



SPECIAL AND REGULAR MEETING

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

Wednesday, October 12, 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.

DRAFT MINUTES

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

President Kersteen-Tucker 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, 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, Controller Mike Foster, Assistant General Manager Brian Malone, Chief Financial Officer Stefan Jaskulak, Human Resources Manager Candice Basnight, Human Resources Supervisor Rebecca Wolfe

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. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency designated representatives: Ana Ruiz, General Manager, Brian Malone, Assistant General Manager

Employee organization: Midpeninsula Rangers Peace Officers Association; Field Employees Association; all unrepresented office, supervisory and management employees

Public comment opened at 5:01 p.m.

No public comments were submitted.

Public comment closed at 5:01 p.m.

The Board convened into closed session at 5:01 p.m.

ADJOURNMENT

President Kersteen-Tucker adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:53 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 7:00 p.m.

ROLL CALL

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

Members Absent: None

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Natural Resources Manager Kirk Lenington

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.

REPORT OUT OF CLOSED SESSION

President Kersteen-Tucker reported there was no reportable action taken in closed session.

ORAL COMMUNICATIONS

Helen Midgard spoke against the Board's previous decision to award the Bear Creek Stables concessionaire agreement to Chapparral Country Corporation and commented on several aspects of the request for proposal process that were flawed and biased against the previous stables' concessionaire Pamela Ashford. Ms. Midgard urged the Board to reconsider their previous decision and to award the concessionaire agreement to Ms. Ashford.

Shelly Cannon expressed her concerns regarding the Board's selection of Chapparral as the new concessionaire at Bear Creek Stables and commented on the biased nature of the request for proposals process, including District staff's review of financial documents.

Alex Hapke, President of the Midpeninsula Regional Peace Officers Association, highlighted several different situations District rangers encountered in the last month, including finding a loaded assault rifle and fighting a vegetation wildfire in one of the preserves. Mr. Hapke described various reasons why District rangers should have public safety benefits, including their role as emergency responders, the potential danger rangers face, higher chance of injury, etc.

SPECIAL ORDERS OF THE DAY

Recognition of the effort, financial planning, and environmentally sustainable decisions in establishing the new Administrative Office

Presentation of Special Congressional Recognition by Congresswoman Anna Eshoo for the District's 50th Anniversary

Swearing in of Measure AA Bond Oversight Committee Members

Introduction of Staff

- Sean Correa Ecologist, Resource Management Specialist III
- Catherine Caldwell, Volunteer Program Lead

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:54 p.m.

No public comments were submitted.

Public comment closed at 7:54 p.m.

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

ROLL CALL VOTE: 7-0-0

- 1. Approve the September 28, 2022 Board meeting minutes**
- 2. Claims Report**
- 3. Appointment of Unopposed Candidates in Wards 1, 2, 5, and 6 (R-22-112)**

General Manager's Recommendation:

1. Adopt a Resolution Appointing Craig Gleason as Director – Ward 1 of the Board of Directors of the Midpeninsula Regional Open Space District.
2. Adopt a Resolution Appointing Yoriko Kishimoto as Director – Ward 2 of the Board of Directors of the Midpeninsula Regional Open Space District.
3. Adopt a Resolution Appointing Karen Holman as Director – Ward 5 of the Board of Directors of the Midpeninsula Regional Open Space District.
4. Adopt a Resolution Appointing Margaret MacNiven as Director – Ward 6 of the Board of Directors of the Midpeninsula Regional Open Space District.

4. Renewal of GIS Software Enterprise Agreement (R-22-114)

General Manager's Recommendation: Authorize the General Manager to renew a three-year Small County and Municipality Government Enterprise Agreement for geographic information system software licensing with Environmental Systems Research Institute, Inc., for an amount not-to-exceed \$165,000.

5. Award of Contract to Confluence Restoration, Inc., for Alma Cultural Landscape Plant Installation & Maintenance (R-22-113)

General Manager's Recommendation:

1. Authorize the General Manager to execute a one-year term contract with Confluence Restoration, Inc., in the amount of \$246,612 for work on the Alma Cultural Landscape Plant Installation & Maintenance Project.
2. Authorize the General Manager to extend the contract for up to four additional one-year terms and amend the scope of work to cover future plant installation and maintenance services, for a not-to-exceed contract amount of \$1,112,503 over the five-year term, based on contractor performance.
3. Authorize a 10% contingency of \$111,250 over the five-year term to address unforeseen issues for achieving plant revegetation metrics, for a not-to exceed total contract amount of \$1,223,753 over the five-year term.

Directors Siemens inquired if any non-native plants were being planted.

Natural Resources Manager Kirk Lenington reported all plants being planted at the Alma College site in an effort to recreate the landscape of the site will be native California plants.

Director Siemens commented on the proposed contract cost and suggested hiring additional staff members may be more cost effective.

General Manager Ana Ruiz commented staff is looking at staffing needs and projections for the future, which will be further studied as part of the updated Financial and Operational Sustainability Model project, including whether it is more cost effective to hire additional District staff compared to contracting out for this type of work.

