



**REGULAR MEETING**

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

**Wednesday, June 26, 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: Acting General Manager/Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, Acting General Counsel/Assistant General Counsel II Egan Hill, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Executive Assistant/Deputy District Clerk Loana Lumina-Hsu, Executive Assistant/Deputy District Clerk Shaylynn Nelson, Senior Planner Tina Hugg, Planning Manager Jane Mark, Human Resources Manager Candice Basnight, Human Resources Supervisor Rebecca Wolfe, Budget and Finance Manager Rafaela Ocegüera

President MacNiven announced that 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.

Deputy District Clerk Loana Lumina-Hsu 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 Holman seconded the motion to adopt the agenda.

**ROLL CALL VOTE: 7-0-0 (Motion Passed Unanimously)**

**CONSENT CALENDAR**

Public comment opened at 7:03 p.m.

Ms. Lumina-Hsu reported there were no public speakers for this item.

Public comment closed at 7:03 p.m.

**Motion:** Director Riffle moved, and Director Kishimoto seconded the motion to approve the Consent Calendar.

**ROLL CALL VOTE: 7-0-0 (Motion Passed Unanimously)**

1. **Approve the June 12, 2024 meeting minutes**
2. **Claims Report**
3. **Annual Review of Fiscal Management Policies for Fiscal Year 2024 (R-24-79)**  
General Manager’s Recommendations:
  1. Adopt the proposed amendment to Board Policy 3.01 – *Banking Relationship Management.*
  2. Adopt the proposed amendment to Board Policy 3.02 – *General Accounting, Internal Control and Capital Asset Policy.*
  3. Affirm Board Policy 3.08 - *Investment Policy.*
  4. Affirm Board Policy 3.09 - *Debt Management Policy.*
4. **Award of Contract for Skyline Area Demolitions Project at Russian Ridge Open Space Preserve and Long Ridge Open Space Preserve (R-24-80)**  
General Manager’s Recommendation:
  1. Authorize the General Manager to enter a contract with KM 106 Construction Inc. of San Francisco, California to remove structures at four properties for a not-to-exceed base contract amount of \$471,159.
  2. Authorize a 10% contingency in the amount of \$47,116 to be reserved for unanticipated issues, bringing the total not-to-exceed contract amount of \$518,275.
5. **Award of Contract to Brannon Corporation for the Phase II ADA Barrier Removal Project at Pulgas Ridge, Russian Ridge, and Skyline Ridge Open Space Preserves (R-24-81)**  
General Manager’s Recommendations:

1. Award a contract to Brannon Corporation of Morgan Hill, California, for the Phase II ADA Barrier Removal Project in a not-to-exceed base contract amount of \$1,547,715.
2. Authorize a 15% contingency of \$232,157 to cover unforeseen tasks, bringing the total not-to-exceed contract amount to \$1,779,872.

**BOARD BUSINESS**

**6. Fiscal Year 2024-25 Budget and Capital Improvement and Action Plan (R-24-82)**

Acting General Manager/Chief Financial Officer/Director of Administrative Services Stefan Jaskulak presented on the Fiscal Year 2024-25 (FY25) Budget and Capital Improvement and Action Plan (CIAP) providing a brief recap of the District’s proposed FY25 Budget that was first presented during the Public Hearing on the Budget at the June 12, 2024 Board of Directors Regular Meeting.

Public comment opened at 7:11 p.m.

Ms. Lumina-Hsu reported there were no public speakers for this item.

Public comment closed at 7:11 p.m.

**Motion:** Director Cyr moved, and Director Riffle seconded the motion to:

1. Adopt a Resolution approving the Fiscal Year 2024-25 Budget and Capital Improvement and Action Plan.
2. Adopt a Resolution approving the Classification and Compensation Plan for Fiscal Year 2024-25.

**ROLL CALL VOTE: 7-0-0 (Motion Passed Unanimously)**

**7. Amend the Midpeninsula Regional Open Space District’s Classification and Compensation Plan for Compensation Study Adjustments for Unrepresented Office, Supervisor, and Management Employees (R-24-83)**

Mr. Jaskulak provided the staff presentation regarding amending the Midpeninsula Regional Open Space District’s Classification and Compensation Plan for Compensation Study Adjustments for Unrepresented Office, Supervisor, and Management Employees. He provided background information for the compensation plan, compensation study, and the incorporation of Financial and Operational Sustainability Model (FOSM) refresh as well as reviewed the summary of changes.

