



Midpeninsula Regional
Open Space District

Meeting 15-13

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

330 Distel Circle
Los Altos, CA 94022

Wednesday, May 13, 2015
SPECIAL MEETING BEGINS AT 5:00
REGULAR MEETING BEGINS AT 7:00

A G E N D A

**5:00 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

ROLL CALL

- 1. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(GOVERNMENT CODE SECTION 54957(b)(1))
Title of Employees: Controller, General Counsel and General Manager**

ADJOURNMENT

**7:00 REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT**

ORAL COMMUNICATIONS

The Board President will invite public comment on items not the agenda. Each speaker will ordinarily be limited to three minutes; however, the Brown Act (Open Meeting Law) does not allow action by the Board of Directors on items not on the agenda. If you wish to address the Board, please complete a speaker card and give it to the District Clerk. Individuals are limited to one appearance during this section.

ADOPTION OF AGENDA

SPECIAL ORDER OF THE DAY

**Introduction of: Frank Hernandez, Finance & Budget Analyst II and Coty Sifuentes, IPM
Coordinator**

CONSENT CALENDAR

All items on the Consent Calendar may be approved without discussion by one motion. Board members,

the General Manager, and members of the public may request that an item be removed from the Consent Calendar during consideration of the Consent Calendar.

1. [Approve Claims Report](#)

2. [Written Communications](#)

Karl Rowley

3. [Contract for Completion of the Mindego Ranch Remediation and Demolition Project at Russian Ridge Open Space Preserve \(R-15-75\)](#)

Staff Contact: Aaron Hébert, Project Manager

General Manager's Recommendation: Authorize the General Manager to enter into a contract with Randazzo Enterprises, Inc., of Castroville, CA, for a not-to-exceed amount of \$180,055 to complete the Mindego Ranch Remediation and Demolition Project at the Russian Ridge Open Space Preserve. The not-to-exceed amount includes a base bid of \$145,995 for demolition and remediation, a 15% contingency amount of \$21,900, and an allowance of \$12,160 for potential stand down time related to delays to protect the federally-endangered San Francisco garter snake, if encountered during construction.

4. [Contract for Legal Services in Litigation, Mahronich et al v. Presentation Center, et al. \(R-15-80\)](#)

Staff Contact: Sheryl Schaffner, General Counsel

General Manager's Recommendation: Approve a contract with Howard Rome Martin & Ridley LLP for an amount not-to-exceed \$30,000 for legal services relating to pending litigation.

5. [Special Legal Services Contract relating to Real Property Issues \(R-15-76\)](#)

Staff Contact: Sheryl Schaffner, General Counsel

General Manager's Recommendation: Approve the proposed contract with Price, Postel & Parma, LLP, for Special Legal Services relating to Real Property for a total not-to-exceed amount of \$100,000

BOARD BUSINESS

The President will invite public comment on agenda items at the time each item is considered by the Board of Directors. Each speaker will ordinarily be limited to three minutes. Alternately, you may comment to the Board by a written communication, which the Board appreciates.

6. [Appointment of Chris Furniss and Natalie Hanna as Peace Officers \(R-15-61\)](#)

Staff Contact: Michael Newburn, Operations Manager

General Manager's Recommendation: Adopt Resolutions of the Board of Directors of the Midpeninsula Regional Open Space District appointing Chris Furniss and Natalie Hanna as Peace Officers.

7. [Resolution Approving Documents Relating to Issuance of General Obligation Bonds, Series 2015A \(R-15-72\)](#)

Staff Contact: Michael Foster, Controller

General Manager's Recommendation: Adopt a Resolution of the Board of Directors of the Midpeninsula Regional Open Space District authorizing the issuance and sale of General

Obligation Bonds, Series 2015A, approving an Official Statement, and providing other matters properly related thereto.

