



## **SPECIAL AND REGULAR MEETING**

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

**Wednesday, May 12, 2021**

*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.*

### **APPROVED MINUTES\***

#### **SPECIAL MEETING**

President Riffle 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, Curt Riffle, and Pete Siemens

Members Absent: Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Executive Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lenington, Senior Resource Management Specialist Coty Sifuentes-Winter

President Riffle 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. President Riffle described the process and protocols for the meeting.

- 1. Public Hearing: Certification of a Final Environmental Impact Report; Adoption of the Wildland Fire Resiliency Program, and Approval of Associated Policies (R-21-58)**

General Manager Ana Ruiz provided a high-level overview of the proposed Wildland Fire Resiliency Program describing its two main goals to enhance ecosystem resiliency and increase wildland fire management. The Wildland Fire Resiliency Program will make it possible to drastically increase the District's ability to manage its lands to protect against wildland fire.

Senior Resource Management Specialist Coty Sifuentes-Winter provided the staff report describing the need for ecologically sensitive vegetation management and program objectives. Mr. Sifuentes-Winter outlined the development of the proposed Wildland Fire Resiliency Program, including public meetings, public and agency feedback, consultant research, etc. Mr. Sifuentes-Winter summarized the vegetation management plan, prescribed fire plan, monitoring plan, and pre-fire and advisor maps for planning, which are all included in the proposed Wildland Fire Resiliency Program.

Director Holman joined the meeting at 5:20 p.m.

Tania Treis with Panorama Environmental provided an overview of the CEQA process to date and described the purposed of the Environmental Impact Report (EIR). Ms. Treis summarized the comments received as part of the EIR process, comments responses, and changes made to the EIR in response to comments received. Ms. Treis reviewed the potentially significant and unavoidable impacts associated with the Wildland Fire Resiliency Program, including impacts to aesthetics, greenhouse gas emissions, and air quality impacts, which are typical of this type of program or project. Finally, Ms. Treis explained the alternatives evaluated in the EIR and the statement of overriding considerations.

Mr. Sifuentes-Winter described the next steps for the program including updating District resource management policies, proposed budget, and potential grant opportunities.

President Riffle requested additional information regarding the use of prescribed burns and if inability to use prescribed burns would affect the effectiveness of the program.

Mr. Sifuentes-Winter described the process for prescribed burns and the options for use of prescribed burns in various areas which increases the ability to use this tool.

President Riffle opened the public hearing to receive public comment on the *Wildland Fire Resiliency Program Draft Program Environmental Impact Report* at 5:37 p.m.

Jeremy Dennis, Town of Portola Valley Town Manager, thanked the District and its staff for the work on the wildland fire resiliency program.

Jeff Aalfs, Portola Valley Town Councilmember, thanked the District and its staff for the work on the wildland fire resiliency program.

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

Sidney Liebes, resident of the Sequoias Portola Valley retirement community expressed support for additional fuel break work in the Windy Hill Open Space Preserve near the Sequoias community to help protect the residents there.

Alan Watkins requested additional information regarding the annual acreage limits on vegetation management stating the District should provide information regarding how the limits were determined and any tradeoffs made to weigh current risks, priorities, and ability to implement treatments.

Karen Allanson inquired regarding management of the Rancho Corral de Tierra land.

Madeline Miraglia, neighbor to the Fremont Older Open Space Preserve, thanked the District for their wildland resiliency program.

Mr. Sifuentes-Winter provided additional information in response to public comments received.

Director Kersteen-Tucker inquired regarding how the District would respond to wildland fires on lands near District preserve.

Assistant General Manager Brian Malone reported the District is not a fire agency so does not automatically respond to nearby fires. The District would first address any threats on its own lands and would then offer assistance to neighboring agencies, where possible.

Director Kishimoto inquired if expansion of the program beyond the acreage analyzed in the current EIR would require additional analysis.

Ms. Treis stated additional environmental analysis would be required and the type of analysis would depend on the potential impact.

President Riffle closed the public hearing closed at 5:59 p.m.

The members of the Board commended District staff for their work on the wildland resiliency program and commented on the importance of this program to address wildfire risk resulting from climate change. Additionally, President Riffle commented on the importance of working closely with District partners to support and implement the wildland fire resiliency program.

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

1. Adopt a Resolution of the Board of Directors of the Midpeninsula Regional Open Space District certifying the Final Program Environmental Impact Report, adopting Findings of Fact, a Statement of Overriding Considerations, a Mitigation Monitoring and Reporting Program, and adopting the Wildland Fire Resiliency Program.
2. Approve the associated Resource Management Policy updates.