BOARD BUSINESS

6. La Honda Creek Preserve Forest Health and Management Plan - Next Steps (R-22-116)

Former Senior Resources Management Specialist Aaron Hebert provided the staff presentation and reviewed the findings from the La Honda Forest Health Assessment. The assessment recommends a timber harvest plan to thin the overly dense forests and conduct other forest health actions to reduce fuels and support ecosystem resilience, improve watershed conditions, accelerate the recovery of second-growth redwoods, and improve and protect biodiversity. Mr. Hebert described the public and stakeholder outreach for the project and feedback received. Outreach included virtual and field stakeholder meetings, meetings with neighbors, and community meetings. Finally, Mr. Hebert provided additional information regarding implementation of the various elements of the timber harvest plan.

Mr. Lenington described the proposed contract amendment with Sicular Environmental to provide project management support and reviewed the next steps for the project.

Director Riffle commented on the need to balance forest health with the concerns of fire risk from neighbors and the surrounding community.

Director Kishimoto commented on the need to balance the removal of timber to promote forest health and the impact on the natural resources of using heavy equipment to remove the trees.

Director Siemens spoke in support of removing timber using cabling to remove the logs, which can reduce the impact on natural resources, rather than using heavy equipment to haul out the lumber. Additionally, Director Siemens spoke in support of selling the timber to help offset the costs of the project.

Director Kishimoto requested clarification regarding the general manager's recommendation and the implementation of a timber harvest plan and stated there needs to be a balance between the removal of the timber and the potential negative impact on natural resources.

Ms. Ruiz stated the Board's previously adopted resource management policies allows for the lumber to be sold under limited conditions with revenues invested back into the land, and that the recommended action is consistent with the District's resource management policies.

Mr. Lenington reported staff will return to the Board once the timber harvest plan is complete, which will include additional details for implementation. The timber harvest plan would be consistent and reference the District's resource management policies, including watershed and restoration forestry policies. Where necessary, part of project implementation would be to restore the area where roads are created to support timber removal and forest management. Mr. Lenington suggested staff can report back to the Board on information gathered during the development of the timber harvest plan.

Director Holman spoke in support of having an interim report being provided to the Board. Director Holman asked if the timber could potentially be removed via air transport.

Mr. Hebert stated staff's experience with removal via air transport has many negative implications, including safety, negative impacts on neighbors, excessive noise, etc.

Public comment opened at 9:23 p.m.

No public comments were submitted.

Public comment closed at 9:23 p.m.

Motion: Director Siemens moved, and Director Riffle seconded the motion to:

1. Direct the General Manager to solicit restoration forestry and engineering services to develop a Timber Harvest Plan and forest management prescriptions consistent with existing Resource Management Policies and the findings of the La Honda Forest Health and Management Plan to improve forest health conditions
2. Authorize the General Manager to amend a contract with Sicular Environmental Consulting and Natural Lands Management of Berkeley, California, in the amount of \$50,000 to provide additional project management, staff support, and oversight. The amendment would bring the contract to a total not-to-exceed amount of \$157,293.

Friendly Amendment: Director Kishimoto offered a friendly amendment to direct staff to return to the Board with additional information during the development of the timber harvest plan.

Directors Siemens and Riffle accepted the Friendly amendment.

ROLL CALL VOTE: 7-0-0

7. Teleconferenced Board Meetings Pursuant to the Brown Act and Assembly Bill 361 (R-22-115)

Ms. Ruiz provided the staff presentation describing the process for holding hybrid public meetings going forward to provide flexibility for members of the Board and the public to participate from various locations. At times, meetings may need to be in-person only due to the remote location of some meetings and lack of sufficient internet connectivity. Public comments will be able to be made in-person and virtually for hybrid meetings.

Public comment opened at 9:31 p.m.

No public comments were submitted.

Public comment closed at 9:31 p.m.

Motion: Director Cyr moved, and Director Siemens seconded the motion to adopt a resolution affirming findings to continue remote teleconferenced public meetings, including as part of hybrid (remote/in-person) meetings, pursuant to AB 361.

ROLL CALL VOTE: 7-0-0

INFORMATIONAL MEMORANDA

- Report to Regional Water Board regarding Pescadero Creek Sediment TMDL

INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported Planning and Natural Resources Committee met on October 11, 2022 to discuss the proposed Purisima-to-the Sea trail and parking area.

B. Staff Reports

Public Affairs Manager Kori Skinner provided an update on the District's 50th anniversary events and projects.

Ms. Ruiz reported on a recent meeting she attended with leaders in the region to support a California state initiative to support outdoor access for all residents.

C. Director Reports

The members of the Board commented on their attendance at several recent partner events they attended, including those held by the Sierra Club, Vida Verde, San Mateo County Farm Bureau, and Green Foothills.

ADJOURNMENT

President Kersteen-Tucker adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:44 p.m.

Jennifer Woodworth, MMC
District Clerk