



Midpeninsula Regional  
Open Space District

February 11, 2015  
Board Meeting 15-04

## REGULAR MEETING

### BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

February 11, 2015

#### DRAFT MINUTES

#### I. CALL TO ORDER

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

#### II. ROLL CALL

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

Members Absent: Cecily Harris and Yoriko Kishimoto

Staff Present: General Manager Steve Abbors, Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner, Public Affairs Manager Shelly Lewis, Real Property Manager Mike Williams, Planning Manager Jane Mark, Planner II Gretchen Laustsen, Planner III Lisa Bankosh, and District Clerk Jennifer Woodworth

#### III. ORAL COMMUNICATIONS

No speakers present.

#### IV. ADOPTION OF AGENDA

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

**VOTE:** 5-0-0 (Directors Harris and Kishimoto absent.)

#### V. CONSENT CALENDAR

1. Approve Minutes of the Regular Board Meeting of January 28, 2015.

**2. Approve the Claims Report**

**3. Resolution Commending and Honoring the San Mateo County Resource Conservation District on its 75<sup>th</sup> Anniversary**

General Manager's Recommendation: Approve the resolution Commending and Honoring the San Mateo County Resource Conservation District on its 75<sup>th</sup> Anniversary.

**Motion:** Director Cyr moved, and Director Hassett seconded the motion to approve the Consent Calendar.

**VOTE: 5-0-0** (Directors Harris and Kishimoto absent.)

**VI. BOARD BUSINESS**

**4. Contract Award for Design and Planning Services for Bear Creek Stables Site Plan and Planning and Environmental Review Services for the Expedited Bear Creek Redwoods Open Space Preserve Plan (R-15-25)**

Planning Manager Jane Mark presented an overview of the expedited processes and timeline to complete the Bear Creek Redwoods Open Space Preserve Plan. Ms. Mark described the process used to select Populous, Inc. as the preferred firm to complete the Bear Creek Stables Site Plan and Bear Creek Redwoods Open Space Preserve Plan. Ms. Mark explained that the Alma College Rehabilitation would be addressed as a separate project. Finally, Ms. Mark described the purpose, scope, budget and targeted completion dates for each of the three projects.

Planner II Gretchen Laustsen provided the staff presentation. Ms. Laustsen summarized past public outreach, previous Planning and Natural Resources Committee direction, and the process used to solicit and choose Populous, Inc. as the preferred consultant. Ms. Laustsen outlined the Bear Creek Stables Site Plan schedule including opportunity for public input. Finally, Ms. Laustsen summarized the scope of the proposed contract and General Manager's recommendation.

Director Riffle inquired regarding the planned outreach for Stables Site Plan and Preserve Plan.

Planner III Lisa Bankosh explained that additional meetings may be held to reach stakeholders for the Preserve Plan in addition to meetings to discuss the Stables Site Plan.

Director Hassett inquired regarding the timeline for opening La Honda Open Space Preserve.

Ms. Mark explained the scoping and budgeting process is being worked on by staff and will be coming before the Board as part of the FY2015-16 Action Plan.

Director Hassett inquired regarding the ongoing financial sustainability of the site for the tenant under the site plan.

Ms. Bankosh explained Populous, Inc. has extensive experience, which includes the long-term sustainability of the site.

Public hearing opened at 7:39 p.m.

Lyndall Erb, member of Bay Area Barns and Trails and Friends of Bear Creek Stables, spoke regarding the planning process with District staff. Ms. Erb spoke in favor of more open communication between Bear Creek Stables and District staff.

Jenny Whitman provided copies of an independent site plan paid for by Bear Creek Stables and provided comments regarding the independent site plan.

Melany Moore spoke in support of Bear Creek Stables as a community asset and the outreach work completed by Bear Creek Stables. Ms. Moore requested Bear Creek Stables remain open and operating under its current tenant.

David Katinsky, Bear Creek Stables boarder and member of the Friends of Bear Creek Stables, spoke encouraging District staff to work with the current tenant to develop the site plan.

Nancy Cole, member of the Friends of Bear Creek Stables, spoke regarding the value of Bear Creek Stables to the community and encouraged more involvement of the Bear Creek Stables operators by District staff in the planning process.

Pam Ashford, boarder at Bear Creek Stables, spoke regarding upgrades to Bear Creek Stables. Ms. Ashford also spoke of community outreach conducted by Bear Creek Stables.

Gay Grant spoke regarding hers and her granddaughter's love of Bear Creek Stables.