Director Riffle stated the Board received several public comments from staff and asked if Mr. Jaskulak or Human Resources Director Candice Basnight would like to respond.

Mr. Jaskulak stated they are reviewing all classifications throughout the whole District based on the existing list of comparators and existing compensation philosophy. Once completed, the District can then look at the alternatives in the list of comparators. He stated the District needs a baseline and then can start the conversation on updating the list of comparators and compensation philosophy. When the list of comparators and compensation philosophy was established, the District was a different organization with a focus on field staff and there were

not many comparators in the area thus having to go out to further areas. Now the District is a more mature organization with more administrative office staff, planners, and capital project managers. With an upcoming review of the comparators list, staff would like to bring forth a new list of comparators that are more relevant with a proposal in late summer or early fall. He stated there will also be a study on the compensation philosophy, if the percentages should change, and how much does it change versus the baseline. Mr. Jaskulak further stated that under the current method, not every position is studied but one position in the middle of the career ladder is considered the baseline that is studied and evaluated.

Mr. Jaskulak stated the feedback from the senior staff memo supports reviewing the compensation philosophy and the District is poised to proceed. He stated the District has already started discussions with Koff and Associates on the next steps for the compensation philosophy, and staff and the consultant will look into how the list of comparators can be improved, stating there will be input from Board, staff, and the bargaining units.

Mr. Jaskulak stated the memo from the Planners identified some gaps. He explained the process of the study: the District provides Koff & Associates the job description and Koff & Associates finds comparators, and they need to find a match of at least 70% tasks and duties. The memo mentions the duties are not reflected in the job descriptions and the District will need to look at the job description. Mr. Jaskulak stated General Manager Ana Ruiz agreed to do a classification study for the Planning Department and with a classification study, the job description is updated to ensure it reflects the job duties. Mr. Jaskulak explained job descriptions are updated periodically when a position is recruited, but a classification study will be a deeper dive.

Director Riffle stated support for reviewing the compensation philosophy because higher pay is how the District will recruit and keep good staff, it has been too long the District has stayed with its current compensation philosophy, and the District is overdue. He stated the District pays under what it should. Director Riffle asked when the compensation philosophy discussion will come before the Board. Additionally, he asked when the analysis is completed, for the Board to consider increased wages based off the study to be retroactive to July 2024 and the financial analysis of that decision.

Mr. Jaskulak stated the Board can vote on retroactive pay back to July 2024, he has noted the request for the retroactive calculation, and the Board will be provided the compensation numbers with a separate retroactive calculation as part of the fiscal impact for the Board's consideration.

Director Riffle stated the Planner's memo was an example of the District paying Koff and Associates to do an analysis and the memo presented good reasons why the study was not reflective of pay. Director Riffle asked when the Board will have a chance to weigh in these considerations.

Mr. Jaskulak stated there were two rounds of conversation with staff in positions that were evaluated. He stated Koff and Associates reviewed the information presented and with the information provided from the Planners, Koff and Associates provided their conclusions. The General Manager decided to do a classification study in response. Mr. Jaskulak stated now that the baseline is wrapped up, they will go forward with the classification study, and then proceed with classification and comparator analysis.

Director Riffle asked and received confirmation it is up to the General Manager's discretion to determine when the District takes a closer look at a given position.

Mr. Jaskulak further confirmed the District used the same process for all positions and the District followed the compensation philosophy in conjunction with the compensation study. By having an independent party of Koff and Associates perform the compensation study, it creates a neutral, balanced review. Based on the current process, it was determined the District pays within the bandwidth and the Planner II position is not underpaid.

Director Riffle expressed concern that the District does not adapt when there is a glaring disparity in compensation.

Mr. Jaskulak stated the District is responding to staff by agreeing to do a classification study of the Planner positions. Mr. Jaskulak stated the classification study will update the job descriptions so it is accurate, however it will take time to be done.

Director Kersteen-Tucker noted she was moved by the letters written by staff, and she is uncomfortable with increasing compensation for some staff and not for others. She expressed concern the District needs to be competitive in a quickly moving world. She asked when will the compensation philosophy be finished and updated, when will the comparatives be analyzed and adjusted, when can the compensation study be complete, and when will the changes be rolled out so staff can start to feel the positive impacts of the changes.