**ROLL CALL VOTE: 7-0-0**

### **ADJOURNMENT**

President Riffle adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:12 p.m.

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

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

**Property:** San Mateo County APN(s): 066-300-010 & -020

**Agency Negotiator:** Allen Ishibashi, Senior Real Property Agent

**Negotiating Party:** Mateo and Alessandra Tabachnik

**Under Negotiation:** Purchase Terms

Public comment opened at 6:13 p.m.

Ms. Woodworth reported no public comments were submitted for this item.

Public comment closed at 6:13 p.m.

The Board convened into closed session at 6:13 p.m.

**ADJOURNMENT**

President Riffle adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:48 p.m.

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

President Riffle called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:00 p.m.

**ROLL CALL**

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

Members Absent: Jed Cyr

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Executive Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner, Public Affairs Specialist II Cydney Bieber, Human Resources Manager Candice Basnight, Senior Planner Tina Hugg

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Director Cyr joined the meeting at 7:02 p.m.

### **ORAL COMMUNICATIONS**

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

Dorit Perry provided comments regarding trail safety on single-track trails in Rancho San Antonio Open Space Preserve and expressed concern regarding the interactions between equestrians and hikers stating hikers can be injured by the horses or by being forced off the trail.

### **ADOPTION OF AGENDA**

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

**ROLL CALL VOTE:**        **7-0-0**

### **SPECIAL ORDER OF THE DAY**

- Introduction of Staff
  - Ann Marie Hoyt, Risk Management Analyst
  - Lisa Caracciolo, Public Affairs Specialist II

### **CONSENT CALENDAR**

Public comment opened at 7:09 p.m.

Ms. Woodworth read the submitted comments into the record.

Jerry Wittenauer provided comments in support of agenda item 4 stating it can provide an opportunity for the District to provide troughs for equestrians to use when enjoying the trail.

Teresa Baker provided comments in support of agenda item 4 and requested access to a water trough for equestrians using the trail.

Public comment closed at 7:11 p.m.

Mr. Malone reported staff spoke to the tenant and thinks the request for access to a trough for equestrians can be accommodated.

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

**ROLL CALL VOTE:**        **7-0-0**

1.     **Approve the April 28, 2021 Board meeting minutes**
2.     **Claims Report**

**3. Quarter 3 Proposed Budget Amendments to the Fiscal Year ending June 30, 2021 (R-21-59)**

General Manager's Recommendation: Adopt a resolution approving the proposed Quarter 3 budget amendments for the fiscal year ending June 30, 2021.

**4. Award of Contract to Ronald Seever for Construction of Conservation Grazing Infrastructure Improvements in Russian Ridge Open Space Preserve on the Mindego Ranch South Pasture Expansion Area (R-21-62)**

General Manager's Recommendation:

1. Authorize the General Manager to execute a \$30,000 contract with Ronald (Ronnie) Seever to fund a water system improvement project partially funded by the Natural Resource Conservation Service (NRCS).
2. Authorize the General Manager to enter into a contract with Ronnie Seever to construct perimeter fencing for a base amount of \$76,800 and authorize a 10% contingency of \$7,680 for a total not-to-exceed contract amount of \$84,480.

**5. Approval of a New Field Resource Specialist Position to Implement the Wildland Fire Resiliency Program (R-21-60)**

General Manager's Recommendation: Approve a new Field Resource Specialist position, contingent on Board of Directors approval of the Wildland Fire Resiliency Program.

**6. Award of Contract with Matter Unlimited to develop a Comprehensive Plan for the Year-Long Public Events and Activities to Celebrate the Midpeninsula Regional Open Space District's 50th Anniversary (R-21-61)**

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Matter Unlimited to provide consulting services for the 50<sup>th</sup> Anniversary Celebration Plan for a total contract amount not to exceed \$75,031.

**BOARD BUSINESS**

**7. Informational Presentation from California Joint Powers Insurance Authority (R-21-64)**

Tim Karcz, representative of the California Joint Powers Insurance Authority, provided a presentation describing the California Joint Powers Insurance Authority and its role as the District's public entity risk pool. Mr. Karcz outlined CalJPIA's coverage programs and risk management approach. Mr. Karcz highlighted the District's risk management activities, including training, use of an employment practices hotline, policy development and analysis, and risk management evaluations. Finally, Mr. Karcz summarized recent trends and emerging risks that may affect the District.

