



Midpeninsula Regional  
Open Space District

July 27, 2016  
Board Meeting 16-17

## **SPECIAL AND REGULAR MEETING**

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

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

July 27, 2016

#### **DRAFT MINUTES**

#### **SPECIAL MEETING – CLOSED SESSION**

President Kishimoto called the special meeting to order at 6:02 p.m.

#### **ROLL CALL**

Members Present: Nonette Hanko, Larry Hassett, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: Jed Cyr and Cecily Harris

Staff Present: Assistant General Manager Kevin Woodhouse, Chief Financial Officer/  
Administrative Services Director Stefan Jaskulak, General Counsel Sheryl Schaffner, and Senior Real Property Agent Allen Ishibashi

#### **1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)**

**Property:** Santa Clara County APN: 575-11-022

**Agency Negotiator:** Allen Ishibashi, Senior Real Property Agent

**Negotiating Party:** Rod Hibner, Agent Kelly Williams Realty

**Under Negotiation:** Terms of real property transactions

Public comments opened at 6:00 p.m.

No speakers present.

Public comments closed at 6:00 p.m.

The Board convened into closed session.

President Kishimoto adjourned the special meeting at 6:50 p.m.

#### **REGULAR MEETING – BOARD MEETING**

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

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

**ROLL CALL**

Members Present: Nonette Hanko, Larry Hassett, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: Jed Cyr and Cecily Harris

Staff Present: Assistant General Manager Kevin Woodhouse, Chief Financial Officer/ Administrative Services Director Stefan Jaskulak, General Counsel Sheryl Schaffner, Land & Facilities Administrative Assistant Elissa Martinez, and District Clerk Jennifer Woodworth

**ORAL COMMUNICATIONS**

No speakers present.

**ADOPTION OF AGENDA**

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

**VOTE:** 5-0-0 (Directors Cyr and Harris absent.)

**SPECIAL ORDERS OF THE DAY**

- Introduction of Staff: Elissa Martinez, Land & Facilities Administrative Assistant

**CONSENT CALENDAR**

President Kishimoto appointed Director Hanko to act as Secretary Pro Tem for the evening.

- 1. Approve the Minutes for the July 6, 2016 and July 13, 2016 Board meetings**
- 2. Approve Claims Report**
- 3. Approval of the Inclusion of an Advance Refunding of the Callable Portions of the 2011 Bonds with the 2007 Bonds, in the 2016 Green Bonds (Refunding), and an Associated Revised Schedule (R-16-94)**

General Manager's Recommendation: Authorize the General Manger to direct staff to include advance refunding of the callable portion of the 2011 Bonds and to take the actions described in the Revised Schedule for the 2016 Green Bonds, so as to obtain significant future cash savings.

**4. Establishing Fiscal Year 2016-2017 Tax Levy for the Midpeninsula Regional Open Space District's General Obligation Bonds - Series 2015A and Series 2015B (R-16-92)**

General Manager's Recommendation: Adopt Resolutions of the Board of Directors of the Midpeninsula Regional Open Space District for each of San Mateo, Santa Clara and Santa Cruz Counties to establish an ad valorem property tax levy of \$0.60 per \$100,000 (or \$0.0006 per \$100) in assessed value for the District's General Obligation Bonds – Series 2015A and Series 2015B (Measure AA).

Public comment opened at 7:07 p.m.

No speakers present.

Public comment closed at 7:07 p.m.

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

**VOTE: 5-0-0** (Directors Cyr and Harris absent.)

**BOARD BUSINESS**

**5. Informational Presentation regarding the Highway 17 Wildlife Passage and Bay Area Ridge Trail Crossing Project. (R-16-84)**

Resource Specialist III Julie Andersen provided the staff report describing the Highway 17 Wildlife Passage and Bay Area Ridge Trail Crossing Project, identifying existing and potential wildlife and recreational crossing locations and project alternatives for overcrossings or undercrossings. Ms. Andersen outlined the pros and cons of four crossing alternatives and the limitations associated with the two “no build” options. Next steps for the project include preparation of a Caltrans Project Study Report, identification of possible alternative funding sources, and permitting in FY2017-18. Finally, the Planning and Natural Resources Committee will be holding an open house in Los Gatos next week to receive public feedback on the various alternatives.

Director Siemens spoke in favor of constructing separate wildlife and recreational crossings.