8. **[Resolution of Support Endorsing Six Priority Conservation Areas in San Mateo County and Nine Priority Conservation Areas in Santa Clara County nominated by the Midpeninsula Regional Open Space District; and a Resolution of Support for Two Priority Conservation Areas Nominated by the California State Coastal Conservancy and a Resolution of Support for One Priority Conservation Area Nominated by the City of Menlo Park \(R-15-73\)](#)**

Staff Contact: Jane Mark, AICP, Planning Manager

General Manager's Recommendations:

1. Adopt a resolution of support endorsing the nomination of six (6) Priority Conservation Areas in San Mateo County and nine (9) Priority Conservation Areas in Santa Clara County, as well as the PCA designation categories selected for the existing and new Priority Conservation Areas.
2. Adopt resolutions of support for the nomination of the following Priority Conservation Areas by other agencies: 1) the Menlo Park and East Palo Alto Baylands, which includes Ravenswood Open Space Preserve, nominated by the City of Menlo Park and 2) the corridors for the California Coastal Trail and San Francisco Bay Area Water Trail nominated by the California State Coastal Conservancy.

9. **[Intent to Accept a Gift of a Conservation Easement over three Los Trancos County Water District Parcels, two located in unincorporated San Mateo County \(Assessor Parcel Numbers 080-060-126 and 080-071-010\) and one located in the Town of Portola Valley \(Assessor Parcel Number 080-241-410\) \(R-15-77\)](#)**

Staff Contact: Ana Ruiz, Assistant General Manager

General Manager's Recommendations:

1. Authorize the General Manager to negotiate the terms and conditions of a Conservation Easement over three Los Trancos County Water District (LTCWD) parcels with San Mateo County and Woodside Fire Protection District, the successors in interest to the LTCWD property, to conform to the terms specified herein. This authorization is contingent upon the completion of the LTCWD dissolution and transfer of properties as further described in this report.
2. Direct the General Manager to return to the Board of Directors for acceptance of the Conservation Easement once the various dissolution and property transfer approvals are secured through other agencies.

10. **[Proposed Purchase of the Ashworth Property as an addition to La Honda Creek Open Space Preserve located on Bear Gulch Road in unincorporated San Mateo County \(Assessor's Parcel Number 075-340-240\) \(R-15-74\)](#)**

Staff Contact: Allen Ishibashi, Senior Real Property Agent

General Manager's Recommendations:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Ashworth property.
3. Adopt a Preliminary Use and Management Plan for the property, as set out in the staff report.
4. Indicate the intention to withhold the Ashworth property as public open space.

11. [Proposed purchase of the Peninsula Open Space Trust \(Hendrys Creek\) property in partnership with Santa Clara Valley Water District as an addition to the Cathedral Oaks Area of the Sierra Azul Open Space Preserve, located at 20610 Aldercroft Heights Road, Los Gatos in unincorporated Santa Clara County \(Santa Clara County Assessor's Parcel Numbers 558-27-007, 558-27-008, and 558-51-005\) \(R-15-71\)](#)

Staff Contact: Michael C. Williams, Real Property Manager

General Manager's Recommendations:

1. Adopt a Resolution approving the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring Program for Hendrys Creek Project in accordance with the California Environmental Quality Act (CEQA), and adopt the findings set out in the Draft Resolution.
2. Adopt a Resolution authorizing execution of a Memorandum of Understanding with Peninsula Open Space Trust and Santa Clara Valley Water District to purchase the property and convey a Conservation Easement and Long-term Management Plan to Santa Clara Valley Water District.
3. Adopt the Amended Preliminary Use and Management Plan, which will be incorporated into the Long-term Management Plan, and name the property as an addition to the Cathedral Oaks Area of Sierra Azul Open Space Preserve.
4. Dedicate the property as public open space pursuant to the District's Annual Policy for Dedication of Lands.

INFORMATIONAL REPORTS – Reports on compensable meetings attended. Brief reports or announcements concerning activities of District Directors and staff; opportunity to refer public or Board questions to staff for factual information; request staff to report back to the Board on a matter at a future meeting; or direct staff to place a matter on a future agenda. Items in this category are for discussion and direction to staff only. No final policy action will be taken by the Board.

