



Midpeninsula Regional
Open Space District

Meeting 12-39

SPECIAL MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

December 19, 2012

MINUTES

SPECIAL MEETING – CLOSED SESSION

I. ROLL CALL

President Riffle called the Special Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 5:30 p.m.

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

Members Absent: Cecily Harris

Staff Present: General Manager Steve Abbors, General Counsel Sheryl Schaffner

The Board entered into Closed Session.

SPECIAL MEETING – STUDY SESSION

I. STUDY SESSION

1. **Study Session Item #1** – Discussion on Proposed Committee Structure and Charges (R-12-124)

District Clerk Michelle Radcliffe explained that at the April 27th Board Retreat, the Board held discussion on the current structure of Board Committees. She stated that the Board expressed concerns on the functions of Committees, the roles of Committee members and staff, scheduling issues, staff capacity and time management, and Board expectations. Next, Ms. Radcliffe presented the proposed changes to the District's Committee structure as well as the General Manager's recommended changes to Committees. She discussed the proposed changes to existing Standing Committees as

well as the dissolution and integration of the Ad Hoc Committees into Standing Committees. Ms. Radcliffe also presented a proposed monthly standing meeting schedule and explained that at the time of Action Plan approval, the Board will have an opportunity to review the projects that are assigned to each Committee for the upcoming fiscal year. Lastly, Ms. Radcliffe explained that Ad Hoc Committees may be created for a specific task and must sunset within a year. Extensive discussion ensued.

At 6:55 p.m., the Board recessed the Study Session and entered into the Regular Session of the Special Meeting with Directors Siemens, Riffle, Cyr, Hanko, Kishimoto, Harris, and Hassett present.

SPECIAL MEETING – REGULAR SESSION

I. ROLL CALL

President Riffle called the Special Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 7:00 p.m.

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

Members Absent: None

Staff Present: General Manager Steve Abbors, General Counsel Sheryl Schaffner, Interim Assistant General Manager Ana Ruiz, District Controller Mike Foster, Natural Resources Manager Kirk Lenington, Operations Manager David Sanguinetti, Real Property Manager Mike Williams, Acting Public Affairs Manager Paul McKowan, Acting Public Affairs Manager Renee Fitzsimons, Administrative Services Manager Kate Drayson, Acting Planning Manager Meredith Manning, Media Communications Supervisor Shelly Lewis, Media Communications Specialist LaNor Maune, Human Resources Supervisor Candice Basnight, Senior Management Analyst Lynn Tottori, and District Clerk Michelle Radcliffe

President Riffle stated there were no reportable actions.

II. ORAL COMMUNICATIONS

There were none.

III. ADOPTION OF AGENDA

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

IV. ADOPTION OF CONSENT CALENDAR

Motion: Upon motion by Director Siemens, seconded by Director Cyr, the Board approved adoption of the Consent Calendar to approve the **Written Communication; Revised Claims No. 12-22; authorized the temporary Accounting staffing for implementation of the Integrated Accounting and Finance System; approved the revised resolutions to California Public Employees Retirement System regarding the employer paid member contributions for employees of the Midpeninsula Regional Open Space District; and amended the contract with The Creative Group for Public Affairs staffing support for an amount not-to-exceed \$38,000 through March 31, 2013.** (Vote: 7-0-0)

V. BOARD BUSINESS

1. **Agenda Item #7A** – Approval of Fiscal Year 2012-13 Midyear Action Plan and Budget (R-12-121)

Director Siemens reported that the Administration and Budget Committee met on December 4, 2012 to discuss the FY2012-13 Midyear Action Plan and Budget. He explained that the Committee recommends that staff continue to prepare a three-year Capital Expenditure (CapEx) Forecast rather than preparing a five-year forecast for FY2013-14 given that the Vision Plan Project, which is expected to be completed by April 2014, may substantially affect the District's Action Plan priorities for the next 5 years. Lastly, Director Siemens stated that the Committee discussed the District's annual budget cycle and that staff currently prepares and presents budget and Action Plan information to the Board three times per year: as part of the annual budget in February and March, for the year-end review in June, and at midyear in November. He explained that due to the significant staff time required to prepare this information, the Committee recommends it work with staff to evaluate the optimal frequency and level of detail needed by the Board for reviewing this information, and to return to the Board in the spring with a recommendation. Brief discussion ensued.

The Board agreed to defer the Committee recommendation to approve the FY2012-13 Midyear Action Plan and Budget until after hearing Agenda Items No. #7B and #7C.

Motion: Upon motion by Director Hanko, seconded by Director Siemens, the Board directed staff to present a three-year CapEx Forecast as part of the FY2013-14 annual District budget process and after the completion of the Vision Plan, directed staff to evaluate the feasibility of a five-year CapEx Forecast. The Board also directed the Committee and staff to review the annual budget cycle and budget reports that are prepared for the Board, with special attention placed on the Midyear Budget, to identify appropriate adjustments to the frequency of reporting cycles and level of detail of information. (Vote: 7-0-0)

2. **Agenda Item #7B** – Approval of Administration and Budget Committee Recommendations for Fiscal Year 2012-13 Midyear Budget (R-12-122)

District Controller Mike Foster provided an overview his FY2012-13 Midyear Financial review from April 1, 2012, through August 31, 2012. Brief discussion ensued.

