



REGULAR MEETING

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

Wednesday, February 28, 2024

*The Board of Directors conducted this meeting in accordance with
California Government Code section 54953.*

DRAFT MINUTES

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

President MacNiven called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Craig Gleason, Karen Holman, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret MacNiven, 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 Maria Soria, Executive Assistant/Deputy District Clerk Loana Lumina-Hsu, Land and Facilities Manager Brandon Stewart, Open Space Technician Jeremiah Harada, Open Space Technician Daniel Simoni

President MacNiven announced this meeting is being held in accordance with Government Code section 54953. 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.

ORAL COMMUNICATIONS

Public comment opened at 7:01 p.m.

District Clerk Maria Soria reported there were no public speakers for this item.

Public comment closed at 7:01 p.m.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

SPECIAL ORDERS OF THE DAY

Introduction of Staff

- Jeremiah Harada, Open Space Technician
- Daniel Simoni, Open Space Technician

CONSENT CALENDAR

Public comment opened at 7:08 p.m.

Ms. Soria reported there were no public speakers for this item.

Public comment closed at 7:08 p.m.

Motion: Director Kersteen-Tucker moved, and Director Riffle seconded the motion to approve the Consent Calendar.

ROLL CALL VOTE: 7-0-0

1. **Approve the February 14, 2024 Board meeting minutes**
2. **Approve Claims Report**
3. **Quarter 2 Proposed Budget Amendments for the Fiscal Year ending June 30, 2024 (R-24-21)**

General Manager’s Recommendation: Adopt a resolution approving the proposed Quarter 2 budget amendments for the fiscal year ending June 30, 2024.

4. **Amend a Legal Services Agreement with Jarvis Fay, LLP (R-24-22)**

General Manager’s Recommendation: Authorize an amendment in the amount of \$55,000 to an existing agreement with the firm of Jarvis Fay, LLP to provide specialized local government legal advice and litigation services, for a not-to-exceed total contract amount of \$185,000.

5. **Approve the Purchase of the Tax-Defaulted “Redwood Park” Parcels as an Addition to Purisima Creek Redwoods Open Space Preserve (San Mateo County Assessor’s Parcel Numbers 067-091-010, 067-093-050, 067-095-020, 067-097-080, 067-101-020, 067-101-180, 067-105-020, 067-105-110, 067-116-080, 067-117-040, 067-118-020, 067-124-070, 067-129-020, 067-133-030, 067-135-130, 067-137-080, 067-138-**

060, 067-139-150, 067-139-170, 067-154-090, 067-173-010, 067-175-070, 067-175-210, and 067-186-190) (R-24-23)

General Manager's Recommendation:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA) as set out in this report.
 2. Adopt the attached resolution approving an Agreement with the County of San Mateo to Purchase Tax-Defaulted Property that form part of the Redwood Park "Paper" Subdivision and authorizing the General Manager or other appropriate officer to execute any and all documents necessary or appropriate to purchase the tax-defaulted properties.
 3. Adopt the Preliminary Use and Management Plan as set out in this report.
 4. Withhold dedication of the properties as public open space at this time.
- 6. Approve a Successor Agreement Between La Honda-Pescadero Unified School District and Midpeninsula Regional Open Space District in connection with the Coastside Protection Program (R-24-24)**

General Manager's Recommendations:

1. Approve a Successor Agreement between La Honda-Pescadero Unified School District and Midpeninsula Regional Open Space District for a fifteen-year term whereby Midpeninsula Regional Open Space District will continue to pay a tax compensatory fee to the school district that increases 2% annually.
 2. Authorize the General Manager and General Counsel to approve any minor or technical changes to the Successor Agreement.
- 7. Contract Amendment for Construction Services with United Builders Corporation of San Jose, California for Installation of a Public-Facing Interpretive Exhibit Wall and Minor In-Wall Utility Relocations at the Administrative Office (R-24-25)**

General Manager's Recommendation: Authorize the General Manager to execute a contract amendment with United Builders Corporation of San Jose, California to provide additional services at the Administrative Office in the amount of \$42,051, bringing the total contract to a not-to-exceed amount of \$347,037.

