



SPECIAL AND REGULAR MEETING

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

Wednesday, September 13, 2023

*The Board of Directors conducted this meeting in accordance with
California Government Code section 54953.*

DRAFT MINUTES

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

President Kishimoto called the special meeting of the Midpeninsula Regional Open Space District to order at 5:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Craig Gleason, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret MacNiven, and Curt Riffle

Members Absent: Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, District Clerk/Assistant to the General Manager Maria Soria, Executive Assistant/Deputy District Clerk Loana Lumina-Hsu

President Kishimoto announced this meeting is being held in accordance with Government Code section 54953. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website.

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code
Section 54957(b)(1)**

Title of Employee: Controller
General Counsel
General Manager

Public comment opened at 5:01 p.m.

District Clerk/Assistant to the General Manager Maria Soria reported no public comments were submitted for the closed session.

Public comment closed at 5:01 p.m.

The Board convened into closed session.

ADJOURNMENT

President Kishimoto adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:54 p.m.

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

President Kishimoto called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:03 p.m.

ROLL CALL

Members Present: Craig Gleason, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret MacNiven, and Curt Riffle

Members Absent: Jed Cyr and Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, District Clerk/Assistant to the General Manager Maria Soria Executive Assistant/Deputy District Clerk Loana Lumina-Hsu, Planner III Galli Basson, Grants Program Manager Deborah Hirst, Information Systems & Technology Manager Casey Hiatt, Senior Resources Management Specialist Coty Sifuentes-Winter

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Director Cyr joined the meeting at 7:05 p.m.

REPORT OUT OF CLOSED SESSION

President Kishimoto reported the Board met in closed session, and no reportable action was taken.

ORAL COMMUNICATIONS

Public comment opened at 7:04 p.m.

District Clerk Maria Soria reported there were no public speakers for this item.

Public comment closed at 7:04 p.m.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 6-0-0 (Director Holman absent.)

SPECIAL ORDERS OF THE DAY

Introduction of Staff

- Mike Hagerty, Analyst II

CONSENT CALENDAR

Director Riffle spoke on Agenda Item #3, expressing appreciation from the Board to staff and the General Manager's leadership for all the work accomplished in Fiscal Year 2023, even amidst a trying time coming out of COVID and the heavy winter storms.

General Manager Ana Ruiz spoke on Agenda Item #3 stating that it was another incredible year with many accomplishments despite a number of disruptions such as the storm related damages that required the redeployment of resources. General Manager Ruiz showed a short video highlighting some of the year's major accomplishments.

Director Cyr spoke on Agenda Item #3 and expressed his appreciation of the Annual Year-End Report and video, and thanked staff for their work, dedication, and care for the year's efforts and in putting the report and video together.

President Kishimoto spoke on Agenda Item #3, stating the entire Board is proud of the District and the accomplishments that have provided to the public, she expressed the Board's heartfelt thanks to the staff.

Public comment opened at 7:16 p.m.

Ms. Soria reported there were no public speakers for this item.

Public comment closed at 7:16 p.m.

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

ROLL CALL VOTE: 6-0-0 (Director Holman absent.)

- 1. Approve the July 12, 2023, and July 26, 2023 meeting minutes**
- 2. Approve Claims Report**
- 3. Annual Year-End Report for Fiscal Year ending June 30, 2023 (R-23-99)**

General Manager's Recommendation:

Informational item only. No Board action required.

4. Contract Amendment for Design and Construction Administration Services related to the Lower Alpine Road Retaining Wall Project at Coal Creek Open Space Preserve to address Winter 2023 Slope Failure Repairs (R-23-100)

General Manager's Recommendations:

1. Authorize the General Manager to amend the Design & Construction Administration Services contract with Waterways Consulting, Inc., to add design and construction support services in the amount of \$5,160 for new repair work to address a recent slope failure along a segment of unpaved road that was not recently improved, bringing the total base contract amount to \$373,427.
2. Authorize a contingency in the amount of \$1,000 to be reserved for unanticipated issues requiring additional services, bringing the total not-to-exceed amended contract amount to \$374,427.

