



SPECIAL AND REGULAR MEETING

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

Wednesday, September 22, 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.

DRAFT MINUTES

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: 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, District Clerk/Assistant to the General Manager Jennifer Woodworth, Planner II Melissa Borgesi, Senior Resource Management Specialist Aaron Hébert, Resource Specialist II Amanda Mills, Senior Property Management Specialist Omar Smith, Capital Project Manager III Paul Kvam, Natural Resources Manager Kirk Lenington, Rangeland Ecologist/Botanist Lewis Reed

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

President Riffle reported there was no reportable action from the closed session held on September 22, 2021.

ORAL COMMUNICATIONS

Craig Gleason spoke in favor of updating the District's trail policies to ensure they reflect high-quality recreational access and optimizes trails for various user types and user interaction.

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

Teri Baron supported Mr. Gleason's comments at this and previous Board meetings and stated it is difficult for equestrians to ride on District trails due to negative interactions with cyclists. Additionally, higher quality trails are needed more than reuse of existing roads.

Travis Bertelsen requested the Board open District preserves to class 1 e-bike access.

Mike Dove provided comments in support of allowing Class 1 e-bikes on District preserves stating they do not harm trails more than standard bikes. Also increased trail maintenance is needed on District trails due to increased trail usage during the COVID-19 pandemic.

Mike Vadvilavich provided comments in support of allowing Class 1 e-bikes on District preserves stating they allow older riders more access to the District's preserves.

Peter Mandel provided comments in support of allowing Class 1 e-bikes on District preserves stating they allow older riders more access to the District's preserves.

Maria Ristow provided comments in support of Mr. Gleason's regarding the need to improve the quality of the trails and avoid the use of fire roads as trails.

Christina Noskowski requested the District open its preserves to e-bikes.

A concerned neighbor from Los Gatos inquired why multiple seasonal employees at the District were let go without notice.

Kevin Dillon provided comments in support of allowing Class 1 e-bikes on District preserves because they allow him to continue to enjoy the preserves and maintain an active lifestyle.

Edward Noskowski provided comments in support of allowing Class 1 e-bikes on District preserves because they do not pose adverse effects to the trails or other visitors.

Tom Angsten provided comments in support of allowing Class 1 e-bikes on District preserves because they allow riders of various skill levels to enjoy the trails and are no faster than standard bikes.

ADOPTION OF AGENDA

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

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

Public comment opened at 7:18 p.m.

Barbara Hooper chair of the La Honda Public Access Working Group commented regarding Agenda Item 3 stating the report and its attachments were helpful. Ms. Hooper commented on the proposed consultant's experience with similar projects, including traffic studies. Ms. Hooper commented on the helpful information provided by District staff regarding this item.

Ms. Woodworth read the submitted comments into the record.

Mike Vandeman provided comments in opposition to Agenda Item 3 stating no new parking should be built except for ADA parking.

Karl Lusebrink provided comments regarding Agenda Item 3 to emphasize the traffic safety element of the La Honda Creek Access Feasibility Study because of safety concerns related to vehicular traffic along Highway 84. Additionally, the feasibility study should seek to safeguard wildlife from human encroachment, such as for stream corridors.

Mike Vandeman provided comments in opposition to Agenda Item 7 stating trail construction destroys and fragments wildlife habitat.

Public comment closed at 7:24 p.m.

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

ROLL CALL VOTE: 7-0-0

1. **Approve the September 8, 2021 Board meeting minutes**
2. **Claims Report**
3. **Award of Contract with RHAA Landscape Architects to Provide Technical Analysis, Site Planning, and Design Services for the La Honda Creek Parking Area and Trailhead Feasibility Study (R-21-120)**

General Manager's Recommendation:

1. Authorize the General Manager to enter into a contract with RHAA Landscape Architects of Mill Valley, CA to complete the La Honda Creek Parking Area and Trailhead Feasibility Study Project for a base amount of \$340,649.
2. Authorize a 10% contingency of \$34,065 to cover unforeseen tasks beyond the current scope for a total not-to-exceed contract amount of \$374,714.
4. **Adoption of the Initial Study/Mitigated Negative Declaration for the Open Space Maintenance and Restoration Program (R-21-126)**

General Manager's Recommendation: Adopt a Resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Open Space Maintenance and Restoration Program.

