



Midpeninsula Regional
Open Space District

June 27, 2018
Board Meeting 18-27

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, June 27, 2018

DRAFT MINUTES

SPECIAL MEETING – CLOSED SESSION

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 5:31 p.m.

ROLL CALL

Members Present: Jed Cyr, Cecily Harris, Larry Hassett, Yoriko Kishimoto, and Curt Riffle

Members Absent: Nonette Hanko and Pete Siemens

Staff Present: Interim General Counsel Gary Baum, Human Resources Manager Candice Basnight

Public comments opened at 5:31 p.m.

No speakers present.

Public comments closed at 5:31 p.m.

1. CLOSED SESSION PUBLIC EMPLOYEE APPOINTMENT (GOVERNMENT CODE SECTION 54957)

Title: General Counsel Recruitment

Director Siemens arrived at 5:40 p.m.

ADJOURNMENT

President Cyr adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 5:48 p.m.

SPECIAL MEETING – STUDY SESSION

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 6:02 p.m.

ROLL CALL

Members Present: Jed Cyr, Nonette Hanco, Cecily Harris, Larry Hassett, Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Members Absent: None

Staff Present: General Manager Ana Ruiz, Interim General Counsel Gary Baum, Natural Resources Manager Kirk Lenington, Climate Resiliency Fellow Hayley Edmonson, District Clerk/Assistant to the General Manager Jennifer Woodworth

1. Greenhouse Gas Reduction Goals (R-18-67)

Climate Resiliency Fellow Hayley Edmonston introduced Christy Shelton and Olivia Ashmoore from Cascadia Consulting Group who are assisting the District with analyzing District greenhouse gas emissions and development of the climate action plan.

Ms. Shelton described the three target options for the climate action plan and the District's current emissions. The District's current emissions have been categorized into the total inventory of greenhouse gas emissions and an administrative scope of greenhouse gas emissions, which omits livestock emissions and includes vehicles, facilities, employee commutes, etc. Ms. Shelton described the reasoning for the recommendation to use 2016 as the District's baseline year.

Ms. Ashmoore described the climate goals set by various local agencies and the pros and cons for each of the three target options.

Director Kishimoto inquired how other agencies are achieving carbon neutrality.

Ms. Edmonson explained many of the other agencies that set a goal of carbon neutrality are purchasing carbon offsets.

Each of the Board members spoke in favor of meeting the state emission goals, and Director Kishimoto also spoke in favor of potentially meeting more ambitious goals than those set by the state.

Ms. Edmonson described the next steps in the project, including creation of a climate action plan and climate policy for future Board consideration.

Director Hassett suggested staff contact the East Bay Regional Park District to determine how to account for livestock emissions.

Ms. Edmonson stated that when she spoke with East Bay Regional Park District staff, they explained that they focus on facility and agency vehicle emissions.

Public comments opened at 6:56 p.m.

No speakers present.

Public comments closed at 6:56 p.m.

No Board action required.

ADJOURNMENT

President Cyr adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:57 p.m.

REGULAR MEETING

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

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

ROLL CALL

Members Present: Jed Cyr, Nonette Hanco, Cecily Harris, Larry Hassett, Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Members Absent: None

Staff Present: General Manager Ana Ruiz, Interim General Counsel Gary Baum, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Acting Assistant General Manager Kirk Lenington, Acting Assistant General Manager Matt Anderson, District Clerk/Assistant to the General Manager Jennifer Woodworth, Land and Facilities Manager Brian Malone, Senior Real Property Agent Allen Ishibashi, Engineering & Construction Manager Jay Lin, Resource Management Specialist I Matt Chaney, Public Affairs Manager Christine Butterfield, Resource Specialist III Julie Andersen, Planning Manager Jane Mark, Senior Planner Meredith Manning, Governmental Affairs Specialist Josh Hugg

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

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

VOTE: 7-0-0

CONSENT CALENDAR

Director Kishimoto pulled items 10 and 11 from the Consent Calendar.

Public comment opened at 7:03 p.m.

No speakers present.

Public comment closed at 7:03 p.m.

Motion: Director Siemens moved, and Director Hassett seconded the motion to approve the Consent Calendar, except for items 10 and 11.