5. Actions to Address Additional Slope Failure Repairs as part of the Lower Alpine Road Retaining Wall Project at Coal Creek Open Space Preserve (R-23-101)

General Manager's Recommendations:

1. Adopt a resolution approving an Addendum to the Alpine Road Trail Improvements Project Initial Study/Mitigated Negative Declaration (Resolution No. 21-01) in conformance with the California Environmental Quality Act to expand the scope of repair work and include additional repairs to address recent slope failures.
2. Authorize the General Manager to amend the Lower Alpine Road Retaining Wall Project construction contract with Granite Rock Company in the amount of \$110,000 to include the additional slope failure repair work, bringing the total base contract amount to \$871,080.
3. Authorize a 15% contingency for the additional repair work in the amount of \$16,500 to be reserved for unanticipated construction issues, bringing the total not-to-exceed contract amount to \$887,580.

6. Award of Contract to Julian Tree Care, Inc., for Removal of a Former Cultivar Tree Farm at Bear Creek Redwoods Open Space Preserve (R-23-102)

General Manager's Recommendations:

1. Authorize the General Manager to enter into a contract with Julian Tree Care, Inc., of Richmond, California to provide overgrown cultivar tree farm removal and biomass disposal services for a not-to-exceed base contract amount of \$232,300.
2. Authorize a 10% contingency of the base contract in the amount of \$23,230 to cover unforeseen issues.
3. Authorize an allowance of \$58,200 for stump grinding and/or log hauling, if warranted, bringing the total not-to-exceed contract amount to \$313,730.

7. Award of Contract for the Bear Creek Redwoods Landfill Cleanup Project at Bear Creek Redwoods Open Space Preserve (R-23-104)

General Manager's Recommendations:

1. Award a contract to PARC Environmental of Fresno, California, for a not-to-exceed base contract amount of \$192,395.

2. Authorize a 15% contingency in the amount of \$28,859 to be reserved for unanticipated issues.
3. Authorize an allowance of \$28,860 to cover additional costs to transport and dispose of certain materials as hazardous waste, if unanticipated materials or higher concentrations of contaminants are found during the project, bringing the total not-to-exceed contract amount to \$250,114.

BOARD BUSINESS

8. Formation of the Hawthorns Historic Complex Ad Hoc Committee (R-23-103)

Planner III Galli Basson provided the staff presentation on the Formation of the Hawthorns Historic Complex Ad Hoc Committee. Ms. Basson reported that the Hawthorns Area Property encompasses 79-acres, and the historic complex is approximately 13 acres located on the southeast portion of the property. District staff are proceeding with the development of the Hawthorns Area Plan, a comprehensive use and management plan that will guide resource and land management actions for the property. Planning for the specific future use and management of the Historic Complex is a separate and parallel planning project and would be the focus of the Ad Hoc Committee. The Historic Complex is made of multiple structures and appears eligible for the National Register of Historic Places as a historic district due to its pattern of estate settlement of “gentlemen’s farms” along the Peninsula in the late 19th and 20th century. Four of the buildings have more significant historic features and these include: the main house, garage, lower barn, and cottage. Ms. Basson reviewed the work recently completed along with the next steps and concluded the presentation by reviewing the purpose of the Ad Hoc Committee.

Director Riffle asked if the Ad Hoc Committee would work with the Hawthorns Area Public Access Working Group (Hawthorns Area PAWG).

Ms. Basson explained the Ad Hoc Committee would work separate from the Hawthorns Area PAWG, as the PAWG is focusing on the rest of the Hawthorns property, and the Ad Hoc would focus on the 13 acres.

Director Gleason asked how often the Ad Hoc Committee would meet and the timeframe.