Director Hassett requested additional information regarding the insurance pooling structure.

Mr. Karcz provided additional information regarding municipalities with police departments included in a separate public safety insurance pool.

Director Kishimoto inquired regarding the impact of climate change and wildfire risk on insurance.

Mr. Karcz reported wildfire risk is growing exponentially and CalJPIA is working to secure coverage for its membership and identify and formulate a risk management program for its members related to wildfires.

Public comment opened at 7:47 p.m.

No public comments were submitted for this item.

Public comment closed at 7:47 p.m.

No Board action required.

**8. Oregon State University *Phytophthora* Research: Assessment of *Phytophthora* Soilborne Pathogens at Midpeninsula Regional Open Space District Restoration Sites (R-21-63)**

Natural Resources Specialist II Amanda Mills provided the staff presentation defining phytophthora and the District's response to Sudden Oak Death and other phytophthoras. Ms. Mills introduced Dr. Ebba Peterson and Dr. Jennifer Parke with Oregon State University to present their research on the assessment of *Phytophthora* Soilborne Pathogens at Midpeninsula Regional Open Space District Restoration Sites.

Dr. Peterson described the impacts of phytophthoras on various plants and research objectives to survey for phytophthora diversity across District lands; identify sites as high or low risk for phytophthora establishment; and develop recommendations for management. Dr. Peterson outlined the methods used for their research and research results. The research showed that some vegetation types had more infestation than others. Dr. Peterson summarized key takeaways for District land management and various management practices to minimize the risk of phytophthoras.

Ms. Mills described the proposed next steps on the project in response to the phytophthora research, including developing more robust best management practices to minimize the potential for introducing or moving phytophthoras throughout District preserves, staff training and outreach, planning and implementation of prevention techniques, etc.

Director Kersteen-Tucker inquired if additional properties can be evaluated to better understand areas of the District which may be at risk as public access is introduced.

Dr. Peterson reported the data showed no single disturbance was determined to create a higher risk, but all disturbances increase the risk for phytophthora.

Dr. Parke recommended testing any area being considered for public access in order to understand if there is an increase of phytophthoras following introduction of public access.

Public comment opened at 8:20 p.m.

Ms. Woodworth reported no public comments were submitted for this item.

Public comment closed at 8:20 p.m.

No Board action required.

**9. Oral Update on Midpeninsula Regional Open Space District COVID-19 Response**

Ms. Ruiz reported the District is now issuing permits again for hiking groups and provided information regarding District office capacity and proposed dates for all staff members returning to in-person work.

Ms. Woodworth provided information regarding technological options for the District's virtual public meetings stating the Board of Directors and staff will be utilizing the video function on Zoom in the coming months.

Public comment opened at 8:33 p.m.

Ms. Woodworth reported no public comments were submitted for this item.

Public comment closed at 8:33 p.m.

No Board action required.

**INFORMATIONAL MEMORANDA**

- Update on the Electric Bicycle Study
- Redwood Cabin Removal Project -- Status and Upcoming CEQA Process

Ms. Woodworth read the submitted comments into the record.

James Hartigan provided comments that Class 1 e-bikes are similar to traditional bikes and provide older riders an opportunity to enjoy the District's preserves.

Ron Stein thanked the District for its e-bike intercepts surveys and for studying the topic.

Lloyd Davies requested the Board of Directors allow Class 1 and Class 2 e-bikes on District preserves where traditional mountain bikes are allowed. E-bikes allow for more visitors to enjoy the open space preserves.

**INFORMATIONAL REPORTS**

**A. Committee Reports**

Director Cyr reported the Action Plan and Budget Committee met on April 29, 2021 and May 4, 2021 to discuss the FY2021-22 draft Budget and Action Plan.

Director Kishimoto reported the Lehigh Quarry ad hoc committee met on May 11, 2021.

B. Staff Reports

Assistant General Manager Susanna Chan announced the District the Award of Excellence for Public Outreach by the Northern Section of the California Chapter of the American Planning Association. Staff is will submit the project for consideration for an award at the state level.

C. Director Reports

Directors Kersteen-Tucker, Kishimoto, and Riffle reported their attendance at the Together Bay Area Spring Summit virtual event.

Director Kersteen-Tucker reported she will be presenting to the Half Moon Bay American Association of University Women next week.

**ADJOURNMENT**

President Riffle adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:41 p.m.

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Jennifer Woodworth, MMC  
District Clerk