VOTE: 7-0-0

- 1. Approve June 12, 2018 and June 13, 2018 Minutes**
- 2. Claims Report**
- 3. New Board Policy 3.01 – Banking Relationship Management Policy, and Annual Review of Finance Policies for 2018 (R-18-69)**

General Manager’s Recommendation:

1. Approve the proposed new Board Policy 3.01 – Banking Relationship Management Policy
2. Retire Board Policy 3.02 – Safe Deposit Box
3. Approve updates to Board Policy 3.07 – Fund Balance
4. Approve Board Policy 3.08 – Statement of Investment for Fiscal Year 2018-19
5. Affirm Board Policy 3.09 – Debt Management for Fiscal Year 2018-19

4. Proposed Agreement with City of Mountain View to Provide District Radio Dispatch Services (R-18-65)

General Manager’s Recommendation: Authorize the General Manager to execute the proposed five-year agreement with the City of Mountain View to provide District 24-hour radio dispatch services, with the option to extend the agreement for five additional one-year extensions, in an amount not-to-exceed \$217,810 for Fiscal Year 2018–19, not-to-exceed \$229,800 for Fiscal Year 2019–20, not-to-exceed \$238,952 for Fiscal Year 2020–21, not-to-exceed \$248,470 for Fiscal Year 2021–22, and not-to-exceed \$258,369 for Fiscal Year 2022–23, for a total cost over five years of \$1,193,401.

5. Authorization to Purchase Proposed Capital Equipment for Fiscal Year 2018–19 (R-18-68)

General Manager’s Recommendation:

1. Authorize the General Manager to execute a purchase contract with the California Department of General Services and associated contract dealers for five patrol vehicles, three maintenance vehicles, and one administrative office departmental vehicle for a total cost not-to-exceed \$545,000.

2. Authorize the General Manager to execute a purchase contract with the California Department of General Services and associated contract dealers for two excavators, two transport trailers, and one tractor, for a total cost not-to-exceed \$350,000.

6. Award of Contract for Fire Ecology Services: Prescribed Fire Program Creation and Development (R-18-72)

General Manager's Recommendation:

1. Authorize the General Manager to enter into a contract with Spatial Informatics Group, LLC of Pleasanton, California to provide fire ecology services in an amount not to exceed \$101,250.
2. Authorize a 15% contingency of \$15,188, to be awarded only if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$116,438.

7. Award of Contracts to Six Firms for On-Call Graphic Design Services (R-18-71)

General Manager's Recommendation: Authorize the General Manager to enter into contracts for On-Call graphic design services with Alex Atkins Design, Conifer Creative, Cartwright Design, Eric Gouldsberry Design, Mills Design, and Switky Communications Group for amounts not-to-exceed \$100,000 (each) through Fiscal Year (FY) 2021-22.

8. Award of Contract to Eric Gouldsberry Design for Graphic Design Services of District Annual Financial Reports including the Budget and Action Plan Report, and the Measure AA (MAA) Accountability Report (R-18-75)

General Manager's Recommendation: Authorize the General Manager to enter into contract for graphic design services of the Budget and Action Plan Report, and the MAA Accountability Report with Eric Gouldsberry Design for an amount not-to-exceed \$70,000 through Fiscal Year (FY) 2021-22.

9. Saratoga-to-the-Sea Trail Partnership Agreement between the City of Saratoga and the Midpeninsula Regional Open Space District (R-18-73)

General Manager's Recommendation: Authorize the General Manager to enter into Partnership Agreement with the City of Saratoga to provide funding assistance for the engineering design and environmental review phase of the Saratoga-to-the-Sea Trail.

10. Award of Contract to Randazzo Enterprises, Inc. for the Twin Creeks Demolition Project (R-18-74)

Director Kishimoto spoke in favor of putting the project out to bid again due to the higher bid presented by the only responsive bidder.

Senior Real Property Agent Allen Ishibashi spoke regarding the need to remove the structures soon due to public safety concerns. Additionally, the recommended contractor completed previous projects for the District and provided excellent work for those projects on time and on budget.

Director Kishimoto expressed concern regarding selecting the only bidder on a project.

Director Hanko remarked regarding a previous demolition project in Half Moon Bay and recommended photographing the Twin Creeks site to document it prior to demolition.

Mr. Ishibashi reported he photographed each of the structures prior to acquiring the demolition permit. Additionally, several former residents who contacted the District have visited the site to photograph the site.

Public comment opened at 7:16 p.m.

No speakers present.

Public comment closed at 7:16 p.m.

Motion: Director Riffle moved, and Director Siemens seconded the motion to:

1. Award a contract to Randazzo Enterprises, Inc. of Castroville, California for a not-to-exceed base contract amount of \$667,132.
2. Authorize a 15% construction contract contingency of \$100,069 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$767,201.

VOTE: 5-2-0 (Directors Hanko and Kishimoto dissenting)

Director Kishimoto asked that her reason for dissenting be included in the record. Her concerns include the approximately \$180,000 difference between the bids received and her desire to see more vendor competition.

11. Resolution in Support of the Water Supply and Water Quality Act of 2018 (R-18-29)

Director Kishimoto spoke in favor of the General Manager's recommendation.