Mr. Jaskulak stated the District has started looking at comparators including having several meetings to discuss next steps, and the District has accepted a quote from Koff and Associates to work on the compensation philosophy modeling which will include various percentages modeling. Under the current philosophy, the District is at 55%, 60%, and 65% compensation and the exercise will look to see if the District will need to move the compensation needle or if the formula needs to change. The District gave the green light on June 25, 2024 for Koff and Associates to begin the process and staff is waiting to hear from Koff and Associates when they can provide the numbers to the District. Mr. Jaskulak stated there will be an employee and Board input process with the first conversation in September 2024.

Director Kersteen-Tucker stated the District is hiring a lot of new staff and having appropriate compensation is crucial to retaining staff and recruiting staff of high caliber. She emphasized the importance of proceeding with this process in a timely manner, and wants to send a message to staff that this is important to her.

Mr. Jaskulak agreed and stated that is why the District has started the process. He stated for the current study and the Planners staff, the District is proceeding with positions equally based on the current process. The next process needs to be methodical and equitable throughout the organization.

Director Gleason echoed Director Riffle's comment on paying among the best and stated he works for a company whose philosophy is to pay among the leaders and it has served them well. He inquired about the FOSM item to expand career ladders which gives flexibility to bring people in at a lower level without changing the structure of the job and asked about expansion of the career ladder upwards.

Mr. Jaskulak confirmed the FOSM identified an upward expansion of the career ladders.

Director Gleason requested a closer look at the Planner career ladder as there seems to be a big gap between Planners I and II, which is closer together, and Planner III and if there is a missing level in the career ladder.

Mr. Jaskulak confirmed Planner career ladder will be reviewed among many other career ladders.

President MacNiven stated agreement with the other Directors comments. President MacNiven asked if the changes are made in September, would the pay be retroactive to July 1, 2024.

Mr. Jaskulak explained the compensation will not be changed in September, but there will be the first conversation. When the final decision on compensation is brought before the Board, retroactive compensation will be up for Board decision and approval for retroactive compensation.

President MacNiven stated the District is only as good as its staff and to keep the best staff to make the District the best organization, the District needs to provide proper compensation.

Mr. Jaskulak stated the District does have great staff who are very capable with high education and are high performing, and the District wants to retain and to attract more staff during the growth spurt.

Public comment opened at 7:41 p.m.

Brittany Wheatman, Planner II, stated Planning staff respectively disagreed with result of the compensation study with relation to Planner II position. She stated the study did not capture complex responsibilities of the Planner II position such as project management and public engagement. The comparator positions used in the study were positions with different duties or had less responsibilities. Staff responded to initial study and provided recommendations for comparator positions at the comparator agencies. Koff and Associates disagreed with staff recommendations without providing detailed explanation. She stated Planner II position is misaligned than other II classifications at the District which are paid at a higher step. She stated Planning staff is asking the Board to accelerate the classification study for the Planner series to begin in FY25 to correct internal misalignment.

Mattea Ottoboni, Planner II, spoke on the complexity of the Planner II position not in discussed in Koff study. She stated in the job description for Planner II states the Planner II regularly performs the duties of Planner III which was not considered by Koff. She stated Planner II positions are expected to have knowledge and skills and apply the inter-disciplinary skills to projects and function as the go-between of subject matter experts in the District and consultants. She stated not all job functions listed are not equal and some take up more time and require more skill and effort such as project management. Planner IIs also have the responsibility of environmental review for their projects plus other projects in the District. She stated none of the projects can move forward without CEQA review, and that CEQA is a complex law with changes every year. Planners are CEQA leads and are expected to know the changes. She stated Planner II manage District programs such as signage program and historic program. She stated the Planner II job is more complex than studied by Koff or reflected in the job description.

Ashley Mac, Planner III, spoke on how the Koff study result impacted Planners are all level stating Koff looked at only the Planner II position which effected all Planners. She stated Planner IIs manage some of the most complex projects at the District including Big Rocks projects and projects at La Honda Creek, Purisima Creek Redwoods, Rancho San Antonio Open Space Preserves, and Bear Creek Redwoods North Parking Lot. She stated Planner II shares core job functions with Capital Project Manager (CPM) II and Public Affairs Specialist II, but those positions pay 13% more and Planner II will make less than CPM I. Planners are project managers managing projects from planning concepts to schematics before the project is handed to the Engineering & Construction Department. She questioned if it is fair to have a pay gap between project managers in the same Project Planning and Delivery service line. She stated Planners are also community engagement specialist with Planner names tied directly to the project and made available to the public. She stated Planners work to directly support Midpen missions and providing ecologically sensitive public access is unique to the District and not reflected in most comparator agencies. She stated the La Honda Creek Public Access Working Group (PAWG) was comanaged by a Planner II and the Hawthorns Area PAWG was also managed by Planner II.

