



Midpeninsula Regional
Open Space District

October 8, 2014
Board Meeting 14-28

SPECIAL AND REGULAR MEETING

**BOARD OF DIRECTORS
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**
330 Distel Circle
Los Altos, CA 94022

October 8, 2014

APPROVED MINUTES*

SPECIAL MEETING – CLOSED SESSION

CALL TO ORDER

President Harris called the Special Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 5:02 p.m.

ROLL CALL

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

Members Absent: Nonette Hanko

Staff Present: Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner, Operations Manager Michael Newburn, and Real Property Manager Mike Williams

III. CLOSED SESSION

- 1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)**
Property: 8700 Alpine Road, La Honda, CA, 94020, San Mateo County APN 083-340-140
Agency Negotiator: Michael Williams, Real Property Manager
Negotiating Party: Tricia Suvari, Vice President, Land Transactions, Peninsula Open Space Trust
Under Negotiation: Price and terms of payment
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code Section 54956.9(b))**
One potential case

IV. MEETING ADJOURNED

President Harris adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:08 p.m.

REGULAR MEETING

I. CALL TO ORDER

President Harris called the Regular Meeting of the Midpeninsula Regional Open Space District Board of Directors to order at 7:10 p.m.

II. ROLL CALL

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

Members Absent: Nonette Hanko

Staff Present: Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner, Operations Manager Michael Newburn, Contingent Project Manager Aaron Hébert, Real Property Manager Mike Williams, Real Property Specialist Allen Ishibashi, and District Clerk Jennifer Woodworth

III. REPORT OUT OF CLOSED SESSION (IF NECESSARY) (The Board shall publicly state any reportable action taken in closed session pursuant to Government Code Section 54957.1)

President Harris noted that there were no actions to report out of closed session.

IV. ORAL COMMUNICATIONS

No speakers present.

V. ADOPTION OF AGENDA

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

VOTE: 6-0-0 (Director Hanko absent)

VI. SPECIAL ORDER OF THE DAY

Introduction of New District Staff Members:

- **Carmen Lau, Youth Outreach and Public Affairs Assistant**
- **Julie Amato, Community Outreach Specialist**

VII. CONSENT CALENDAR

1. **Approve Minutes of the Special and Regular Board Meetings of September 24, 2014.**
2. **Approve the Claims Report**
3. **Written Communications – Louise Wholey**
4. **Partnership with the City of East Palo Alto to Apply for a Habitat Conservation Fund Program Grant for Cooley Landing Park (R-14-123)**

General Manager’s Recommendation: Authorize the General Manager to amend a contract with David J. Powers Associates, adding \$24,750 to the existing contract, for a total not-to-exceed amount of \$128,035, to provide additional environmental review consulting services for the proposed Ridge Vineyards Exchange project.

Public hearing opened at 7:16 p.m.

No speakers present.

Public hearing closed at 7:16 p.m.

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

VOTE: 6-0-0 (Director Hanko absent)

VIII. BOARD BUSINESS

5. **Award of Contract for the Skyline Field Office HVAC Replacement Project (R-14-124)**

Contingent Project Manager Aaron Hébert provided the staff presentation explaining current maintenance problems concerning the HVAC system at the Skyline Field Office and the history of the project. Mr. Hébert described various factors that affected the amount of the bids received including location of the project, state regulations governing the project, and hazardous materials located at the site. Finally, Mr. Hébert described HVAC system recommended for installation including installation and ongoing maintenance costs.

Director Kishimoto inquired as to the costs of the proposed HVAC system as opposed to an electric or solar system.

Mr. Hébert explained that the proposed contractor did evaluate the various options for powering the HVAC system.

Director Hassett inquired if the Skyline Field Office is adequate for current and future uses and expressed his concerns that current District facilities are inadequate for District needs.

Assistant General Manager Ana Ruiz explained that as staff is looking at the future capacity and use of District facilities, and the Skyline Field Office is included as an essential building for staff

use. Ms. Ruiz also explained that completion of the project will correct an ongoing health and safety hazard experienced by District staff.

Mr. Hébert provided a breakdown of the components of the bid package explaining the costs of the materials and the costs for compliance with state regulations for commercial buildings.

Directors Riffle and Harris provided comments regarding future facility needs for current and future staff needs.

Public hearing opened at 8:01 p.m.

No speakers present.

Public hearing closed at 8:01 p.m.

Director Hassett provided comments that he would like to continue the discussion regarding building an adequate facility at Skyline at a future time.

