



SPECIAL AND REGULAR MEETING

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

Wednesday, April 8, 2026

*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 Kersteen-Tucker called the special meeting of the Midpeninsula Regional Open Space District to order at 6:05 p.m.

ROLL CALL

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

Members Absent: Director MacNiven

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, and District Clerk/Assistant to the General Manager Maria Soria

President Kersteen-Tucker announced that 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. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
A. Significant exposure to litigation, Government Code Section 54956.9(d)(2):
(one potential case)**

Public comment period opened.

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

Public comment period closed.

Director MacNiven joined the meeting at 6:06 p.m. using the “just cause” exemption due to illness.

The Board convened into closed session.

ADJOURNMENT

President Kersteen-Tucker adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:59 p.m.

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

President Kersteen-Tucker called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:04 p.m.

ROLL CALL

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

Members Absent: Margaret MacNiven

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Maria Soria, Executive Assistant/Deputy District Clerk Shaylynn Nelson, Wildlife Ecologist III Matt Sharp Chaney, Land Stewardship and Trails Manager Michael Gorman, Senior Planner Jared Hart, Natural Resources Manager Kirk Lenington, Engineering & Construction Manager Scott Reeves

President Kersteen-Tucker announced that 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.

REPORT OUT OF CLOSED SESSION

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

ORAL COMMUNICATIONS

Public comment period opened.

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

Public comment period closed.

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

Director MacNiven announced that she is participating in the meeting via teleconference using the “just cause” exemption due to illness and disclosed that no one over the age of 18 years is present at her remote location.

ADOPTION OF AGENDA

Motion: Director Cyr moved, and Director Gleason seconded the motion to adopt the agenda.

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Director Holman pulled agenda item #4 *Addendum to the Bear Creek Redwoods Preserve Plan Environmental Impact Report for the Bear Creek Redwoods North Parking Lot Project.*

Public comment period opened.

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

Public comment period closed.

Motion: Director Kishimoto moved, and Director MacNiven seconded the motion to approve Consent Calendar Items 1, 2, 3, and 5.

ROLL CALL VOTE: 7-0-0

- 1. Approve the March 25, 2026 Board meeting minutes**
- 2. Approve Claims Report**
- 3. Report from the Bond Oversight Committee to the Board of Directors for the review period from July 1, 2024 to June 30, 2025 (R-26-42)**

Bond Oversight Committee’s Recommendation: The Bond Oversight Committee recommends that the Board of Directors accept this report.

- 4. Addendum to the Bear Creek Redwoods Preserve Plan Environmental Impact Report for the Bear Creek Redwoods North Parking Lot Project. (R-26-43)**

General Manager’s Recommendation: Adopt a resolution approving an Addendum to the Bear Creek Redwoods Preserve Plan Environmental Impact Report (Resolution No. 17- 02) in conformance with the California Environmental Quality Act to address minor changes in the layout and footprint of the North Parking Area and the addition of an Easy-Access Trail.

Senior Planner Jared Hart presented. Natural Resources Manager Kirk Lenington, Engineering & Construction Manager Scott Reeves, General Manager Ana Ruiz, and General Counsel Hilary Stevenson assisted in answering questions.

Director Kishimoto commented that the mitigation measure that is written in the Preserve Plan states that a bird survey will be done no less than 14 days and no more than 30 days. She asked about clarifying the description of the mitigation measure to align with the District's current practice that surveys are done within a two-week period of the project starting.

Mr. Hart responded that a careful review of the EIR indicated that the mitigation measure as written is sufficient to reduce potential impacts to less than significant levels. Nonetheless, the contract with the consultant will state that the survey will be conducted in no less than 14 days.

Public comment period opened.

Shani Klienhaus, Santa Clara Valley Bird Alliance spoke against the item and urged the Board not to adopt the EIR addendum.

Dashiell Leeds, Sierra Club Loma Prieta Chapter Conservation Coordinator, asked the Board to consider not building a parking lot, trail, and other elements of the project during the nesting season.

Public comment period closed.

Director Holman commented that there is value in changing the mitigation in the EIR addendum to change the number of days for the mitigation period to no more than 14 days.

General Counsel Hilary Stevenson stated that the environmental analysis conducted as part of the addendum concluded that the minor changes to the project do not necessitate changes to the mitigation measures. Furthermore, the environmental analysis and addendum concluded that the mitigation measures already in place as part of the EIR sufficiently reduce potentially significant impacts to less than significant levels. She noted that the mitigation measure references pre-construction surveys, and it also contains a comprehensive description about what happens if active nests are found at any point during the project. She reaffirmed that the existing EIR indeed contains mitigation measures that reduce potential impacts to less than significant levels.

