



Midpeninsula Regional
Open Space District

August 11, 2021
Board Meeting 21-23

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Wednesday, August 11, 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 OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION

President Riffle called the special meeting of the Midpeninsula Regional Open Space District to order at 5:32 p.m.

ROLL CALL

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

Members Absent: Larry Hassett and Yoriko Kishimoto

Staff Present: General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Chief Executive Officer/Director of Administrative Services Stefan Jaskulak, Senior Resource Management Specialist Aaron Hébert, Real Property Manager Mike Williams, Senior Real Property Agent Allen Ishibashi

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

Property: Santa Clara County APN: 351-09-020, -022, -023 and -025

Agency Negotiator: Hilary Stevenson, General Counsel

Negotiating Party: Santa Clara County Counsel

Under Negotiation: Price and terms

*Approved by the Board of Directors on August 25, 2021

Public comment opened at 5:32 p.m.

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

Public comment closed at 5:32 p.m.

The Board convened into closed session.

Directors Kishimoto and Hassett joined the meeting at 5:35 p.m.

ADJOURNMENT

President Riffle adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:05 p.m.

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

President Riffle called the special meeting of the Midpeninsula Regional Open Space District to order at 6:06 p.m.

ROLL CALL

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

Members Absent: Larry Hassett and Karen Holman

Staff Present: 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, Information Systems & Technology Manager Casey Hiatt, GIS Program Administrator Jamie Hawk

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.

Director Holman joined the meeting at 6:08 p.m.

1. Redistricting Process Overview and Proposed Redistricting Criteria (21-107)

GIS Program Administrator Jamie Hawk provided the staff presentation describing the redistricting requirements and process in California. Ms. Hawk reviewed the District's previous redistricting processes throughout its history.

Director Hassett joined the meeting at 6:18 p.m.

Fred Hejazi with Citygate, the District's demographer, outlined various legal guidelines that govern redistricting, redistricting scenarios to avoid, options for receiving public feedback, etc. Mr. Hejazi demonstrated the software used to create the redistricting scenarios, which will incorporate various legal requirements and Board-approved criteria and public comments on the possible redistricting scenarios.

Ms. Hawk reviewed the public outreach process and meeting schedule for the redistricting process. Ms. Hawk presented the proposed redistricting criteria.

Director Siemens spoke in support of criteria five to create compact, cohesive, and contiguous boundaries.

President Riffle commented on the number of cities within some wards and spoke in support of criteria five. President Riffle commented on the importance of having a Board member who can represent the coastal area of the District.

Director Kersteen-Tucker commented on the large amount of District land and preserves located within only two District wards.

Director Kishimoto stated if the number of wards representing the coastal areas were to change, then another extensive public outreach process may be warranted. Director Kishimoto stated she does not mind representing multiple cities.

Director Hassett commented regarding the public outreach process when the wards representing the coastal areas were created and the importance of having a director who represents the coastal area.

Director Cyr commented the shape of some of the irregularly shaped wards follow city boundaries and the importance of directors representing the District as a whole and not a single geographic area.

Public comment opened at 7:03 p.m.

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

Public comments closed at 7:03 p.m.

No Board action required.

ADJOURNMENT

President Riffle adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:08 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 7:08 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 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 Korrine Skinner, Budget & Analysis Manager Rafaela Duran, Human Resources Manager Candice Basnight

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.

REPORT OUT OF CLOSED SESSION

General Counsel Hilary Stevenson reported there was no reportable action from the closed sessions held on August 5, 2021 and August 11, 2021.

ORAL COMMUNICATIONS

Craig Gleason, frequent District trail user, spoke regarding differences between trails and roads, stating trails provide a better experience for the user due to their gentler grades, scenic connection to nature, etc. Mr. Gleason spoke in support of creating additional trails in the preserves.

Ms. Woodworth read the submitted comments into the record.

Nir Frankel provided comments in support of creating new mountain bike trails, such as the Quarry Trail in Rancho San Antonio.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Director Hassett spoke in favor of the selection of a local contractor for the Bergman demolition project.

Public comment opened at 7:17 p.m.

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

Public comment closed at 7:17 p.m.

Motion: Director Kersteen-Tucker moved, and Director Kishimoto seconded the motion to approve the Consent Calendar.

ROLL CALL VOTE: 7-0-0

- 1. Approve the July 28, 2021 Board meeting minutes**
- 2. Claims Report**
- 3. Updates to Various Board Policies (R-21-106)**

General Manager's Recommendation: Review and approve revisions to the following Board Policies, with any other amendments requested by the Board of Directors:

- *Board Correspondence*
- *Measure AA Bond Oversight Committee Bylaws*
- *Board Appointee Performance Evaluation Process*

- 4. Award of Contract to TKO General Engineering and Construction, Inc., for demolition of three unoccupied, unpermitted, non-historic structures at the former Bergman Property located at 20000 Skyline Blvd in Russian Ridge Open Space Preserve (R-21-105)**

General Manager's Recommendation:

1. Authorize the General Manager to enter into a contract with TKO General Engineering and Construction, Inc, of Woodside, CA to complete structure demolition work for a base contract amount of \$89,000.
2. Authorize a 10% contingency of \$8,900 to be reserved for unanticipated issues, bringing the total not-to-exceed contract amount to \$97,900.

