



## **SPECIAL AND REGULAR MEETING**

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

**Wednesday, March 23, 2022**

*The Board of Directors conducted this meeting in accordance with California Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33. All Board members and staff participated via teleconference.*

#### **DRAFT MINUTES**

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

President Kersteen-Tucker called the special meeting of the Midpeninsula Regional Open Space District to order at 5:01 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/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lennington, Senior Resource Management Specialist Julie Andersen, Senior Resource Management Specialist Aaron Hebert

President Kersteen-Tucker announced this meeting is being held in accordance with Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33, 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 Kersteen-Tucker described the process and protocols for the meeting.

## 1. Proposed New Mitigation Policy (R-22-41)

Senior Resource Management Specialist Julie Andersen described the process used to develop the mitigation policy. Ms. Anderson summarized previous comments made by the Board and the District's partners and the changes made to the policy to address these comments.

Senior Resource Management Special Aaron Hebert reported on the various environmental advocate organizations staff consulted regarding the draft mitigation policy and summarized the comments received. Mr. Hebert reported the mitigation policy was well received by environmental advocacy organizations and described proposed changes to the policy and additions to the related administrative policy made in response to the comments received. By adopting a mitigation policy, the District will establish review criteria for external mitigation requests, promote partnering with other organizations, and be able to help facilitate appropriate mitigation in proximity to impact areas.

Director Riffle inquired how many requests for mitigation projects the District receives per year. Additionally, Director Riffle inquired regarding the impact on staff to monitor and report on the projects.

Mr. Hebert reported the District receives numerous requests for mitigation projects per year, many of which are not recommended to the Board. Staff time is typically the largest constraint on the projects moving forward and why projects may not be recommended to the Board.

Director Holman requested additional information regarding whether the mitigation funding received includes allocations for staff to analyze the mitigation projects to determine whether the project should be recommended for Board approval.

Ms. Andersen stated that by tying the mitigation projects to projects already included in the District's Action Plan, much of the project analysis is likely already completed, and staff resources are often already allocated to pursue the work. Mitigation funding for the projects helps the District offset its own costs to implement these projects, which were already planned. In the future, the District could potentially request funding for analysis when there are advanced mitigation requirements.

Director Riffle requested additional information regarding the proposed addition to the administrative policy on mitigation as requested by some of the environmental advocacy organizations.

Ms. Andersen commented that including the questions to an administrative policy will help staff document the project analysis process as a guide for future staff members and will allow for flexibility to update and add to the evaluation criteria, as needed, to reflect and respond to new knowledge and experience.

Public comment opened at 5:54 p.m.

Alice Kaufman, Legislative Advocacy Director with Green Foothills, thanked staff for their work on the policy and encouraged other organizations to adopt similar policies. Ms. Kaufman spoke in support of working with environmental advocacy organizations when reviewing potential

mitigation projects. Ms. Kaufman stated the mitigation evaluation criteria help clarify some of the vagueness currently in the draft mitigation policy.

Public comment closed at 5:57 p.m.

Director Riffle supported the General Manager's recommendation and asked staff to communicate the District's responses to the mitigation evaluation criteria to the environmental advocacy organizations when analyzing potential mitigation projects.

Director Holman spoke in support of including the mitigation evaluation criteria in the Board policy to help communicate this information to the public.

Director Kishimoto spoke in support of including the mitigation evaluation criteria in the mitigation policy.

Director Siemens spoke in support of the Board weighing in on mitigation projects as needed, especially when they may be controversial.

Director Cyr suggested referencing an associated administrative policy in the Board's mitigation policy.

President Kersteen-Tucker spoke in support of including the mitigation evaluation criteria in the Board's mitigation policy to assist environmental advocacy organizations by providing concrete language to reference.

**Motion:** Director Holman moved, and Director Kishimoto seconded the motion to approve the mitigation policy as an addition to the Resource Management Policies and restoring the questions in M-7 as were previously existing.

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

**ADJOURNMENT**

President Kersteen-Tucker adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:19 p.m.

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

President Kersteen-Tucker called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:02 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/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Capital Project Manager II Ivana Yeung, Information Systems & Technology Manager Casey Hiatt, GIS Program Administrator Jamie Hawk, Planning Manager Jane Mark, Planner III Alex Casbara, Public Affairs Manager Kori Skinner

President Kersteen-Tucker announced this meeting is being held in accordance with Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33, 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 Kersteen-Tucker described the process and protocols for the meeting.