Karen Read inquired regarding Populous' experience in working in rural areas and their experience with areas that also include public access.

Katelyn Read spoke regarding her positive experiences at Bear Creek Stables.

Sophia Grant-Cownard spoke regarding her positive experiences at Bear Creek Stables and how much she has learned about horses while volunteering there.

Kent Knop spoke regarding the positive experiences for children at Bear Creek Stables.

Erfert Fenton, Assistant Manager of Bear Creek Stables, expressed her concerns regarding the selection of Populous, communication by District staff, and ongoing affordability of the site plan.

Corinne Goodrich spoke regarding hers and her son's positive experiences at Bear Creek Stables.

Katja Wick spoke in favor of the many programs offered by Bear Creek Stables.

Rick Parfitt spoke in favor of creating a committee to include members of the community to work on the process to allow for additional input by community members.

Mariquita West expressed her concerns regarding the Board of Directors and District staff describing the lack of communication felt by Bear Creek Stables.

Carol Paral expressed her concerns regarding the cost of the proposed Populous, Inc. contract. Kathryn Hampton spoke regarding the positive atmosphere at Bear Creek Stables and the close relationship among its visitors, boarders, and operators.

Alex Anderson, member of Silicon Valley Mountain Bikers, spoke regarding the prohibition of bikes on the preserve. Mr. Anderson requested the District open a multi-user trail to provide a safe route from Lexington Reservoir to Summit Rd. for cyclists.

Public hearing closed at 8:15 p.m.

Director Siemens spoke regarding community input in the process and Bear Creek Stables as a community asset.

Mr. Abbors spoke regarding meetings between District staff and Bear Creek Stables and the District's commitment to complete a site plan to be considered in conjunction with the site plan provided by Bear Creek Stables. Mr. Abbors also commented on the District's process for choosing a consultant and the public input review process of the California Environmental Quality Act portion of the project.

Director Hanco spoke regarding the District's purchase of Bear Creek Stables and equestrian use of District trails. Director Hanco also expressed her concerns regarding the proposed consultant selection.

Director Hassett spoke in favor of the proposed consultant selection.

Director Cyr spoke in favor of the accelerated time frame for completing the project and staff's process to choose the proposed consultant. Director Cyr also requested the timeframe for when the independent site plan from Friends of Bear Creek Stables will be examined in conjunction with the District proposed site plan.

Ms. Mark explained that this will be considered as part of the planning process with the District's consultant.

Director Riffle spoke regarding Bear Creek Stables as an asset and its role within the Bear Creek Redwoods Open Space Preserve.

**Motion:** Director Hassett moved, and Director Riffle seconded the motion to authorize the General Manager to enter into a professional services contract with Populous, Inc., for an amount of \$48,650 to develop site design alternatives for Bear Creek Stables, plus an additional \$150,000 to complete the Bear Creek Redwoods Open Space Preserve Plan and environmental review. In addition, authorize a 15% contingency of \$30,000 to cover unforeseen requirements, for a not-to-exceed total contract amount of \$228,650.

**VOTE: 4-0-1** (Director Hanco abstained; Directors Harris and Kishimoto absent.)

The Board recessed at 8:40 p.m. and reconvened at 8:51 p.m. with all Directors present.

**5. Informational Report on the Outreach and Communication Plan for Fiscal Year 2015-16 (R-15-28)**

Public Affairs Manager Shelly Lewis provided an informational presentation outlining the Public Affairs' Department Community Outreach Plan for 2015. Ms. Lewis described five outreach strategies, including partnerships, Healthy Parks Initiative, community outreach, Measure AA, and signage and visibility. Ms. Lewis also described several programs the District is currently promoting to encourage new constituencies to visit District preserves. Ms. Lewis also outlined numerous opportunities for Board member outreach to the public, local agencies, and to legislators.

**6. Proposed Purchase of the Riggs Property as an addition to Purisima Creek Redwoods Open Space Preserve located at the end of Lucy Lane in unincorporated San Mateo County (Assessor's Parcel Number 066-320-120) (R-15-19)**

Directors Hanko and Hassett provided comments in support of the acquisition of the Riggs Property.

Real Property Manager Mike Williams provided the staff presentation summarizing the benefits of the property related to other District lands and natural resources. Mr. Williams also described the next steps of the purchase including proposed gate locations and use and management of the property.

Public hearing opened at 9:24 p.m.

No speakers were present.

Public hearing closed at 9:24 p.m.

