



**SPECIAL AND REGULAR MEETING
BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

**Wednesday, January 13, 2021
Special Meeting starts at 5:00 PM*
Regular Meeting starts at 7:00 PM***

A G E N D A

Consistent with Governor Gavin Newsom's Executive Order N-29-20, the Governor has allowed local legislative bodies to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body to avoid public gatherings, and has suspended all contrary provisions of the Brown Act.

THIS MEETING WILL BE VIA TELECONFERENCE ONLY

1. The meeting can be viewed in real-time at: <https://openspace.zoom.us/j/82212293108> or listen to the meeting by dialing (669) 900-6833 or (346) 248-7799 (Webinar ID 82212293108).

2. Members of the public may provide written comments by submitting a public comment form at: <https://www.openspace.org/public-comment>

- Comments on matters not on the agenda must be submitted prior to the time the board president calls for public comments.*
- Comments on agenda items must be submitted prior to the time public comment on the agenda item is closed.*
- All comments shall be subject to the same rules as would otherwise govern speaker comments at the board of directors meeting.*
- Electronic comments on agenda may only be submitted via the public comment form. Comments via text or social media (Facebook, Twitter, etc.) will not be accepted.*

Any comments received after the deadline, will be provided to the Board after the meeting.

5:00 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION

ROLL CALL

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

Property: Santa Clara County APN: 562-20-001

Agency Negotiator: Allen Ishibashi, Senior Real Property Agent

Negotiating Party: Scott Mangum, ESQ. and Mary Billingsley

Under Negotiation: Purchase Terms

2. Conference with Legal Counsel- Existing Litigation Gov't Code 54956.9(d)1)

Zellerbach v. MROSD et al.

Santa Clara County Superior Court Case No. 20-CV-365990

ADJOURNMENT

**7:00 REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT**

ORAL COMMUNICATIONS

This portion of the agenda is for members of the public to comment on items not on the agenda; however, the Brown Act (Open Meeting Law) does not allow action by the Board of Directors on items not on the agenda. Individuals are limited to one comment during this section.

ADOPTION OF AGENDA

SPECIAL ORDER OF THE DAY

- Swearing in of Board members
- Introduction of Staff
 - Paul Kvam, Capital Project Manager III

CONSENT CALENDAR

All items on the Consent Calendar may be approved without discussion by one motion. Board members, the General Manager, and members of the public may request that an item be removed from the Consent Calendar during consideration of the Consent Calendar.

- 1. Approve December 16, 2020 Minutes**
- 2. Claims Report**
- 3. Award of Contract with Tyler Technologies Inc., for an Enterprise Resource Planning System Migration and Five-Year Software Service Agreement (R-20-02)**

Staff Contact: Casey Hiatt, IST Manager

General Manager's Recommendation:

1. Authorize the General Manager to award a contract with Tyler Technologies Inc., for a one-time cost of \$198,124 to migrate the Enterprise Resource Planning (ERP) System from New World Systems (planned to be discontinued) to Munis with a 10% contingency of \$19,800 to address unanticipated technical issues, for a total amount of \$217,924.
 2. Authorize the General Manager to award a five-year software maintenance agreement with Tyler Technologies Inc., for a total amount of \$299,165 (\$59,833 per year) that will replace the current maintenance agreement for New World Systems (resulting in a net savings of \$9,477 over the five years for annual maintenance fees).
 3. Authorize an allowance of \$44,000 to be used only as needed during the next five years for additional online storage and user growth needs, bringing the total contract to an amount not-to-exceed \$561,089 for the Munis software platform.
- 4. California Environmental Quality Act (CEQA) Certification for the Alpine Road Trail Improvements Project at Coal Creek Open Space Preserve (R-21-04)**

Staff Contact: Bryan Apple, Capital Projects Field Manager

General Manager's Recommendation: Adopt a Resolution certifying the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Alpine Road Trail Improvements Project in accordance with CEQA.

BOARD BUSINESS

Public comment on agenda items at the time each item is considered by the Board of Directors. Written public comments will be provided to the Board prior to the meeting and posted on the District's website at www.openspace.org. The names of all commenters will be read into the record.

5. Election of the Calendar Year 2021 Officers for the Midpeninsula Regional Open Space District Board of Directors (R-21-01)

Staff Contact: Jennifer Woodworth, District Clerk/Assistant to the General Manager

General Manager's Recommendation: Elect Officers of the Board of Directors for Calendar Year 2021.

