



Midpeninsula Regional
Open Space District

February 13, 2019
Board Meeting 19-03

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

February 13, 2019

DRAFT MINUTES

SPECIAL MEETING – CLOSED SESSION

President Siemens called the special meeting of the Midpeninsula Regional Open Space District to order at 6:00 p.m.

ROLL CALL

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

Members Absent: Karen Holman, and Yoriko Kishimoto

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi

Public comments opened at 6:00 p.m.

No speakers present.

Public comments closed at 6:00 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – 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 18CV 334473.

ADJOURNMENT

President Siemens adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:55 p.m.

REGULAR MEETING

President Siemens called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:00 p.m.

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

ROLL CALL

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

Members Absent: Karen Holman, and Yoriko Kishimoto

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi, District Clerk/Assistant to the General Manager Jennifer Woodworth, Budget & Analysis Manager Carmen Narayanan, Public Affairs Manager Korrine Skinner, Public Affairs Specialist II Cydney Bieber, Natural Resources Manager Kirk Lenington, Senior Resource Management Specialist Coty Sifuentes-Winter

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

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

VOTE: 5-0-0

CONSENT CALENDAR

Public comment opened at 7:02 p.m.

No speakers present.

Public comment closed at 7:02 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to approve the Consent Calendar.

VOTE: 5-0-0

- 1. Approve January 23, 2019 Minutes**

2. Claims Report**3. _ Renewal of Agreement with Grassroots Ecology for the Hendrys Creek Stream Restoration Project at Sierra Azul Open Space Preserve (R-19-18)**General Manager's Recommendations:

1. Authorize the General Manager to renew an agreement with Grassroots Ecology (formerly Acterra Stewardship) in an amount of \$107,000 for native plant restoration, vegetation monitoring, and grant administration work associated with the grant-funded Hendrys Creek Stream Channel Restoration Project (Project) at Sierra Azul Open Space Preserve. The agreement, including this renewal, is eligible for full reimbursement by a Santa Clara Valley Water District grant through June 2020.
2. Authorize an additional allowance of \$40,000 for optional hand watering, contingent upon need at the District's sole discretion, for a total not-to-exceed contract price of \$147,000.

4. Maintenance and Indemnification Agreement between the County of Santa Clara and Midpeninsula Regional Open Space District (R-19-17)

General Manager's Recommendation: Adopt a resolution approving the Maintenance and Indemnification Agreement between the County of Santa Clara and Midpeninsula Regional Open Space District and authorizing the General Manager to execute and record the Agreement

BOARD BUSINESS**5. Alpine Road Trail Memorandum of Understanding with the County of San Mateo, Coal Creek Open Space Preserve (R-19-19)**

Real Property Manager Michael Williams provided the staff report summarizing the chronology of ownership and failures along Alpine Road Trail and described the location of the trail. Mr. Williams described the terms and conditions of the proposed Memorandum of Understanding with San Mateo County, including assessment and design of long term repairs for use as a public trail; use of County grading exemptions and permit waivers; right of entry for work to improve the trail; and eventual transfer of the trail to the District.

Director Riffle inquired whether the trail crosses private property.

Mr. Williams described the private properties that have partial ownership of Alpine Road Trail, and the private property owners would continue to be responsible for maintaining access to their own standards.

Director Kersteen-Tucker requested additional information regarding the Board's decision to maintain a six-foot trail and whether this width is acceptable for San Mateo County.

Mr. Williams reported representatives have not raised any concerns regarding the six-foot trail width.

Assistant General Manager Brian Malone reported that the Board decided in March 2018 to maintain a six-foot trail width, which will not allow for patrol and emergency access.

Director Hassett commented on the high cost for repair and maintenance for a twelve-foot trail width.

Public comments opened at 7:24 p.m.

No speakers present

Public comments closed at 7:24 p.m.

Motion: Director Riffle moved, and Director Hassett seconded the motion to authorize the General Manager to enter into a Memorandum of Understanding with the County of San Mateo for the repair and future negotiations to transfer ownership and management of the Alpine Road Trail.

VOTE: 5-0-0

6. Fiscal Year 2018-19 Quarter 2 Budget Amendments (R-19-21)

Budget & Analysis Manager Carmen Narayanan presented the staff reports describing the quarterly budget amendment process, proposed revenue and expenditure amendments, and administrative transfer requests.

Public comments opened at 7:35 p.m.

Yvonne Tryce inquired regarding funding for the Hawthorns property nature buildings commenting on the delays to work on the buildings due to trail planning.

Planning Manager Jane Mark provided an update on the timeline for public access at the Hawthorns property.

Public comments closed at 7:37 p.m.

Motion: Director Riffle moved, and Director Kersteen-Tucker seconded the motion to adopt a resolution approving the proposed Fiscal Year 2018-19 Budget Quarter 2 amendments (revenues and expenses).

VOTE: 5-0-0

7. 2019 Special Park Districts Forum (R-19-20)

Public Affairs Specialist II Cydney Bieber provided an update on the 2019 Special Park Districts Forum (SPDF) being cohosted by the District and the East Bay Regional Park District (EBRPD). Ms. Bieber described the purpose of the SPDF and events being hosted by the District. Finally, Ms. Bieber explained how to participate in the SPDF.

