



Midpeninsula Regional  
Open Space District

December 12, 2018  
Board Meeting 18-42

## **SPECIAL AND REGULAR MEETING**

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

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

**December 12, 2018**

#### **APPROVED MINUTES\***

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

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 5:32 p.m.

#### **ROLL CALL**

Members Present: Jed Cyr, Nonette Hanko, Larry Hassett, and Zoe Kersteen-Tucker

Members Absent: Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi

Public comments opened at 5:32 p.m.

No speakers present.

Public comments closed at 5:32 p.m.

Director Riffle recused himself for the closed session due to his perceived conflict of interest based on his employment at the Peninsula Open Space Trust (POST).

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

**Property:** La Honda and Stage Roads, San Gregorio, CA, San Mateo County  
APNs 081-040-010 & 081-250-010, 081-022-010 & 081-022-020

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

**Negotiating Party:** Ben Wright, Farmland Program Manager, Peninsula Open Space Trust

**Under Negotiation:** Terms and conditions

Director Kishimoto arrived at 5:32 p.m.

Director Siemens arrived at 5:37 p.m.

**ADJOURNMENT**

President Cyr adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:27 p.m.

**SPECIAL MEETING**

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 6:30 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Nonette Hanko, Larry Hassett, Zoe Kersteen-Tucker, Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Planning Manager Jane Mark, Planner I Melissa Borgesi

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

**1. Proclamation Honoring Nonette Hanko on her Retirement**

President Cyr read the proclamation honoring Director Hanko for her 46 years of service.

**2. Consideration of Commemorative Trail for Nonette Hanko at Los Trancos Open Space Preserve (R-18-152)**

Planner I Melissa Borgesi provided the staff report describing the location of the trail and Director Hanko's contributions to the District and region.

Director Hanko spoke regarding the impact of the San Andreas Fault and the impact the earth can have on individual's lives. Director Hanko spoke in favor of lengthening the San Andreas Fault Trail to the entire length of the San Andreas Fault. Director Hanko shared some of her memories of the District's formation including the expansion into San Mateo County.

Public comments opened at 6:44 p.m.

Lisa Chung from the Office of California State Senator Jerry Hill spoke regarding Director Hanco's role in founding the District as a link to a time when people sought to preserve open space. Ms. Chung thanked Director Hanco for her devotion to the region and its residents.

Public comments closed at 6:46 p.m.

The members of the Board each shared their thanks to Director Hanco for her time and dedication to the District and shared memories of her service supporting the preservation of open space.

**Motion:** Director Siemens moved, and Director Kishimoto seconded the motion to confer special recognition on Nonette Hanco by renaming the San Andreas Fault Trail at Los Trancos Open Space Preserve to the Nonette Hanco San Andreas Fault Trail.

General Manager Ana Ruiz thanked Director Hanco for her vision that has guided the District to preserve open space for the region.

**VOTE: 7-0-0**

President Cyr adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:05 p.m.

**REGULAR MEETING**

President Cyr called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:11 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Nonette Hanco, Larry Hassett, Zoe Kersteen-Tucker, Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi, Planning Manager Jane Mark, Planner I Melissa Borgesi, Controller Mike Foster

**ORAL COMMUNICATIONS**

No speakers present.

**ADOPTION OF AGENDA**

Director Riffle suggested moving Item 8 to directly follow the Consent Calendar as members of the public are present to speak regarding Item 8.

**Motion:** Director Riffle moved, and Director Kishimoto seconded the motion to adopt the agenda, as amended.

**VOTE: 7-0-0**

**SPECIAL ORDERS OF THE DAY**

- Introduction of staff
  - Leialani Hufana, Planner II
  - Johnny Baldwin, Sharepoint Architect
  - Susanna Chan, Assistant General Manager

**CONSENT CALENDAR**

Public comment opened at 7:25 p.m.

No speakers present.

Public comment closed at 7:25 p.m.

**Motion:** Director Kishimoto moved, and Director Riffle seconded the motion to approve the Consent Calendar, except for Item 4.

