



Midpeninsula Regional
Open Space District

Board Meeting 15-24

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

330 Distel Circle
Los Altos, CA 94022

Wednesday, September 23, 2015

DRAFT MINUTES

CLOSED SESSION

CALL TO ORDER

Secretary Cyr called the meeting to order at 5:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Nonette Hanco, Cecily Harris, Larry Hassett, and Curt Riffle

Members Absent: Yoriko Kishimoto and Pete Siemens

Staff Present: Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner, Assistant General Counsel Hilary Stevenson and Real Property Agent Allen Ishibashi

The Board selected Secretary Cyr to act as President Pro Tem for the meeting.

The Board convened into closed session at 5:00 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9(b))

One potential case

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: Portions of the following properties identified as Santa Clara County Assessor Parcel Numbers 562-04-014, 562-08-012, and 562-22-017

Agency Negotiator: Allen Ishibashi, Senior Real Property Agent

Negotiating Party: Scott McQueen and Michael Rossetta

Under Negotiation: Terms of real property transactions

REGULAR MEETING

CALL TO ORDER

President Pro Tem Cyr called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Nonette Hanco, Cecily Harris, Larry Hassett, and Curt Riffle

Members Absent: Yoriko Kishimoto and Pete Siemens

Staff Present: Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner, and District Clerk Jennifer Woodworth

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

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

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

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

CONSENT CALENDAR

1. **Approve September 9, 2015 Board Meeting Minutes.**
2. **Approve Claims Report**
3. **Board Code of Conduct, Board/Staff Relationship Policy, and Written Communications Policy (R-15-138)**

General Manager's Recommendation: Approve the Board Code of Conduct and revisions to the Board-Staff Working Relationships and Written Communications Policies.

4. **Update to the 1978 Board Policy "Policies on Concessions on District Lands," and New Fee Structure (R-15-139)**

General Manager's Recommendation: Review and approve the Legislative, Funding, and Public Affairs Committee's recommended updates to the 1978 Board Policy "Policies on Concessions on District Lands," and adopt a resolution approving the recommended new fee structure.

5. Revisions to Board Policy 3.03, *Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing Policy* (R-15-127)

General Manager's Recommendation: Approve an amendment to Board Policy 3.03, *Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing Policy*, to extend the period of prequalification for professional services from 2 years to 4 years.

6. Contract Amendments for Hazardous Materials Consulting Services (R-15-140)

General Manager's Recommendation:

1. Approve a contract amendment and term extension with Hazardous Management Services, Inc., extending the contract two years through August 2018 and increasing the contract by \$50,100, for a total amount not-to-exceed \$75,000 to provide hazardous materials consulting services.
2. Approve a contract amendment and term extension with SCA Environmental, Inc., extending the contract two years through August 2018 and increasing the contract by \$50,100, for a total amount not to exceed \$75,000 to provide hazardous materials consulting services.

7. Funding of the United States Geologic Survey Streamgaging Station on San Gregorio Creek (R-15-137)

General Manager's Recommendation: Authorize the General Manager to enter into a contract with the San Mateo County Resource Conservation District, for an amount not-to-exceed \$27,950, to provide funding for the United States Geological Survey's Streamgaging Station on San Gregorio Creek.

8. Contract for Completion of the Paulin and Houghton Remediation and Demolition Project at La Honda Creek Open Space Preserve and Debris Removal at El Corte de Madera Creek Open Space Preserve (R-15-143)

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Randazzo Enterprises, Inc. of Castroville, CA, for a not-to-exceed amount of \$91,437 to complete the Paulin and Houghton Remediation and Demolition Project at the La Honda Open Creek Space Preserve and debris removal at El Corte de Madera Creek Open Space Preserve. The not-to-exceed amount includes a base bid of \$74,520 and an additive alternate of \$4,990 for demolition, remediation, and clean-up, and a 15% contingency amount of \$11,927.

Motion: Director Riffle moved and Director Hanco seconded the motion to adopt the Consent Calendar.

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

BOARD BUSINESS

9. City of San Carlos Ballot Measure V for Purpose of the Acquisition and Improvement of the Black Mountain Properties as a Public Park (R-15-141)

Assistant General Manager Kevin Woodhouse provided the staff report describing San Carlos Ballot Measure V, the Black Mountain property, and the proposed planning process for Black Mountain use if Measure V is approved. Mr. Woodhouse outlined several alternatives for responding to a request from the “Save Black Mountain - Yes on V” campaign for the Board of Directors to endorse Measure V.

Director Riffle inquired regarding lack of a plan for the Black Mountain property.

City of San Carlos Special Projects Director Elaine Costello stated the property is currently for sale and explained that due to the terrain of the property, intense recreational uses will most likely not be feasible. The ballot language states that the property will be preserved for tranquil trails.

Director Hanko provided comments regarding the rarity of receiving endorsement requests for city ballot measures and inquired if any trail connections are foreseen for the property.

Ms. Costello explained the Black Mountain property would help allow for the creation of a trail network to link passive open space.

Director Hassett inquired if the City of San Carlos has done research regarding the number of residences that would be possible on the property.