Ms. Basson explained there would be at least two meetings: one site visit, and one meeting to go through ideas and staff to receive input and feedback. The likely timeframe is based on Director availability, but potentially before the end of the calendar year.

Director Riffle commented that at one time there was a third-party interested in providing funding and inquired whether they would be considered as part of the proposals.

Ms. Basson stated that staff would discuss the option with the Ad Hoc committee and decide to approach that third party based on the input from the committee.

President Kishimoto asked that the Directors notify her of their interest in participating in the Ad Hoc Committee, and she will appoint members by September 14, 2023.

Public comment opened at 7:27 p.m.

Maria Soria reported there were no public speakers for this item.

Public comment closed at 7:27 p.m.

Motion: Director MacNiven moved, and Director Gleason seconded the motion to form a Hawthorns Historic Complex Ad Hoc Committee of the Board of Directors pursuant to Board Policy 1.04, Board Committees. Consistent with other recent Ad Hoc Committees of the Board, these meetings would be compensable.

ROLL CALL VOTE: 6-0-0 (Director Holman absent.)

9. Oral Presentation – Grants Program Department Overview

Grants Program Manager Deborah Hirst provided a presentation on the Grants Program Department. Ms. Hirst introduced her staff and the core functions of the Grants Program and Grantmaking Program. She reviewed the cycle of a grant from reporting, closing, and seeking grants. Ms. Hirst highlighted some of the site visits that staff completed with Board members, elected officials, and funders. Grant revenue has increased significantly since 2017, with many opportunities to support biodiversity, climate resiliency, the Wildland Fire Resiliency Program, and landscape level conservation, including the creation of the 27th Open Space Preserve at Cloverdale Ranch. Ms. Hirst reviewed the program metrics from 2020 to 2023 and the grants achieved for land purchases, Wildland Fire, and Federal Earmarks along with pending grants, and Grantmaking Program partners in the categories of Education & Outreach, Applied Science, and Networks & Partnerships.

Director Riffle congratulated Ms. Hirst for a successful program and inquired on the factors that make the team successful.

Ms. Hirst responded that collaboration between funding partners is key and the District has numerous projects that are highly attractive to funders. There is also a tremendous amount of Federal and State money available and the District is fortunate to take advantage of these and other funding opportunities. The addition of a full-time Senior Grants Technician position is important to continue supporting this work and the growth of the Grants Program.

Director Kersteen-Tucker expressed appreciation to Ms. Hirst and Grants Program staff.

Director Gleason congratulated Ms. Hirst for a wildly successful program and inquired if there are goals or a strategy for the trajectory of the program.

Ms. Hirst indicated that the Board Policy allows for a distribution of \$250,000 a year, however, if the Board could consider allowing staff to pool that money and have a multi-year grant cycle, there would be a larger source of money available to fund more grantees. This suggestion may be considered at a future study session that will be held in the Spring.

Public comment opened at 7:53 p.m.

Maria Soria reported there were no public speakers for this item.

Public comment closed at 7:53 p.m.

No Board action required.

10. Oral Presentation – Information Systems & Technology Department Overview

Information Systems & Technology Manager Casey Hiatt showcased a collaborative project between Information Systems & Technology (IST), Land & Facilities, and the Engineering & Construction Departments of a bird box camera project with live video stream from Mount Umunhum of purple martins feeding their hatchlings. Ms. Hiatt spoke on the collaborative way staff worked on this project to establish internet service at the mountaintop, and how all equipment needed is powered by solar panels. As a result, the Natural Resources Department now has insights on the bird boxes and the purple martins and can make habitat changes and other adaptive management decisions to better protect these delicate species. Ms. Hiatt stated that the IST department goals are to provide data and analysis to support strategic data driven decisions, increase staff efficiency, and use technology to optimize land management. The department also provides hardware, software, data, and analysis that enable staff to deliver the mission. Ms. Hiatt reviewed the creation of the department, the three core programs, the digital transformation to a (largely) paperless work environment, improved business processes, field technology and remote work systems. Lastly, she provided a live demonstration of various dashboards that have been implemented.