**VOTE: 7-0-0**

- 1. Claims Report**
- 2. Certification of November 6, 2018 Election Results for Wards 1, 2, 5, and 6 (R-18-149)**

General Manager’s Recommendations:

1. Adopt a Resolution Declaring Canvass of Returns and Results of the Biennial General District Election held on November 6, 2018.
2. Adopt a Resolution Appointing Director – Ward 2 of the Board of Directors of the Midpeninsula Regional Open Space District
3. Adopt a Resolution Appointing Director – Ward 6 of the Board of Directors of the Midpeninsula Regional Open Space District

- 3. Annual Dedication Report of Certain Lands of the Midpeninsula Regional Open Space District (R-18-150)**

General Manager’s Recommendation: Accept the annual report on the status of dedicated interests in lands of the Midpeninsula Regional Open Space District held for public open space purposes.

#### **4. Award of Contract for Partial Demolition, Repair, and Improvements at 20000 Skyline Boulevard, Redwood City, in the Russian Ridge Open Space Preserve (R-18-145)**

Director Hassett pulled Item 4 from the Consent Calendar.

Item 4 was heard following the Consent Calendar

Director Hassett spoke regarding the lack of bids received for the project and that the winning bid is located more than 150 miles from the job site. Director Hassett spoke in favor of using local contractors for District projects to help support the District's climate action plan. Director Hassett recommended adopting the following requirements:

- All projects over a specified dollar amount must receive two to three bids in order to award a contract
- Create a pamphlet to provide to local contractors that outlines the process for working with the District and how to create a relationship with the District
- Conduct follow-up surveys to inquire why local contractors did not bid on a project
- Reevaluate where the jobs are posted
- Investigate the creation of a list of pre-approved contractors

If these requirements are not possible, then Director Hassett suggested creation of a bonus or penalty system based on contractor location in order to support the reduction of greenhouse gases.

Ms. Ruiz explained that requiring at least two bids would penalize the one contractor who submitted a bid, which may be a bid close to the estimate. Additionally, when projects are re-bid, the subsequent bids are often higher than the original single bid. Ms. Ruiz stated District staff could increase its outreach efforts; however, the bidders ultimately decide whether to bid on a project. District projects are also subject to various state requirements, some of which require a fee or a large penalty if the requirements are not followed. Staff can create an interested parties list for contractors. Finally, the other two attendees for the bid walk were unable to bid the project due a lack of capacity, the small size of the project, and a lack of experience to complete the project.

General Counsel Hilary Stevenson explained changes of state law would be required to enable preference for local contractors and creation of a pre-approved contractor list.

Assistant General Manager Brian Malone reported Belz Construction completed other District projects and utilizes a trailer to reduce greenhouse gas emissions. The District does use a pre-qualified list for contracts under \$50,000. Also, oftentimes many small, local contractors are not interested in following the process to pay a fee and register with the state.

Director Siemens suggested combining the various phases of the project to create a larger project for bidding.

Mr. Malone explained that completing multiple phases at once is limited by staff capacity and a desire to reduce disruptions to the current tenant.

Director Kishimoto suggested contacting contractors individually.

Director Hassett suggested the District may want to pursue legislative changes.

Director Kersteen-Tucker suggested holding a workshop for local contractors to inform them of District and state requirements.

Director Riffle Asked staff to return with options to increase the number of local bids.

Public comments opened at 8:01 p.m.

Maureen Mehtala spoke regarding Item 4 expressing her concern that construction companies may create road hazards for the single road leaving the area. Ms. Mehtala also expressed concerns regarding construction noise and water usage. Ms. Mehtala asked to be contacted to prior to the beginning of the project to discuss these concerns.

Public comments closed at 8:04 p.m.

General Manager’s Recommendations:

1. Award a contract to Belz Construction Inc., for partial demolition, repair and improvements of three structures at 20000 Skyline Boulevard, Redwood City, in the Russian Ridge Open Space Preserve for a base contract amount of \$226,000.
2. Authorize a 15% contract contingency of \$33,900, to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$259,900.

**Motion:** Director Riffle moved, and Director Siemens seconded the motion to approve the General Manager’s recommendation.

**VOTE: 7-0-0**

**5. Office Lease Extensions between Wellington Park Investors and Midpeninsula Regional Open Space District at 4984 El Camino Real, Los Altos, Suites 100 and 115 for Administrative Office Space (R-18-151)**

General Manager’s Recommendations:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the report.
2. Adopt a Resolution authorizing the General Manager to enter into office lease extensions with Wellington Park Investors.