5. Regional Water Quality Control Board Permit Fees for the Open Space Maintenance and Restoration Program (R-21-121)

General Manager's Recommendation: Authorize the General Manager to pay a one-time permit application fee to the Regional Water Quality Control Board for the Open Space Maintenance and Restoration Program in amount not-to-exceed \$75,000.

6. Pacific Gas and Electric Monta Vista-Jefferson Electric Transmission Line Access Road Improvements and Apple Orchard Mitigation (R-21-122)

General Manager's Recommendation: Authorize the General Manager to enter into an access, monitoring, and mitigation agreement with Pacific Gas and Electric (PG&E) to permit stream restoration mitigation work at the Apple Orchard property in La Honda Creek Open Space Preserve to offset potential impacts related to PG&E road repairs along their Monte Vista-Jefferson Electric Transmission Line within Russian Ridge Open Space Preserve. The restoration work would be completed by the San Mateo Resource Conservation District on District lands on behalf of PG&E.

7. Contract amendments for H.T. Harvey and Associates to provide additional mitigation support and Hanford Applied Restoration & Conservation to provide additional replacement planting and plant maintenance for the Ravenswood Bay Trail Connection Project mitigation site at Ravenswood Open Space Preserve (R-21-123)

General Manager's Recommendation:

1. Authorize the General Manager to execute a contract amendment with H.T. Harvey and Associates for additional mitigation support for the Ravenswood Bay Trail Connection Project mitigation site at Ravenswood Open Space Preserve in the amount of \$61,453, for a total not-to-exceed contract amount of \$701,615.
2. Authorize the General Manager to execute a contract amendment with Hanford Applied Restoration & Conservation for additional replacement planting and plant maintenance for the Ravenswood Bay Trail Connection Project mitigation site at Ravenswood Open Space Preserve in the amount of \$115,540, for a total not-to-exceed amount of \$501,830.
3. Authorize a 10% contingency of \$11,554 on the contract amendment for Hanford Applied Restoration & Conservation to cover unforeseen environmental conditions that may affect plant survivability bringing the total contingency to \$55,729, for a total not-to-exceed contract amount of \$513,384.

8. Award of Contract to Geocon Consultants, Inc., for installation of a residential water well at Toto Ranch in Tunitas Creek Open Space Preserve (R-21-125)

General Manager's Recommendation:

1. Authorize the General Manager to enter into a base contract with Geocon Consultants, Inc., to install a residential well for a base amount of \$68,947.

2. Authorize a contingency of \$6,788 to be expended only if necessary, in the event conventional drilling methods are not possible due to geological issues bringing the contract to an amount not-to-exceed \$75,735.
3. Authorize an Alternative Site Allowance of \$57,104 specifically for exploring and developing a secondary well site in the event the first location proves unsuccessful at locating water, bringing the total contract to a not-to-exceed amount of \$132,839

9. Contract Amendment for Engineering Services with ZFA Structural Engineers to complete Phase II of the La Honda Creek White Barn Structural Stabilization Project (R-21-124)

General Manager's Recommendation:

1. Authorize the General Manager to execute a contract amendment in the amount of \$109,727 with ZFA Structural Engineers of San Carlos, California to provide conceptual design drawings, construction documents, and bidding and construction administration for Phase II of the La Honda Creek White Barn Structural Stabilization Project, bringing the contract to a not-to-exceed amount of \$312,857.
2. Authorize an additional 10% contingency of \$10,973 to be reserved for unanticipated issues, bringing the amended total not-to-exceed contract amount to \$323,830.

BOARD BUSINESS

10. Agricultural Policy Development: Update on process and timeline (R-21-127)

Natural Resources Manager Kirk Lenington introduced the staff presentation describing the need for updating the District's agricultural policies and displayed a map highlighting agriculture on District lands. Mr. Lenington reviewed existing policy documents contributing to the District's agricultural policies, which will be incorporated into the proposed agricultural policy being developed.

