



Midpeninsula Regional
Open Space District

November 8, 2017
Board Meeting 17-28

REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, November 8, 2017

DRAFT MINUTES

REGULAR MEETING

President Hassett 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 Hanko, Cecily Harris, Larry Hassett, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: None

Staff Present: General Manager Steve Abbors, General Counsel Sheryl Schaffner, Controller Mike Foster, Assistant General Manager Ana Ruiz, Chief Financial Officer/Administrative Services Director Stefan Jaskulak, Acting Assistant General Manager Christine Butterfield, District Clerk/Assistant to the General Manager Jennifer Woodworth, Information Systems and Technology Manager Garrett Dunwoody, Land and Facilities Manager Brian Malone, and Finance Manager Andrew Taylor

ORAL COMMUNICATIONS

Barry Chang, Cupertino City Council member, spoke in favor of the Board of Directors contacting the Bay Area Air Quality Management District (BAAQMD) regarding their Regulation 11, Rule 18 relating to establishing more stringent air quality regulations prior to their November 15, 2017 vote.

ADOPTION OF AGENDA

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

VOTE: 7-0-0

SPECIAL ORDERS OF THE DAY

- Introduction of staff
 - Melissa Merrimann, Human Resources Technician
 - Doreen Agbayani, Administrative Assistant

CONSENT CALENDAR

Director Harris requested Item 5 be pulled from the Consent Calendar.

Public comment opened at 7:08 p.m.

No speakers present.

Public comment closed at 7:08 p.m.

Motion: Director Riffle moved, and Director Cyr seconded the motion to approve the Consent Calendar, except for Item 5.

VOTE: 7-0-0

- 1. Approve October 25, 2017 Minutes**
- 2. Claims Report**
- 3. Approval of Response to San Mateo County Civil Grand Jury Report dated June 19, 2017 Regarding Website Transparency (R-17-119)**

General Manager's Recommendation: Approve and authorize the President of the Board of Directors to execute the proposed response to the San Mateo County Civil Grand Jury Report of June 19, 2017 regarding special district website transparency.

- 4. Award of contract for software and professional services for implementation of a work order and asset management system (R-17-120)**

General Manager's Recommendations:

1. Authorize the General Manager to enter into a contract with Timmons Group Inc., to provide implementation services for a work order and asset management system, for a base contract amount of \$132,480.
2. Authorize a 3% contingency of \$4,520, to be expended only if necessary to cover unforeseen conditions, for a combined not-to-exceed contract amount of \$137,000.
3. Authorize the General Manager to enter into a three year Cityworks software license agreement with Azteca Systems, LLC for \$35,000 in year one and \$45,000 per year for years two and three to provide an enterprise level work order and asset management software solution.

5. Fiscal Year 2017-18 Quarter 1 District Budget Amendments (R-17-121)

General Manager's Recommendation: Adopt a resolution approving the proposed FY2017-18 Quarter 1 District Budget amendments.

Director Kishimoto requested additional information regarding the proposed budget adjustment related to the Alpine Road feasibility study.

Chief Financial Officer Stefan Jaskulak explained that the Alpine Road budget adjustment is only a funding source change not a removal of the project from the budget.

Land and Facilities Manager Brian Malone provided an overview of the current condition of Alpine Road and repairs completed and needed for the road.

Director Harris spoke regarding damage to roads throughout San Mateo County.

Director Harris inquired regarding the additional funding needed for the grants strategy consultant.

Mr. Jaskulak explained the District seeks to take a more proactive approach to seeking grant funding. The proposed consultant will be able to help staff further the District's grants program by strategically targeting grant sources.

Director Hanco spoke in favor of repairing Alpine Road.

Public comment opened at 7:22 p.m.

Charlie Krenz thanked the District for its pursuit of repairs to Alpine Road and spoke regarding the use of Alpine Road by non-motorized vehicles.

Public comment closed at 7:24 p.m.

Motion: Director Kishimoto moved, and Director Harris seconded the motion to approve the General Manager's recommendation.

