The Board requested and received clarification regarding current state and federal legislation items.

Director Kersteen-Tucker expressed concern regarding how to pursue legislative items in future years as the legislative delegation changes and how to prioritize the various legislative pursuits.

Director Riffle inquired regarding outreach and engagement of potential candidates.

Mr. Hugg commented on outreach options, such as land tours, ward representative contacting the candidates representing their ward, etc.

Public comments opened at 8:30 p.m.

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

Public comments closed at 8:30 p.m.

No Board action required.

INFORMATIONAL MEMORANDUM

- Alma Bridge Road Newt Mortality Update

INFORMATIONAL REPORTS

A. Committee Reports

Director Kersteen-Tucker reported the Legislative, Funding, and Public Affairs committee met on July 7, 2020 to receive an update on the Youth Outreach Program.

B. Staff Reports

Ms. Ruiz reported that a wellness survey was issued to staff to better understand their current struggles in order to develop strategies to assist employees during these difficult times.

Assistant General Manager Brian Malone provided an update regarding the proposed repainting of the La Honda Red Barn and samples that can be viewed by Board members.

C. Director Reports

The Board members submitted their compensatory reports.

Director Hassett provided comments on the recent purchases related to COVID -19 precautions and an award of contract for the ADA barrier removal project, which will promote the District's climate action plan by selecting a company with minimal commutes required.

ADJOURNMENT

President adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District into closed session at 8:58 p.m.

SPECIAL MEETING – CLOSED SESSION

President Holman called the special meeting of the Midpeninsula Regional Open Space District to order at 8:59 p.m.

Director Riffle recused himself from participating in this potential transaction between POST and the District due to his employment with POST, which is categorized as a remote interest under California Government Code section 1091.

ROLL CALL

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

Members Absent: Curt Riffle and Yoriko Kishimoto

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Real Property Manager Mike Williams, Planner III Elish Ryan

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

Property: Portion of San Mateo County APN: 066-280-050

Agency Negotiator: Michael Williams, Real Property Manager

Negotiating Party: Ben Wright, Peninsula Open Space Trust

Under Negotiation: Terms and Conditions

ADJOURNMENT

President adjourned the meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 10:01 p.m.

Jennifer Woodworth, MMC
District Clerk