



SPECIAL AND REGULAR MEETING

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

Administrative Office
330 Distel Circle
Los Altos, CA 94022

May 22, 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 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 REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: Potential addition to Long Ridge OSP (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

Directors Holman and Kishimoto arrived at 6:02 p.m.

ADJOURNMENT

President Siemens adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:30 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, 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 Susanna Chan, Real Property Manager Mike Williams,

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

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

VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:13 p.m.

No speakers present.

Public comment closed at 7:13 p.m.

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

VOTE: 7-0-0

1. Approve April 25, 2019 and May 15, 2019 Minutes

Director Riffle requested his comments regarding electronic bikes be included in the minutes for the May 15, 2019 Board meeting.

2. Award of Contract to Hammer Fence for Construction of Livestock Fencing to Protect Riparian Corridors at the Bluebrush Ranch in the Purisima Creek Redwoods Open Space Preserve (R-19-67)

General Manager's Recommendation:

1. Authorize the General Manager to award a contract to Hammer Fence to construct livestock riparian fencing for a base amount of \$73,060.
2. Authorize a 15% contingency of \$10,960 to be reserved for unanticipated issues, for a total contract amount not-to-exceed \$84,020.

Director Holman requested information regarding the total foot of fencing being installed and the low number of bids received.

Property Management Specialist Susan Weidemann reported it is 3,660 total feet of livestock fencing. Additionally, Ms. Weidemann reported all three fence contractors in the area were contacted, and the item was posted online and in the local newspaper. Only one contractor attended the bid walk.

3. Contract Amendment with Ecological Concerns, Inc., for Invasive Species Management Work (R-19-68)

General Manager's Recommendation: Authorize the General Manager to amend a contract with Ecological Concerns, Inc., in the amount of \$196,741, for a total not-to-exceed contract amount of \$1,176,966, to conduct invasive species management work under the Integrated Pest Management Program at multiple Preserves through the end of Fiscal Year 2019-20.

Director Holman inquired regarding updates to the District's use of pesticides.

Senior Resource Management Specialist Coty Sifuentes-Winter reported the District is currently reviewing potential minor modifications to the District's Integrated Pest Management Program. The annual report on the Integrated Pest Management program will be before the Board in June and will include information on pesticide use trends.

4. Award of Contract with Questa Engineering to Complete the First Phase of Work (Assessment, Schematic Design, Technical Studies for Regulatory Permitting, and Biological/Cultural Services) for the Phase II Trail Network at Bear Creek Redwoods Open Space Preserve (R-19-66)

General Manager's Recommendation:

1. Authorize the General Manager to enter into contract with Questa Engineering for assessment, schematic design, technical studies for regulatory permitting, and biological/cultural work to begin implementation of the Phase II Trail network at Bear Creek Redwoods Open Space Preserve, for a base contract amount not-to-exceed \$225,000.
2. Authorize a 15% contingency of \$33,750 to be awarded if necessary to cover unforeseen conditions, for a total not-to-exceed contract amount of \$258,750.

5. Amend Contract for Environmental Review Services for the Wildland Fire Resiliency Program (R-19-69)

General Manager's Recommendation:

1. Authorize the General Manager to amend the 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 Wildland Fire Resiliency Program in the amount of \$350,493, for a new not-to-exceed base contract amount of \$655,773 (original contract is \$305,280)
2. Authorize an approximate 12% contingency of \$78,700, to be awarded only if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$734,473.

Director Kersteen-Tucker requested clarification regarding the District's ability to build a viable trail alignment through the Purisima Upland Property and ability to maintain the property.

Real Property Manager Mike Williams reported the District should be able to build a trail from Skyline to Verde Road, and the purchase includes patrol and maintenance easements

6. Proposed transfer of the Purisima Upland Property, a portion of Assessor's Parcel Number 066-270-030, located on Verde Road in San Mateo County, to Midpeninsula Regional Open Space District as an addition to Purisima Creek Redwoods Open Space Preserve (R-19-70)

Staff Contact: Michael Williams, Real Property Manager

General Manager's Recommendation:

1. Determine that the recommended actions are categorically exempt under the California Environmental Quality Act, as set out in the staff report.
2. Adopt a resolution authorizing the transfer of the Purisima Upland property.
3. Adopt a Preliminary Use and Management Plan for the property, as set out in the staff report.
4. Withhold dedication of the property as public open space.

BOARD BUSINESS

7. Administrative Office Project – Board approval of Final Schematic Design and Cost Estimate (R-19-64)

General Manager Ana Ruiz provided opening comments describing the District's purchase of the current office space, which was partially leased out until needed by the District. Since then, the District outgrew its current office space and has leased nearby office space for the past six years. Ms. Ruiz discussed the need to create an office space to welcome the public and inspire the District to continue to fulfill its mission.

Engineering and Construction Manager Jay Lin described the history of the project including the evaluation of options to meet District facility needs; Board decision to purchase a new building; space needs assessment, which involved interviews with the Board and staff members; Board adoption of the project design goals and program elements; and Board review of design options and selection of the enhanced design option.

Senior Real Property Agent Allen Ishibashi described the comparable office buildings sold in the nearby area at the time of the 5050 El Camino Real building purchase and buildings sold since that time.

Chief Financial Officer Stefan Jaskulak reviewed the available funding for District infrastructure needs and the costs for the building purchase and office space repurposing to meet long-term District needs. Mr. Jaskulak described the cost estimates for each of the three facilities options studied by the Board: purchase and repurposing of 5050 El Camino Real, renovation of 330 Distel Circle and leasing additional office space, and demolition and rebuilding of 330 Distel Circle.

