



SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Wednesday, October 14, 2020

The Board of Directors conducted this meeting in accordance with California Governor Newsom's Executive Order N-29-20. All Board members and staff participated via teleconference.

DRAFT MINUTES

SPECIAL MEETING – CLOSED SESSION

President Holman 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, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

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 Stefan Jaskulak, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi, Planner III Elish Ryan, Natural Resources Manager Kirk Lenington, and Senior Natural Resources Specialist Aaron Hebert

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

Property: San Mateo County APN(s): 050-470-050 and -090

Agency Negotiator: Allen Ishibashi, Senior Real Property Agent

Negotiating Party: Alycia Moulton, Senior Management Analyst

Under Negotiation: Easement Exchange Terms

Public comment opened at 6:00 p.m.

District Clerk Jennifer Woodworth announced no public comments were submitted for this item.

Public comment closed at 6:00 p.m.

The Board convened into closed session at 6:01 p.m.

President Holman continued the special meeting of the Midpeninsula Regional Open Space District until the end of the regular meeting at 7:02 p.m.

REGULAR MEETING

President Holman called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:04 p.m.

ROLL CALL

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

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Chief Financial Officer Stefan Jaskulak, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, District Clerk/Assistant to the General Manager Jennifer Woodworth, Planning Manager Jane Mark, Public Affairs Manager Kori Skinner, Governmental Affairs Specialist Joshua Hugg, IST Manager Casey Hiatt, GIS Program Administrator Jamie Hawk

District Clerk Jennifer Woodworth announced this meeting is being held in accordance with Governor Newsom’s Executive Order allowing Board members to participate remotely. The District has done its best to conduct a meeting where everyone has an opportunity to listen to the meeting and to provide comment. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District’s Administrative Office, and on the District website. Ms. Woodworth described the process and protocols for the meeting.

ORAL COMMUNICATIONS

District Clerk Jennifer Woodworth read the submitted public comments into the record.

John Kunz supported opening District trails to class-1 e-bikes to allow older riders to enjoy the trails and be able to exercise.

Keith Kelsen supported opening District preserves to class-1 e-bikes, and e-bikes do not have any other impact on trails than traditional e-bikes.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

SPECIAL ORDERS OF THE DAY

- Introduction of Staff
 - Viri Acosta, Public Affairs Administrative Assistant
 - Alex Casbara, Planner III
 - Ariel Starr, Real Property & Natural Resources Administrative Assistant

CONSENT CALENDAR

President Holman announced Item 4 will be continued to the regular meeting on October 28, 2020.

Public comment opened at 7:17 p.m.

District Clerk Jennifer Woodworth announced no public comments were submitted for the Consent Calendar.

Public comment closed at 7:17 p.m.

Motion: Director Kishimoto moved, and Director Riffle seconded the motion to approve Items 1-3 on the Consent Calendar.

ROLL CALL VOTE: 7-0-0

- 1. Approve September 23, 2020 Minutes**
- 2. Claims Report**
- 3. Award of Contract for Construction Management and Inspection Services, scheduled to extend between November 2020 and Spring 2022, and to provide HVAC Peer Review for the Administrative Office Project (R-20-107)**

General Manager's Recommendations:

1. Authorize the General Manager to enter into contract with Nova Partners, Incorporated, of Mountain View, California for a not-to-exceed base contract amount of \$475,498.
2. Authorize a 15% contract contingency of \$71,325 to be reserved for unanticipated issues, thus allowing the total contract amount to not-to-exceed \$546,823.
- 4. Contract Amendment with Engineering/Remediation Resources Group, Inc., for the Madonna Creek Ranch Cleanup at Miramontes Ridge Open Space Preserve (R-20-109)**

General Manager's Recommendations: Authorize the General Manager to increase the contract amount of \$143,945 with Engineering/ Remediation Resources Group, Inc., by an additional \$93,146 for a new, not-to-exceed contract amount of \$237,091.

BOARD BUSINESS**5. 2020 State Legislative Session Review (R-20-108)**

District lobbyist Reed Addis with Environmental and Energy Consulting described the impact of COVID-19 on the state legislative calendar and legislation. Mr. Addis provided updates on legislation related to issues of District interest, including deferment of Greenhouse Gas Reduction Fund funding, wildlife and biodiversity protection, rodenticide regulation, ecologically sensitive vegetation management, re-appropriation of funding to support District conservation projects, and preservation of habitat conservation funding.

District lobbyist Julie Malinowski-Ball with Public Policy Associates provided an overview of the legislative bills signed and vetoed by Governor Newsom related to issues of interest to the District. Ms. Malinowski-Ball summarized bills related to wildfire prevention and forest health and administrative legislation associated with COVID-19. Additionally, various oversight hearings are ongoing related to various topics, such as utility outages and wildfire response.

