



Midpeninsula Regional
Open Space District

April 24, 2019
Board Meeting 19-11

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Administrative Office
330 Distel Circle
Los Altos, CA 94022

April 24, 2019

APPROVED MINUTES*

SPECIAL MEETING – CLOSED SESSION

President Siemens called the special meeting of the Midpeninsula Regional Open Space District to order at 5:00 p.m.

ROLL CALL

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

Members Absent: Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Counsel Mazarin Vakharia, Land and Facilities Manager Michael Jurich, Public Affairs Manager Kori Skinner

Public comments opened at 5:00 p.m.

Director Holman arrived at 5:02 p.m.

Doniga Markegard provided comments related to her family's lease of the McDonald Ranch and responded to concerns previously raised by District staff. Ms. Markegard submitted written copies of her comments and documents referenced.

Anthony Cheng from Kitchen Table Advisors, who works with sustainable farmers to support their economic viability, spoke regarding long-term land security for sustainable farmers.

Public comments closed at 5:13 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(d)(1))

*Approved by the Board of Directors on May 15, 2019

Name of Case: *Scranton v. Prokofyeva and Midpeninsula Regional Open Space District*
Superior Court Case Number 19CV345161

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8) Property: Potential addition to Long Ridge Open Space Preserve (San Mateo County APN: 085-160-160 and portion of Santa Cruz County APN: 088-051-37)

Agency Negotiator: Allen Ishibashi, Sr. Real Property Agent

Negotiating Party: Silicon Valley Monterey Bay Council, Inc., Boy Scouts of America

Under Negotiation: Price and terms

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: San Mateo County APNs 081-060-100, 081-060-120

Agency Negotiator: Brian Malone, Assistant General Manager

Negotiating Party: Erik and Doniga Markegard

Under Negotiation: Lease terms

The Board adjourned into closed session at 5:13 p.m.

ADJOURNMENT

President Siemens adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:03 p.m.

REGULAR MEETING

President Siemens called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:05 p.m.

President Siemens reported the Board met in closed session, and requested General Counsel Hilary Stevenson provide the report.

Ms. Stevenson announced that in closed session the Board gave approval to legal counsel to defend the District in litigation. The case is *Scranton v. Prokofyeva and Midpeninsula Regional Open Space District* filed in Santa Clara County Superior Court, and the substance of the litigation is a quiet title action to acquire an easement across District property in Los Gatos.

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, Engineering & Construction Manager Jay Lin, Senior Capital

Project Manager Felipe Nistal, Capital Project Manager III Tanisha Werner, Capital Project Manager III Leigh Guggemos, Land and Facilities Manager Michael Jurich, Public Affairs Manager Kori Skinner

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

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

VOTE: 7-0-0

SPECIAL ORDERS OF THE DAY

- Introduction of staff
 - Miguel Ojeda, Farm Maintenance Worker

CONSENT CALENDAR

Director Riffle requested to pull Items 3 and 4 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 Riffle moved, and Director Kersteen-Tucker seconded the motion to approve the Consent Calendar, with exception of Items 3 and 4.

VOTE: 7-0-0

1. **Approve April 9, 2019 and April 10, 2019 Minutes**
2. **Claims Report**
3. **Award of an Engineering Contract for the Deer Hollow Farm White Barn Structural Stabilization Project at Rancho San Antonio Open Space Preserve (R-19-49)**

Director Riffle inquired regarding the genesis of the project and the proposed ongoing use of the structures following stabilization.

Capital Project Manager III Leigh Guggemos reported the District received external funds for work at Deer Hollow Farm. The Deer Hollow Farm White Barn is currently in use and was identified as a high priority project in order to stabilize it for safety reasons and to preserve the longevity of the structure.

Director Riffle inquired regarding creation of a fire prevention plan to protect the structures.

Mr. Guggemos reported a fire prevention plan would be included as part of the design process including the required repairs to stabilize the structure for safety reasons.

General Manager's Recommendation:

1. Authorize the General Manager to enter into contract with Wiss, Janney, Elstner Associates, Inc., of Emeryville, California for \$149,000.
2. Authorize a 15% contingency of \$22,350 to be expended only if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$171,350.

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

Friendly Amendment: Director Kishimoto requested the basis of design return to the Board for review and discussion.

Directors Riffle and Hassett accepted the friendly amendment.

VOTE: 7-0-0

4. Award of an Engineering Contract for a Structure Stabilization Assessment of the La Honda Creek Redwood Cabin, La Honda Creek White Barn, and Sierra Azul Beatty Property Home (R-19-51)

Director Riffle inquired regarding the purpose of the proposed repairs for the three structures described in the staff report.

Capital Project Manager III Tanisha Werner explained the stabilization repairs are needed in order to keep these historic structures standing and safe.

Director Holman requested this item be continued to a later meeting and suggested holding a study session related to historic structures. Additionally, Director Holman suggested the Redwood Cabin and Beatty home could potentially be used as habitable structures in the future.

Engineering and Construction Manager Jay Lin suggested that the design documents could look at what work would need to be completed in order for the structure to be made habitable.

Director Holman expressed concern that several of the elements proposed for removal were found to be in generally good condition as part of the historic structure report.

General Manager Ana Ruiz inquired if the consultants would update, as needed, the historic structures assessment that had previously been completed for each structure.

Mr. Lin reported the condition of the structures would be reassessed as part of the proposed contract's scope of work.