Galli Basson, Planner III, requested theclassification Planner II study to be accelerated in FY25 to correct the internal misalignment between the other II classifications in the District. She stated Planners pay an important role in project delivery and are responsible for managing high quality projects and programs to the public including Measure AA projects. Planners manage large projects at the District including Highway 17, the Hawthorns Area Plan, and Bear Creek Stables. She stated Planners are responsible for increased public engagement for projects including leading PAWG or highly political projects. She stated the increased responsibility is not reflected in the job descriptions. She stated currently the other II positions are paid at a higher step than the Planner series which is between \$7,000 to \$15,000 more per year. She stated after tonight, Planner II will make less than the CPM I which is an entry level position. She stated all other Planner positions are tied to the Planner II position so the impact is felt throughout the other Planner positions. She stated there is reliance on Planners to move many Big Rocks projects forward and to address the pay discrepancy between the different departments, there is a need to accelerate the classification study. She stated the longer there is a wait, the more the pay gap grows between Planners and other positions. She stated appreciation of the addition of the new Planner III positions and wants them retained in the Planning department, and to not lose them to other departments where they can make more money.

Tyler Smith, Planner III, spoke on Planner functions as project managers and stated Planning staff did a thorough review of the comparator positions at other agencies that were identified by Koff. He stated that Planning staff identified positions at the comparators agencies that did include the project management duties that District Planners regularly preform. He stated when evaluating the job descriptions at the comparator agencies, it was the more senior planner positions or project management positions that an overlap was identified with the project management duties that District Planners also perform. He stated Planning staff is requesting a recognition of the project management duties either through hybrid matches or matches with senior positions. He stated the job description from Koff recommendations do not preform at the level of involvement or complexity of the project management duties that the District Planners preform. He stated Planners provided to Koff information for every position and annotated job description with data that could be used to justify changing their recommendations to align with the Planners recommendation. He stated the response from Koff was brief and limited, and did

not address the main point that District Planner positions perform a range of project management duties. He stated the study recommendations exacerbates the pay gap between Planner II and other District II series, and he requested the classification study for the Planner series to be begin in FY25 to correct internal misalignment.

Public comment closed at 7:57 p.m.

Mr. Jaskulak stated there will be classification study for the Planners in FY25. He stated the District followed the process across organization to be equitable and is not disputing the gaps, tasks, or ways of working that the Planners have stated. There will be a classification study for Planners, an opportunity for input from staff to update job descriptions to reflect the duties and the tasks, and the compensation study will be reran.

President MacNiven inquired if there are other positions that deserve to be reviewed.

Mr. Jaskulak stated every classification was reviewed and Human Resources had sit downs with individuals or groups with chance for staff to provide feedback with information provided to Koff and Associates.

Assistant General Manager Brian Malone stated for positions in the Visitor and Field Services service lines, it is common for positions to be challenged and management has asked Koff and Associates to review the difference and to provide justification. He stated the difference from staff presenting to the Board and those under the Visitor and Field Services line is that a large group of staff is represented and the process is handled through labor negotiations.

Director Kersteen-Tucker asked and received confirmation the alignment of positions will be part of the classification study. Director Kersteen-Tucker asked when the list of comparators and compensation philosophy will return to the Board for discussion.

Mr. Jaskulak stated the District has already started work on that process and anticipate the Board will have conversations in September.

Director Kishimoto stated the District is highly dependent on the market and the Board will have to consider if the District will adopt or wants to have more leeway on compensation.

Mr. Jaskulak stated that decision will be made through the compensation philosophy and list of comparators, and under the current philosophy, the District is barely ahead of middle.

Director Kishimoto stated wanting to have internal consistency and the Board will have to discuss a value judgement as the market may not reflect how the Board feels.

Mr. Jaskulak stated it is important to keep the District aligned to philosophy and process to keep it fair for all groups, and the upcoming conversation in September will be very important.

Director Holman stated support of compensation being retroactive to July. She stated the philosophy and values are closely related, and the Board needs to consider what kind of culture the District wants to have and what kind of culture to continue at the District. She expressed appreciation of everyone who came forward to speak. She stated how the Board recognizes its staff is critical regarding how the District is a place that values its employees.