Director Kishimoto requested clarification regarding the District's costs in leasing other office space.

Mr. Jaskulak reported that the lease costs continue to grow, as does the amount of lease space needed.

Noll and Tam Project Manager Eric Skiba presented the updated schematic design and proposed renderings of the building.

Director Riffle inquired regarding long-term maintenance costs of the proposed building exterior.

Mr. Skiba reported the District would likely want to select materials that will wear in a natural way. Noll and Tam will further investigate material options for the proposed public art panels.

The Board members commented on their interest in using salvaged and reclaimed wood from District preserves.

The Board members commented on the use and types of acoustic treatments throughout the building.

Mr. Skiba provided additional information regarding bird-safe glazing, including delaying selection of a glass pattern to await material testing and approval by the American Bird Conservancy.

Director Holman requested additional information regarding bird safe design, including recommendations from the Audubon Society.

Mr. Skiba reported he has been in contact with Shani Kleinhaus from the Audubon Society who agrees with the proposed approach.

Director Siemens commented that the building behind 5050 El Camino Real may have large trees when they complete their remodel, which may provide shading for the building.

Director Siemens and Riffle spoke in favor of having a simplified exterior façade with smaller/fewer interpretive panels.

Amy Watson, Architect for Noll and Tam, reported the art panels were included to satisfy the City of Los Altos' public art requirement. However, the City of Lost Altos is still determining whether this project is subject to the public art requirement.

Directors Hassett and Holman spoke in favor of continuing to consider the art panels later in the project development.

Mr. Skiba reviewed the design items that require Board direction: bird-safe glazing, installation of solar panels, amount of acoustic ceiling clouds in the building.

The Board members requested and received additional information regarding the installation of solar panels, including potential price and timing of installation.

Director Holman commented on the other environmentally-sustainable modifications being made to the building and on the relative high cost of solar panel installation as compared to the energy being produced.

Director Kersteen-Tucker requested staff return with additional information regarding the cost of the solar panels and their ability to offset energy use and costs, including the return on investment.

Ms. Ruiz reported the installation of solar panels can be included as an add alternate to the project.

Mr. Skiba reported the Board can make a final decision on using bird safe glass later in the project.

Directors Riffle and Kishimoto spoke in favor of only including acoustic clouds in the Board room.

Director Kishimoto and Kersteen-Tucker spoke in favor including installation of solar panels as an add alternate.

Public comments opened at 8:59 p.m.

No speakers present.

Public comments closed at 8:59 p.m.

Motion: Director Holman moved, and Director Kishimoto seconded the motion to approve the final schematic design and associated cost estimate to reconfigure and repurpose the recently purchased office building located at 5050 El Camino Real, Los Altos, California with the following additions.

1. Include Walker Bird Safe Glazing in design development
2. Include solar panel installation as an add alternate in design development
3. Exclude consideration of ceiling clouds throughout the building. Ceiling clouds would be included in the Board room.

VOTE: 7-0-0

The Board recessed at 9:12 p.m. and reconvened at 9:17 p.m. with all Directors present.

8. Contract amendment for design, permitting, and construction administration services to move the new Administrative Office reconfiguration project at 5050 El Camino Road, Los Altos, CA 94022 forward from schematic design, through design development and construction, to project close-out (R-19-65)

Senior Capital Project Manager Felipe Nistal provided the staff report detailing the contract scope for the next steps of the project.

Director Riffle inquired regarding the level of contingency being recommended.

Mr. Nistal explained that various unanticipated problems may arise during design development or construction requiring additional work to be completed by Noll and Tam.

Director Hassett commented on change orders and his desire for Noll and Tam to help limit the negative effect of change orders on a project.

Mr. Nistal reported that his role is to carefully manage the project and work with Noll and Tam to develop the design documents to limit the number of change orders needed.

Public comments opened at 9:36 p.m.

No speakers present.

Public comments closed at 9:36 p.m.

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

1. Authorize the General Manager to execute an amendment to the professional services contract with Noll & Tam Architects to provide design development, construction documents, permitting assistance, construction administration, and as-built drawings for the tenant improvements of the Administrative Office Reconfiguration Project at 5050 El Camino Real, Los Altos, CA in the amount of \$1,375,817, for an amended total contract amount of \$1,762,768.
2. Authorize a 15% contingency of \$206,373 to address unforeseen issues, bringing the total not-to-exceed contract amount to \$1,969,141.

VOTE: 7-0-0

INFORMATIONAL MEMORANDUM

- Legislative Actions Update to Board

INFORMATIONAL REPORTS

A. Committee Reports

No Committee reports

B. Staff Reports

District Clerk Jennifer Woodworth provided the Board with the applications submitted for the community representative positions on the La Honda Public Access Working Group. The interviews will be held on June 19, 2019.

Ms. Ruiz reported she has been in discussions with the Town of Portola Valley regarding the Hawthorns property. Ms. Ruiz and President Siemens attended a meeting of the Los Gatos Town Council to request funds for Bear Creek Stables. Staff will be working with Los Gatos to put together a grant request for a future budget year. Ms. Ruiz provided an update on the Bear Creek Redwoods ribbon cutting.

C. Director Reports

The Board members submitted their compensatory reports.

Director Holman reported that she recently hiked to several of the District's historic structures.

Director Siemens reported he received a fee from the Saratoga Foothill Club for his speaking to the group, and he is submitting it to the District.

ADJOURNMENT

President Siemens adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:53 p.m.

Jennifer Woodworth, MMC
District Clerk