



Midpeninsula Regional
Open Space District

DRAFT

Meeting 12-01

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

January 11, 2012

MINUTES

SPECIAL MEETING

I. ROLL CALL

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

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

Members Absent: None

Staff Present: General Manager Steve Abbors

II. ADJOURNMENT

REGULAR MEETING

I. ROLL CALL

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

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

Members Absent: None

Staff Present: General Manager Steve Abbors, General Counsel Sue Schectman, Real Property Manager Mike Williams, Operations Manager David Sanguinetti, Planning Manager Ana Ruiz, Public Affairs Manager Rudy Jurgensen, Administrative Services Manager Kate Drayson, Acting Natural Resources Department Manager Kirk Lenington, Assistant General Counsel James Atencio, Resource Planner I Julie Andersen, Open Space Planner III Matt Baldzikowski, Open Space Planner III Tina Hugg, Real Property Specialist Allen Ishibashi, and District Clerk Michelle Radcliffe

President Hassett stated there were no reportable actions taken in Closed Session.

II. ORAL COMMUNICATIONS

There were none.

III. ADOPTION OF AGENDA

Motion: Upon motion by Director Hanko, seconded by Director Riffle, and unanimously passed, the Board adopted the agenda as amended. (Vote: 7-0-0)

IV. ADOPTION OF CONSENT CALENDAR

Motion: Upon motion by Director Cyr, seconded by Director Harris, and unanimously passed, the Board approved adoption of the Consent Calendar to approve **Revised Claims No. 12-01; Minutes of November 9, 2011 as amended, Written Communications, and Renewal of Investment Authority and Annual Investment Report.** (Vote: 7-0-0)

At 7:08 p.m., the Midpeninsula Regional Open Space District Board of Directors adjourned its Regular meeting. At 7:08 p.m., the Midpeninsula Regional Open Space District Financing Authority convened its Regular Meeting.

V. BOARD BUSINESS

A. DISTRICT FINANCING AUTHORITY

- 1. Agenda Item #1** – Resolution Authorizing the Execution and Delivery of Documents in Connection with the Refinancing of 1999 Revenue Bonds (R-12-07)

District Controller Mike Foster introduced Stone and Youngberg, LLC Underwriter Tom Lockhart and Bond Counsel Chris Lynch to the Board and provided a brief history on the 1999 Revenue Bonds that were issued by the

Financing Authority. He explained that with the passage of State Assembly Bill 612, the District is able to refinance existing bonds to extend its debt term to thirty years. Mr. Foster stated that refinancing it would free up District funds to purchase more land. Discussion ensued.

Public Comment: Tom Lockhart spoke in favor of refinancing the District 1999 Bonds and recommended that the District sell the bonds next week.

Motion: Upon motion by Director Riffle, seconded by Director Siemens, the Financing Authority authorized the execution and delivery of documents in connection with the refinancing of the 1999 Revenue Bonds. (Vote: 4-0-1; Absent: Kniss)

2. **Agenda Item #2** – Acceptance of the Controller’s Annual Financial Report of the Midpeninsula Regional Open Space District Financing Authority (R-12-08)

Motion: Upon motion by Director Siemens, seconded by Director Riffle, the Financing Authority accepted the Controller’s Annual Financial Report of the Midpeninsula Regional Open Space District Financing Authority. (Vote: 4-0-1; Absent: Kniss)

B. BOARD OF DIRECTORS

1. **Agenda Item #5** – Resolution Approving Documents Relating to Issuance of 2012 Refunding Notes (R-12-06)

Motion: Upon motion by Director Kishimoto, seconded by Director Hanko, and unanimously passed, the Board approved the resolution approving documents relating to issuance of 2012 Refunding Notes. (Vote: 7-0-0)

2. **Agenda Item #6** – Election of Board of Directors Officers for Calendar Year 2012 (R-12-01)

President Hassett reflected on the past year as Board President and shared some of the District’s accomplished during his term.

President Hassett reviewed the voting procedures for the election of officers for the Board of Directors for Calendar Year 2012 and President Hassett called for nominations for Board President. Director Hanko nominated Director Riffle for President and Director Harris seconded the nomination. No further nominations were presented.

Motion: Upon motion by Director Siemens, seconded Director Riffle, and unanimously passed the nominations for Board President were closed. (Vote: 7-0-0)

By a vote of 7 to 0, the Board elected Director Riffle as Board President for Calendar Year 2012.

President Riffle thanked Director Hassett and stated that he would like to focus on a few items in 2012: 1) the District's 40th Anniversary; 2) the implementation of the District's Strategic Plan, which will focus on District partners, the public, and the District's capacity; 3) working with a new General Counsel due to the retirement of General Counsel Sue Schectman; 4) the creation of the District's Natural Resource Departments; and 5) continuing to strengthen working relationships between District staff, District volunteers, and the Board.

President Riffle called for nominations for Board Vice President. Director Hanko nominated Director Cyr for Vice President and Director Hassett seconded the nomination. No further nominations were presented.

Motion: Upon motion by Director Siemens, seconded by Director Harris, and unanimously passed, the nominations for Board Vice President were closed. (Vote: 7-0-0)

By a vote of 7 to 0, the Board elected Director Cyr as Board Vice President for Calendar Year 2012.

President Riffle called for nominations for Board Treasurer. Director Hassett nominated Director Siemens for Board Treasurer and Director Hanko seconded the nomination. No further nominations were presented.