Director Riffle stated appreciation for what the staff has identified, is satisfied that there will be an approach next fiscal year, for the larger discussion coming in September, and for the opportunity to address the philosophy. He stated wanting a look at the process to check if it is still meeting the District's needs, and wants to make sure staff has the opportunity to provide feedback on what is not in alignment so the District is heading towards the proper direction.

Mr. Jaskulak confirmed and staff will outline and flowchart the process to see if there is room for improvement. He clarified this study cycle was purely a compensation study, not a classification study, and the classification study will be a very thorough review and deep dive.

**Motion:** Director Kishimoto moved, and Director Riffle seconded the motion to adopt a resolution amending the Classification and Compensation Plan based on the findings of a recent Compensation Study and recommendations from the Financial and Operations Sustainability Model (FOSM) Refresh, to:

Engineering and Construction:

1. Reassign the Capital Project Manager II from a current salary range of 31 to a new salary range of 36.
2. Reassign the Capital Project Manager III from a current salary range of 39 to a new salary range of 40.
3. Reassign the Senior Capital Project Manager from a current salary range of 43 to a new salary range of 44.

Information Systems and Technology:

4. Reassign the Data Analyst I from a current salary range of 30 to a new salary range of 32.
5. Reassign the Data Analyst II from a current salary range of 34 to a new salary range of 36.
6. Reassign the Senior Technologist from a current salary range of 38 to a new salary range of 40.
7. Reassign the Applications Engineer from a current salary range of 36 to a new salary range of 38.
8. Reassign the GIS Program Administrator from a current salary range of 43 to a new salary range of 45.
9. Reassign the Information Technology Program Administrator from a current salary range of 43 to a new salary range of 45.

Field Supervisors:

10. Reassign the Maintenance Construction & Resource Supervisor from a current salary range of 35 to a new salary range of 36.
11. Reassign the Capital Projects Field Manager from a current salary range 42 to a new salary range of 44.

New FOSM Classifications:

12. Establish new classification of Budget & Analysis Supervisor and assign to salary range 43.
13. Establish new classification of Capital Project Manager I and assign to salary range of 32.
14. Establish new classification of Information Systems Technology (IST) Applications Program Manager and assign to salary range 45.

**ROLL CALL VOTE: 7-0-0 (Motion Passed Unanimously)**

**8. Approval of a Memorandum of Understanding with Midpeninsula Regional Open Space District Field Employees Association and Compensation and Benefits Adjustments for the Office, Supervisory, and Management Employees (R-24-84)**

Mr. Jaskulak provided the staff presentation on the approval of the Memorandum of Understanding (MOU) with Midpeninsula Regional Open Space District Field Employees Association (FEA) and Compensation and Benefits Adjustments for the Office, Supervisory, and Management Employees (OSM). He provided a background of the FEA MOU process and noted the compensation for the three Board Appointees is considered separately as part of their annual performance evaluation process. Mr. Jaskulak provided an overview of the FEA summary of changes with the MOU covering from July 1, 2024 to June 30, 2027, the OSM summary of changes, and the summary of fiscal impact.

Public comment opened at 8:19 p.m.

Ms. Lumina-Hsu reported there were no public speakers for this item.

Public comment closed at 8:19 p.m.

Director Riffle expressed appreciation of the cooperative approach of the FEA and District negotiating units and the resulting MOU.

Mr. Jaskulak stated the FEA provided an updated MOU with their proposals on the first day which streamlined discussions and the negotiation meetings were constructive.

**Motion:** Director Riffle moved, and Director Cyr seconded the motion to

1. Approving the Memorandum of Understanding with the Midpeninsula Regional Open Space District Field Employees Association, for a term of July 1, 2024, through June 30, 2027.
2. Approving corresponding compensation and benefit adjustments for Office, Supervisory, and Management employees through 2027.

**ROLL CALL VOTE: 7-0-0 (Motion Passed Unanimously)**

President MacNiven called for a recess at 8:23 p.m.

President MacNiven resumed the meeting at 8:29 p.m. All Board members present.

**9. Accept the La Honda Creek Parking and Trailhead Access Feasibility Study and Confirm Sites, Associated Programming and Conceptual Designs, to Advance into Environmental Review (R-24-85)**

Mr. Jaskulak provided opening comments explaining before the Board tonight is a request to move all three project sites forward to the CEQA process to allow a broad analysis, not final project sites implementation. With the broad analysis, the Board will have all the data and information when it is time for the Board to make a final decision on project implementation.

