



Midpeninsula Regional  
Open Space District

R-25-27  
Meeting 25-07  
March 5, 2025

### AGENDA ITEM 3

#### AGENDA ITEM

Debrief of the Bear Creek Stables Ad Hoc Committee Process and Formation

#### GENERAL MANAGER'S RECOMMENDATIONS

Hold a debrief as requested by the Board to discuss the opportunities and challenges regarding the recent Bear Creek Stables Ad Hoc Committee Process and Formation. This is specifically a discussion about the process, not the outcomes or the subject matter of the Ad Hoc, to arrive at important takeaways that can inform next steps for future Ad Hoc Committee formations.

#### SUMMARY

This agenda item is specifically a debrief to discuss the opportunities and challenges regarding the recent Bear Creek Stables (BCS) Ad Hoc Committee Process and Formation. This is specifically a discussion about the formation process to arrive at important takeaways that can inform next steps for future Ad Hoc Committee formations.

#### DISCUSSION

On May 14, 2024, the Midpeninsula Regional Open Space District (District) Board of Directors (Board) received an update on the Bear Creeks Stables Capital Maintenance and Repair Project (Repair Project), including County permit status, increasing project construction costs, and long-term stables operational costs. Given the cost escalation of the Repair Project, the Board reviewed several long-term stables options ranging from closing the stables to reducing boarding and/or programming. The deliberation was extensive and difficult, with Board members expressing a wide variety of concerns, raising differing considerations, and voicing separate and disparate preferences.

After 4.5 hours of presentation, comments and discussion, Director Kishimoto made a motion to move one of the General Manager's optional recommendations (Option B). This motion received much discussion and numerous concerns, particularly related to the desire for additional community input and community-generated solutions. Next, Director Holman moved a substitute motion that was seconded by Director Cyr directing the General Manager to bring back the item to the Board in approximately four months and form an Ad-Hoc Committee with members of the Board with different views as well as self-selecting members of the community. The substitute motion received more discussion and other concerns, particularly related to the implications to and impacts on other project and program priorities and on the growing cost for

the repairs. In the end, the vote was split, voting in favor of the substitute motion as follows: 4 in favor and 3 opposed.

After the meeting, the District shifted to support the Ad Hoc Committee work. Although the Board members on the Ad Hoc Committee made great attempts at limiting the impacts on District staff, and therefore on other District projects, programs, and priorities, it became evident after a few Committee meetings that District staff were critical to providing information, answering questions, researching inquiries, scheduling and supporting the Brown Act meetings, providing feedback and guidance, and evaluating the cost and feasibility of the various Ad Hoc working group recommendations. From June to November of 2024, a total of 12 public BCS Ad Hoc Committee meetings were held, and over 1,300 staff hours were dedicated in support of the Ad Hoc Committee's work. Normally, four to six staff members remained closely involved in the Ad Hoc Committee's work, with one staff liaison as the main point person. The process required even a greater time commitment from the three Ad Hoc Committee members, who met extensively with the working groups, conducted additional work on their own, and attended all the Ad Hoc Committee meetings.

As a result of the Ad Hoc Committee's work, an additional option was identified and presented to the Board, along with other prior (and one modified) project options. In the end, Director Riffle moved, and Director Holman seconded an alternate site option as modified by staff that incorporated numerous recommendations from the Ad Hoc Committee option along with certain modifications to further reduce costs and long-term operational requirements that more closely reflected the original staff recommendation. The motion passed by a vote of 5 in favor and 2 opposed. Subsequent to the Board decision, the Board expressed an interest to have a debrief discussion of the Ad Hoc Committee formation process.

Given the Board's interest, and recognizing that the need to form future Ad Hoc Committees will continue to exist, the prior process presents an opportunity for the Board to reflect on the opportunities and challenges of the formation process and whether certain procedural norms should be included to improve the overall success, clarity of role, clarity of trade-offs, and clarity of expectations of future Ad Hoc Committees. Depending on the discussion, the Board can consider directing the General Manager to return with additional policy language regarding Ad Hoc Committees that can be potentially incorporated into existing Board policies. For example, Palo Alto and Sunnyvale each have specific policy language that first requires a report from the City Manager on the anticipated time commitments required for staff and/or requires that the item be separately agendaizing to give the Board space and time to fully vet the consideration and supply them with sufficient information to make a well-informed decision.

To support this discussion, Attachment 1 – *Policy 1.04, Board Committees* is provided containing the current language and guidance on Ad Hoc Committee formation.