Director Riffle requested an update regarding the Land and Water Conservation Fund.

Mr. Addis reported he does not anticipate solicitation for grants under this funding until spring 2022. As a result, they are pursuing federal funds where available.

Director Kishimoto commented that many District preserves are in high fire danger zones and inquired regarding the impact of the wildfire prevention bills on District preserves and facilities.

Ms. Malinowski-Ball reported CALFire will be determining the guidelines and regulations for this legislation, but they have not been determined yet.

Director Riffle inquired regarding housing allocation requirements.

Mr. Hugg commented on concerns raised by many that the recent allocations included rural, non-urban, and open space areas. Regional organizations are beginning to meet to discuss the allocations and potential responses.

Director Kersteen-Tucker requested a presentation on this topic at an upcoming Board meeting.

Public comment opened at 8:15 p.m.

District Clerk Jennifer Woodworth announced no public comments were submitted for this item.

Public comment closed at 8:15 p.m.

No Board action required.

6. Board of Directors Self-Evaluation Process (R-20-111)

General Manager Ana Ruiz reported this item is in response to a request from the Board to have an opportunity to discuss current Board activities, Board interactions, potential areas for improvements, etc. Staff identified and compiled a list of potential facilitators for the Board to

review and to inform their selection process. Additionally, direction is needed regarding the interview process and various logistics as the process is developed.

Director Riffle commented this can be an opportunity to be an even better Board of Directors and identify any potential areas for improvement or policies that need to be updated.

District Clerk Jennifer Woodworth displayed the preliminary rankings submitted by the Board members.

Director Hassett suggested staff select a facilitator in order to simplify the process and suggested the retreat be held in person.

Ms. Ruiz stated staff can work with the Board President and Vice-President to select a consultant and to develop the self-evaluation process.

The members of the Board agreed this can be a simplified process with the Board President and Vice-President working with staff to select a facilitator and develop the self-evaluation process.

Public comment opened at 8:45 p.m.

District Clerk Jennifer Woodworth announced no public comments were submitted for this item.

Public comment closed at 8:45 p.m.

Motion: Director Holman moved, and Director Siemens the motion to authorize the Board President and Vice-President to interview and select a facilitator for the Board Self-Evaluation Process.

Director Kishimoto suggested the Board be consulted regarding the development of the agenda.

Director Kersteen-Tucker offered to help develop the process.

Amended Motion: President Holman amended the motion to form an ad hoc committee to interview and select a facilitator and develop the Board self-evaluation process.

Director Siemens seconded the amended motion.

ROLL CALL VOTE: 7-0-0

President Holman announced she, Vice-President Riffle, and Director Kersteen-Tucker will serve on the ad hoc committee.

President Holman left the meeting at 8:52 p.m.

INFORMATIONAL MEMORANDUM

- Update on the Ward Boundary Redistricting Project

INFORMATIONAL REPORTS

A. Committee Reports

Director Kersteen-Tucker reported the Legislative, Funding, and Public Affairs Committee met on September 29, 2020 and discussed the San Francisco Public Utilities Commission project along Highway 35.

B. Staff Reports

General Manager Ana Ruiz reported on recent meetings with individual supervisors from Santa Clara and San Mateo County Boards of Supervisors to provide updates on District projects and programs.

C. Director Reports

Director Hassett reported he and Directors Holman and Kersteen-Tucker attended a field trip to learn more about the Hawthorns project.

Director Kishimoto reported on a recent Santa Clara County LAFCO meeting and items discussed as part of their agenda, including review of fire districts and potential development of open space areas.

Director Riffle reported he attended the Together Bay Area fall forum and a recent briefing regarding mountain lions. Director Riffle requested an update related to a letter sent by Woodside Fire Protection District and Town of Portola Valley.

Ms. Ruiz reported staff is preparing a response for Board consideration at the October 28, 2020 regular Board meeting and provided updates related to District activities related to fire prevention in the area.

Director Riffle inquired regarding the use of contract contingency funds and whether a formal report will be provided.

Ms. Ruiz reported a formal report and summary is coming forward to the Board. Additionally, staff provided informal reports as part of the biweekly reports.

President Holman returned to the meeting at 7:59 p.m.

President Holman announced Chief Financial Officer Stefan Jaskulak will be attending the annual CalJPIA meeting on October 28, 2020 as a voting delegate since she is unable to attend.

ADJOURNMENT

President Holman adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District into closed session at 9:05 p.m.

ADJOURNMENT

President Holman adjourned the closed session of the Board of Directors of the Midpeninsula Regional Open Space District at 9:54 p.m.

Jennifer Woodworth, MMC
District Clerk