



SPECIAL AND REGULAR MEETING

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

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, October 24, 2018

DRAFT MINUTES

SPECIAL MEETING – STUDY SESSION

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 6:01 p.m.

ROLL CALL

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

Members Absent: Nonette Hanko and Pete Siemens

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Chief Financial Officer Stefan Jaskulak, Assistant General Manager Brian Malone, Acting Assistant General Manager Kirk Lenington, District Clerk/Assistant to the General Manager Jennifer Woodworth, Acting Public Affairs Manager Cydney Bieber, Governmental Affairs Specialist Joshua Hugg

1. 2018 State of California Legislative Session – Board of Directors Briefing on Matters of Interest to Midpeninsula Regional Open Space District (R-18-122)

Governmental Affairs Specialist Joshua Hugg introduced the District's lobbyists, who provided an update regarding legislative topics of interest to the District: Russell Noack and Julee Malinowski-Ball of Public Policy Associates and Reed Addis of Environmental and Energy Consulting.

Director Siemens arrived at 6:04 p.m.

Legislative updates included the following topics of interest: wildfire prevention and forest health, including utility liabilities; cap and trade and the greenhouse gas reduction fund; wildlife corridors; Proposition 68 funds potentially available for District projects; and Board member compensation.

Director Riffle inquired regarding the status of funding for the California State Parks system.

Mr. Addis explained the system has received additional funding,

Public comments opened at 6:58 p.m.

No speakers present.

Public comments closed at 6:58 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 6:59 p.m.

REGULAR MEETING

President Cyr called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:06 p.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: Nonette Hanko

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Chief Financial Officer Stefan Jaskulak, Assistant General Manager Brian Malone, Acting Assistant General Manager Kirk Lenington, District Clerk/Assistant to the General Manager Jennifer Woodworth, Acting Public Affairs Manager Cydney Bieber, Engineering & Construction Manager Jason Lin, Senior Capital Project Manager Felipe Nistal

ORAL COMMUNICATIONS

Matthew Self stated he will be applying to fill the current Ward 7 vacancy.

ADOPTION OF AGENDA

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

VOTE: 5-0-0 (Director Hanko absent)

CONSENT CALENDAR

Director Hassett pulled Item 4 and Item 5 from the Consent Calendar.

Public comment opened at 7:07 p.m.

No speakers present.

Public comment closed at 7:07 p.m.

Motion: Director Hassett moved, and Director Siemens seconded the motion to approve the Consent Calendar, except for Items 4 and 5.

VOTE: 5-0-0 (Director Hanko absent)

1. **Approve October 10, 2018 Minutes**
2. **Claims Report**
3. **Approve Amendments to the Conflict of Interest Code (R-18-121)**

General Manager's Recommendation: Adopt a resolution amending the Conflict of Interest Code.

4. **Award of Contract with Waterways Consulting, Inc., for design and engineering services, preparation of construction documents, permitting and bidding process support, and construction oversight for the Alpine Road Trail Repair at Coal Creek Open Space Preserve (R-18-124)**

Item 4 was heard after the Consent Calendar.

Director Hassett inquired regarding the contract amount and the allowance being proposed.

Capital Projects Manager Bryan Apple explained the allowance would provide flexibility related to the regulatory permitting process for the various stream-crossing locations.

Assistant General Manager Brian Malone reported San Mateo County Supervisor Don Horsley plans to request funds from San Mateo County for the project.

General Counsel Hilary Stevenson reported the District is also in the process of negotiating a Memorandum of Understanding with San Mateo County related to this project.

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

VOTE: 5-0-0 (Director Hanko absent)

General Manager's Recommendation:

1. Authorize the General Manager to enter into a multi-year professional services contract with Waterways Consulting, Inc., of Santa Cruz, California to complete the design, permitting, bidding, and construction oversight for improvements to the Alpine Road Trail, for a base contract amount not-to-exceed \$232,547.

2. Authorize a 15% contingency of \$34,882 to be awarded if necessary to cover unforeseen conditions.
3. Authorize a separate contract allowance of \$35,000 specifically for additional site investigations and/or modifications to the stream crossing design if required by the regulatory agencies in order to avoid implementation delays, for a combined not-to-exceed contract amount of \$302,429.

5. Award of Contract for Environmental Review Services to Develop the Prescribed Fire Program (R-18-120)

Director Hassett inquired if the consultant will be providing an implementation plan as part of the scope of work.

Coty reported that the implementation plan will actually be received from Spatial Informatics Group, LLC, who was the fire ecologist that wrote the project description that requires environmental review. The Award of Contract under consideration is specific to the environmental review (CEQA) process with an environmental review document as a key deliverable, which the Board will need to consider when the Prescribed Fire Program is brought before them for approval.

General Manager's Recommendation:

1. Authorize the General Manager to enter into a multi-year contract with Panorama Environmental, Inc., of San Francisco, California to provide environmental review services on fire ecology to support the development of the Prescribed Fire Program for an amount not to exceed \$305,280.
2. Authorize a 12% contingency of \$36,634 to be awarded if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$341,914.

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

VOTE: 5-0-0 (Director Hanko absent)

BOARD BUSINESS

6. Election of Board Vice-President to serve for the remainder of Calendar Year 2018 (R-18-126)

Director Riffle suggested the Board may want to consider a future discussion of the rotation of the Board officers.

