



Midpeninsula Regional  
Open Space District

**March 27, 2019  
Board Meeting 19-08**

## **SPECIAL AND REGULAR MEETING**

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

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

**March 27, 2019**

### **APPROVED MINUTES\***

#### **SPECIAL MEETING – STUDY SESSION**

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

#### **ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Karen Holman, 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 Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lenington, Land and Facilities Manager Michael Jurich, and Senior Property Management Specialist Elaina Cuzick

#### **1. Agricultural Policies, Guidelines, and Practices Study Session (R-19-36)**

General Manager Ana Ruiz provided opening remarks commenting on the District's coastal protection area and coastal area mission statement.

Natural Resources Manager Kirk Lenington reviewed the proposed timeline for developing the agricultural policy and summarized existing policies and guidelines, including the Basic Policy, Coastal Service Plan, Board policies on housing, improvements and resources management, guiding principles for the Coastal Service Area, and a cooperative agreement with the San Mateo County Farm Bureau.

Senior Property Management Specialist Elaina Cuzick provided an overview of current District agricultural properties and their uses as described in the crop reports provided to the Board. Ms. Cuzick provided examples of the agricultural uses of District lands and key issues for each agricultural sector, including cattle, fruit/nut apiaries, vegetable and field crops, floral/nursery, and small livestock. Finally, Ms. Cuzick described agricultural facilities and agricultural workforce housing on District properties.

The members of the Board made various comments and suggestions to staff for topics to review and address in the development of the agricultural policy.

Public comments opened at 7:00 p.m.

BJ Burns of the San Mateo County Farm Bureau commented on the limited use of pesticides and fertilizers used in San Mateo County as compared to the Central Valley. Additionally, he and other farmers would be concerned if the number and types of bees allowed are limited.

Public comments closed at 7:05 p.m.

No Board action required.

### **ADJOURNMENT**

President Siemens adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:17 p.m.

### **REGULAR MEETING**

President Siemens called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:26 p.m.

### **ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Karen Holman, 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 Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lenington, Real Property Manager Mike Williams, Planning Manager Jane Mark, Senior Capital Project Manager Scott Reeves, Governmental Affairs Specialist Joshua Hugg, Capital Project Manager III Zachary Alexander, Water Resources Specialist Aaron Hebert

**ORAL COMMUNICATIONS**

Andy Bashka spoke in favor of allowing electric bicycles on District lands similar to what Santa Clara County Parks allows.

Nancy Cole with the Friends of Bear Creek Stables spoke regarding a recent meeting with Robert Woods regarding fundraising and thanked the District for putting him in touch with them. Ms. Cole expressed concerns regarding the narrow scope of fundraising options he raised and suggested looking into grant opportunities, local agency funding, and from local communities.

Melany Moore with the Friends of Bear Creek Stables provided the Board with a copy of their newsletter and informed the Board of a recent grant received. Ms. Moore spoke regarding the need for deferred maintenance at the Stables.

**ADOPTION OF AGENDA**

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

**VOTE: 7-0-0**

**SPECIAL ORDERS OF THE DAY**

- Introduction of staff
  - Kimberly Whelan, Administrative Assistant
  - Lisa Jenkinson, Human Resources/Accounting Technician
  - Rose Herrera, Human Resources Technician

**CONSENT CALENDAR**

Public comment opened at 7:45 p.m.

No speakers present.

Public comment closed at 7:45 p.m.

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

**VOTE: 7-0-0**

1. **Approve February 27, 2019, February 28, 2019, and March 13, 2019 Minutes**
2. **Claims Report**
3. **Renewal of Enterprise Agreement with Microsoft Corporation (R-19-34)**

General Manager's Recommendation: Authorize the General Manager to renew a three-year Microsoft Enterprise Agreement with Microsoft Corporation via license service provider CDW-G for an amount not to exceed \$211,000.

**4. Changes to the Classification and Compensation Plan and Approval of One New Position (R-19-30)**

General Manager's Recommendation:

1. Adopt a resolution to amend the Classification and Compensation Plan to include a new classification for Executive Assistant/Confidential Legal Secretary.
2. Add one new full-time position of Executive Assistant/Confidential Legal Secretary to the Legal Department.

**5. Liability Waiver for participation in the California Special Districts Association, San Mateo County Chapter (R-19-31)**

General Manager's Recommendation: Authorize the General Manager to sign the California Special Districts Association Liability Waiver to continue participation in San Mateo County Chapter meetings

**6. Legislative Action Recommendations (R-19-33)**

General Manager's Recommendation: Approve the recommended list of legislative actions for the 2019 state legislative session.

**7. Recognition of Significant Partners at Bear Creek Redwoods Open Space Preserve (R-19-22)**

General Manager's Recommendation: Approve the following recommended list of partners to be recognized for their significant contributions towards the preservation, stewardship, and public opening of Bear Creek Redwoods Open Space Preserve:

- Peninsula Open Space Trust;
- California State Coastal Conservancy;
- California Wildlife Conservation Board;
- Santa Clara Valley Water District;
- Former State Senator Byron Sher;
- Committee for Green Foothills; and
- Midpen Volunteers and Docents.

**8. Contract Amendment with Oregon State University to Test Revegetation Sites for Soil Diseases (R-19-29)**

General Manager's Recommendation:

1. Authorize the General Manager to execute a contract amendment with Oregon State University for additional environmental consulting services in the amount of \$11,000, for a not-to-exceed contract amount of \$101,000.
2. Authorize a 10% contingency of \$1,000 to cover unforeseen conditions, for a total contract amount not-to-exceed \$102,000.

**BOARD BUSINESS****9. Formation of a Science Advisory Panel (R-19-32)**

Mr. Lenington introduced Robin Grossinger Senior Scientist with the San Francisco Estuary Institute.