Senior Planner Tina Hugg provided the staff presentation on the La Honda Creek Parking and Trailhead Access Feasibility Study. Ms. Hugg reviewed the project status and timeline with the next phase being environmental review. She provided background information summarizing the site conceptual designs, programs, and overall feasibility including specific considerations, opportunities, and constraints, and the April 24, 2024 presentation to the Board of Directors including feedback from the Board and public. She reviewed the project goals and conceptual costs which includes the cost in 2024 and the escalated 2028 costs, stating soft costs were included into calculations for the high-level cost estimates. Ms. Hugg explained next steps of procuring the environmental review consultant, initiating environmental review scheduled for early 2025, and the environmental review period which will be one year duration minimum.

Director Kishimoto asked if the traffic engineers looked into the queueing of visitors making left-hand turn into the parking lots and the demand analysis.

Consultant Arthur Black from LSA confirmed as part of the analysis, traffic volume data was gathered and overlaid onto anticipated demand on the sites including running an analysis methodology for anticipated queueing for left-hand turns into the parking lot. The result was that there would not be a queue of vehicles forming on the roadway. Mr. Black explained surveys were taken in areas around the District to see what the typical generation of vehicles is and visitors to open space areas, and applied those rates on the La Honda Creek Parking proposed sites.

Director Holman requested a report out during project grading with information about dirt removal and how far will it go, or if there is fill brought to the site, where is it coming from, how far the fill travels, and the impact of the fill process. She asked for an analysis on the heat island effect from development of the parking areas, and to research alternatives to proposed tree removals.

President MacNiven stated Site B2 is a large area comparing it to Skyline Ridge parking lot. She stated the District has created good parking lots, however she has noticed the Skyline Ridge parking lot is rarely full. She stated the only time she has seen the lot full is when there are events.

Director Holman suggested an alternative to Site B2 to keep the included equestrian parking but number of parking spaces for autos to be smaller. Ms. Holman asked how CEQA analysis will evaluate factors, such as signage or visual impacts, in the parking area that may be affected by the yet to be approved Parking Lot Design Guidelines.

Assistant General Manager Susanna Chan stated staff is incorporating the draft Parking Lot Design Guidelines which has received initial Board feedback, and the final draft Parking Lot

Design Guidelines is scheduled for Board approval on July 24, 2024. If the Board approves the guidelines at the meeting, there will be enough time to inform the environmental study impact for the project which is a one-year environmental review period.

Public comment opened at 8:57 p.m.

Barbara Hooper stated Planners staff did an incredible job who went above and beyond. She stated appreciation for the detailed feedback on the summary report from the last meeting incorporating the feedback from the Board and public. She expressed concern of Goal 3 for providing safe public access as LH 07D and Red Barn E3 have medium performance scores considering the traffic safety on Highway 84. She stated an interest in protecting scenic views under Goal 6, and signage, turn lanes, and blinking lights do not preserve the rural character of Highway 84, and the area is a designated San Mateo County scenic corridor.

Mike Bushue expressed support to completing access to the La Honda Creek Open Space Preserve. Mr. Bushue expressed appreciation for the parking lot at Sears Ranch Road stating a need for a large parking lot where visitors can congregate. He stated having no problem with the end-to-end parking but requested parallel parking to be considered as part of design consideration.

Public comment closed at 9:03 p.m.

Director Riffle stated he is encouraged by the design at B2 and understands the concern of the large parking lot area. He stated there will be a lot of visitors once there are trails and members of the public discover La Honda Creek Open Space Preserve. He spoke in support of designing the parking area in anticipation of the visitors. He highlighted there are efficiencies with the approach and the Planning Department was challenged with bringing forth an efficient and speedy approach.

**Motion:** Director Kersteen-Tucker moved, and Director Riffle seconded the motion to

1. Accept the La Honda Creek Parking and Trailhead Access Feasibility Study.
2. Advance all three project sites with associated programming and conceptual designs, including Board-requested modifications, into environmental review under the California Environmental Quality Act.