Rangeland Ecologist/Botanist Lewis Reed described the growth of the District's landholdings within the Coastal area since its annexation in 2004 and the goals for the agricultural policy development. Goals include setting a framework for the District's role in regional agriculture, informing the public of the purpose and intent of the District's role in agriculture, creation of a tool to inform consistent and effective decision making and general guidance for planning purposes. Mr. Lewis reviewed previous public meetings, peer agency workshop, and Board decisions on the topic and the proposed agricultural policy development timeline.

Director Siemens asked if the District has a policy regarding owning land with row crops.

Mr. Reed commented additional guidance and policy direction is needed regarding properties with row crops.

President Riffle suggested the District should ensure the policies incorporate current scientific understanding.

Mr. Lenington reviewed various resource management policy areas that incorporate current and scientific data into best management practices, such as the integrated pest management program.

Mr. Lewis highlighted various topics to be considered as part of the agricultural policy development, topics already addressed in existing policies and reviewed current agricultural uses on District lands.

Real Property Manager Mike Williams described the District's preservation of agricultural lands on the San Mateo County Coast through conservation easements, acquisitions, etc.

Assistant General Manager Brian Malone provided information from the District's Coastal Service Plan that protects agricultural use of District lands, while protecting sensitive habitats.

The members of the Board suggested various topics to study and address in the agricultural policy, including water usage and storage, the District's role in agricultural infrastructure, cannabis, row crops, regenerative grazing, herbicide and pesticide use, agricultural education and tourism, etc.

President Riffle commented on the need to complete the agricultural policy prior to the proposed Cloverdale Ranch acquisition.

Public comment opened at 8:32 p.m.

Ron Sturgeon stated he looks forward to the development of the agricultural policy and stated he would like this on the agenda for the San Mateo County Farm Bureau to promote additional discussion on the topic.

Dan Olstein with the Peninsula Open Space Trust (POST) thanked the District for its continued protection of agricultural lands on the San Mateo County Coast and described POST's efforts to support and protect agriculture there.

Public comments closed at 8:39 p.m.

Director Kersteen-Tucker commented on the economics of agriculture on the San Mateo Coast and the need to help make it sustainable, which may include new partnerships and evolving roles for the District and its current partners. Director Kersteen-Tucker spoke in support of a comprehensive document to address agriculture and the need to understand which District policies take precedence as they work together.

Ms. Ruiz provided comments regarding the need to discuss the District's role in agriculture more broadly based on its increased presence on the San Mateo Coast.

President Riffle suggested the District may need to better define the terms in the mission statement to help the public better understand it and the policies resulting from it.

No Board action required.

11. Fiscal Year ending June 30, 2021 Annual Year End Report (R-21-128)

Ms. Ruiz provided comments regarding the previous fiscal year, and staff presented a video which highlighted key accomplishments from the year.

The members of the Board provided comments expressing appreciation for the District staff and the work they completed in the previous fiscal year and the service they provided to the public by helping keep District preserves open.

Public comment opened at 9:27 p.m.

No public comments were submitted for this item.

Public comments closed at 9:27 p.m.

No Board action required.

INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported the Board Appointee Evaluation Committee met on September 14, 2021 to meet with the Board appointees.

Directors Hassett, Siemens, and Holman reported the ad hoc committee on the 5050 El Camino Real furniture options met recently to continue discussion of the public-facing furniture.

B. Staff Reports

Ms. Ruiz informed the Board Stanford University contacted her recently to provide input on their role in the community and potential for local partnerships.

Public Affairs Manager Kori Skinner provided an overview of the District's new website.

C. Director Reports

Director Kishimoto reported she attended the annual meeting for the Save the Redwoods League. Director Kishimoto reported she was contacted by member of the Los Altos City Council who let her know they were starting a council subcommittee regarding Lehigh Quarry.

President Riffle reported he attended the Together Bay Area webinar on the staves "30 by 30" goal regarding open space. President Riffle announced Administrative Services Director will be attending the CALJPIA annual meeting as a voting delegate.

ADJOURNMENT

President Riffle adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:47 p.m.

Jennifer Woodworth, MMC
District Clerk