BOARD BUSINESS

- 8. Ravenswood Open Space Preserve and Bay Trail Public Access via Rutgers Street (R-24-26)**

Assistant General Manager Brian Malone presented on the proposal to create a new public access point for the San Francisco Bay Trail and Ravenswood Open Space Preserve via Rutgers Street. Mr. Malone provided the project location and stated that residents in the University Avenue community, particularly those on Rutgers Street, face a significant detour of over a mile and a half due to a gated fence, adding considerable distance to their round-trip walk to view the San Francisco Bay. He also noted that the City of East Palo Alto's Parks Master Plan highlights the community's desire to create an access point from Rutgers Street to the Bay Trail. Mr. Malone

reported that this new public access project aligns with the District's Vision Plan and Measure AA priorities for enhancing Bayfront access. On November 16, 2016, the Board accepted a public trail easement from the City and County of San Francisco and subsequently amended the Ravenswood Use and Management Plan to incorporate the public trail easement and approved a Memorandum of Understanding with the City to manage the trail. If the proposed Rutgers Street access point is approved by the Board, staff will solicit the services of a consultant to prepare designs for the trail entrance gate for submittal to the San Francisco Public Utilities Commission (SFPUC) for approval. Once approved by the SFPUC, the District will contract for installation of a new trail gate, and maps and signage will be updated to reflect the new access point.

Director Riffle inquired if the entrance will be noted on the preserve map.

Mr. Malone stated it will be noted as an entrance but not noted as parking.

Director Riffle inquired if there were any public comments that opposed the project.

Mr. Malone stated that thus far the written comments received have been in support of the project, additionally staff conducted outreach efforts, including email notifications to the interest groups and residents in the University Village neighborhood. Additionally, through the extensive outreach that took place during the East Palo Alto Parks Master Plan process, no opposition was voiced.

Public comment opened at 7:23 p.m.

Bryanna Whitney Public Access Project Manager from Peninsula Open Space Trust (POST) expressed her support for the opening of a new public access point. Over the past year, she has been actively engaged with the East Palo Alto community, attending meetings and collaborating on community planning efforts. One recurring topic of discussion has been the need for improved access to the outdoors, particularly at this access point. Many community members have expressed their desire for enhanced access, and that equitable access to nature is a critical issue. Youth in particular have stressed the importance of welcoming gateways into open spaces. Furthermore, Castano Elementary could benefit greatly from this access point, providing students with a more direct route and experience the Bay Trail on their way to and from school.

Mark Dinan Chair of the Public Works Commission in East Palo Alto expressed his own personal gratitude for the Board to address this issue. He commented that he has been advocating for this access point since 2021. He expressed his disappointment that the trail was first opened without providing access to the community. Mr. Dinan noted that there are Facebook engineers biking through East Palo Alto, while local children take a mile and a half detour just to access the trail on the other side of the fence, stating that it is an equity issue. Providing this access point will not only benefit local schools but also provide a safe route for children to bike to school. He strongly urged the Board to move forward with opening the gate to the community.

Cade Cannedy a community organizer and Director of Programs for Climate Resilient Communities, commented he has heard the frustrations regarding the locked gate on Rutgers Street, which contradicts the messages about the importance of outdoor access and nature. He believes that the District has done an excellent job expanding access and connectivity to the Bay Trail, particularly for underserved communities like EPA, and that opening access at this point is crucial in achieving the goals as outlined in the District's Vision Plan, allowing EPA residents to

connect with nature, each other, and improve their overall well-being. He urged the Board to open this access point to the public.

Uhila Makoni voice his support for providing access at Rutgers Street. As a resident of EPA, seeing a gate there without access to the preserve is discouraging. He strongly supports the recommendation to provide access to the community within the University Village neighborhood. Mr. Makoni believes opening the access at this location would encourage residents to utilize the trails, fostering a greater appreciation for the environment and nature. He thanked everyone involved, including the Board, staff, and EPA, for their efforts in bringing this issue forward and coordinating on this matter.