- A. Committee Reports
- B. Staff Reports
- C. Director Reports

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (650) 691-1200. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Written materials relating to an item on this Agenda that are considered to be a public record and are distributed to Board members less than 72 hours prior to the meeting, will be available for public inspection at the District's Administrative Office located at 330 Distel Circle, Los Altos, California 94022.

CERTIFICATION OF POSTING OF AGENDA

I, Maria Soria, Deputy District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the Special and Regular Meetings of the MROSD Board of Directors was posted and available for review on May 8, 2015, at the Administrative Offices of MROSD, 330 Distel Circle, Los Altos California, 94022. Agenda materials are also available on the District's website at <http://www.openspace.org>.

Maria Soria

Signed May 8, 2015 at Los Altos, California.





Midpeninsula Regional
Open Space District

R-15-73
Meeting 15-13
May 13, 2015

AGENDA ITEM 8

AGENDA ITEM

Resolution of Support Endorsing Six Priority Conservation Areas in San Mateo County and Nine Priority Conservation Areas in Santa Clara County nominated by the Midpeninsula Regional Open Space District; and a Resolution of Support for Two Priority Conservation Areas Nominated by the California State Coastal Conservancy and a Resolution of Support for One Priority Conservation Area Nominated by the City of Menlo Park

GENERAL MANAGER'S RECOMMENDATIONS

A handwritten signature in black ink, appearing to be "GMA".

1. Adopt a resolution of support endorsing the nomination of six (6) Priority Conservation Areas in San Mateo County and nine (9) Priority Conservation Areas in Santa Clara County, as well as the PCA designation categories selected for the existing and new Priority Conservation Areas.
2. Adopt resolutions of support for the nomination of the following Priority Conservation Areas by other agencies: 1) the Menlo Park and East Palo Alto Baylands, which includes Ravenswood Open Space Preserve, nominated by the City of Menlo Park and 2) the corridors for the California Coastal Trail and San Francisco Bay Area Water Trail nominated by the California State Coastal Conservancy.

SUMMARY

At its January 14, 2015 meeting, the District Board of Directors (Board) received an informational presentation on the ABAG's Priority Conservation Area (PCA) program (R-15-02). Since then, District staff has coordinated and collaborated extensively with multiple jurisdictions, agencies, and partners to seek input on and further refine the District's proposed nomination of six (6) PCAs in San Mateo County and nine (9) PCAs in Santa Clara County. Staff has also identified which PCA categories to assign to the five existing PCAs that were nominated during the first round of PCA nominations in 2007. The PCA application, which is due by May 30, requires a Board-adopted resolution for the PCA nominations and categories. In addition, the District has been asked for resolutions of support for three separate PCAs being nominated by the California State Coastal Conservancy (Coastal Conservancy) and the City of Menlo Park.

DISCUSSION

The PCA program is a voluntary program for local jurisdictions, which includes Counties, Cities and Open Space Special Districts, to contribute to a list and mapping of regionally significant open space areas that have evidence-based conservation, restoration, and/or recreation value. ABAG is administering this 2014-15 PCA program as the second round of PCA nominations following the initial PCA program in 2007-08. Specific projects within PCAs would potentially be eligible and/or better positioned for future funding. If approved by the Board, approximately 95% of District lands will be within a Priority Conservation Area.

An important consideration for the District is that future funding sources may favor PCA designations. For example, the first PCA grant program that was piloted in 2013 required that all projects be located within a designated PCA. Discussions regarding the next round of the PCA grant program are anticipated to begin this summer as the 2015 update to Plan Bay Area begins. It is possible that other grant funding sources, such as the highly anticipated new Proposition 1 grant program, could consider including a PCA designation as an evaluation criterion.

