

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

Hatch Elementary School
490 Miramontes Avenue
Half Moon Bay, CA

September 14, 2011

AMENDED MINUTES

REGULAR MEETING

I ROLL CALL

President Hassett called the Regular Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 7:00 p.m.

Members Present: Yoriko Kishimoto, Jed Cyr, Nonette Hanko, Pete Siemens, ~~Nonette Hanko~~Cecily Harris, Curt Riffle and Larry Hassett

Members Absent: None

Staff Present: General Manager Steve Abbors, General Counsel Sue Schectman, Public Affairs Manager Rudy Jurgensen, Administrative Services Manager Kate Drayson, Planning Manager Ana Ruiz, Operations Manager David Sanguinetti, Real Property Manager Mike Williams, Senior Resource Planner Kirk Lenington, Open Space Planner Julie Anderson, Deputy District Clerk/Office Manager Anna Duong, Maintenance and Resource Supervisor Craig Beckman, Senior Planner Meredith Manning, Lead Open Space Technician Rick Parry, and District Clerk Michelle Radcliffe

II SPECIAL ORDER OF THE DAY

Motion: Upon motion by Director Cyr, seconded by Director Siemens, the Board approved the resolution celebrating Director Hanko's 80th birthday. (Vote: 6-0-0; Abstain: Hanko)

III ORAL COMMUNICATIONS

There were none.

IV ADOPTION OF AGENDA

Motion: Upon motion by Director Cyr, seconded by Director Kishimoto, and unanimously passed, the Board adopted the agenda. (Vote: 7-0-0)

V ADOPTION OF CONSENT CALENDAR

Motion: ~~Upon motion by Director XX, seconded by Director XX, and unanimously passed, t~~The Board approved adoption of the Consent Calendar to approve the Minutes of August 10, 2011 as amended, Revised Claims No. 11-25, and Authorized the General Manager to Amend the Professional Services Contract with Koff & Associates. (Vote: 7-0-0)

VI BOARD BUSINESS

Agenda 5 – Approve the District's 2011 Strategic Plan (R-11-96)

Administrative Services Manager Kate Drayson provided an overview of the work and timeline of the Strategic Plan Ad Hoc Committee (Ad Hoc Committee) and Working Group. She explained that staff is requesting that the Board approve the Ad Hoc Committee's recommendations of approving the District's proposed 2011 Strategic Plan, directing the Administration and Budget Committee to work with staff to review and adjust the FY2012-13 Draft Action Plan and Budget to reflect the Board's policy direction for a balanced approach to implement the full mission, directing the Administration and Budget Committee to work with the District Controller to review the District's financial model and develop alternative scenarios that are financially sustainable and allow for a more balanced implementation of the mission, directing staff to develop prioritization criteria for the FY2012-13 Action Plan that allows for a more balanced implementation of the mission, and directing the Ad Hoc Committee to continue to meet through the FY 2012-13 Budget and Action Plan development cycle on an as-needed basis.

The Board then held extensive discussion on the following questions:

- 1) Is the District comfortable increasing its public visibility as a leading land conservation organization? What does this mean to the Board and to the staff?
- 2) During the process of developing the shared Open Space Vision Plan, partners may express interest in accomplishing goals that go beyond the District's mission. In this case, the District could refer implementation of these goals to partners. Is the Board comfortable with buying into a shared vision that may include elements outside the District's mission?
- 3) The strategies and activities outlined in the Strategic Plan are oriented to building a sustainable foundation so that the District can better balance the delivery of the whole mission. Going beyond the foundations, what is needed to deliver the whole mission in a balanced way? Would the Board be willing to say "no" to a land purchase in order to further the resource management or public access components of our mission? Is the Board willing to re-allocate staff and funding to resource management and public access activities? What needs to change regarding protecting and restoring the natural environment? Regarding public enjoyment and education?
- 4) How would you describe the Strategic Plan to a constituent?

Public Comment: The following people spoke in support of approving the District's Strategic Plan: Administrative Services Manager Kate Drayson, General Manager Steve Abbors, [Andrea MacKenzie of](#) Santa Clara County Open Space Authority, Senior Real Property Planner Sandy Sommer, Real Property Manager Mike Williams, and Lead Open Space Technician Rick Parry.

After Public Comment, the Board held brief discussion on how the Strategic Plan will be integrated with the District's Action Plan and how to engage partners. Director Hanko stated that the District needed to decide what its vision is before partners could be included in the discussion.

Motion: Upon motion by Director Riffle, seconded by Director Kishimoto, and unanimously passed, the Board approved the District's 2011 Strategic Plan.
(Vote: 7-0-0)

Agenda Item 6 – Award of Contract for Geotechnical Investigations and Pond Repair Design for Ponds DR07 and DR08 located at La Honda Creek Open Space Preserve and Determine that the Recommended Actions are Categorically Exempt from the California Environmental Act (R-11-80)

Open Space Planner I Julie Anderson provided an overview of the ponds located at the La Honda Creek Open Space Preserve. She explained that the ponds need long-term repair to provide successful breeding habitat for the California red-legged frog, improve

the habitat for San Francisco garter snake and Western pond turtle, and provide water availability for cattle. She further reported that Ponds DR07 and DR08 were identified as a high priority action item in the Wool Ranch Pond Management Plan and that the two ponds are located in the center of a regionally significant habitat ~~to~~ of a metapopulation of California red-legged frogs. Ms. Anderson then explained the District's bidding process for geotechnical investigations and pond repair design for Ponds DR07 and DR08 and that Fall Creek Engineering was determined to be the most qualified contractor for the project. Lastly, she stated that staff determined that the geotechnical investigations, project design, and construction oversight will have no significant effect on the environment. Discussion ensued.