Director Hassett commented on the importance of providing information to participants as they are traveling to the various locations.

Director Kersteen-Tucker commented on the need to publicize the event to local and regional partners.

Ms. Bieber reported the EBRPD is handling publicity and several regional agencies have been invited.

Director Cyr encouraged staff members to attend since the SPDF is local.

Public comments opened at 7:55 p.m.

No speakers present

Public comments closed at 7:55 p.m.

No Board action required.

8. Informational Update on the Development of the Prescribed Fire Program (R-19-16)

Mr. Malone explained that the prescribed fire program will help the District respond to the increasing wildfire dangers in California and described the District's current activities, equipment, and procedures aimed at preventing and responding to wildfires. In addition to fire response and prevention, the District does work through its integrated pest management and grazing programs to reduce fuel.

Senior Resource Management Specialist Coty Sifuentes-Winter described the objective and goals of the prescribed fire program, including public safety and education, wildfire response training, and agricultural use of land resources. Mr. Sifuentes-Winter explained development of the prescribed fire program is ongoing and includes stakeholder and public meetings, policy review, site visits, and consultation with the Bay Area Air Quality Management District. At the Board's retreat in December, the Board approved a new strategic objective to work with fire agencies and surrounding communities to strengthen the prevention of, preparation for, and response to wildland fires. This represents an increased scope, so additional review and development is needed. As the District and its consultants inventory and monitor wildland fuels, they share the information with other land management agencies. Finally, Mr. Sifuentes-Winter reviewed the proposed timeline for the prescribed fire program development.

Director Riffle requested additional clarification regarding training District staff on wildfire response.

Mr. Sifuentes-Winter described all of the various District classifications that already receive this training.

Director Riffle commented on the potential cost of the prescribed fire program.

Mr. Sifuentes-Winter explained that as part of the consultant's contract, they will be investigating the potential cost of implementation and the most effective use of funds. Additionally, staff is seeking grant funds to supplement District funds.

Director Siemens suggested the prescribed fire program may be able to be folded into the restoration forestry program.

Public comments opened at 8:34 p.m.

Rich Sampson with CalFire Resource Management expressed his pleasure that the District is moving forward with the prescribed fire program and the reduction of wildland fuels. Mr. Sampson expressed the desire of CalFire to continue to work with the District moving forward and encouraged working through CEQA requirements on a project-by-project basis.

Jim Wickett landowner in the Woodside area spoke regarding the need to prepare for emergency access to District and nearby lands during wildfires. Mr. Wickett spoke in favor of expanding the current project scope to reduce fuel loads and in favor of restoration forestry.

Denise Enea of the Woodside Protection District spoke in favor of fuel reduction to reduce wildfire risk and decrease wildfire intensity. Ms. Enea spoke in favor of prescribed burning in the grassland areas and expressed concern regarding prescribed burns in the eastern area of the Woodside Protection District.

Patty Ciesla Executive Director of the Santa Clara County FireSafe Council commented on upcoming projects in Santa Clara County to protect roadways for public safety and exit routes. Ms. Ciesla recommended the District pursue projects along roadways to maintain safe exit routes. Ms. Ciesla reported the FireSafe Council contracts with the City of Palo Alto to complete similar work, and suggested the District consider a similar contract. Finally, Ms. Ciesla encouraged increasing defensible space around homes and other buildings.

Public comments closed at 8:55 p.m.

No Board action required.

INFORMATIONAL MEMORANDUM

- Customer Relationship Management System and General Information Emails
- Highway 17 Wildlife and Regional Trail Crossings Final Revised Alternatives Report, Summary of Public Comments, and Next Steps
- District Permit Exemption Legislation Update

INFORMATIONAL REPORTS

A. Committee Reports

Director Hassett reported the Legislative, Funding, and Public Affairs Committee met on February 5, 2019.

B. Staff Reports

General Manager Ana Ruiz reported the District will be receiving a Community Partnership award from the San Jose Conservation Corps and Charter School. On Tuesday, the District received the Integrated Pest Management Achievement Award from the California

Environmental Protection Agency. The District recently received a letter from the City of Saratoga requesting additional funds for the Saratoga to the Sea Trail, and additional information will be provided to the Board at the upcoming Board retreat.

C. Director Reports

The Board members submitted their compensatory reports.

Director Riffle commented on a current opening for the San Francisco Restoration Authority and suggested the Board discuss this at an upcoming Board meeting. Recently the neighbors in the Kings Mountain area requested dog access at Purisima Creek and asked staff to return with options for responding to the request.

By consensus, the Board directed staff to return with a future Board agenda item on the topic.

Director Kersteen-Tucker announced a new agency is proposed for San Mateo County to address the challenges of flooding, sea level rise, and coastal erosion. The District may want to consider acting as a collaborator with the agency, similar to the San Mateo Resource Conservation District.

President Siemens reported his attendance at the District's legislative lunch in Sacramento.

ADJOURNMENT

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:14 p.m.

Jennifer Woodworth, MMC
District Clerk