- 5. Adopt a Resolution Approving Corrections to Resolutions 21-03, 21-04, and 21-05 with respect to the Classification and Compensation Plan for Board Appointee Compensation (R-21-108)**

General Manager's Recommendation: Adopt a resolution to accurately reflect the Midpeninsula Regional Open Space District Board Appointees' compensation in the Classification and Compensation Plan, which was approved by the Board of Directors on January 13, 2021.

BOARD BUSINESS**6. Proposed Amendments to the Fiscal Year 2021-22 Capital Improvement & Action Plan (CIAP) and Budget (R-21-104)**

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak presented the staff report describing the proposed changes to the FY22 Capital Improvement and Action Plan (CIAP) in response to concerns regarding workload and the ongoing impact of the COVID-19 pandemic. Some projects would be deferred or cancelled, and the scopes of others reduced for FY22. Mr. Jaskulak reviewed the associated budget adjustments for the proposed CIAP amendments.

Director Kishimoto suggested reducing the scope of the 50th anniversary celebration if needed to allow for other projects to move forward.

Board members requested and received clarification regarding various projects, such as those related to the wildfire program, ADA transition plan and barrier removal, etc.

Public comment opened at 7:40 p.m.

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

Public comments closed at 7:40 p.m.

Motion: Director Kishimoto moved, and Director Holman seconded the motion to adopt a resolution approving the proposed amendments to the Fiscal Year 2021-22 Capital Improvement and Action Plan (CIAP) and Budget.

ROLL CALL VOTE: 7-0-0**7. Approval of Salary and Benefits Adjustments for the Office, Supervisory, and Management Employees for Fiscal Year 2021-22 (R-21-109)**

Human Resources Manager Candice Basnight summarized the proposed salary and benefits adjustments for the Office, Supervisory, and Management (OSM) Employees for fiscal year 2021-22. The proposed adjustments will help keep the District competitive and support employee retention.

Public comment opened at 7:49 p.m.

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

Public comments closed at 7:49 p.m.

Motion: Director Cyr moved, and Director Hassett seconded the motion to:

1. Adopt a resolution approving the salary and benefits adjustments for the Office, Supervisory, and Management employees as set out in this report.
2. Approve an update to the Classification and Compensation Plan reflecting the salary adjustments.

ROLL CALL VOTE: 7-0-0**8. Oral Update on Midpeninsula Regional Open Space District 50th Anniversary**

Public Affairs Manager Kori Skinner provided an update on the 50th Anniversary planning process, including key takeaways gathered from the consultant's interviews with staff, Board members, and key stakeholders. Ms. Skinner reviewed the proposed vision for the 50th Anniversary and described the planned events and various other experiences and activities for the public throughout the year. Ms. Skinner displayed options for potential logos for the 50th anniversary

Director Holman provided comments regarding the proposed vision's description of the eastern direction of an ariel view of the Bay Area. Director Holman suggested making the Next Gen event more inclusive, such as including the ranching community. Director Holman spoke in favor of a sunrise hike, which could be self-guided, the need to interview District docents and rangers, and provided comments regarding the proposed layout of the picnic event.

Director Siemens provided comments in support of holding an event on the coast, such as at Cloverdale.

Director Kersteen-Tucker commented on the need to include agriculture and ranching in the proposed vision statement and the vision for the various events.

President Riffle spoke in support of emphasizing the role of the preserves in preserving nature, wildlife, and combatting climate change. President Riffle suggested reducing the number of events to two and incorporating other District events and expressed concern regarding the perceived exclusivity of the partner event.

Director Cyr spoke in support of including the coastal farming community and highlighting the role of open space.

Director Kishimoto suggested further highlighting the District's role in fighting climate change and agreed that the number of events could be reduced to two.

Director Hassett spoke in support of reducing the main events to two.

The Board members provided feedback regarding the proposed logo designs.

Director Siemens suggested showcasing coastal agriculture through the food served at one of the events.

Director Holman spoke regarding the need for representation of the area's Native American heritage as part of the events.

Ms. Skinner commented on the next steps of the project.

Public comment opened at 8:45 p.m.

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

Public comments closed at 8:45 p.m.

No Board action required.

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

Mr. Jaskulak provided an update on the percentage of vaccinations among District staff, safety modifications at the administrative office, and low number of infections among District staff. Mr. Jaskulak reported on current safety requirements, including masking requirements, self-check health reporting, and plans for staff to return to the office.

Public comment opened at 8:53 p.m.

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

Public comments closed at 8:53 p.m.

No Board action required.

INFORMATIONAL REPORTS

A. Committee Reports

No committee reports.

B. Staff Reports

Assistant General Manager Brian Malone provided an update on a member of the public's request for an equestrian water trough at Mindego Ranch, where the grazing tenant communicated directly with the requestor about the planned installation of a water trough.

Assistant General Manager Susanna Chan reported the Silicon Valley Bicycle Coalition awarded the District its 2021 Bike Summit Project of the Year for the Ravenswood Bay Trail connection.

C. Director Reports

Director Hassett reported on a tour he and Director Kersteen-Tucker had with State Senator Becker.

Director Kishimoto reported on recent conversations she held with members of the Cupertino City Council regarding the Hammond-Snyder House, which is adjacent to District land.

Director Holman commented the District could potentially partner with another organization regarding the preservation of the Hammond-Snyder House.

ADJOURNMENT

President Riffle adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:03 p.m.

Jennifer Woodworth, MMC
District Clerk