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

1. Authorize the General Manager to enter into a contract with B Bros Construction Inc., of San Leandro, CA, for an amount not-to-exceed \$264,585, which includes the contract price of \$240,532 to replace the Heating, Ventilation, and Air-Conditioning system at the Skyline Field Office, and a 10% contingency amount of \$24,053 to cover any unanticipated additional repairs.
2. Authorize the General Manager to amend the professional services contract with Tannerhecht, Inc. to increase the total contract amount by \$19,540 to a not to exceed amount of \$44,420, for construction administration and oversight, which includes a 10% allowance amount of \$1,954 to cover any unanticipated problems during construction.
3. Determine that the proposed project is categorically exempt from the California Environmental Quality Act, as set out in the staff report.

VOTE: 5-1-0 (Director Hassett opposed; Director Hanko absent)

Director Riffle requested staff report back at a future Board meeting regarding current and future facility needs.

6. Proposed Purchase of and related Preliminary Use and Management Plan and Categorical Exemption for the Sargent Lysons Family Trust Property as an addition to Monte Bello Open Space Preserve, located at 17251 Stevens Canyon Road in unincorporated Santa Clara County (Assessor's Parcel Number 351-16-020) (R-14-116)

Real Property Specialist Allen Ishibashi presented the staff report describing the location of the Lysons project and its role in completing the proposed Stevens Creek regional trail and the greenbelt in Stevens Canyon. Mr. Ishibashi described the two houses located on the site, water systems, and condition of the homes. Mr. Ishibashi described the use and management considerations for the purchase and the terms and conditions of the purchase. Finally, Mr. Ishibashi described the recommended action and next steps in the project.

Director Harris inquired as to the planning process for the proposed Stevens Creek Trail.

Mr. Ishibashi explained that trail planning began 20 years prior with the District and Santa Clara County each building the portions of the trail located on their respective lands.

Director Kishimoto expressed concerns that the Board will not have adopted a Construction and Demolition policy prior to the buildings located on the property being demolished.

Mr. Ishibashi explained that based on the current schedule, the buildings would not be demolished until fall 2015, which will be after the Waste Stream Diversion policy has been brought before the Board. Therefore, the policy should be in place prior to demolition of the buildings located on the property.

Ms. Ruiz stated that the Waste Stream Diversion policy will be before the Planning and Natural Resources Committee on October 21, 2014 and subsequently will be brought to the entire Board for approval.

Public hearing opened at 8:24 p.m.

Mike Bushue, speaking for the ETRAC organization and himself, provided comments regarding the need for equestrian parking for the proposed Stevens Creek Trail, preservation of buildings on District lands, and benefits of the conservation easement with Santa Clara County Parks.

Mr. Ishibashi explained that the primary benefit is the contribution of half of the purchase price as well as requiring the District to preserve the land as park land or open space. Mr. Ishibashi that future consideration for equestrian use would need to be considered at a later date.

Public hearing closed at 8:31 p.m.

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

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act as set out in the staff report.
2. Adopt a resolution authorizing the purchase of the Sargent Lysons Family Trust property.
3. Adopt the Preliminary Use and Management Plan as contained in this report.
4. Withhold dedication of the Property as public open space.

VOTE: 6-0-0 (Director Hanko absent)

IX. COMMITTEE REPORTS

Director Kishimoto reported that the Action Plan and Budget Committee met to begin discussing the draft Employee Compensation Guiding Principles and scheduled an additional meeting on October 31, 2014.

X. STAFF REPORTS

Public Affairs Manager Shelly Lewis provided an update to the Board regarding the public outreach plan for the upcoming Study Session on October 29th.

Assistant General Manager Kevin Woodhouse provided an update on the Financial and Operational Sustainability Model study.

Assistant General Manager Ana Ruiz provided an update on the prioritization of the Measure AA projects according to the criteria approved by the Board on September 10th. Ms. Ruiz also announced that the District was awarded the Exceptional Public Outreach and Advocacy honor by the California Special District's Association for its Vision Plan project.

XI. DIRECTOR REPORTS

The Board submitted their compensatory forms to the District Clerk.

Directors Hassett and Harris reported that they attended meetings of the Sierra Club and the Committee for Green Foothills.

Director Hassett announced that his daughter recently directed a play in New York City.

Directors Kishimoto and Siemens reported their attendance at recent meeting of the Committee for Green Foothills.

Director Siemens reported that he recently attended a meeting of the League of Conservation Voters.

Director Harris reported that she attended the California Special District's Association Annual Conference.

XII. ADJOURNMENT

President Harris adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 8:44 p.m.

Jennifer Woodworth, CMC
District Clerk