**ROLL CALL VOTE: 7-0-0 (Motion Passed Unanimously)**

#### **INFORMATIONAL MEMORANDA**

- Total District Visitation Estimation for Calendar Year 2023

Director Riffle expressed appreciation of having year-to-year comparisons and observations and to think of the impact extreme weather has on the preserves and visitation. He stated the information is helpful for the discussion regarding visitors and parking accommodations. He noted a public member observation regarding visitor counts: what does the visitor count include and does it capture what draws the visitors to the preserve. He provided an example of Rancho San Antonio Open Space Preserve with visitors going to Deer Hollow Farm versus hiking on the trails. He asked if visitors to Bear Creek Stables are included in the count for Bear Creek Redwoods Open Space Preserve.

Mr. Malone stated staff looks at past numbers and current numbers as there are not counters at each entrance counting each visitor. He stated the numbers are estimates based on solid data from the past and forecast at representative preserves, and at new preserves, baselines are currently being measured.

### **INFORMATIONAL REPORTS**

#### A. Committee Reports

Director Holman reported the Bear Creek Stables ad hoc committee Focused Working Group: Architecture, Site Design, and Engineering met on Saturday.

President MacNiven reported the Hawthorns PAWG ad hoc committee #7 met on June 13, 2024 and the selection of recommendations was forwarded to the Planning and Natural Resources Committee.

Director Gleason reported the Hawthorns Historic Complex ad hoc committee met on June 17, 2024 and the ad hoc committee discussed revision of goals and other updates.

Director Gleason reported the Bear Creek Stables Focused Working Group: Operations and Programming met and will meet again on June 29. Additionally, he discussed meeting with Ms. Chan on how to manage staff engagement, how the Directors will understand impact of requesting staff support, and how staff can propose alternatives to reduce staff impact.

#### B. Staff Reports

Mr. Jaskulak reported that on June 25, the District sold Measure AA bonds with the par amount of \$37,400,000 and there were orders for \$137 million. He explained the bonds were sold on negotiated basis, will have room to negotiate down, and how it will save on basis points. He stated the true interest cost is 3.87% and the District stands out with AAA rating in California and being green. He explained 12% of orders were real true retail orders of individuals which a handful of orders being a \$1,000,000 each, and larger retail orders (like Fidelity) totaled brings up to 40% retail orders. There is a strong performance and good rates, and the District has already spent \$8.3 million of the bonds. The District will close second week of July, when the bonds will be issued, and the District will receive the money.

President MacNiven asked what is attractive about the bonds.

Mr. Jaskulak stated attractiveness includes the District is in California, highly rated, AAA, there is currently a 5% coupon that can be applied to next year debt service, it is valuable paper as the District is steady and strong, and the District is green which is a broader appeal.

#### C. Director Reports

Director Gleason reported he attended a tabling event over the weekend with Santa Clara County Parks Rangers, Santa Clara County Horseman's Association, and Silicon Valley Mountain Bikers. He stated the Horseman's Association and Mountain Bikers expressed interested in coordinating similar events with the District.

Mr. Malone stated the District use to have “Romp and Stomp” with Responsible Organized Mountain Peddlers and the District welcomes coordinating and putting on events. He stated the organizations can coordinate with him.

Director Kersteen-Tucker stated she toured the Thornewood estate.

Director Kersteen-Tucker stated she reflected on the discussion at the June 12, 2024 Board Meeting, and expressed frustration that the Board was quick to create an ad hoc committee and did not consider the consequences to the long-term projects which were well thought out and planned. She would like for the Board to reflect on how the Board can honor public speakers, honor staff input, and move forward with a standard for planning. She suggested creating a Board Policy for when the Board is faced with an issue similar to the Bear Creek Stables where the Board wants to convene an ad hoc committee. She would like for the Board to take time to reflect, give staff an opportunity to return to the Board with a proposed plan, including timeline, numbers of projects that may be impacted by the creation of an ad hoc committee, and high-level costs, so Board can think the ad hoc committee process through and consider the broader consequences. Director Kersteen-Tucker proposed this as a way to move forward with guidelines given there are many project that require public input, PAWGs, and ad hoc committees.

Director Kishimoto asking if this is a request to agendize.

Director Kersteen-Tucker requested staff input.

Director Riffle stated the topic is a good point, warrants forward discussion, and supports having a future agenda item as an opportunity for Board to reflect.

Director Kersteen-Tucker asked staff suggestion on how to move forward. She stated the Board as a governing body owe to staff and public to be thoughtful when the Board infringes on long-term planning processes in the face of public pressure.

