



Midpeninsula Regional
Open Space District

Meeting 12-23

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

July 11, 2012

MINUTES

REGULAR MEETING – CLOSED SESSION

I. ROLL CALL

President Riffle called the Regular Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 5:00 p.m.

Members Present: Yoriko Kishimoto, Pete Siemens, Cecily Harris, Nonette Hanko, Larry Hassett, Jed Cyr, and Curt Riffle

Members Absent: None

Staff Present: General Counsel Sheryl Schaffner and District Controller Michael Foster

At 5:00 p.m., the Board entered into Closed Session.

REGULAR MEETING – OPEN SESSION

I. ROLL CALL

The Board of Directors reconvened into Open Session at 7:01 p.m.

Members Present: Yoriko Kishimoto, Pete Siemens, Cecily Harris, Nonette Hanko, Larry Hassett, Jed Cyr and Curt Riffle

Members Absent:

Staff Present: Acting General Manager Ana Ruiz, General Counsel Sheryl Schaffner, Assistant General Counsel James Atencio, Administrative Services Manager Kate Drayson, Operations Manager David Sanguinetti, Real Property Manager Mike Williams, Natural Resources Manager Kirk Lenington, Public Affairs Manager Rudy Jurgensen, and District Clerk Michelle Radcliffe

President Riffle stated there were no reportable actions for the Closed Session Agenda Item No. #1.

II. ORAL COMMUNICATIONS

Catherine Diltz, Barry Chang, Dave Signal, and Rhoda Fry shared their concerns on the Lehigh Quarry Project’s Environmental Impact Report.

III. ADOPTION OF AGENDA

Acting General Manager Ana Ruiz reported that Agenda Item #4 has been pulled from the agenda as a bid protest was submitted.

Motion: Upon motion by Director Kishimoto, seconded by Director Hanko, the Board adopted the agenda. (Vote: 7-0-0)

IV. ADOPTION OF CONSENT CALENDAR

Motion: Upon motion by Director Kishimoto, seconded by Director Harris, the Board approved adoption of the Consent Calendar to approve **Revised Claims No. 12-13, the Minutes of June 12, 2012, and June 13, 2012 as amended.** (Vote: 7-0-0)

V. BOARD BUSINESS

1. Agenda Item #4 –Award of Contract with TKO General Engineering and Construction, Inc. for the Ponds DR07 and DR08 Repair Project at La Honda Open Space Preserve (R-12-65)

This item was pulled from the agenda.

2. **Agenda Item #5** – Authorization to Amend a Contract with Jakaby Engineering to Provide Additional Structural Engineering Design Services, Permitting Assistance, and Construction Monitoring Associated with Implementation of the El Corte de Madera Creek Open Space Preserve Watershed Protection Program (R-12-68)

Planner II Julie Anderson explained that in July 2010, Jakaby Engineering was selected to provide structural design, permitting assistance, and construction monitoring for the new Methuselah bridge at El Corte de Madera Creek Open Space Preserve. She stated that the project was thought to be completed, but San Mateo County has clarified that any puncheons that are more than 18 inches above grade or more than 120 square feet in area requires a building permit and structural engineer stamped drawings. Because of this requirement, Ms. Anderson explained that staff is recommending amending the contract with Jakaby Engineering to include an additional \$11,700 to complete the Methuselah bridge work, review and stamp the puncheon design, and provide construction oversight and monitoring of bridge and puncheon installation to guarantee adherence to the stamped plans. Brief discussion followed.

Motion: Upon motion by Director Harris, seconded by Director Siemens, the Board authorized amending the contract with Jakaby Engineering. (Vote: 7-0-0)

3. **Agenda Item #6** – Discussion and Consideration of Seating Independent Special Districts on the Santa Clara County Local Agency Formation Commission (R-12-57)

District Clerk Michelle Radcliffe explained that in March 2012, the Santa Clara County Special District's Association considered the issue of independent special districts having a seat on the Santa Clara County Local Agency Formation Commission (LAFCo) and requested information from LAFCo on the costs for individual districts having to participate. She further explained that at the June 13th Regular Board Meeting, Director Siemens stated that the Santa Clara County Special District's Association is holding a special meeting on July 16th to discuss options for LAFCo cost appropriation and representation and that he will be attending on behalf of the District and would like to report on the District's position regarding independent special district participation on LAFCo.

Extensive discussion was held by the Board on the reasons why independent special districts should or should not be seated on LAFCo. Directors Hanko, Harris, Hassett, Siemens, and Cyr explained why they do not support having independent special districts represented on LAFCo. Director Kishimoto stated she is inclined to support having independent special districts on LAFCo because it will give districts a voice on the Commission. Discussion ensued.

Motion: Upon motion by Director Siemens, seconded by Director Hassett, the Board voted not to support the seating of independent special districts on the Santa Clara County Local Agency Formation Commission and directed staff to express the District's concerns to other independent special districts in Santa Clara County. (Vote: 6-1-0; Noes: Kishimoto)

VI. INFORMATIONAL REPORTS

COMMITTEE REPORTS

There were no Committee reports.

STAFF REPORTS

Natural Resources Manager Kirk Lenington reported that the District has completed its Memorandum of Understanding with the Department of Fish and Game. He also reported that staff has released weevils to control the spread of non native plants in District preserves.

Public Affairs Manager Rudy Jurgensen provided an update on the outreach being conducted in preparation of the July 18th Mount Umunhum Site Plan public workshop.

Administrative Services Manager Kate Drayson provided an update on the recruitment activities in the District.

District Clerk Michelle Radcliffe reminded the Board that the nomination period for the November 2012 General Elections opens on Monday, July 16th and closes on Friday, August 10th.

Assistant General Counsel James Atencio provided an update on the Gullicksen matter.

Acting General Manager Ana Ruiz reported that General Manager Steve Abbors will be returning on June 28th. She then provided an update on the District's Vision Plan.

DIRECTOR REPORTS

The Directors submitted their compensable forms to the District Clerk.

Director Hanko stated she attended a 4th of July barbeque hosted by Bill Cook and shared her experience with the Board.

Director Cyr stated he and Director Harris attending the Parks and Recreation Forum in Minnesota and shared his experience with the Board.

VII. ADJOURNMENT

President Riffle adjourned the Regular Meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:38 p.m.

Michelle Radcliffe, CMC
District Clerk