President Kishimoto inquired if the District will be using Artificial Intelligence (AI) in the future.

Ms. Hiatt stated that one of her staff members already use AI to blur people's faces across 200,000 wildlife camera photos in order to share the photos with the research community. In the long term, IST will be looking at other AI uses, including the use of Chat GPT.

Director Riffle asked about what other technology the District may want to invest.

Ms. Hiatt indicated that the department's current focus is cybersecurity, and that an RFP for cyber security assessments will be posted tomorrow. She also stated that AI research will be the department's next focus in the coming years.

Director Kersteen-Tucker praised Ms. Hiatt and her team for their outstanding efforts. In her observation over the past five years, she has seen an amazing transformation that it is often invisible and only noticed when something is not working. Also amazed in seeing other staff use the technology so effectively and professionally, and how IST has propelled the District forward and continues to be on the leading edge.

President Kishimoto asked if the public had access to the GIS dashboards.

Ms. Hiatt stated GIS is currently working on a project called Arc GIS Hub to create a public website that will provide information on trails and access, and another on Measure AA projects that is scheduled to go live in December 2023.

Public comment opened at 8:17 p.m.

Maria Soria reported there were no public speakers for this item.

Public comment closed at 8:17 p.m.

No Board action required.

INFORMATIONAL REPORTS

A. Committee Reports

Director MacNiven provided an update on the August 29 Legislative, Funding and Public Affairs Committee meeting, including the discussion on the Draft Updates to Board Policy 5.02 – Good Neighbor Policy. She also provided an update from the Basic Policy Ad Hoc Committee meeting that was held on September 11.

Director Cyr reported on the Special Board Meeting held on September 12, 2023, regarding the proposed Rancho San Antonio Shuttle/Ride Hail Program, which included recommendations from the Planning and Natural Resources Committee.

Director Kersteen-Tucker provided an update of the September 12, Agricultural Policy Ad Hoc Committee and stated the policy is nearing completion and will be presented to the full Board on November 1, 2023 at a public meeting on the Coastside.

B. Staff Reports

Assistant General Manager Brian Malone reported that within the next couple of weeks, Whittmore Gulch Trail at Purisima Creek Redwoods Preserve is scheduled to be reopened with a couple of caveats for equestrians. All the trails that were closed because of the winter storms within the preserve will be reopened at that point. Mr. Malone also provided an update on a small fire that occurred on Page Mill Road due to a vehicle non-injury accident on September 12, 2023.

President Kishimoto asked that Mr. Malone convey the Board's appreciation back to staff who assisted with extinguishing the fire.

C. Director Reports

Director Gleason reported he attended a tour on September 10 with the South Bay Advocacy Group for the Bay Area Ridge Trail at Mount Umunhum, which was joined by Docent Paul Billy and Special Projects Maintenance Supervisor Cody Fickes. He thanked all who assisted with the hike, in particular Mr. Fickes, who was very knowledgeable of all of the history and how the trail was built, stating Mr. Fickes is a great ambassador for the District.

Director Riffle reported that on September 5, he lunched with former Director Larry Hassett and passed along his hellos. Director Riffle thanked staff for the various board briefings, field trips to the Skyline Field Office and Cloverdale Ranch Open Space Preserve, and the annual Real Property Update with Real Property Manager Mike Williams.

Director Cyr thanked staff for the various field trips that were very well organized.

Director MacNiven also expressed her thanks to the staff for the amazing field trips. She reported that she and Director Holman gave a presentation to the City Council of Menlo Park.

President Kishimoto reported that on September 6-9 she attended the Land Trust Alliance Rally held in Portland, Oregon. It was very well attended, with over 2,000 people from all around the country.

ADJOURNMENT

President Kishimoto adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 8:34 p.m.

Maria Soria, MMC
District Clerk