**Motion:** Director Hassett moved, and Director Hanko seconded the motion to:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA) as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Riggs' property.
3. Adopt a Preliminary Use and Management Plan for the property as contained in the staff report.
4. Indicate the intention to withhold the Riggs property as public open space.

**VOTE: 5-0-0** (Directors Harris and Kishimoto absent.)

**7. General Manager's Purchasing Authority in Public Resources Code Section 5549 (R-15-24)**

Assistant General Manager Kevin Woodhouse provided the staff presentation briefly summarizing the history of Public Resources Code Section 5549. Mr. Woodhouse summarized several administrative efficiencies and savings through staff time that would be realized if the threshold were raised. Mr. Woodhouse explained that the Board of Directors can set a lower purchasing authority for the General Manager through adoption of Board policy. Finally, Mr. Woodhouse described the next steps in the process if the proposal is supported by the Board of Directors.

Director Hanko expressed several concerns with the proposed \$100,000 purchasing authority limit and stated she would consider supporting a lower limit.

Directors Hassett and Cyr spoke in favor of raising the General Manager's purchasing authority in order to improve and increase District efficiency.

Public hearing opened at 9:53 p.m.

No speakers were present.

Public hearing closed at 9:53 p.m.

**Motion:** Director Hassett moved, and Director Cyr seconded the motion to approve the concept of increasing the General Manager's purchasing authority in Public Resources Code Section 5549 from \$25,000 to \$100,000 in order to achieve administrative efficiencies while maintaining competitive public contracting procedures, and direct the General Manager to work with the District's state legislators to introduce legislation to make this change.

**VOTE: 4-1-0** (Director Hanko opposed; Directors Harris and Kishimoto absent.)

**8. Approval of Salary Adjustments and Amendments to Employment Agreements for the Board Appointees: General Manager, General Counsel and District Controller (R-15-26)**

Human Resource Supervisor Candice Basnight presented the staff report summarizing the proposed salary adjustments for the General Manager, General Counsel, and District Controller as recommended by the Board Appointee Evaluation Committee.

Public hearing opened at 9:57 p.m.

No speakers were present.

Public hearing closed at 9:57 p.m.

**Motion:** Director Cyr moved, and Director Riffle seconded the motion to:

1. As a result of the Board's evaluation of the performance of the District's Board Appointees for Fiscal Year 2013-14, the Board Appointee Evaluation Ad Hoc Committee recommends the following compensation adjustments for its Board Appointees for Fiscal Year 2014-15: Adjust the General Manager's base salary upward to \$216,323; adjust the General Counsel's base salary upward to \$203,992; and adjust the Controller's base salary upward to \$45,153.
2. Adopt the resolutions approving the salary adjustments set out in Recommendation and authorizing the Board President to execute the commensurate related amendments to the Board Appointee Employment Agreements.
3. Adopt the a resolution approving adjustments to the Employer Paid Member Contributions to the California Public Employees Retirement System

**VOTE: 5-0-0** (Directors Harris and Kishimoto absent.)

**VII. COMMITTEE REPORTS**

Director Riffle reported the Action Plan and Budget Committee met three times and the recommended budget and action plan will be brought to the Board at the next regular Board meeting.

**VIII. STAFF REPORTS**

District Clerk Jennifer Woodworth introduced Acting District Clerk Kim Smith who will be assisting the District while Ms. Woodworth is on leave.

Assistant General Manager Kevin Woodhouse reported on a training attended by all District Rangers entitled “Fair and Impartial Policing,” to assist public safety officers to overcome implicit and explicit bias.

Assistant General Manager Ana Ruiz reported that she served as a panelist on the “Talk with Henrietta” hosted by Henrietta Burrows regarding the health benefits of parks and open space.

General Manager reported that he, other staff members, and members of the Board attended the State of the Valley event hosted by Joint Silicon Valley. Mr. Abbors also provided comments regarding the FY2015-16 Action Plan and Budget, which will be presented at the next Board meeting.

**IX. DIRECTOR REPORTS**

The Board submitted their compensatory forms to the District Clerk.

Director Hassett reported that he attended the Farm Bureau meeting with District staff.

Director Cyr provided comments regarding the Santa Clara Open Space Authority being highlighted several newspaper articles.

Director Siemens provided comments regarding the State of the Valley event and the need for housing in the area. Director Siemens also reported he reached out to the Santa Clara County Board of Supervisors members to request meeting with District staff regarding Mt. Umunhum.

**X. ADJOURNMENT**

President Siemens adjourned the Meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 10:15 p.m.

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Jennifer Woodworth, CMC  
District Clerk