



Midpeninsula Regional
Open Space District

DRAFT

Meeting 10-01

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

JANUARY 13, 2010

MINUTES

SPECIAL MEETING

I. ROLL CALL

Vice President Mary Davey called the Special Meeting to order at 6:34 p.m. She called the Roll.

Members Present: Pete Siemens, Jed Cyr, Mary Davey, Cecily Harris, Larry Hassett and Curt Riffle.

Members Absent: Nonette Hanko

Staff Present: Steve Abbors, Sue Schectman, Duncan Simmons, Mike Williams, David Sanguinetti

II. CLOSED SESSION

The Board convened the Closed Session at 6:34 p.m. and concluded the Closed Session at 6:57 p.m.

REGULAR MEETING

III. ROLL CALL

Vice President Davey called the Regular Meeting to order at 7:03 p.m., and asked for the Roll Call.

Members Present: Pete Siemens, Jed Cyr, Larry Hassett, Mary Davey, Cecily Harris and Curt Riffle

Members Absent: Nonette Hanko

Additional Staff Present: B. Congdon, A. Ruiz, R. Jurgensen, L. Bankosh, T. Walz, A. Duong

Vice President Davey stated that there were no reportable items from the Closed Session Agenda Item Number 1.

IV. ORAL COMMUNICATIONS – There were none.

V. ADOPTION OF AGENDA

Motion: Director Cyr moved adoption of the Agenda. Director Siemens seconded the motion. The motion passed 6 to 0 as amended.

VI. ADOPTION OF CONSENT CALENDAR

Director Siemens asked about Revised Claims number 11757 and Director Cyr asked about number 11764. Staff answered questions to the Board's satisfaction.

Motion: Director Cyr moved adoption of the Consent Calendar to Approve the Special and Regular Board Meetings Minutes of November 28, 2009; Approve the Revised Claims 10-01; Agenda Item 4 – Authorize the General Manager to execute a Purchase Agreement with Cal Line Equipment for one wood chipper at a total cost not to exceed \$55,000; Agenda Item 5 – Adopt Resolution No. 10-01 to renew the District Controller's investment authority until January 13, 2011 and approve the District's Revised Statement of Investment Policy. Director Siemens seconded the motion. The motion passed 6 to 0.

VII. BOARD BUSINESS

Motion: Director Hassett moved to re-order the agenda items so that Agenda Item 8 would be heard first under Board Business to accommodate guests present in the audience. Director Riffle seconded the motion. The motion passed 6 to 0.

S. Abbors noted that Agenda Item 10 would not be presented at tonight's meeting, but at an upcoming meeting later in the month.

A. Agenda Item 8 – Approval of St. Joseph's Hill Open Space Preserve Memorial Bench and Determination that the Project is Categorically Exempt from the California Environmental Quality Act – (Report R-10-08)

R. Jurgensen presented the Legislative, Funding and Public Affairs Committee (LFPAC) report and discussed the bench and plaque proposal. He said the bench would honor the memory of Jim McCluskey, a Santa Clara County firefighter.

Director Riffle said he was supportive. He asked for clarification of the payment, installation and maintenance costs and if public funds would be used. R. Jurgensen reviewed the cost and said that the firefighters will cover the costs and that District staff would work with the firefighters on the installation. He said that no public funds would be spent. Director Riffle asked where the location was going to be. S. Abbors and R. Jurgensen said the bench location would be at the top of the Manzanita Trail, the highest point on the preserve.

Director Davey thanked the members of the audience for attending and supporting the project.

Motion: Director Cyr moved that the Board determine that this project is categorically exempt from the California Environmental Quality Act as set out in the report, and approve the installation of a memorial bench in St. Joseph's Hill Open Space Preserve. Director Siemens seconded the motion.

Public Comment: Steve Stockman, Santa Clara County Fire, said that the firefighters were honored to be included in the whole process. He spoke about Jim McCluskey. He said that the firefighters ride the trail almost daily prior to their shifts and that the bench location is exciting and that they are happy it will be located on the Manzanita Trail. He said it is a beautiful location. He said there is a great relationship between the firefighters and the District rangers and staff.

Vote: The motion passed by a vote of 6 to 0.

B. Agenda Item 6 – Election of Board Officers for Calendar Year 2010 – (Report R-10-05)

Director Davey reviewed the voting procedure for the election of officers for the Board of Directors for 2010.

Director Davey called for nominations for President.

Director Harris nominated Director Davey for President. Director Cyr seconded the nomination. Director Davey asked if there any further nominations. There were none.

Motion: Director Davey asked for a motion to close the nomination. Director Cyr moved to close the nomination for President. Director Siemens seconded the motion. The motion passed 6 to 0.

Vote: The Board voted by written ballot. A. Duong announced that there were six (6) votes for Director Davey for the office of Board President.