Motion: Upon motion by Director Siemens, seconded by Director Cyr, and unanimously passed, the Board awarded the contract for geotechnical investigations and pond repair design for Ponds DR07 and DR08 to Fall Creek Engineering and determined that the recommended actions are Categorically Exempt from the California Environmental Quality Act. (Vote: 7-0-0)

Agenda Item 7 – Authorization to Amend a Contract with ERM-West, Inc. for an Additional \$95,500 to Continue Providing Environmental Consulting Services for the Alma College Petroleum Release at Bear Creek Redwoods Open Space Preserve (R-11-93)

Senior Resource Planner Kirk Lenington provided an overview of the ongoing services that ERM-West, Inc. is currently doing at the Alma College site at Bear Creek Redwoods and provided background on the emergency response made on March 25th due to a petroleum release at the Boiler Room site of Alma College. He explained that staff rendered the services of ERM-West, Inc. for the clean-up and that ERM-West, Inc. capped all pipelines and fill ports to mitigate the threat of additional oil release into the environment. Mr. Lenington also reported that although the soil samples below the Boiler Room foundation did not have any contamination, the slope and road did show elevated levels of petroleum hydrocarbons that will require the impacted soils to be excavated. He explained that staff recommends that remediation is done before the onset of winter rains to prevent continued petroleum hydrocarbon impact. Mr. Lenington then reported that ERM-West has identified asbestos containing materials within the Boiler Room building and that staff is recommending removal of these materials to eliminate any potential hazards from the property. Lastly, he stated that because the property has a significant history of use by multiple property owners, staff recommends that a more detailed assessment of the main campus be done to determine if other or similar environmental concerns are present. Discussion ensued.

Motion: Upon motion by Director Siemens, seconded by Director Cyr, and unanimously passed, the Board authorized to amend the contract with ERM-West, Inc. to continue providing environmental consulting services for the Alma College petroleum release at Bear Creek Redwoods Open Space Preserve and determined that the recommended actions are Categorically Exempt from the California Environmental Quality Act. (Vote: 7-0-0)

Agenda Item 8 -- Approve a Funding and Acquisition Agreement with the City of Saratoga and the County of Santa Clara for Purchase of the County of Santa Clara Roads and Airports Property, located west of the City of Saratoga along the south side of Highway 9 (Congress Springs Road) in unincorporated Santa Clara County (Assessor's Parcel Numbers 503-32-001 and 517-32-001); Acceptance of a Conservation Easement over the County Roads Property; Adopt the Preliminary Use and Management Plan for the Property; and Approve the Negative Declaration prepared by the City of Saratoga in accordance with the California Environmental Quality Act (R-11-94)

Real Property Manager Mike Williams reported that this property acquisition is a partnership between the District, Santa Clara County Parks, and the City of Saratoga and that it could be the potential hub for the Saratoga-to-the-Sea trail. He explained that this is the District's first partnership project with the City of Saratoga and that the City will convey a conservation easement to the District and Santa Clara County Parks over the County Roads property. Mr. Williams reported that the purchase price of the 66-acre property is \$1 million with the District and the City both contributing \$250,000 and the County contributing \$500,000. He then provided an overview of the Preliminary Use and Management plan explaining that the Preliminary Use and Management Plan for the conservation easement represent a status quo approach to management and that the property subject to the easement will be owned, operated and managed by the City of Saratoga. Mr. Williams further explained that the City will consult with the District and County during trail alignment planning. Brief discussion ensued.

Motion: Upon motion by Director Harris, seconded by Director Siemens, and unanimously passed, the Board approved a funding and acquisition agreement with the City of Saratoga and the County of Santa Clara for purchase of the County of Santa Clara Roads and Airports property, accepted a conservation easement over the County Roads property, adopted the Preliminary Use and Management Plan for the property, and approved the Negative Declaration prepared by the City of Saratoga in accordance with the California Environmental Quality Act. (Vote: 7-0-0)

VI COMMITTEE REPORTS

Director Riffle reported that the Strategic Plan Ad Hoc Committee met twice to prepare for the August 31st Board Retreat and September 14th Board meeting. He also reported that the Board Appointee Evaluation Committee met to discuss the General Counsel recruitment.

Director Hanko reported that the Legislative, Funding, and Public Affairs Committee met to discuss the Mindego Gateway Project and the Mary Davey memorial. She also reported that the Real Property Committee held a site visit of the Santa Clara County Roads and Airports property discussed earlier in the agenda.

VII STAFF REPORTS

Administrative Services Director Kate Drayson gave a brief update on the District's Integrated Accounting and Financial Software.

District Clerk Michelle Radcliffe reminded the Board about the Staff Recognition Event on September 21st.

VIII DIRECTOR REPORTS

The Directors submitted their compensable forms to the District Clerk.

Director Cyr shared his hiking experience at El Corte de Madera Open Space Preserve.

Director Harris reported that she attended the kick-off meeting of the Water Trail Committee.

Director Hanko announced that she will be in Hawaii from September 15th through October 10th.

Director Kishimoto reported that the Watershed Planning Summit will held on Friday, September 16th.

IX ADJOURNMENT

President Hassett adjourned the Special Meeting of the Midpeninsula Regional Open Space District at 9:49 p.m.

Michelle Radcliffe, CMC
District Clerk