Mr. Jaskulak stated an ad hoc committee is created in two ways: one is part of the agenda report and the ad hoc committee is part of the proposal so it is known in advance and thought out; second is when the Board creates an ad hoc committee during Board discussion without knowing the impacts on staff and how the demands of the ad hoc committee will cascade into other projects and putting Big Rocks projects at risk. In the case of the Bear Creek Stables ad hoc committee, there was multiple staff impacts which cascaded into the Big Rocks projects. Mr. Jaskulak suggested a broader discussion at the next Board Retreat in December 2024 when there is more time for the Board to discuss, or if another ad hoc committee is brought up spontaneously, to agendize it for further discussion at one of the next following Board meetings. He stated by agendizing it for further discussion, staff can gather information on which staff and projects will be impacted, present to the Board the potential impacts to the District, and the Board can make an informed decision.

President MacNiven agreed stating she felt under pressure to make the decision, to take it as a learning lesson, and to say the Board cannot make decision that day and the item will return to the Board.

Director Cyr agreed stating he felt rushed and the Board jumped to an audience. He stated most of time the Board is contemplated and reflected which speaks well for the Board, and he supports reviewing the process.

President MacNiven stated it was a tough motion brought before the Board with the multiple options and expressed wanting to move forward.

Director Holman thanked Director Kersteen-Tucker for her comments at the June 12, 2024 meeting and the comments this evening. Director Holman agreed the creation of the ad hoc committee was spontaneous. She stated her substitute motion was not based on the public who was in attendance, but in reaction to the General Manager's recommendations including the closure of the stables. She stated her thinking of creating an ad hoc committee was to create balance to the proposed stables closures and having an ad hoc committee was to take a pause.

Mr. Jaskulak explained the May 14, 2024 agenda report proposed various options for the Bear Creek Stables. He explained many staff have been involved working on the stables with the operations side and since the Board's decision in 2017 or 2018 for exploring the capital maintenance. He stated staff has spent countless hours working on the stables; talking to the county on what permit would be the best fit, does the District need a permit or no permit, and what type of permit; and time and time again staff have hit road blocks with the county, especially with fire mitigation as it is very expensive due to the road widening requirements. The information presented on May 14, 2024 had a lot of time put into it and was well thought out, reflecting efforts over the years, the constraints the District has faced, and the dollar amounts continually going higher and higher. He stated the report included options for the stables with what can be done with the funds available in the portfolio with the constraints. He stated the District is a government agency having to follow rules and regulations, the District cannot take short cuts, such as cheaper labor, and the District is beholden to the rules and regulations of a governmental agency. He stated if through the ad hoc committee a better solution will work that is more affordable, staff will support it. However, there are serious constraints at the site, and the staff has put a lot of time and effort into the project, analyzing different scenarios, taking it apart and putting it back together, working with the county, and staff has been very thorough.

Director Holman stated she understands staff has put a lot of work into the project, but cited the proposed parking at the Red Barn location and the District listened to the community. She stated there is expertise available in the public and should be tapped. She stated she is hopeful an alternative that will be appealing everyone will come from the process. She stated the ad hoc committee is not a reflection that staff did not complete due diligence and she wants to fully engage the public.

Director Gleason stated agreement with Director Holman, and also supports Director Kersteen-Tucker's request as it would be appropriate for the Board to have further discussion.

Director Kishimoto stated there is a consensus for the discussion to come back to the Board at a future Board Meeting or as a separate meeting.

President MacNiven stated for the discussion be included December 2024 Board retreat.

Director Kersteen-Tucker stated it is rare to be frustrated and thanked Directors for their tolerance. She stated she too felt responsibility in not thinking through the consequences of an ad

hoc committee in the moment. She stated a lesson learned is when the options before Board are not working, to hit a pause for a meeting or two and have staff return with additional information. She supports staff to return to the Board with suggestions on how to streamline and make more efficient the Board and staff working relationship.

Director Riffle reported attending the Thornewood tour and expressed appreciation for the work done at the facility. He stated he will attend the Santa Cruz Mountain Stewardship Network Spotlight Stewardship Program on July 22.

Director Holman reported attending the Thornewood tour and stated how proud staff is of the work.

Director Cyr reported attending the Thornewood tour. He asked if staff would allow public tours of the property.

Director Kishimoto congratulated staff on the completion of the Alpine Trail. She stated she is invited to speak at Kiwanis Palo Alto on July 11 with an emphasis on Alpine Trail.

**ADJOURNMENT**

President MacNiven adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 9:47 p.m.

Loana Lumina-Hsu  
Executive Assistant / Deputy District Clerk