President Davey asked for nominations for Vice-President. Director Cyr nominated Director Hassett for the Office of Vice-President. Director Siemens seconded the nomination.

Motion: Director Cyr moved to close the nomination for Vice-President. Director Siemens seconded the motion. The motion carried 6 to 0.

Vote: The Board voted by written ballot. A. Duong announced that there were six (6) votes for Director Hassett for the office of Board Vice-President.

President Davey asked for nominations for Treasurer. Director Harris nominated Director Riffle for the office of Treasurer. Director Hassett seconded the nomination.

Motion: Director Harris moved to close the nomination for Treasurer. Director Siemens seconded the motion. The motion carried 6 to 0.

Vote: The Board voted by written ballot. A. Duong announced that there were six (6) votes for Director Riffle for the office of Board Treasurer.

President Davey asked for nominations for Secretary. Director Hassett nominated Director Cyr for the office of Secretary. Director Riffle seconded the nomination.

Motion: Director Harris moved to close the nomination for Secretary. Director Siemens seconded the motion. The motion carried 6 to 0.

Vote: The Board voted by written ballot. A. Duong announced that there were six (6) votes for Director Cyr for the office of Board Secretary.

C. Agenda Item 7 – Appointment of Administration and Budget Committee for 2010 – (Report R-10-04)

President Davey reviewed her nominees for the Administration and Budget Committee for 2010 to be Directors Riffle, Siemens and Cyr.

Motion: Director Harris moved approval of the appointment of Directors Riffle, Siemens and Cyr to the Administration and Budget Committee for Calendar Year 2010. Director Hassett seconded the motion. The motion passed by a vote of 6 to 0.

D. Agenda Item 9 – Amendment of the Policy for Site Naming, Gift and Special Recognition – (Report R-10-07)

R. Jurgensen reviewed LFPAC's recommendation to amend the language to the Policy for Site Naming, Gift and Special Recognition, specifically for memorial benches.

Director Riffle suggested adding other memorial items, other than benches. Director Cyr explained how the committee came to the intent of the wording and said that the committee preferred the wording be general rather than specific. S. Abbors added that the focus was on benches and not other possible items. He said that as items come forward, the District's Policy can apply similar language. Director Riffle said that he did not want the District to maintain something for someone else. S. Abbors said that the staff intent is to zero-out the cost to the District.

Director Harris agreed that it is great for requestors to pay for the costs. She asked if there is a sense of the cost of maintenance over time, noting that it would be awkward to return to a donor each year for funds. R. Jurgensen said that the intent is to collect the funds up-front. Director Harris asked what the term of maintenance was and if it was for a lifetime. D. Sanguinetti explained the different types of benches and the possible life spans of each material. S. Abbors said that the policy gives the District a way to talk with possible bench donors. Director Siemens suggested that creating an endowment might be the solution.

Motion: Director Cyr moved approval to add language to the Policy for Site Naming, Gift and Special Recognition stating that those who request a special recognition under Section III (A) of the policy shall pay for the cost of constructing, installing and maintaining a memorial bench. Director Siemens seconded the motion. The motion passed 6 to 0.

E. Agenda Item 11 – Award of Professional Services Contract for Alpine Pond Long-Term Management Project Planning and Design Services – (Report R-10-10)

L. Bankosh presented the staff report and reviewed the cost and description of the contract and showed photographs of Alpine Pond and discussed the habitat around and in the pond. She reviewed the bidding process and why Restoration Design Group was chosen and their qualifications. She said that the District had received 12 bid proposals. She reviewed the terms of the contract.

Director Hassett asked about the life expectancy of the pond. L. Bankosh gave the dimensions of the pond and said that the life expectancy was infinite. Director Cyr said he saw two problems with the pond in its current state – non-native fish and the cattails. He asked if a life expectancy of 50 years was anticipated. L. Bankosh said that they would need to maintain the pond on a regular basis and they may need to drain it more than once, but that there was at least 50 years of integrity of the pond.

Director Siemens asked if the Board had not already seen the design concept for the pond. L. Bankosh said that what they saw was a conceptual idea. The contract before the Board would include design of the boardwalk and bring in other elements into the interpretation system.

Director Harris said that this is a good project. She asked if there is a key project to include the interpretation part. L. Bankosh said that R. Fitzsimmons is part of the project evaluation committee and R. Jurgensen added that R. Fitzsimmons would make sure the contractors will work with interpretative planning contractors so both contractors will work together.

Director Riffle said he was supportive, but he was concerned about the costs. L. Bankosh said that the total project cost will be \$350,000 and that staff is researching grant funding opportunities. Staff believes the project, may qualify for grant funding because of the interpretive component of the project. Director Riffle asked if there were stopping places throughout the project and L. Bankosh said there were. S. Abbors added that some elements can be done “in house” and that there are different ways the project can be funded.

