



**SPECIAL AND REGULAR MEETING
BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, October 10, 2018
Special Meeting starts at 5:30 PM*
Regular Meeting starts at 7:00 PM*

REVISED A G E N D A

**5:30 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

ROLL CALL

- 1. CONFERENCE WITH LEGAL COUNSEL – ~~ANTICIPATED~~ EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))**
Name of Case: *Burkhart v. Midpeninsula Regional Open Space District*; Santa Clara County
Superior Court Case Number ~~18CV329767~~ 18CV 334473.
- 2. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION**
Initiation of litigation pursuant to Government Code section 54956.9(d)(4): (*one potential
case*)

ADJOURNMENT

**7:00 REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT**

ORAL COMMUNICATIONS

The Board President will invite public comment on items not on the agenda. Each speaker will ordinarily be limited to three minutes; however, the Brown Act (Open Meeting Law) does not allow action by the Board of Directors on items not on the agenda. If you wish to address the Board, please complete a speaker card and give it to the District Clerk. Individuals are limited to one appearance during this section.

ADOPTION OF AGENDA

SPECIAL ORDERS OF THE DAY

- Proclamation Honoring Director Cecily Harris

CONSENT CALENDAR

All items on the Consent Calendar may be approved without discussion by one motion. Board members, the General Manager, and members of the public may request that an item be removed from the Consent Calendar during consideration of the Consent Calendar.

1. **Approve September 12, 2018 and September 26, 2018 Minutes**
2. **Claims Report**
3. **Award of Contract to Gradetech Inc., to Replace the Purisima Creek Redwoods Vault Toilet (R-18-113)**

Staff Contact: Sean Smith, Capital Project Manager II, Engineering & Construction Department

General Manager's Recommendation:

1. Award a contract to Gradetech Inc., of San Ramon, California for a not-to-exceed base contract amount of \$80,000 to replace the single vault toilet restroom with a double vault toilet restroom at lower Purisima Creek Redwoods Open Space Preserve.
 2. Authorize a 15% contingency of \$12,000 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$92,000.
4. **Approve a Correction to the Classification and Compensation Plan and a Corresponding Correction in the Midpeninsula Regional Open Space District Memorandum of Understanding with the Field Employees Association (R-18-117)**

Staff Contact: Candice Basnight, Human Resources Manager

General Manager's Recommendation:

1. Adopt a resolution approving a corrected Classification and Compensation Plan for Midpeninsula Regional Open Space District Employees.
 2. Adopt a resolution approving the corrected Salary Range Chart in the Memorandum of Understanding with the Field Employees Association.
5. **Resolution to Oppose California State Proposition 6 (R-18-116)**

Staff Contact: Joshua Hugg, Governmental Affairs Specialist

General Manager's Recommendation: Adopt a resolution to oppose California State Proposition 6, which seeks to repeal the Road Repair and Accountability Act of 2017, and require voter approval for future increases or extensions of fuel taxes and vehicle fees.

6. **Board Response to Written Communications from Ken Lucchesi, Maggie Tides, Stephen Wassather**

Staff Contact: Brian Malone, Acting Assistant General Manager

General Manager's Recommendation: Approve the proposed response to Ken Lucchesi, Maggie Tides, Stephen Wassather.

BOARD BUSINESS

The President will invite public comment on agenda items at the time each item is considered by the Board of Directors. Each speaker will ordinarily be limited to three minutes. Alternately, you may comment to the Board by a written communication, which the Board appreciates.

7. **Climate Change Policy and Climate Action Plan (R-18-114)**

Staff Contact: Hayley Edmonston, Climate Resiliency Fellow, Natural Resources

General Manager's Recommendation:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA).
2. Approve the Climate Change Policy as a chapter to the Resource Management Policies, including either Policy CC-1 Option 1 or Option 2 to set greenhouse gas reduction goals.
3. Adopt the Climate Action Plan.
4. Direct the General Manager to begin implementation of the Climate Action Plan, identifying new budget and project implementation items as part of the Fiscal Year 2019-20 Capital Improvement and Action Plan and Budget development process.

8. Options to Fill a Vacancy Resulting from the Resignation of Director Cecily Harris (R-18-115)

Staff Contact: Jennifer Woodworth, District Clerk/Assistant to the General Manager

General Manager's Recommendation:

1. Determine whether to fill the Ward 7 Board Director vacancy for the term ending January 4, 2021 by either appointment or special election.
2. If filling the Ward 7 vacancy by appointment, approve the following recruitment procedure for the Ward 7 vacancy:
 - a) Approve the application form;
 - b) Affirm or modify the general criteria for appointment to the Board of Directors;
 - c) Affirm or modify the procedures for interviews; and
 - d) Approve the proposed timeline for filling the vacancy.
3. If filling the Ward 7 vacancy by special election, adopt the appropriate resolutions calling the special election and requesting consolidation of elections and election services from the San Mateo County Registrar of Voters.
4. Authorize the Board President to appoint Board members to fill the vacancies on the following committees: Planning and Natural Resources, Board Appointee Evaluation, and Legislative, Funding and Public Affairs Committees.

INFORMATIONAL MEMORANDUM

- Administrative Office Remodel Project Update

INFORMATIONAL REPORTS – Reports on compensable meetings attended. Brief reports or announcements concerning activities of District Directors and staff; opportunity to refer public or Board questions to staff for information; request staff to report to the Board on a matter at a future meeting; or direct staff to place a matter on a future agenda. Items in this category are for discussion and direction to staff only. No final policy action will be taken by the Board.

Committee Reports

Staff Reports

Director Reports

ADJOURNMENT

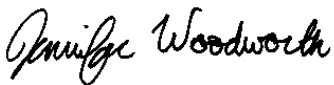
**Times are estimated and items may appear earlier or later than listed. Agenda is subject to change of order.*

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (650) 691-1200. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Written materials relating to an item on this Agenda that are considered to be a public record and are distributed to Board members less than 72 hours prior to the meeting, will be available for public inspection at the District's Administrative Office located at 330 Distel Circle, Los Altos, California 94022.

CERTIFICATION OF POSTING OF AGENDA

I, Jennifer Woodworth, District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the special and regular meetings of the MROSD Board of Directors was posted and available for review on October 5, 2018, at the Administrative Offices of MROSD, 330 Distel Circle, Los Altos California, 94022. The agenda and any additional written materials are also available on the District's web site at <http://www.openspace.org>.



Jennifer Woodworth, MMC
District Clerk