Public comment opened at 7:19 p.m.

No speakers present.

Public comment closed at 7:19 p.m.

Motion: Director Kishimoto moved, and Director Riffle seconded the motion to consider adoption of a resolution in support of the Water Supply and Water Quality Act of 2018 put forth by citizens' initiative on the ballot for the November 6, 2018 statewide general election.

VOTE: 7-0-0

BOARD BUSINESS

12. Highway 17 Wildlife and Regional Trail Crossings Project Alternatives and Caltrans Project Study Report (R-18-66)

Resource Specialist III Julie Andersen and Senior Planner Meredith Manning provided the staff report reviewing the project to date, including project origin, project goals, and Measure AA funding sources. In addition to the proposed wildlife crossing to increase wildlife connectivity, a

regional trail connection is needed to close a critical gap in the Bay Area Ridge Trail, connect Sierra Azul Open Space Preserve (OSP) and El Sereno OSP, and provide an opportunity to establish a north-south connection from the Los Gatos Creek Trail to Bear Creek Redwoods OSP. Ms. Andersen and Ms. Manning described the project criteria for the potential wildlife and regional trail crossings and evaluated each of the eight options for crossings against the various criteria, costs, and advantages and disadvantages. Ms. Andersen described potential opportunities for grant and partner funding of the project and described various opportunities for stakeholder and public input. Finally, Ms. Andersen outlined the project next steps.

Director Hanko expressed concerns regarding several of the presented alternatives.

Ms. Andersen explained all eight alternatives can be studied and may be feasible; however, additional review by Caltrans is needed, which may eliminate one or more of the options.

Public comments opened at 7:51 p.m.

No speakers present.

Public comments closed at 7:51 p.m.

Motion: Director Riffle moved, and Director Hassett seconded the motion to:

1. Authorize the General Manager to advance eight alternatives to the Caltrans Project Study Report and Project Development Support (PSR-PDS) phase for the Highway 17 Wildlife and Regional Trail Crossings Project.
2. Authorize the General Manager to amend a contract with TrailPeople to bring all eight alternatives through the next phase of the Caltrans process, adding \$86,645 to the contract for a total not-to-exceed amount of \$386,305.

VOTE: 7-0-0

13. Award of Contract to a Design Build Entity to complete the Mindego Ranch Ponds Enhancement Project (R-18-70)

Engineering & Construction Manager Jay Lin described various differences between the design-build and design-bid-build processes and outlined various future projects in the District that may utilize the design-build process.

Resource Management Specialist I Matthew Chaney described the location of the project site and the project goals and objectives, including reduction of downstream erosion, ensure continued water supply for conservation grazing, and preserve, protect, and restore habitat for threatened and endangered species. Mr. Chaney described the project scope for each of the ponds and estimated project cost. Mr. Chaney outlined the benefits of the design-build process and the proposed next steps for the project.

Director Hassett expressed concerns related to ensuring the proposal submitted is cost efficient.

Mr. Chaney explained few firms had the required experience to work with the protected species on this highly specialized project. The cost proposal is also similar to previous pond projects.

Staff also notified potential contractors that the Board would likely not approve a contract that far exceeded the estimated costs.

Public comments opened at 8:23 p.m.

No speakers present.

Public comments closed at 8:23 p.m.

Motion: Director Hassett moved, and Director Siemens seconded the motion to:

1. Award a contract to the Design Build Entity consisting of Hanford ARC (contractor) and CBEC Inc. Eco Engineering (engineering/design) for a not-to-exceed base contract amount of \$405,321.
2. Authorize a 15% construction contract contingency of \$60,798 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$466,119.

VOTE: 7-0-0

INFORMATIONAL MEMORANDUM

- Design Build Working Group and Update
- Dunham Property Public Access Easement, El Sereno Open Space Preserve
- Hawthorns Historic Complex Update at Windy Hill Open Space Preserve

INFORMATIONAL REPORTS

A. Committee Reports

No Committee reports.

B. Staff Reports

General Manager Ana Ruiz reported staff is organizing a legislative day in Sacramento on August 7, 2018, and additional information will be coming.

Land and Facilities Manager Brian Malone reported the Mount Umunhum Trail has been recognized as a National Recreation Trail for 2018.

C. Director Reports

The Board members submitted their compensatory reports.

Director Hassett reported he recently spoke at the memorial service for Ruth Waldhauer, which was attended by many former District employees.

Director Siemens and President Cyr reported on a recent meeting with Santa Clara County Supervisor Joe Simitian and City of Saratoga staff related to the Saratoga-to-the-Sea Trail.

ADJOURNMENT

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

Jennifer Woodworth, MMC
District Clerk