Director Holman spoke in favor of continuing the item until a study session can be held regarding historic structures to understand the topic as a whole instead of based on individual structures.

Directors Kishimoto and Riffle spoke in favor of continuing the item to the next Board meeting.

General Manager's Recommendation:

1. Authorize the General Manager to enter into contract with ZFA Structural Engineers, of San Francisco, California for a not-to-exceed base contract amount of \$366,978.
2. Authorize a 15% contract contingency of \$55,047 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$422,025.

Motion: Director Kersteen-Tucker moved, and Director Holman seconded the motion to continue the item to the May 15, 2019 Board meeting.

Director Holman requested staff include the information discussed, such as review process, fire prevention, alternative uses, etc. when the item returns in May.

VOTE: 7-0-0

5. Approval of a commemorative rock with plaque for Dr. Frances Conley at Long Ridge Open Space Preserve (R-19-50)

General Manager's Recommendation: Approve the recommendation from the Legislative, Funding, and Public Affairs Committee to install a commemorative rock with plaque for conservationist and significant supporter Dr. Frances Conley, who wishes to honor her late parents, Konrad and Kathryn Krauskopf, at Long Ridge Open Space Preserve.

6. Amend Contract for Fire Ecology Services: Wildland Fire Resiliency Program Development (R-19-52)

General Manager's Recommendation:

1. Authorize the General Manager to amend the multi-year contract with Spatial Informatics Group, LLC of Pleasanton, California, to provide additional fire ecology services in the amount of \$194,755, for a new not-to-exceed contract amount of \$296,005 (original contract is \$101,250).
2. Authorize a 15% total contingency of \$44,400, to be awarded only if necessary to cover unforeseen conditions, for a new total contract amount not-to-exceed \$340,405.

7. Written Response to CAL FIRE and Woodside Fire Protection District

General Manager's Recommendation: Approve the written response to CAL FIRE and Woodside Fire Protection District.

BOARD BUSINESS

8. Administrative Office Project – Schematic Design and Cost Estimate Update (R-19-48)

Senior Capital Project Manager Felipe Nistal introduced the staff presentation and described each of the decision points to be discussed by the Board.

Janet Tam of Noll & Tam provided an overview of the project's mission to create a positive first impression of the District, as the new Administrative Office will be the first place many members of the public will encounter the District, its mission, and its impact to the quality of life in the Bay Area. The project team has been working with the brand designer to try to reflect the culture and values of the District and the importance of open space in the new administrative building.

Project Architect presented various renderings of possible graphics to be incorporated internally and externally in the new administrative office.

President Siemens suggested the Board could promote wellness for its staff by considering creation of a small exercise room in the leased space for staff use.

Director Kersteen-Tucker inquired regarding required maintenance for any wooden elements.

Project manager Eric Skiba commented that the wood will age and can be treated in such a way as to not require the use of paint, which would require additional maintenance.

Ms. Tam reported the District might also consider wood alternatives, such as metal panels that resemble wood and have minimal maintenance.

Director Holman commented on the importance of bird safety with regard to the large windows in the atrium area and interior and exterior lighting.

Director Hassett suggested highlighting ecosystems in the proposed external graphic panels rather than the District's preserves.

The Board members provided feedback on the exterior design options.

Mr. Skiba provided information regarding roof structural upgrades needed in order to support solar panels. Mr. Skiba described various options for roof repairs and replacement of the HVAC systems. Additionally, Mr. Skiba displayed options for skylights or solar tubes to bring in natural light to the atrium. Finally, Mr. Skiba described the proposed replacement of the windows with double paned glazing.

Director Kersteen-Tucker suggested potentially installing solar panels elsewhere where they could be more effective than on the roof, such as evaluating other offsite options.

Directors Kishimoto, Siemens, Cyr, Hassett, and Kersteen-Tucker expressed support for replacing the roof membrane and mechanical units and upgrading the roof structure to prepare for solar panel installation.

Director Riffle spoke in favor of installing solar panels as part of the administrative office project in order to promote green energy usage.

Directors Riffle, Cyr, Hassett, and Kersteen-Tucker expressed support for replacing the roof membrane and mechanical units, upgrading the roof structure to prepare for solar panel installation, and installing solar panels.

Directors Holman, Siemens, and Kishimoto expressed support for replacing the roof membrane and mechanical units and upgrading the roof structure to prepare for solar panel installation but delaying solar panel installation.

Director Siemens spoke in favor of installing solar panels as a separate project.

Public comments opened at 9:51 p.m.

No speakers present.

Public comments closed at 9:51 p.m.

No Board action required.

INFORMATIONAL MEMORANDUM

- Legislative Actions Update to Board
- La Honda Preserve Forest Management Plan

INFORMATIONAL REPORTS

A. Committee Reports

Director Kishimoto reported the Planning and Natural Resources Committee met on April 16, 2019 to discuss options to alleviate parking shortages at Rancho San Antonio.

B. Staff Reports

Ms. Ruiz reported on the special meeting of April 25, 2019 regarding Bear Creek Stables. She will also be interviewed this week by Doug McConnell for the OpenRoads program and will be discussing Measure AA accomplishments.

C. Director Reports

The Board members submitted their compensatory reports.

Director Cyr reported he, Directors Holman, and Kishimoto attended a wildflower hike with District staff.

Director Siemen commented on the graduation of the District's Leadership Academy and the presentations provided by staff.

ADJOURNMENT

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 10:04 p.m.

Jennifer Woodworth, MMC
District Clerk