**SPECIAL ORDERS OF THE DAY**

- Introduction of staff
  - Anna Costanza, GIS Technician
  - Eleanor Raab, Public Affairs Specialist I

**ORAL COMMUNICATIONS**

District Clerk/Assistant to the General Manager Jennifer Woodworth read the submitted comments into the record.

Edward Noskowski commented in support of opening District bike trails and multi-use trails to class 1 e-bikes to provide additional access to those who are otherwise unable to enjoy the open space.

**ADOPTION OF AGENDA**

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

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

**CONSENT CALENDAR**

Director Holman pulled Item 4 from the Consent Calendar.

Public comment opened at 7:11 p.m.

Ms. Woodworth reported no public comments had been submitted regarding the Consent Calendar items.

Public comment closed at 7:11 p.m.

**Motion:** Director Cyr moved, and Director Siemens seconded the motion to approve the Consent Calendar, except for item 4.

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

- 1. Approve the March 23, 2022 Board meeting minutes**
- 2. Approve Claims Report**
- 3. Proposed Trail Name for Lower La Honda Creek Open Space Preserve Loop Trail (R-22-39)**

General Manager's Recommendation: Approve the proposed "Grasshopper Loop Trail" name for the former Sears Ranch Road loop trail located in lower La Honda Creek Open Space Preserve, which was unanimously supported by the Legislative, Funding, and Public Affairs Committee.

- 4. Award of Contract for the Hawthorns Historic Complex Structural Assessment (R-22-40)**

General Manager's Recommendation:

1. Authorize the General Manager to enter contract with Wiss, Janney, Elstner Associates, Inc., of Emeryville, California, for a base amount of \$88,060.
2. Authorize a 15% contingency of \$13,209 to be expended only if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$101,269.

Item 4 was heard after the Consent Calendar.

Ms. Ruiz provided an overview of the project, which requires gathering additional data on the conditions of the structures, disposition and repair options, the estimated costs for each option, etc. This information is needed to inform a recommendation that can then be forwarded to the Board of Directors when considering how to move forward with the project.

Director Holman expressed concern regarding the chosen consultant due the apparent lack of expertise related to the types of structures at the Hawthorns site. Director Holman commented on the consultant's past work on the Deer Hollow Farm White Barn and suggested the funding could be used for known repairs to the building. Finally, if the District finds a partner for the Hawthorns Historic Complex, the partner will likely want to conduct its own assessment to determine what repairs are needed.

Ms. Ruiz stated the assessment will be able to help inform the Board on future decisions regarding the site and would also be shared with potential partners to help these partners understand the site needs before they decide to partner with the District.

Director Hassett expressed concern regarding the District being able to find a partner for the Hawthorns site, and the District should instead focus on trails for the site. Director Hassett spoke in support of using the existing assessment rather than hiring a consultant to complete a new one.

Director Siemens requested and received additional clarification regarding the conservation easement on the site stating it could be altered if the District and Peninsula Open Space Trust agreed to the changes.

Ms. Ruiz stated defined cost figures are needed to understand the order of magnitude costs to repair the numerous structures, and expert knowledge is needed to accurately determine those figures.

Director Cyr spoke in support of having a thorough, current analysis of the entire site before the Board makes additional decisions regarding the site.

Director Siemens stated he is interested in seeing drawings as part of the assessment and also seeing the differential in costs if the work is completed by the District versus if the work is completed by a private entity.

Director Kishimoto recommended including further details on the scope of the work for contract approvals for future Board reports.

**Motion:** Director Holman moved, and Director Siemens seconded the motion to approve the General Manager's recommendation.

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

**5. Contract Amendments for Grassroots Ecology to provide two years of annual vegetation monitoring and reporting and Jana Sokale Environmental Consulting to provide two years of adaptive management recommendations and annual regulatory agency reporting, both in support of the Hendrys Creek Restoration Project at Sierra Azul Open Space Preserve. (R-22-42)**

General Manager's Recommendation:

1. Authorize the General Manager to execute a contract amendment with Grassroots Ecology for two additional years of annual vegetation monitoring and reporting for the Hendrys Creek Restoration Project at Sierra Azul Open Space Preserve in the amount of \$23,340, for a total amended contract not-to-exceed \$335,340.
2. Authorize the General Manager to execute a contract amendment with Jana Sokale Environmental Consulting for two additional years of adaptive management recommendations and annual regulatory agency reporting for the Hendrys Creek Restoration Project at Sierra Azul Open Space Preserve in the amount of \$17,280, for a total amended contract not-to-exceed \$67,255.

**6. Teleconferenced Board Meetings Pursuant to the Brown Act and Assembly Bill 361 (R-22-43)**

General Manager's Recommendation: Adopt a resolution affirming findings on the continued need for remote teleconferenced public meetings pursuant to AB 361.

