



Midpeninsula Regional  
Open Space District

December 17, 2014  
Board Meeting 14-35

## **SPECIAL MEETING**

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

Administrative Office – Board Room  
330 Distel Circle  
Los Altos, CA 94022

**December 17, 2014**

#### **DRAFT MINUTES**

#### **I. CALL TO ORDER**

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

#### **II. ROLL CALL**

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

Members Absent: Nonette Hanko and Curt Riffle

Staff Present: General Manager Steve Abbors, Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, General Counsel Sheryl Schaffner, Administrative Services Manager Kate Drayson, Real Property Manager Mike Williams, Real Property Planner Elish Ryan, Public Affairs Manager Shelly Lewis, Website Administrator Cydney Bieber, Planning Manager Jane Mark, Planner III Gina Coony, Natural Resources Manager Kirk Lenington, and District Clerk Jennifer Woodworth

#### **III. ORAL COMMUNICATIONS**

Errol Strider provided comments regarding Hendry's Creek.

#### **IV. ADOPTION OF AGENDA**

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

**VOTE:** 5-0-0 (Directors Hanko and Riffle absent)

#### **V. SPECIAL ORDER OF THE DAY**

Introduction of Staff: Elish Ryan, Real Property Planner

**VI. CONSENT CALENDAR**

Director Siemens pulled agenda item 2 from the Consent Calendar.

- 1. Approve the Claims Report**
- 2. Award of Contract for the Web Migration and Development Project (R-14-124)**

Agenda Item 2 was heard after the Consent Calendar.

Director Siemens inquired whether the work can be done by District staff.

Website Administrator Cydney Bieber explained that due to the complexity of the District's website, the work is best completed by an expert in website design.

**Motion:** Director Hassett moved, and Director Siemens seconded the motion to authorize the General Manager to enter into a contract with Rootid, of El Cerrito, CA, for an amount not-to-exceed \$54,410, which includes the project proposal price of \$49,410, and a 10% contingency amount of \$5,000 to provide migration and development services for the District web site.

**VOTE: 5-0-0** (Directors Hanko and Riffle absent)

**3. Acceptance of a Waterline Easement and Quitclaim Deed from William and Adriana Chiochi Living Trust and a Waterline Easement and Quitclaim Deed from Stiles Family Trust, both at Bear Creek Redwoods Open Space Preserve (Santa Clara County Assessor's Parcel Numbers 558-41-033 and 558-41-028), and Determine that the Recommended Actions are Categorically Exempt from the California Environmental Quality Act (R-14-160)**

General Manager's Recommendation:

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 acceptance of a waterline easement and quitclaim deed from William and Adriana Chiochi Living Trust.
3. Adopt a Resolution authorizing the acceptance of a waterline easement and quitclaim deed from Stiles Family Trust.

**4. Adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Proposed Harkins Bridge Replacement Project in Purisima Creek Redwoods Open Space Preserve (R-14-162)**

General Manager's Recommendation: Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Harkins Bridge Replacement Project, in accordance with the California Environmental Quality Act, as set out in the draft Resolution.

**5. Award of Contract for Environmental Analysis and Design for Stevens Creek Nature Trail Footbridges (R-14-152)**

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Environmental Science Associates for an amount not-to-exceed \$125,631, which includes a contract price of \$114,210 and a 10% contingency of \$11,421, to complete the environmental analysis and bridge design work for a footbridge replacement and a new footbridge along Stevens Creek Nature Trail in Montebello Open Space Preserve.

**6. Contract to complete the Mount Umunhum Radar Tower Interior Remediation Project located at Sierra Azul Open Space Preserve (R-14-158)**

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Asbestos Management Group Inc., of Oakland, CA, for a not-to-exceed amount of \$43,670, which includes the base bid amount of \$39,700 plus a 10% contingency amount of \$3,970, to complete the Mount Umunhum Radar Tower Interior Remediation Project at Sierra Azul Open Space Preserve.

**7. Authorization to Award Contracts to Three Firms for Biological Consulting Services (R-14-156)**

General Manager's Recommendation: Authorize the General Manager to award contract amendments to Biological Monitoring and Assessment Specialists, Biosearch Associates, and URS Corporation for an amount not-to-exceed \$50,000 (each) to provide biological consulting services to implement biological services for District projects.

**8. Revisions to Capital Expenditures and Depreciable Fixed Assets Policy (R-14-161)**

Controller's Recommendation: Approve the proposed revisions to the Capital Expenditures and Depreciable Fixed Assets Board Policy.