VOTE: 7-0-0

BOARD BUSINESS

6. Resolutions Authorizing the Issuance of the 2018 Series A Refunding Bonds, 2018 Series B Parity Bonds, 2018 Series General Obligation Bonds, and Approving Related Documents and Associated Actions (R-17-122)

Chief Financial Officer Stefan Jaskulak presented the staff report outlining the three types of bonds included in the proposed action to go on sale in late 2017 and early 2018. Mr. Jaskulak described the next steps of the process, including presentations to the ratings agencies and approval of the preliminary official statement.

Public comment opened at 7:41 p.m.

No speakers present.

Public comment closed at 7:41 p.m.

Motion: Director Cyr moved, and Director Hanko seconded the motion to adopt resolutions authorizing issuance of not to exceed \$30 million in 2018 Series A Refunding Bonds (Green Bonds), not to exceed \$20 million in 2018 Series B Parity Bonds, and not to exceed \$60 million in 2018 Series General Obligation Bonds (Green Bonds), and approving the related documents, such as supplemental indentures and escrow agreements.

VOTE: 7-0-0

7. Board Compensation Policy Amendment (R-17-123)

Acting General Manager Christine Butterfield provided the staff report summarizing discussions held by the Board and the Legislative, Funding, and Public Affairs Committee and staff research on the item. Starting in 2017, Board members are treated as District employees for tax purposes eliminating several tax deductions. As the number of the Board meetings and Board obligations has increased, the definition of compensable meetings may be updated to reflect the types of meetings Board members attend. Staff will track the number of compensable meetings for the next twelve months and return to the Board with additional recommendations regarding potential legislative options.

Director Hanko expressed concerns that multiple meetings held on a single day cannot be compensated.

General Counsel Sheryl Schaffner explained state legislation would be required to change this limitation.

Director Riffle spoke in favor of keeping the Board's compensation similar to that of other special districts.

Director Siemens spoke in favor of the proposed policy changes and against scheduling multiple meetings on the same day.

Public comment opened at 8:13 p.m.

No speakers present.

Public comment closed at 8:13 p.m.

Motion: Director Cyr moved, and Director Harris seconded the motion to

1. Approve an amendment to Board Policy 6.06 – Meeting Compensation, Reimbursement of Authorized Necessary Expenses for Performance of Official Duties, and Adoption of Ethics Training Requirements Pursuant to Government Code Section 53232 et seq. (AB1234) – to expand the definition of “meetings of the Board of Directors”.
2. Delete Board Policy 6.03 – Compensation of Directors and Payment of Expenses – which contains duplicative verbiage as in Board Policy 6.06.

3. Direct staff to track the number of meetings of the Board of Directors and member attendance over the next 12 months and explore the need for additional actions, up to and including legislative solutions.

VOTE: 5-2-0

INFORMATIONAL MEMORANDA

- Diversity Outreach Ad Hoc Committee Accomplishments

General Manager Steve Abbors provided information regarding the Bay Area Air Quality Management District's Regulation 11, Rule 18 explaining BAAQMD is proposing to establish more stringent air quality regulations. Comment letters are required to be submitted by November 15, 2017. These proposed regulations would help protect preserve visitors and overall Bay Area air quality.

The Board by consensus supported the General Manager's sending a letter in support of establishing more stringent air quality regulations by BAAQMD.

INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported the Board Appointee Evaluation Committee met with General Manager Steve Abbors on November 6, 2017.

B. Staff Reports

Assistant General Manager Ana Ruiz reported provided an update on the Volunteer and Docent Study, including communication with all District volunteers and docents inviting their comments on the report, telephone calls to those volunteers and docents who attended the October 13 Study Session, and an upcoming meeting to receive additional feedback.

Mr. Abbors provided an update on an unsubstantiated report of lead contamination at the Mount Umunhum Radar Tower. District staff learned of the potential contamination earlier this week and is currently contracting to conduct additional testing to determine if any contamination exists.

C. Director Reports

The Board members submitted their compensatory reports.

Director Harris spoke regarding the use of Midpen as an abbreviation for the District stating that other organizations are also called Midpen, which could lead to confusion.

Director Kishimoto requested a Board tour of the San Jose Water Company land and an update on the project.

Director Kishimoto requested a staff summary on the 2017 fire season and District preparations for the future years.

Mr. Malone provided a summary of wildfire several related incidents occurring in 2017.

President Hassett adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District into closed session at 8:43 p.m.

Jennifer Woodworth, MMC
District Clerk