Director Riffle requested additional information regarding the need for separate wildlife and recreational crossings.

Ms. Andersen explained the project's biologist determined separate crossings are recommended for the target species due to hesitation by animals and people to interact and enter crossings that are designated and used by the other.

Director Hassett spoke in favor of the project and specifically construction of an overcrossing.

President Kishimoto inquired if staff was exploring wildlife connectivity possibilities in other areas.

Ms. Andersen described several connectivity projects throughout the region that are being explored by other agencies.

Director Riffle inquired regarding land ownership for the various crossing options.

Ms. Andersen explained land ownership is challenging for all of the options but may be easier for the wildlife crossings because trail connections are not needed. The projects are planned to move forward together for the early stages, but construction may be phased as necessary.

Public comment opened at 7:39 p.m.

Frank Bakonyi spoke in favor of the wildlife crossings to allow animals to access water.

Public comment closed at 7:40 p.m.

No Board action required.

**6. Resolution in Support of “Santa Clara County Traffic Relief & Road Repair Initiative” by the Santa Clara Valley Transportation Authority (R-16-91)**

Legislative/External Affairs Specialist Josh Hugg described the VTA Sales tax Measure on the November 8, 2016 ballot and introduced Carl Guardino of the Silicon Valley Leadership Group who spoke in favor of the sales tax measure describing the proposed projects to be funded by the sales tax, including extension of the Bay Area Rapid Transit route into San Jose and Santa Clara, electrification of Caltrain, road repair and safety improvements, and construction of additional traffic improvements along State Route 85.

The members of the Board requested additional information regarding specific projects to be funded.

Mr. Guardino explained the measure is primarily aimed at improving and funding transit options and road improvements, but no new roads are proposed.

President Kishimoto requested additional information regarding the mitigation portion of the measure.

Ann Calnan from the Santa Clara Valley Transportation Authority provided additional information including funding for advanced mitigation before projects are begun and enhanced mitigation to go above and beyond the mitigation required by regulatory agencies. The mitigation program is still being developed and reviewed by regulatory agencies.

Public comment opened at 8:42 p.m.

No speakers present.

Public comment closed at 8:42 p.m.

**Motion:** Director Riffle moved, and Director Siemens seconded a motion to adopt a resolution in support of the sales tax measure put forth by the Santa Clara Valley Transportation Authority on the ballot for the November 8, 2016 statewide general election.

**VOTE: 5-0-0** (Directors Cyr and Harris absent.)

**7. Update on El Corte de Madera Creek Watershed Protection Program (R-16-93)**

Resource Specialist III Julie Andersen provided the staff report providing an update on the Watershed Protection Program (WPP) at the El Corte de Madera Creek Open Space Preserve. The WPP's goal was to reduce sediment from the Preserve to downstream waterways and began in 2001. The WPP was approved in 2004, and regulatory compliance was met in 2015. Ms. Andersen displayed several photos of the preserve before and after the work was completed, including the installation of a new bridge, culvert removal, recontouring the habitat after roads were abandoned, etc. Moving forward the Creek will be reassessed, monitored, and maintained on an ongoing basis.

The Board of Director thanked staff for their years of work to complete the project.

Public comment opened at 9:08 p.m.

No speakers present.

Public comment closed at 9:08 p.m.

No Board action required.

**INFORMATIONAL REPORTS**

**A. Committee Reports**

Director Hassett reported the Real Property Committee met on July 19<sup>th</sup> to discuss the proposed purchase of the Peterson Property.

**B. Staff Reports**

Chief Financial Officer/Administrative Services Director Stefan Jaskulak provided an update on the bond documents to be brought to the Board of Director on August 10<sup>th</sup>.

Planning Manager Jane Mark provided an update on the Ravenswood Bay Trail project and the proposed Facilities Ad Hoc Committee. Ms. Mark reported on progress for the Mt. Umunhum Summit and Road projects to be going to the Board on August 10<sup>th</sup>.

Assistant General Manager Kevin Woodhouse reported on a comment letter District staff sent to Santa Clara County regarding the East Materials Storage Area at Lehigh Quarry.

**C. Director Reports**

The Board members submitted their compensatory reports.

**ADJOURNMENT**

President Kishimoto adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:23 p.m.

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Jennifer Woodworth, MMC  
District Clerk