Next, Senior Management Analyst Lynn Tottori provided an overview of the FY2012-13 Midyear Budget. She explained that the Midyear budget includes changes resulting from labor negotiations with the Field Employees Association (FEA). Ms. Tottori then explained that the proposed FY2012-13 Midyear Budget totals \$40,851,170, which reflects a decrease of \$527,510 from the FY2012-13 Adopted Budget due to a change in the accounting treatment for Cooley Landing Land Remediation. Brief discussion ensued.

Motion: Upon motion by Director Kishimoto, seconded by Director Cyr, the Board received the Controller's FY2012-13 Midyear Financial Review for the five-month period of April 1, 2012, through August 31, 2012; and approved the FY2012-13 Midyear Budget (Vote: 7-0-0)

3. Agenda Item #7C – Approval of the Midpeninsula Regional Open Space District Fiscal Year 2012-13 Midyear Action Plan (R-12-123)

Administrative Services Manager Kate Drayson provided an overview of the proposed Midyear Action Plan changes for FY2012-13. She explained that the changes proposed for the FY2012-13 Midyear Action Plan reflect a total of 74 Active Projects resulting in a decrease of 49 Active Projects from the Adopted Action Plan. Brief discussion ensued.

Motion: Upon motion by Director Hanko, seconded by Director Siemens, the Board approved the FY2012-13 Midyear Action Plan. (Vote: 7-0-0)

VI. INFORMATIONAL REPORTS

COMMITTEE REPORTS

There were none.

STAFF REPORTS

Operations Manager David Sanguinetti reported that the District's simulcast radio system has been used by District staff since December 17th.

Acting Public Affairs Manager Paul McKowan reported that staff had a meeting with Peninsula Open Space Trust and the consultants for the capital finance project (Rosemary Cameron, Pat O'Brien, and Dr. George Manross of Strategy Research Institute).

General Manager Steve reported that District Managers and Supervisors will have a retreat on December 21st to continue the work of the retreat held on December 13th. Mr. Abbors also reported that he met with District neighbor Meryl Glaubiger and spoke about the installation of additional noise screening for her home.

General Counsel Sheryl Schaffner reported that she attended a recent hearing regarding the proposed Wozniak Winery Use Permit application.

DIRECTOR REPORTS

The Board submitted their compensable stipend forms to the District Clerk.

Director Harris thanked Director Riffle for presiding as the Board President during the Calendar Year 2012.

Director Kishimoto reported that she met with Santa Clara Valley Water District Chief Operating Office Norma Camacho as well as new board members of the Water District. ~~Control Board~~.

Director Siemens reported that the Santa Clara County Independent Special District Selection Committee is meeting in January to vote on the seating of special district representatives to the Santa Clara County Local Agency Formation Commission (LAFCo). He requested that the District discuss and nominate a representative to LAFCo at its next Board meeting.

SPECIAL MEETING – STUDY SESSION

At 8:15 p.m., the Board reconvened to the Study Session to continue discussion of Study Session Item No. #1 with Directors Siemens, Riffle, Cyr, Hanco, Kishimoto, Harris, and Hassett present.

I. STUDY SESSION

1. Study Session Item #1 – Discussion on Proposed Committee Structure and Charges (R-12-124)

The Board continued their discussion on the proposed changes to Committee structure and charges. Discussion was held on the charges of the Committees and the timing of the proposed changes. By Board consensus, the funding charge will be retained by the Legislative, Funding and Public Affairs Committee and the subject of District partnerships will be added to its charge.

Director Siemens suggested that the Rules of Procedures be amended to allow the Board President to be a member of a Standing Committee as well as include language stating that Committees must provide a brief report on Committee activities during a Regular Board meeting. He also recommended that Committee assignments be deferred to April 1st to coincide with the fiscal year budget and action plan approval.

Motion: A motion to approve Committee changes tonight, but to have the changes effective on April 1st. The motion failed. (Vote: 2-5-0; Noes: Riffle, Cyr, Hanco, Kishimoto, and Harris)

Motion: Upon motion by Director Siemens, seconded by Director Hassett, the Board approved amending the Rules of Procedures to allow the Board President to serve on a Standing Committee. (Vote: 6-1-0; Noes: Kishimoto)

Motion: Upon motion by Director Siemens, seconded by Director Siemens, the Board approved the General Manager's recommended changes to Board Committees and the recommended Committee schedule as modified. (Vote: 7-0-0)

VII. ADJOURNMENT

President Riffle adjourned the Regular Meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:36 p.m.

Michelle Radcliffe, CMC
District Clerk