General Approach for new PCA nominations

The General Manager is proposing new PCAs that would:

- Integrate with the 2008-adopted PCAs, where new PCAs would promote contiguous open space/parklands and regional trail connectivity and close remaining gaps;
- Focus on priority conservation areas as identified by the District’s Vision Plan; and
- Reflect areas of high importance to biodiversity, water quality and supply, agriculture, community health, regional recreation, and climate change resiliency; and receive broad consensus and support from local jurisdictions and partner agencies.

Outreach

The 2014-15 PCA program requires nominating agencies to outreach to affected local jurisdictions. Since the fall of 2014, District staff has been coordinating extensively with a wide range of partners and jurisdictions to receive input and garner support on the proposed PCAs (Table 1).

Table 1. Outreach to Jurisdictions, Agencies, and Partners	
<ol style="list-style-type: none"> 1. County of Santa Clara <ol style="list-style-type: none"> a. Parks and Recreation Department b. Planning Department 2. County of San Mateo <ol style="list-style-type: none"> a. Parks and Recreation Department b. Planning Department c. Farm Bureau d. Agricultural Advisory Committee e. Pescadero Municipal Advisory Council f. Parks Commission g. Planning Commission h. Board of Supervisors 3. City of Cupertino 4. Town of Los Altos Hills 5. Town of Los Gatos 6. City of Menlo Park 7. City of Palo Alto 	<ol style="list-style-type: none"> 8. Town of Portola Valley <ol style="list-style-type: none"> a. Planning Commission b. Town Council 9. City of San Jose 10. City of Saratoga 11. Town of Woodside <ol style="list-style-type: none"> a. Open Space Committee b. Town Council 12. Santa Clara County/Cities Managers’ Association 13. San Mateo County City Managers’ Association 14. Santa Clara Valley Water District 15. Peninsula Open Space Trust 16. Hidden Villa 17. The Nature Conservancy 18. Bay Area Ridge Trail 19. Greenbelt Alliance

In January, the District sent written notification letters and maps to the affected jurisdictions to provide the required 90 days for their staff and elected bodies to formally consider or comment on the nominations, where the comment period ended on May 1, 2015. The very early consultation and ongoing collaboration has resulted in productive discussions and broad consensus and support for the nominations, including multiple resolutions and letters of support that will be included in the District's application.

Proposed PCAs in San Mateo County

In San Mateo County, the District is nominating six PCAs (Attachment 5) for which the General Manager is recommending that the Board adopt a resolution of support. These six PCAs include District-owned lands at eleven preserves: Miramontes Ridge, Purisima Creek Redwoods, El Corte de Madera Creek, Tunitas Creek, La Honda Creek, Teague Hill, Windy Hill, Coal Creek, Russian Ridge, Skyline Ridge, and Long Ridge Open Space Preserves. In addition, San Mateo County Parks requested that Huddart and Wunderlich County Parks be included as part of the District's proposed Teague Hill PCA (SM3) due to their adjacency and future partnership opportunities to help implement the Master Plan for Huddart and Wunderlich County Parks.

Map Key	Proposed PCAs	Open Space Preserves	Affected Jurisdictions	Vision Plan Priority #s	Proposed Categories
SM1	Miramontes	Miramontes Ridge	County of San Mateo	1, 27 & 28	Regional Recreation, Natural Landscapes, Agricultural Lands
SM2	North Skyline	Purisima and El Corte de Madera Creek	County of San Mateo	3, 4 & 33	Regional Recreation, Natural Landscapes
SM3	Teague Hill	Teague Hill	County of San Mateo/ Woodside	34	Regional Recreation, Natural Landscapes
SM4	Southern San Mateo Coast	Tunitas Creek & La Honda	County of San Mateo	7, 13, 14, 32, 39, 42, 43, 44 & 48	Regional Recreation, Natural Landscapes, Agricultural Lands
SM5	Windy Hill	Windy Hill & Coal Creek	County of San Mateo/ Portola Valley	6, 8, 10 & 40	Regional Recreation, Natural Landscapes, Agricultural Lands
SM6	South Skyline	Russian Ridge, Skyline Ridge, and Long Ridge	County of San Mateo	15, 16 & 46	Regional Recreation, Natural Landscapes