By consensus the Board requested the item be agendaized for the first meeting in January 2019.

President Cyr called for nominations for Board Vice President.

Director Riffle nominated Director Siemens for Vice President and Director Hassett seconded the nomination. No further nominations were presented.

Public comments opened at 7:24 p.m.

No speakers present.

Public comments closed at 7:24 p.m.

MOTION: Director Hassett moved, and Director Kishimoto seconded the motion to close the nominations for Board Vice-President.

VOTE: 5-0-0 (Director Hanco absent)

By a vote of 5 to 0, the Board elected Director Siemens as Board Vice President for the remainder of Calendar Year 2018.

7. Project Design Goals, Program Elements, Project Scope, Target Budget, and Public Outreach Plan for the New Administrative Office Project at 5050 El Camino Real, Los Altos, CA 94022 (R-18-123)

Acting Public Affairs Manager Cydney Bieber presented the proposed public outreach plan for the project. Outreach will begin following close of escrow and will target constituents, members of the public, volunteers, neighbors, partners, and tenants. Outreach tools will include press releases, factsheets, newsletter articles, an open house, etc.

Director Siemens commented on the need to address any concerns regarding the cost of the building and remodeling costs, including possibly contacting press to provide information prior to the remodel project beginning.

Director Riffle suggested reaching out to a large number of affected neighbors and offered to attend a Los Altos City Council meeting to inform them of the District's project.

Engineering and Construction Manager Jason Lin summarized the process use by the Board and Administrative Office ad hoc committee (Committee) to develop the list of project design goals and program elements and reviewed the prioritized list of program elements.

The Board members commented on the various programming elements and made no changes to the prioritization.

Senior Capital Project Manager Felipe Nistal provided an overview of the project design alternatives to address code compliance deficiencies, building updates, and potential amenities.

Eric Skiba architect and project manager from Noll & Tam Architects described each of the project design alternatives.

Chief Financial Officer/Administrative Services Director Stefan Jaskulak described the available funding for the acquisition and remodel of the new administrative office and south area office in Campbell.

Director Riffle inquired regarding the proceeds for selling the current administrative office.

Mr. Jaskulak reported the proceeds from the sale were originally planned for use to repay the parity bond. The most recent appraisal of the current administrative office is \$10.3 million.

Director Kishimoto commented on the comparable building sales in the area.

Senior Real Property Agent Allen Ishibashi described the condition, size, and sales of similar buildings in the area reporting that all comparable office buildings would similarly require extensive remodels due to their prior use as multi-tenant office buildings.

Director Hassett stated that he prefers the enhanced design alternative with the possible inclusion of some of the aspirational design elements, such as outdoor spaces.

Director Kishimoto spoke in favor of a budget of \$15M to \$18M for the enhanced design alternative.

Director Siemens spoke in favor of keeping the project budget under \$20M and stated his preference for enhanced design alternative.

General Manager Ana Ruiz recommended the Board select a design alternative, and direct staff and the Administrative Office Ad Hoc Committee to target the lower end of the estimated cost range. Setting a hard limit on the budget at this time may be too soon because much of the building's infrastructure remains unknown.

Director Hassett commented on the range of the soft costs stating that they could potentially be lower through value engineering.

President Cyr spoke regarding the opportunity to have an administrative office that reflects the District's growth and spoke in favor of the enhanced design alternative.

Public comments opened at 9:11 p.m.

No speakers present.

Public comments closed at 9:11 p.m.

Director Hassett expressed his desire that the project budget not be limited to the low end of the budget.

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

1. Approve the Project Design Goals and Program Elements for the new Administrative Office building project located at 5050 El Camino Real.
2. Select the "enhanced design option" as a preferred project design alternative while targeting the low end of the project cost.

VOTE: 5-0-0 (Director Hanco absent.)

INFORMATIONAL MEMORANDUM

- Highway 17 Wildlife and Regional Trail Crossings - Public Meeting

INFORMATIONAL REPORTS

A. Committee Reports

No Committee reports.

B. Staff Reports

Mr. Jaskulak reported the District's internal leadership academy will be starting soon. Additionally, approximately 25 members of staff attended an informational meeting to create a chapter of Toastmasters at the District.

Ms. Ruiz reported her attendance at events for the Greenbelt Alliance and Silicon Valley Bicycle Coalition. The District recently held a bench dedication event for Stephen Abbors at Rancho San Antonio. Finally, Ms. Ruiz thanked the Eleanor Bassett Trust for the generous donation.

C. Director Reports

The Board members submitted their compensatory reports.

Directors Riffle and Kishimoto reported their attendance at the 100th anniversary event for the Save the Redwoods League.

Director Kishimoto reported her attendance at a meeting of the Santa Clara County Local Area Formation Committee and a meeting of the Santa Clara Valley Water District Water Commission.

Director Siemens commented on a recent tour of Knoll and Herman Miller office furniture that he attended with District staff and commented on putting the project out to bid rather than a sole source.

Director Hassett spoke in favor of bidding the office furniture for the new administrative office.

President Cyr reported

ADJOURNMENT

President Cyr adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:31 p.m.

Jennifer Woodworth, MMC
District Clerk