Motion: Upon motion by Director Kishimoto, seconded by Director Cyr, and unanimously passed, the nominations for Board Treasurer were closed. (Vote: 7-0-0)

By a vote of 7 to 0, the Board elected Director Siemens as Board Treasurer for Calendar Year 2012.

President Riffle called for nominations for Board Secretary. Director Hanko nominated Director Kishimoto for Board Secretary and Director Siemens seconded the nomination. No further nominations were presented.

Motion: Upon motion by Director Cyr, seconded by Director Siemens, and unanimously passed, the nominations for Board Secretary were closed. (Vote: 7-0-0)

By a vote of 7 to 0, the Board elected Director Kishimoto as Board Secretary for Calendar Year 2012.

3. **Agenda Item #7** – Appointment of Administration and Budget Committee Members for Calendar Year 2012 (R-12-02)

Motion: Upon motion by Director Cyr, seconded by Director Hanko, and unanimously passed, the Board approved the appointment of Directors Hassett, Siemens, and Kishimoto to the Administration and Budget Committee for Calendar Year 2012. (Vote: 7-0-0)

4. **Agenda Item #8** – Adoption of the District’s Resource Management Policies and Approval of Proposed Mitigated Negative Declaration and Mitigation Monitoring Program for the Resource Management Policies Project Applicable to all District Owned and/or Managed Lands (R-12-05)

Resource Planner Julie Andersen provided a brief overview of comments the District received on the Resource Management Policies and shared with the Board how the District responded to those comments. She then explained that in order to have a robust and thorough policy, staff prepared a Mitigated Negative Declaration and Mitigation Monitoring Program for the Resource Management Policies and that staff is requesting approval from the Board. Brief discussion ensued.

Motion: Upon motion by Director Hassett, seconded by Director Siemens, and unanimously passed, the Board adopted the District’s Resource Management Policies and approved the proposed Mitigated Negative Declaration and Mitigation Monitoring Program. (Vote: 7-0-0)

5. **Agenda Item #9** – Consider Approval of a Trail Construction Agreement and Trail Easement Agreement with California Water Service Company for a Trail Connection between the El Corte de Madera Creek Open Space Preserve and the Bay Area Ridge Trail on CalWater’s Bear Gulch Watershed Property (R-12-09)

Real Property Specialist Allen Ishibashi explained that the District is proposing to enter into a trail construction agreement and subsequent trail easement agreement with California Water Service Company (Cal Water) which will provide a trail connection from the El Corte de Madera Open Space Preserve to the Bay Area Ridge Trail on Cal Water’s Bear Gulch Watershed property. Mr. Ishibashi then provided an overview of the the proposed trail location, trail construction agreement, and trail easement agreement.

Director Hanko questioned why mountain bikes were prohibited on the proposed trail and Mr. Ishibashi explained that Cal Water does not allow mountain bikes on their property and that particular section of the Ridge Trail is only open to hikers and equestrians.

Director Harris asked if the trail will be built by District staff or if the District will hire an outside firm to build it. Mr. Ishibashi stated that the District has a great

reputation on trail building and that Cal Water is comfortable with having District staff build the trail. Brief discussion ensued.

Motion: Upon motion by Director Cyr, seconded by Director Harris, and unanimously passed, the Board approved the Trail Construction Agreement and Trail Easement Agreement with Cal Water. (Vote: 7-0-0)

VI. INFORMATIONAL REPORTS

COMMITTEE REPORTS

President Riffle reported that the Board Appointee Evaluation Committee met on December 3rd to review the applicants for the General Counsel recruitment and that the Committee narrowed the field from ten candidates to six. He stated that the Board will have an opportunity to meet candidates on January 13th and that on January 20th, the Board will meet with the finalists.

STAFF REPORTS

Administrative Services Manager Kate Drayson announced that Deputy District Clerk/Office Manager Anna Duong and Training and Safety Coordinator Jeff Griffith-Jones' are leaving the District. She also provided an update on the Integrated Accounting and Financial Software and reported that the software has been purchased and installed and that training will begin the week of January 23rd.

Operations Manager David Sanguinetti reported that Support Services Supervisor David Topley completed the lease agreements on the communication towers on District mountain tops. He stated that the project would not have been accomplished without the help of Real Property Specialist Elaina Cuzick.

Public Affairs Manager Rudy Jurgensen reported that the District received acknowledgment from the Santa Clara County Audobon Society.

Planning Manager Ana Ruiz reported that the Board will be holding a public hearing on the Draft Environmental Impact Report for Mount Umunhum and that the public hearing will be held at the Historic Del Monte Building in Sunnyvale. She also reported that the San Mateo Planning Commission will meet in late January to consider the permit for the El Corte de Madera parking lot. She explained that the Commission suggested moving the proposed driveway location 100 feet south from the current proposal. Brief discussion ensued.

Real Property Manager Mike Williams reiterated Mr. Sanguinetti's comment about Ms. Cuzick's help for completing the communication towers lease with San Mateo County Real Estate.

Acting Natural Resources Manager Kirk Lenington reported that the Board was provided the Negative Declaration for Driscoll Ranch and provided an update on the Alma College site clean-up.

DIRECTOR REPORTS

The Board submitted their compensable forms to the District Clerk.

Director Hassett read the Board's response to the General Counsel's resignation.

VIII. ADJOURNMENT

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

Michelle Radcliffe, CMC
District Clerk