Director Kishimoto commented that the Board has heard from staff that 100% of the bird surveys would be done within a two-week period. She suggested that the Board could adopt the resolution that pertains to the addendum and also include a directive to staff that the bird surveys would be done within two weeks.

Ms. Stevenson stated that the addendum affirms that the mitigation measures identified in the EIR are those that would be required for the project and are sufficient for the purpose of mitigating potential environmental impacts. She added that, while the Board may choose to direct the General Manager to proceed as staff has described, any such direction would be a separate action that is not incorporated into the CEQA record.

President Kersteen-Tucker noted that the Board must balance natural resource protection with the mandate to fulfill Measure AA commitments and to provide public access. She explained that

this project is not different than any other project that navigates sensitive species. She expressed confidence in the care that staff provides to protect the natural resources when performing work.

Director Holman emphasized that adding a separate Board directive to complete bird nesting surveys within 14 days of starting this specific project will serve to record what staff already intends to do as part of their work.

Motion: Director Riffle moved, and Director Cyr seconded the motion to approve Consent Calendar agenda item # 4.

Director Holman commented that she would not be able to support the recommendation without a inclusion of a separate directive regarding the timing of the nesting surveys. She proposed a substitute motion to adopt a resolution approving an Addendum to the Bear Creek Redwoods Preserve Plan Environmental Impact Report (Resolution No. 17-02) in conformance with the California Environmental Quality Act to address minor changes in the layout and footprint of the North Parking Area and the addition of an Easy-Access Trail and a directive to staff to maintain the current practice of conducting bird nesting surveys no further out than 14 days from the project.

Director Riffle stated that he would not support the substitute motion, noting that staff have already explained their current practices. He questioned the need for an additional step for something already being implemented and expressed concern about setting a precedent for similar discussions on future projects.

Director Holman stated the purpose of including it in the motion is to create a record and to communicate to the public that the District's existing practice is even more conservative than the EIR mitigation measure, which was separately reviewed and deemed sufficient to reduce potential impacts to less than significant levels.

Motion: A substitute motion was moved by Director Holman and seconded by Director Kishimoto to adopt the General Manager's recommendation for agenda item #4 and separately add a directive to staff that bird surveys take place no further out than 14 days from the start of the project.

ROLL CALL VOTE: 4-3-0 (Motion Passed)

In Favor: Directors Gleason, Holman, Kersteen-Tucker, and Kishimoto

Opposed: Directors Cyr, MacNiven, and Riffle

5. Award of Contract for the Fremont Older House Re-Roofing Project in Fremont Older Open Space Preserve (R-26-44)

General Manager's Recommendations:

1. Award a contract to SAE Consulting Engineering of San Jose, CA for a base amount of \$170,000 plus a bid alternate amount of \$18,000, for a total not-to-exceed contract amount of \$188,000.
2. Authorize a 15% contingency in the amount of \$28,200 to be reserved for unanticipated issues, bringing the total not-to-exceed contract amount to \$216,200.

BOARD BUSINESS

6. Santa Cruz Kangaroo Rat Genetic Analysis Presentation (R-26-45)

Wildlife Ecologist III Matt Sharp Chaney provided opening remarks and assisted with answering questions. Mark Statham, professor and professional researcher at the University of California, Davis, presented.

Public comment period opened.

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

Public comment period closed.

No Board action required.

7. Wildland Fire Resiliency Program Oral Update from Land Stewardship & Trails

Land Stewardship and Trails Manager Michael Gorman, Management Analyst II Ben Talavera, Field Resource Specialist Chelsea Young, and Field Resource Specialist Christian Bonner, and Santa Clara Firesafe Council Chief Executive Officer Seth Schalet presented.

Director Riffle left the dais at 9:33 p.m. and returned at 9:35 p.m.

Public comment period opened.

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

Public comment period closed.

No Board action required.

INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported on the March 31, 2026 Planning & Natural Resource Committee meeting.

B. Staff Reports

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak provided an update of the Bond Oversight Committee's three vacancies terms that will expire in June 2026.

General Manager Ana Ruiz provide an update of the District's Staff Assembly held April 1, 2026.

C. Director Reports

Director Gleason reported that he attended the Stevens Creek Watershed Summit held on March 26. He also joined a hike at Jasper Ridge, which was led by Grassroots Ecology.

Director Cyr reported that he attend the April 8 Santa Clara Valley Water Commission meeting. Director Holman reported that she attended the neighborhood access gate celebration at Ravenswood Open Space Preserve held on April 4.

Director Kishimoto reported on the Stevens Creek Watershed Summit. She also attended a LAFCO meeting on April 1, and the Planning & Natural Resource Committee meeting held on March 31.

President Kersteen-Tucker reported attending the District's Staff Assembly held on April 1.

ADJOURNMENT

President Kersteen-Tucker adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 10:07 p.m.

Maria Soria, MMC
District Clerk