Public comment closed at 7:35 p.m.

Director Kishimoto commented she has been following the project since 2010, the District's Real Property Manager worked tirelessly to navigate the complexities involved, as it required coordination with numerous public agencies. While she would have loved to open that gate from the beginning, there were cautions from the city and the neighbors. However, it is clear now that there is resounding support from both groups, and she fully supports the recommendation.

Director Gleason expressed his gratitude to the public commentators in sharing their candid and direct input and understands their frustration.

Mr. Malone reported there is still a process ahead, the District needs to hire a consultant and prepare plans and coordinate with the City of East Palo Alto since the City will need to design sidewalk improvements on their side. Additionally, the plans will be submitted to the SFPUC, and there may be changes required before final authorization from the SFPUC. Once approval is attained, the District will need to solicit bids for the gate installation and then the actual on-the-ground work will start. It is projected to be open late summer.

Director Holman expressed her gratitude for all the hard work that has gone into making the access point happen. She mentioned that this is a multi-jurisdictional effort, which often means a lengthy process and sometimes a long time for many people involved. Additionally, that the access point will be safer, educational, and healthier.

Motion: Director Holman moved, and Director Kishimoto seconded the motion to approve the creation of a new public access point for the San Francisco Bay Trail and Ravenswood Open Space Preserve via Rutgers Street.

ROLL CALL VOTE: 7-0-0

INFORMATIONAL REPORTS

A. Committee Reports

None

B. Staff Reports

General Manager Ana Ruiz provided an update on the ongoing efforts to engage with tribal groups. Also, that there have been requests related to the recently adopted Agricultural Policy, particularly regarding contributions for agricultural conservation easements and workforce housing. Staff is researching examples from other agencies and grant funding programs to inform future funding contributions in these areas, with plans to present findings to the Board in the near future, likely in late spring or early summer.

C. Director Reports

Director Cyr reported he explored the Pulgas Ridge access point on Los Vientos and noted the access there will be fantastic but there are constraints to the parking and believes it should only be neighbor parking.

Mr. Malone reported that a meeting has been scheduled by the City of San Carlos on March 6 at 6:00 p.m. with the neighbors regarding the Pulgas Ridge access point to hear their concerns and maybe make any adjustments to the parking. He mentioned he will provide an update of the meeting.

Director Kishimoto reported she attended a Bay Conservation and Development Commission meeting and provided an update.

Director Riffle shared his appreciation for the opportunity to provide feedback to staff on the GIS Strategic Plan. He attended a staff briefing on February 27 on the Historic Resource Program. Additionally, announced that the District is co-sponsoring the Wild and Scenic Film Festival on March 2 at the Foothills College, only virtual tickets are available. Lastly, he will be attending the State of the Valley Annual Conference on March 1.

Director Kersteen-Tucker reported the annual Mel Mello Farm Day luncheon will be held on March 22 on the coast. She commented there will be local food and it is a great opportunity to connect with the agricultural community on the coast.

Director Cyr attended the February 27 Board Briefing for the Historic Resources Program.

Director Gleason took a moment to recognize the loss of a longtime volunteer earlier this month, Miki Walker, who passed away. Ms. Walker dedicated 15 years of service to the District as an Advanced Resource Management Steward along with her husband, Bill. Her commitment to the District and the environment will be greatly missed, and he recognized her for her service and dedication.

Director Holman suggested adjourning the meeting in honor of Miki Walker. She also recognized Director Kishimoto for completing two years as the President of the Board of the Anderson Valley Land Trust.

President MacNiven reported attending a tour of the grazing leases in San Gregorio with staff. She joined Governmental Affairs Program Manager Josh Hugg and Assemblymember Gail Pellerin for a docent-led hike on Woods Trail in Sierra Azul. Lastly, she attended a regenerative grazing movie presented by TomKat Ranch, focusing on the science-based approach to cattle grazing management over the last 200 years.

ADJOURNMENT

President MacNiven adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting in honor of Miki Walker at 7:58 p.m.

Maria Soria, MMC
District Clerk