Finally, for clarity, District policy pertaining to Board Committees is silent regarding including members of the public in any Committee. Typical Ad Hoc Committees at the District normally consist solely of Board members. Because a Committee of the Board that includes members of the public becomes a Brown Act body and poses different administrative demands, many public agencies have a specific policy and process for creating a public working group that is distinguished from the process for creating an Ad Hoc Committee consisting solely of Board

members. Currently, the Board Policies do not cover processes for creating public working groups. However, the District does have experience and a template for creating public access working groups (e.g., La Honda Public Access Working Group and Hawthorns Area Public Access Working Group). These working groups have Board liaison representation versus participation of three (a committee) of Board members.

**PRIOR BOARD AND COMMITTEE REVIEW**

None

**PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

**CEQA COMPLIANCE**

This item is not a project subject to the California Environmental Quality Act.

**NEXT STEPS**

Board discussion will inform the General Manager's subsequent and future actions related to Ad Hoc Committee formation.

Attachment

1. Board Policy 1.04, Board Committees

Responsible Department Head / Prepared by / Contact:  
Ana Ruiz, General Manager

## Midpeninsula Regional Open Space District

## Board Policy Manual

<b>Board Committees</b>	<b>Policy 1.04</b> <b>Chapter 1 – Administration &amp; Government</b>
Effective Date:	Revised Date: 11/13/13
Prior Versions:	

**Committees of the Board**

Upon passage of a motion by a majority of Board members in open session at a regular or special meeting, standing or ad hoc committees composed of less than a quorum of Board members may be established and members appointed for the study of specific matters and provide recommendations to the Board on such matters. Ad hoc committees are temporary committees established to accomplish a specified task, do not have permanent subject matter jurisdiction, and must sunset within a year. Standing committees have ongoing and permanent subject matter jurisdiction. The presiding officer of the Board shall appoint the committee members with the consent of the Board. The President may serve on standing and ad hoc committees, and as a voting alternate.

**Standing Committees**

The following shall be standing committees of the Board with subject matter jurisdiction to perform the designated duties as set out herein and as assigned by the Board:

- (a) Action Plan and Budget Committee: Reviews the proposed budget and any required midyear budget amendments; makes budget recommendations to the Board; reviews Action Plan and Strategic Plan implementation; and receives reports from the District Controller concerning investments of District funds and current and long-term fiscal analyses.
- (b) Legislative, Funding and Public Affairs Committee: Reviews and makes recommendations to the Board on the proposed two-year legislative program; reviews policy matters related to the Board Policy Manual and other Board policies and regulations as assigned by the Board; reviews matters concerning District funding, public affairs, and outreach; and reviews requests for naming District facilities, lands and preserves.
- (c) Planning and Natural Resources Committee: Reviews Use and Management Plans, Resource Management Plans, amendments, and issues (including consistency with related Board policies; conducts site tours relating to these matters as needed (includes trail use, facilities, structures, and resource management items).
- (d) Real Property Committee: Reviews leases; reviews consistency with Board rental policies concerning District real property; conducts site tours for potential real property purchases and disposition of structures at time of purchase.

The Real Property Committee set forth the following guidelines for site tours of real property purchases:

1. Properties of regional significance
2. Coastal properties
3. Conservation partnership projects
4. Grant funded projects
5. Properties with known strong public interest
6. Large properties
7. Properties with significant habitable structures
8. Properties with significant or unique use and management issues

The Real Property Committee set forth the following guidelines for not holding site tours:

1. Remote properties with poor roadway access
2. Properties with existing hazardous or unsafe conditions
3. Property owners not willing to have a public tour at their property
4. Small, minor or inholding properties

(e) Board Appointee Evaluation Committee: Reviews performance and employment contracts of Board appointed employees: General Manager, General Counsel, and District Controller.

Other matters may be referred to an appropriate Standing Committee with prior approval of the Board. Such matters shall first be placed on a Board agenda by any Board Member or the General Manager for Board approval.

The General Manager may also refer matters directly to an appropriate Standing Committee as needed to implement the District's Action Plan.

Three Board members shall be appointed to serve on each standing committee.

The Treasurer shall be one of the three members of the Action Plan and Budget Committee.

Appointments to the Board Appointee Evaluation Committee shall include the Board President and Vice President as two of the three members of the Committee.

Appointments to other standing committees shall be made at the first regular meeting following the meeting at which officers of the Board are elected.

#### **Standing Committee Meeting Notification**

Agendas for meetings of standing committees of the Board shall be posted in a location that is freely accessible to members of the public and posted on the District's website at least 72 hours before the meeting. The agenda shall include the time and location for the meeting and a brief description of each item of business to be transacted or discussed at the meeting. Whenever

possible, notices of standing committee meetings shall also be listed in advance on agendas for regular or special Board meetings. Agendas for standing committee meetings shall be forwarded to each person who usually receives an agenda for regular meetings and to each person who has requested notification of meetings of a particular committee.