Proposed PCAs in Santa Clara County

In Santa Clara County, the District is nominating nine PCAs (Attachment 6) for which the General Manager is recommending that the Board adopt a resolution of support. These nine PCAs include District-owned lands at seven preserves: Los Trancos, Monte Bello, Rancho San Antonio, El Sereno, Sierra Azul, St. Joseph's Hill, and Bear Creek Redwoods Open Space Preserves. In addition, Santa Clara County Parks requested that Rancho San Antonio, Stevens Creek, Sanborn-Skyline, and Lexington Reservoir County Parks be included as part of the District's proposed PCAs (SC3, SC4, SC5, SC6 and SC8), since the County was not nominating PCAs in this round. The Town of Los Gatos requested that their Novitiate Park be included as part of the District's proposed PCA for El Sereno/Sierra Azul (SC7).

Map Key	Proposed PCAs	Open Space Preserves	Affected Jurisdictions	Vision Plan Priority #s	Proposed Categories
SC1	Palo Alto Open Space	Los Trancos and Monte Bello	Palo Alto	47	Regional Recreation, Natural Landscapes
SC2	Hidden Villa / Rancho San Antonio	Rancho San Antonio	Los Altos Hills	11 & 41	Regional Recreation, Natural Landscapes, Agricultural Lands
SC3	Southeast Rancho San Antonio	Rancho San Antonio	County of Santa Clara	N/A	Regional Recreation, Natural Landscapes
SC4	Cupertino Open Space	Rancho San Antonio	Cupertino	11	Regional Recreation, Natural Landscapes
SC5	Stevens Creek	Monte Bello	County of Santa Clara	17 & 47	Regional Recreation, Natural Landscapes
SC6	Saratoga-to-the-Sea	N/A	Saratoga	18	Regional Recreation, Natural Landscapes
SC7	El Sereno / Sierra Azul	El Sereno, St. Joseph's Hill, and Sierra Azul	Los Gatos	19, 24, & 53	Regional Recreation, Natural Landscapes
SC8	Critical Wildlife Linkage	El Sereno, Bear Creek Redwoods, and Sierra Azul	County of Santa Clara	19, 20, 21, 22, 23, 25 & 54	Regional Recreation, Natural Landscapes
SC9	Eastern Sierra Azul	Sierra Azul	San Jose	24	Regional Recreation, Natural Landscapes

Proposed Categories for Existing and New PCAs

The 2014-15 PCA program is also requiring nominating agencies to identify categories for each new PCA and for existing PCA that was nominated in 2007-08 (Attachment 7). These applicable categories are as follows:

1. **Natural Landscapes** – Areas critical to the functioning of wildlife and plant habitats, aquatic ecosystems and the region's water supply and quality.
2. **Agricultural Lands** – Farmland, grazing land, and timberland that support the region's agricultural economy and provide additional benefits such as habitat protection and carbon sequestration.
3. **Urban Greening** – Existing and potential green spaces in cities that increase habitat connectivity, improve community health, capture carbon emissions, and address stormwater.
4. **Regional Recreation** – Existing and potential regional parks, trails, and other publicly accessible recreation facilities.

The District has four existing PCAs and the Peninsula Open Space Trust has one existing PCA for the Lobitos Ridge Corridor. The General Manager recommends assigning the following proposed categories as listed below. The District has consulted with POST on the proposed categories for their Lobitos Ridge Corridor, and POST supports these categories.