6. Beatty Parking Area and Trail Connections Project Options (R-21-03)

Staff Contact: Tina Hugg, Senior Planner, Planning Department

General Manager's Recommendation: Consider options for the Beatty Parking Area and Trail Connections Project, including the Planning and Natural Resources Committee recommendation of deferring the Project until completion of a new study to incorporate its findings, and select a project option for the General Manager to pursue.

7. Revisions to Board Compensation Policy 6.06 (R-21-05)

Staff Contact: Hilary Stevenson, General Counsel

General Manager's Recommendation:

1. Adopt a Resolution making annual findings that up to six compensable Board meetings per month are necessary for the effective operation of the Midpeninsula Regional Open Space District.
2. Consider the recommendation of the Legislative, Funding, and Public Affairs Committee to revise the list of compensable meetings in *Board Policy 6.06--Meeting Compensation, Reimbursement of Authorized Necessary Expenses for Performance of Official Duties, and Adoption of Ethics Training Requirements Pursuant to Government Code Section 53232 et seq. (AB1234)*.

8. Approval of Salary Adjustments and Amended Employment Agreement for Board Appointee General Manager (R-21-06)

Staff Contact: Candice Basnight, Human Resources Manager

Board Appointee Evaluation Committee's Recommendations:

As a result of the Board's evaluation of the performance of the District's Board Appointees for Fiscal Year 2019-20, the Board Appointee Evaluation Committee recommends the following compensation adjustments for the General Manager for Fiscal Year 2020-21: Adjust the General Manager's base salary upward to \$259,875, plus a one-time merit pay bonus of \$18,191.

The Board Appointee Evaluation Committee recommends the adoption of the attached resolution approving the salary adjustments set out in Recommendations and authorizing the Board President to execute a revised Board Appointee Employment Agreement, incorporating the changes described below.

9. Approval of Salary Adjustments and Amended Employment Agreement for Board Appointee General Counsel (R-21-07)

Staff Contact: Candice Basnight, Human Resources Manager

Board Appointee Evaluation Committee's Recommendations:

As a result of the Board's evaluation of the performance of the District's Board Appointees for Fiscal Year 2019-20, the Board Appointee Evaluation Committee recommends the following compensation adjustments for the General Counsel for Fiscal Year 2020-21: Adjust the General Counsel's base salary upward to \$236,775, plus a one-time merit pay bonus of \$11,839.

The Board Appointee Evaluation Committee recommends the adoption of the attached resolution approving the salary adjustments set out in Recommendations and authorizing the Board President to execute an amended Board Appointee Employment Agreement.

10. Approval of Salary Adjustments and Amended Employment Agreement for Board Appointee Controller (R-21-08)

Staff Contact: Candice Basnight, Human Resources Manager

Board Appointee Evaluation Committee's Recommendations:

As a result of the Board's evaluation of the performance of the District's Board Appointees for Fiscal Year 2019-20, the Board Appointee Evaluation Committee recommends the following compensation adjustments for the Controller for Fiscal Year 2020-21: Adjust the Controller's base salary upward to \$48,283, plus a one-time merit pay bonus of \$1,448.

The Board Appointee Evaluation Committee recommends the adoption of the attached resolution approving the salary adjustments set out in Recommendations and authorizing the Board President to execute an Amended Board Appointee Employment Agreement, incorporating the changes described below.

INFORMATIONAL REPORTS – Reports on compensable meetings attended. Brief reports or announcements concerning activities of District Directors and staff; opportunity to refer public or Board questions to staff for information; request staff to report to the Board on a matter at a future meeting; or direct staff to place a matter on a future agenda. Items in this category are for discussion and direction to staff only. No final policy action will be taken by the Board.

Committee Reports

Staff Reports

Director Reports

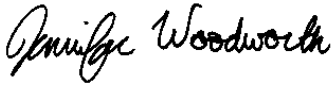
ADJOURNMENT

**Times are estimated and items may appear earlier or later than listed. Agenda is subject to change of order.*

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (650) 691-1200. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Written materials relating to an item on this Agenda that are considered to be a public record and are distributed to Board members less than 72 hours prior to the meeting, will be available for public inspection at the District's Administrative Office located at 330 Distel Circle, Los Altos, California 94022.

I, Jennifer Woodworth, District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the special and regular meetings of the MROSD Board of Directors was posted and available for review on January 7, 2021, at the Administrative Offices of MROSD, 330 Distel Circle, Los Altos California, 94022. The agenda and any additional written materials are also available on the District's web site at <http://www.openspace.org>.



Jennifer Woodworth, MMC
District Clerk