Ms. Costello explained San Carlos planning staff has determined the property would allow for up to 100 homes.

Director Hassett asked how long the property has been on the market.

Ms. Costello stated that a portion of the property has been on the market for approximately ten years but another portion was sold in recent years.

Director Harris provided comments regarding the value of the Black Mountain property as a “central spoke” for trail connections within San Carlos. Director Harris also provided comments regarding the Black Mountain Springs as an asset for providing water to the property. Finally, Director Harris described the history of San Carlos and its parks.

Public comments opened at 7:30 p.m.

Laura Teutschel resident of San Carlos spoke in support of preserving the Black Mountain properties as open space. Ms. Teutschel also spoke regarding the planned public process for determining the uses for the property.

Mike Adeylott spoke regarding the community’s involvement related the proposed purchase of Black Mountain and San Carlos Ballot Measure V. Mr. Adeylott also discussed the planned public process for determining the uses for the property and the bond oversight committee.

Catherine Wormington, speaking on behalf of the San Carlos Education Foundation, stated the organization’s support for Measure V. Ms. Wormington provided additional comments regarding the potential strain on schools and park land that could be caused by additional homes being built on Black Mountain.

Andrew Taylor, resident of San Carlos and treasurer of the “No on Measure V” campaign, spoke regarding the current ownership of the land by developers and proposed number of homes for the property. Mr. Taylor also spoke regarding the lack of a plan for the property by San Carlos and the high cost per acre for the proposed property purchase.

Public comments closed at 7:43 p.m.

Director Harris spoke regarding San Carlos historic park planning process. Director Harris also provided comments regarding the proposed cost of the property as compared to the purchase prices of many of the District’s purchases.

Director Hassett expressed his concerns regarding the cost of the bond measure and described the concerns that have been relayed to him by his constituents.

Director Hanco expressed her support for Measure V.

Director Harris provided comments regarding the number of endorsements for Measure V and previous District actions related to decisions made by other cities within the District’s sphere of influence.

Director Cyr stated his support for open space but expressed his concerns regarding the District endorsing city ballot measures.

Director Riffle provided comments on the lack of open space in cities and expressed his support for preserving open space.

Motion: Director Harris moved, and Director Hanco seconded the motion to refer to the Legislative, Funding and Public Affairs Committee a work item for later in the fiscal year to develop a policy concerning endorsements of ballot measures and legislative advocacy.

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

Motion: Director Harris moved, and Director Hanco seconded the motion to support Measure V, finding that a public park with a mixture of open space and recreation is more aligned with the District’s mission than is the possibility of the property being privately developed. The Board directs staff to send a letter stating the District’s endorsement, and encouraging a significant percentage of passive open space and trails in the final plan for the park.

VOTE: 4-1-0 (Director Hassett opposed; Directors Kishimoto and Siemens absent.)

Director Hassett requested that his reason for opposing the motion be included in the record. Director Hassett stated his support of open space and stated his preference for alternative 2 that the District take a neutral position on Measure V and encourage passive open space for Black Mountain if the property is purchased.

Director Riffle announced he will be recusing himself from voting on Item 10.

Board recessed at 8:26 p.m. and the Board reconvened at 8:33 p.m. with Directors Cyr, Hanco, Harris, and Hassett present.

10. Santa Cruz Mountains Stewardship Network Memorandum of Agreement (R-15-142)

Assistant General Manager Kevin Woodhouse provided the staff report describing the Santa Cruz Mountains Stewardship Network including the areas included and the current network participants. Mr. Woodhouse summarized the meetings already held and the work currently completed by the Stewardship Network. Finally, Mr. Woodhouse described the next steps including signing the Memorandum of Agreement, development of the project list, and further engagement of partner agencies and organizations.

Director Hanko expressed her desire to attend a future meeting of the Stewardship Network and expressed her belief that more agencies should be sending elected officials to the meetings to allow those representatives to report back to their colleagues on the elected body.

Director Harris inquired regarding the level of funding for the project.

Mr. Woodhouse explained that many of the foundations currently providing funding for the Network have expressed interests in continuing their funding; however, no written commitments have currently been made.

Public comments opened at 9:03 p.m.

No speakers present.

Public comments closed at 9:03 p.m.

Motion: Director Hassett moved, and Director Harris seconded the motion to authorize the General Manager or his designee to sign on to the Memorandum of Agreement for the Santa Cruz Mountains Stewardship Network.

VOTE: 4-0-0 (Directors Riffle, Kishimoto and Siemens absent.)

INFORMATIONAL REPORTS**A. Committee Reports**

No Committee reports.

B. Staff Reports

No staff reports.

C. Director Reports

The Board members submitted their compensatory reports.

Director Harris reported she attended the Bay Area Open Space Council event last week.

Directors Harris, Riffle, Hassett, and Cyr, reported their attendance at the District's Volunteer Recognition Event on Saturday and thanked staff for their efforts in organizing and putting together the event.

ADJOURNMENT

President Pro Tem Cyr adjourned the Special Meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:10 p.m.

Jennifer Woodworth, CMC
District Clerk