Existing PCAs (2007-08)	Proposed Categories
Gateway to the San Mateo County Coast	Regional Recreation, Natural Landscapes, Agricultural Lands
Upper San Gregorio Creek Headwaters	Regional Recreation, Natural Landscapes, Agricultural Lands
Upper Stevens Creek Watershed Area	Regional Recreation, Natural Landscapes, Agricultural Lands
Upper Los Gatos Creek Watershed	Regional Recreation, Natural Landscapes
Lobitos Ridge Corridor (originally nominated by POST)	Regional Recreation, Natural Landscapes, Agricultural Lands (supported by POST)

Support for Other Nominating Agency PCAs

Three PCAs are being nominated by other lead agencies within the District's jurisdiction for which the General Manager is recommending that the Board adopt resolutions of support. These include:

- 1) The Menlo Park and East Palo Alto Baylands. The City of Menlo Park intends to nominate a PCA in partnership with the City of East Palo Alto and the District for an area that will extend along the baylands of both cities and include Ravenswood Open Space Preserve (Attachment 8). The City of Menlo Park has coordinated extensively with affected agencies, jurisdictions, and property owners in the immediate area, including the City of East Palo Alto, the City of San Jose, San Francisco Public Utility Commission, and the San Francisquito Creek Joint Powers Authority. They are seeking a resolution of support from the District for their nominated PCA, which would be designated with the Regional Recreation, Natural Landscapes, and Urban Greening categories. The General Manager recommends supporting the City of Menlo Park's nomination for the Menlo Park and East Palo Alto Baylands PCA.
- 2) Corridors for the Coastal Trail and San Francisco Bay Area Water Trail. The Coastal Conservancy (Conservancy) intends to nominate the Coastal Trail as a PCA in the Regional Recreation category (Attachment 9). It is a network of public trails extending along the 1,200-mile California coastline. This designation would be similar to the existing PCAs that include the San Francisco Bay Trail and the Bay Area Ridge Trail, which both received funding from the 2013 PCA grant program. The Conservancy is working with the Counties of San Mateo, San Francisco, Marin, and Sonoma on resolutions by the boards of supervisors supporting the nomination of the Coastal Trail. The District has also been approached for a resolution of support, and the General Manager recommends supporting the Conservancy on this PCA nomination. The District's support of the Coastal Trail PCA would not commit the District to long-term maintenance or management of the Coastal Trail.

The Conservancy also intends to nominate the San Francisco Bay Area Water Trail (Water Trail) as a PCA in the Regional Recreation category (Attachment 10). The Conservancy has notified the District of this proposed Water Trail PCA due to the shoreline lands at Ravenswood Open Space Preserve and Cooley Landing, where no designated Water Trail

sites have yet been identified. The General Manager recommends supporting the Conservancy on this PCA nomination. The District's support of the Water Trail PCA would not commit the District to long-term maintenance or management of the Water Trail.

FISCAL IMPACT

Nominations may in the future help leverage outside grant funds.

BOARD COMMITTEE REVIEW

This item was presented to the full Board as an informational item on January 14, 2015.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This action is not a project under the California Environmental Quality Act (CEQA), and no CEQA analysis is therefore required.

NEXT STEPS

With Board adoption, staff will submit an application for the nominated PCAs to ABAG at the end of May to meet ABAG's May 30 deadline.

Attachments

1. Resolution of Support for the District's nomination of 15 PCAs in San Mateo and Santa Clara Counties
2. Resolution of Support for the City of Menlo Park's Menlo Park and East Palo Alto Baylands PCA
3. Resolution of Support for the California State Coastal Conservancy's Coastal Trail PCA
4. Resolution of Support for the California State Coastal Conservancy's San Francisco Bay Area Water Trail PCA
5. Map of Proposed New Priority Conservation Areas in San Mateo County (2014-15)
6. Map of Proposed New Priority Conservation Areas in Santa Clara County (2014-15)
7. Map of Existing Priority Conservation Areas (2007-08)
8. Map of Menlo Park and East Palo Alto Baylands PCA
9. Map of Coastal Trail PCA (provided by California State Coastal Conservancy)
10. Map of San Francisco Bay Area Water Trail PCA (provided by California State Coastal Conservancy)

Responsible Department Head:
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