Mr. Grossinger provided an overview of the San Francisco Estuary Institute (SFEI) and Point Blue organizations, which will function as the District's Science Advisory Panel. Mr. Grossinger described science advisory panels they serve as for other government agencies and provided examples of current projects and team members for the organizations.

Director Hassett inquired regarding the cost for the work of the scientists that would be assisting with District projects.

Ms. Ruiz explained that for the first year, the science advisory panel will start with projects already in the works, and staff may return in the future with a contract amendment to increase the contract amount to look at other topics. Additionally, the District may be able to draw on the work being done for other agencies as well or partner with other agencies to share the cost.

Mr. Grossinger also suggested the District and advisory panel will need to work closely together to develop and scope the topics to be studied. Additionally, he feels it will be most efficient and cost-effective to partner with other agencies on topics to be studied.

Mr. Lenington explained the process and scope will be further refined, and funds will be included in the next fiscal year's budget.

Public comments opened at 8:38 p.m.

No speakers present.

Public comments closed at 8:38 p.m.

No Board action required.

**10. Local/County Permit Case Studies (R-19-35)**

Governmental Affairs Specialist Joshua Hugg described several of the challenges the District faces completing projects due to overlapping and sometimes redundant permitting processes for multiple agencies. As a result, staff is looking into options for streamlining the permitting processes.

Assistant General Manager Susanna Chan provided an overview of the District's project delivery process, including the opportunities for public and Board input and Board approvals. Ms. Chan also reviewed various themes of permitting issues the District encounters, such as multiple local jurisdictions with inconsistent ordinances, lack of understanding of District projects and working environments, and overlapping and redundant permitting and public processes.

Water Resources Specialist Aaron Hebert described the approval and permitting process used by the District in approving the Harkins Bridge replacement. Mr. Hebert summarized the timeline for the project and local and county permitting issues encountered during the project.

Senior Capital Project Manager Scott Reeves described the approval and permitting process proposed for upcoming restroom installation and replacements for five restrooms, located in four jurisdictions. The restrooms are proposed to be groups into a single design-build contract in order to take advantage of economies of scale and efficiencies. Mr. Reeves provided an overview of the permitting process for the project and potential local and county permitting issues, which will likely delay one or more aspects of the project and increase the projects costs.

Capital Project Manager III Zach Alexander described the approval and permitting process used by the District in the design and construction of a 1.3 multi-use Oljon Trail. Mr. Alexander summarized the permitting process, including construction oversight, and local and county permitting issues encountered during the project.

Director Holman suggested the District may want to draft standards that could be adopted by other agencies.

President Siemens reported staff has taken this approach previously, but staff turnover at other agencies has made this difficult. The District does have a grading permit exemption with Santa Clara County, which has been helpful.

Director Hassett suggested similar information should be shared with other government agencies and elected officials.

Director Kersteen-Tucker stated the presentation should be presented to the San Mateo County Board of Supervisors.

Ms. Ruiz reported staff will look for opportunities for District Board member involvement.

Director Kishimoto commented the District should also understand that the permitting process is in place to prevent abuse.

Director Holman suggested including information regarding the costs of the delays.

Director Kishimoto suggested sharing the District's scientific data that supports its methods of trail building and methods of completing projects in rural areas.

Public comments opened at 9:32 p.m.

No speakers present.

Public comments closed at 9:32 p.m.

**Motion:** Director Kersteen-Tucker moved, and Director Kishimoto seconded the motion to direct the General Manager to continue to gather more information and engage in additional discussions with local jurisdictions and return to the Board with findings and options in the fall/winter.

**VOTE: 7-0-0**

**11. Successor Agreement between San Mateo County and Midpeninsula Regional Open Space District Regarding Fire Services (R-19-37)**

Real Property Manager Michael Williams provided the staff presentation outlining history and the terms of the proposed agreement.

Public comments opened at 9:39 p.m.

No speakers present.

Public comments closed at 9:39 p.m.

**Motion:** Director Cyr moved, and Director Riffle seconded the motion to:

1. Approve the Successor Agreement with San Mateo County regarding fire services.
2. Authorize the General Manager and General Counsel to approve any minor or technical changes to the attached Agreement.
3. Authorize the General Manager to reimburse San Mateo County for the one-time purchase of an Emergency Rescue Vehicle, in an amount not to exceed \$60,000.

**VOTE: 7-0-0**

**INFORMATIONAL MEMORANDUM**

- Bear Creek Stables Site Improvements – Project Update
- Contractor Outreach

Director Hassett commented that he would like to attend the contractor outreach meetings and praised staff's work in expanding the list of contractors that have previously worked with public agencies.

**INFORMATIONAL REPORTS**

**A. Committee Reports**

No Committee reports.

**B. Staff Reports**

Public Affairs Manager Kori Skinner provided an update on the Bear Creek Redwoods ribbon-cutting event on June 7, 2019.

Assistant General Manager Brian Malone reported staff attending a meeting of the Portola Valley Town Council where fire preparation will be discussed.

Ms. Ruiz informed the Board that she plans to submit a letter of support San Mateo County's application to designate the Ohlone-Portola Heritage Trail as a state historic trail. The District will also be exercising its option to extend a lease for the District's additional office space.

**C. Director Reports**

The Board members submitted their compensatory reports.

Director Kersteen-Tucker and Hassett reported their attendance at the HEAL Project's Spring Ahead event, which helps promote school gardens and environmental education.

Directors Kishimoto and Kersteen-Tucker reported they went with staff to Sacramento to meet with the District's elected representatives and their staffs.

Director Holman reported she was appointed to the Governing Board of the Bay Restoration Authority.

**ADJOURNMENT**

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:55 p.m.

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Jennifer Woodworth, MMC  
District Clerk