Motion: Director Riffle moved approval to authorize the General Manager to enter into a professional services contract with Restoration Design Group of Berkeley, CA for an amount not to exceed \$40,000.00 for planning and design services to enhance shoreline access and interpretive opportunities at Alpine Pond.

VIII. INFORMATIONAL REPORTS

COMMITTEE REPORTS – There were none.

STAFF REPORTS

D. Sanguinetti gave a dog waste report at Pulgas Ridge Open Space Preserve and said that staff had received three letters of concern. He said that Operations staff are working with Public Affairs staff to draft a solution, which may result in asking the public to remove waste instead of flinging it out of the way. Director Siemens asked if fauna deposited waste too. D. Sanguinetti said they do, but it is not concentrated on or near trails. He added that staff would need to educate the public that may result in environmental ethics training. Director Harris said that she frequently hiked at Pulgas Ridge and noted that the public does not seem to be prepared to pick up dog waste. D. Sanguinetti reported on a serious accident at Purisima Creek Redwoods Open Space Preserve and said that a body was discovered at El Corte de Madera Open Space Preserve and that the body may be the missing person from the past summer.

R. Jurgensen reported on the first meeting with the Army Corps of Engineers for the Mt. Umunhum project. He said the Office of Economic Adjustment (OEA) has the \$3.2 million of congressionally appropriated funds to be dispersed for site remediation. He said he left with a positive impression from the meeting and that the Corps wants to put together an effective remediation plan. He said they are working towards a May 17 kick-off event with the District's legislative delegation at Mt. Umunhum. R. Jurgensen gave a geo-caching update and that staff and the docents are working on future geo-caching hikes. He said there was a waiting list of 50 people already.

Director Riffle asked how far the \$3.2 million dollars appropriated for remediation of Mt. Umunhum would go. S. Abbors said the funds would remediate the site and level buildings. There would be a noticeable change to the site. He added that the monolith is a separate matter. The Corps assumes that all buildings are contaminated so they are all targeted to be demolished. October 1 is the target date for the actual work to begin. R. Jurgensen added that there will be public meetings to collect public input and that those meeting will occur prior to October 1. Director Siemens asked about the public meetings and R. Jurgensen gave more information. The Directors and staff discussed some anticipated project components.

A. Ruiz reported that they are in the process of hiring the project manager for the Mt. Umunhum project and that they have six potential candidates and should have a decision by the end of the month. She said that a request for bids is out for design services for the Folger house at La Honda Creek Open Space Preserve.

B. Congdon reported that Administration staff are working on 1099s and W-2s. She said that they are receiving applications for the Administration and Human Resources Manager, and they are in the first round interviews for the District Clerk position.

M. Williams said that with the closing of the Mendez property the District is protecting over 58,000 acres. He pointed out the FYIs regarding the Coastside Protection Area service fee letters, and he explained what the fees are for.

S. Abbors said that staff are working on the Budget and Action Plan and that G. Baillie and E. Cuzick were leading the process. He said they would meet the 7% guideline. He noted that costs are going up, the District will be at full staffing and that they are

carefully prioritizing projects. He said he was meeting with M. Foster on Thursday. He gave an updated on SB211. He reported on his meeting with Audrey Rust. He described the Santa Clara County Leadership Academy and said that the District would send three staff to the Academy. This is an opportunity to grow leaders within the District. He said that East Bay Regional Park District was celebrating its 75th anniversary on May 22 and that the District would participate.

DIRECTOR REPORTS

Director Cyr said that tonight was his only compensable meeting. He said he hiked at Alum Park the previous week. He asked if the District was sending anyone to the Open Space Council on January 21. S. Abbors said they would discuss this at the next Management Team meeting.

Director Hassett said that tonight was his only compensable meeting. He said he hiked at Russian Ridge with friends and saw the signage for the restoration project. He said he would be away from February 6 to February 21.

Director Siemens said that tonight was his only compensable meeting. He attended and gave a report on the 4th quarter meeting of Santa Clara County Special District.

Director Harris said that tonight was her only compensable meeting. She offered to help on the dog waste issue at Pulgas Ridge.

Directory Riffle said he submitted his compensable meeting form to the Clerk. He reported that Sempervirens closed two deals. He said that in 2009 he hiked District preserves 41 times, amounting in 90 hours and 280 miles. He said he would become a trail patrol volunteer.

Director Davey said that tonight was her only compensable meeting. She said the pictures of snow on Skyline are marvelous. She asked the Board members to look at Committee appointments, and there was discussion about which committees the members wanted to be on.

IX. ADJOURNMENT

President Davey adjourned the Special and Regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:50 p.m.

Lisa Zadek, Recording Secretary