**6. Amendment to Board Policy 3.08 – Investment Guidelines (R-18-155)**

Controller’s Recommendation: Approve the following amendments to Board Policy 3.08

*Investment Guidelines:*

- Amend Guideline #3: Add Local Agency Investment Fund and Reduce Percentage to 20%
- Amend Guideline #4: Add Local Agency Investment Fund

**BOARD BUSINESS**

**7. Approval of Salary Adjustments and Revised Employment Agreement for Board Appointee: District Controller (R-18-156)**

Public comments opened at 8:20 p.m.

No speakers present.

Public comments closed at 8:20 p.m.

The Board members thanked Mr. Foster for his service to the District

**Motion:** Director Kishimoto moved, and Director Hassett seconded the motion to adopt a resolution approving the salary adjustments and authorizing the Board President to execute a revised Board Appointee Employment Agreement.

**VOTE: 7-0-0**

**8. Partnership Support for Tunitas Creek Beach and Cowell-Purisima Trail (R-18-154)**

The Board heard Item 8 before Item 7.

Director Riffle recused himself for Item 8 due to his perceived conflict of interest based on his employment at the Peninsula Open Space Trust (POST).

Chief Financial Officer Stefan Jaskulak provided an overview of the project, including the partnership between San Mateo County and POST to lead the project, the proposed stewardship fund, and the property's tie-ins to nearby trails. Mr. Jaskulak reviewed the preliminary project budget and project next steps.

Walter Moore, President of POST, spoke in support of the General Manager's recommendation and described the financial support previously received from the state and other donors. Additionally, Mr. Moore spoke regarding the five staff positions previously approved by San Mateo County and other County actions supporting the project.

Director Kersteen-Tucker inquired regarding recognition for the District for supporting the project.

Mr. Moore described the recognition signage proposed for the District.

Public comments opened at 8:16 p.m.

No speakers present.

Public comments closed at 8:16 p.m.

**Motion:** Director Kersteen-Tucker moved, and Director Hassett seconded the motion to:

1. Approve a request for a one-time contribution of \$500,000 to support the natural resource restoration, public access improvements, and management of Tunitas Creek Beach, and long-term management of the nearby Cowell-Purisima Trail, which is a segment of the California Coastal Trail.

2. Adopt a resolution increasing the Fiscal Year 2018-19 budget and appropriation for the General Fund by \$500,000

**VOTE: 7-0-0**

**9. Addition of Section VI, *Partner Recognition Signboard*, to Board Policy 5.01 – *Site Naming, Gift, and Special Recognition* (R-18-153)**

Planner I Melissa Borgesi presented the staff report proposing the addition of Section VI Partner Recognition Signboard to Board Policy 5.01 – *Site Naming, Gift, and Special Recognition*. Ms. Borgesi provided the draft partner recognition signboard policy guidelines to standardize the District’s approach for recognizing significant partner contributions at preserve trailhead locations.

Director Siemens suggested including language that partners and constituents made the project possible.

Public comment opened at 8:28 p.m.

No speakers present.

Public comment closed at 8:28 p.m.

**Motion:** Director Siemens moved, and Director Riffle seconded the motion to approve Section VI, *Partner Recognition Signboard*, as an addition to Board Policy 5.01 – *Site Naming, Gift, and Special Recognition* to establish a centralized, consistent, and cohesive approach for recognizing significant partner contributions at preserves.

**VOTE: 7-0-0**

**INFORMATIONAL MEMORANDUM**

- Measure AA Fund Reallocation Status Update

**INFORMATIONAL REPORTS**

A. Committee Reports

Director Hassett reported the Administrative Office Ad Hoc Committee met to discuss the draft schematic design plan and factors affecting energy use at 5050 El Camino Real. An informational report will be going to the Board in January.

Director Hassett reported the Legislative, Funding and Public Affairs Committee met on December 4, 2018 to discuss proposed legislation for 2019 and the proposed partner recognition signboard guidelines discussed by the Board at this meeting.



B. Staff Reports

Ms. Ruiz reported on a recent productive meeting with several staff members of Santa Clara County related to Bear Creek Stables. Additional conversations are needed to determine which repairs would fall under the current legal, non-conforming use. Staff also met with the San Mateo County Farm Bureau and discussed several upcoming projects and policy items.

C. Director Reports

The Board members submitted their compensatory reports.

Director Riffle reported his attendance at the Vida Verde annual event and commented on the outreach and inclusive work done by that organization.

President Cyr spoke regarding a recent article on drone use.

**ADJOURNMENT**

President Cyr adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:44 p.m.

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Jennifer Woodworth, MMC  
District Clerk