**BOARD BUSINESS****7. Public Hearing and Adoption of the New Redistricting Ward Boundary Map (R-22-44)**

GIS Program Administrator Jamie Hawk reviewed the redistricting process to date, including various public meetings and public hearings, the broader public engagement process, public comments received, and the three redistricting scenarios reviewed and commented on by the Board and public, etc. Ms. Hawk described the ward boundaries included in redistricting Scenario A, which was identified the Board's preferred scenario at a prior meeting, and how this scenario meets the Board's redistricting guidelines and statutory requirements.

Public hearing opened at 8:12 p.m.

Ms. Woodworth reported no public comments had been received for this item.

Public hearing closed at 8:13 p.m.

**Motion:** Director Cyr moved, and Director Siemens seconded the motion to the close public hearing

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

**Motion:** Director Cyr moved, and Director Siemens seconded the motion to adopt a resolution establishing the boundaries of Midpeninsula Regional Open Space District wards that align with the preferred redistricting scenario map.

Director Riffle thanked Ms. Hawk for her excellent work on the project and spoke in support of the transparency of the project and public engagement process.

Director Holman commented regarding the Board's criteria for the redistricting process, which sought to avoid making significant changes to the ward boundaries. Scenario A would change the wards for thousands of residents, such as in the Stanford area. Additionally, Director Holman expressed concern regarding the large variation among diversity percentages of the various wards.

**ROLL CALL VOTE: 6-1-0 (Director Holman dissenting)**

**8. Hawthorns Area Plan – Approval of the Vision and Goals (R-22-45)**

Planner III Alex Casbara described the Hawthorns area of the Windy Hill Open Space Preserve, including the existing conditions of the site, such as the conservation easement governing the site, geographic boundaries, existing trails, etc. Mr. Casbara presented the proposed vision and goals for the Hawthorns area, which seek to protect and restore natural habitats and resources, provide low intensity public access, support regional and local connectivity, interpret the natural and cultural history of the area, etc. Mr. Casbara reviewed the phases of and timeline for the Hawthorns Area Plan, including approval of the project vision and goals, site planning, environmental review, and implementation. Each of the District's phases include opportunities for public comment and public engagement.

Public comment opened at 9:02 p.m.

Ms. Woodworth read the submitted comments into the record.

David Moss provided comments in support of connecting open space preserves, including connecting Arastradero Preserve to the Hawthorns Area, but stating that access through private property is needed to make these connections. Mr. Moss asked the District to pursue an easement through one of the neighboring private properties.

Mike Green who neighbors the Hawthorns property expressed concern that the scenic values will be diminished if there is high traffic or new structures are built at the preserve.

Jeremy Dennis, Town Manager for Portola Valley, raised three issues that the Town of Portola Valley will be monitoring as the site is developed: 1) ensuring that parking for Windy Hill minimizes impacts on nearby residential streets and commercial properties; 2) Town representation when discussing potential trail connections; and 3) including the importance of wildfire mitigation work as part of the District's goals for the site.

Public comment closed at 9:05 p.m.

**Motion:** Director Riffle moved, and Director Siemens seconded the motion to approve the Vision and Goals for the Hawthorns Area Plan as recommended by the Planning and Natural Resources Committee.

**ROLL CALL VOTE:        7-0-0**

**INFORMATIONAL REPORTS**

A.     Committee Reports

Director Riffle reported the Planning and Natural Resources Committee met on March 15, 2022 to receive an update on the Purisima Multimodal Access Project Update and Proposed Transportation Management Strategies.

B.     Staff Reports

Public Affairs Manager Kori Skinner displayed a clip from the recent Open Roads with Doug McConnell that highlighted La Honda Open Space Preserve.

C.     Director Reports

Directors Cyr, Riffle and Holman reported on a recent webinar on wildlife crossings and commented on the importance of wildlife crossings to wildlife connectivity.

Directors Riffle, Cyr, Hassett, and Kersteen-Tucker reported they will be attending Bay Nature's 2022 Local Hero Awards Event, which will honor District founder Nonette Hanko.



Director Kishimoto reported she recently presented at the San Francisco Bay Conservation and Development Commission meeting on March 17, 2022 and participated in the District's legislative visits with President Kersteen-Tucker on March 22, 2022.

President Kersteen-Tucker reported on the visits to the District's state legislative delegation.

**ADJOURNMENT**

President Kersteen-Tucker adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:22 p.m.

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Jennifer Woodworth, MMC  
District Clerk