**Motion:** Director Kishimoto moved, and Director Siemens seconded the motion to approve the Consent Calendar, with the exception of agenda item 2.

**VOTE: 5-0-0** (Directors Hanko and Riffle absent)

**VI. BOARD BUSINESS**

**9a. Midyear Controller's Report and General Manager's State of the District Report for Fiscal Year 2014-15 (April - September 2014) (R-14-154)**

**9b. Fiscal Year 2014-15 Midyear Controller's Report (R-14-155)**

**9c. Fiscal Year 2014-15 Midyear State of the District Report and Recommended Action Plan and Budget Adjustments (R-14-153)**

Director Kishimoto, Chair of the Action Plan and Budget Committee provided comments regarding the midyear budget and the proposed addition of new staff members.

District Controller Mike Foster provided a brief summary of the District's current financial statements as of September 30, 2014, including current spending to date, tax revenue, and grant

income. Mr. Foster described the current fiscal year's spending as compared to spending during the previous fiscal year at the same time.

Administrative Services Manager Kate Drayson provided the staff report summarizing the current status of Action Plan projects for FY2014-15, including completed projects, and delayed and deferred projects.

The Board members asked questions about current and proposed Action Plan projects. They also suggested future budget reports include information regarding the progress of Action Plan projects which are ongoing. Staff may also report when previously specified phases of a project have been completed.

Ms. Drayson provided information on operating and capital expenditures as of September 30, 2014 as compared to budgeted amounts. Ms. Drayson described new staff positions and changes proposed as part of the midyear budget which includes the addition of five new positions and making permanent three currently contingent positions to be included in the District Classification Plan.

Public hearing opened at 8:08 p.m.

No speakers present.

Public hearing closed at 8:08 p.m.

**Motion:** Director Kishimoto moved, and Director Siemens seconded the motion to accept the attached Fiscal Year 2014-15 Midyear Controller's Report and accept the Fiscal Year 2014-15 Midyear State of the District Report.

**VOTE: 5-0-0** (Directors Hanko and Riffle absent)

**10. Contract for the Mount Umunhum Radar Tower Interim Repair Project located at Sierra Azul Open Space Preserve (R-14-159)**

Planner III Gina Coony provided the staff report summarizing the previous bids solicited and received, which were rejected by the Board of Directors in September. Ms. Cooney summarized the reduced scope of the project and proposed savings for completion of the project.

Director Hassett inquired regarding the replacement of railing on the roof of the structure.

Ms. Coony explained that the railings are unsafe for District staff who are working on the site as well as any potential donors who may visit the site.

Director Siemens expressed his concern that the repairs to allow for roof access are unnecessary at this time and would prefer that repairs required for roof access be paid for as a part of permanent repairs.

Ms. Coony explained that stair railings must be replaced and remediation completed to meet minimum Occupational Safety and Health Administration (OSHA) requirements and other government safety standards.

Public hearing opened at 8:43 p.m.

Sam Drake, president of the Umunhum Conservancy, provided comments regarding the proposed repairs to the structure and the availability of the site for fundraising visits as previously authorized by the Board of Directors. Mr. Drake also expressed his concern that work on the building not affect the “historic integrity” of the structure.

Public hearing closed at 8:48 p.m.

Director Cyr left at 8:59 p.m. and returned at 9:01 p.m.

Director Hassett inquired as to the ramifications if the Board voted against the item.

Assistant General Manager Ana Ruiz explained that there is an item scheduled to go the Board on 1/14/15 regarding amenities at the site. Those amenities would have to be rethought if the interim repairs are not completed.

**Motion:** Director Hassett moved, and Director Siemens seconded the motion to continue the item to a future Board meeting in January.

**VOTE: 5-0-0** (Directors Hanko and Riffle absent)

#### **VIII. COMMITTEE REPORTS**

Director Cyr reported that the Board Appointee Evaluation Committee met with the Board appointees, and a Board report will be coming forward to the Board in the upcoming year.

#### **IX. STAFF REPORTS**

Assistant General Manager Kevin Woodhouse reported that minimal damage occurred at District preserves during the recent storms.

#### **X. DIRECTOR REPORTS**

The Board submitted their compensatory forms to the District Clerk.

#### **XI. ADJOURNMENT**

President Harris adjourned the meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:18 p.m.

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Jennifer Woodworth, CMC  
District Clerk