



SPECIAL AND REGULAR MEETING

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

Wednesday, May 8, 2024

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

DRAFT MINUTES

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

President MacNiven called the special meeting of the Midpeninsula Regional Open Space District to order at 5:30 p.m.

ROLL CALL

Members Present: Jed Cyr, Craig Gleason, Zoe Kersteen-Tucker, Yoriko Kishimoto, Margaret MacNiven, and Curt Riffle

Members Absent: Karen Holman

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, and Natural Resources Manager Kirk Lenington

President MacNiven announced 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.

Director Karen Holman joined the meeting at 5:36 p.m.

1. Parking Area Design Guidelines (R-24-55)

Assistant General Manager Susanna Chan provided the presentation on the draft Parking Area Design Guidelines (PADG). She stated that the design guidelines align with the District's missions and goals, and they were developed alongside existing District policies relevant to parking areas. She provided background information emphasizing the importance of these

guidelines, given the District's vast and diverse 70,000 acres of open space, ranging from redwood forest to coastal grasslands to bayside wetlands. The District's mission involves preserving and restoring the diverse landscape while offering ecologically sensitive public access and enjoyment.

Ms. Chan stated that comments from the March 13, 2024 Board meeting have been incorporated into the draft PADG and are brought before the Board tonight to review and either approve the proposed PADG with any final changes or, if significant revisions are required, authorize the General Manager to execute a \$15,000 contract amendment with CSW/ST2 for another round of major revisions. Ms. Chan then reviewed the framework of the PADG and emphasized that the document is intended to provide guidance throughout the life of a parking area project, ensuring a clear understanding of the expectations, and as a tool for the Board to use when evaluating and approving parking design concept plans. Being a living document, it will undergo iterations and updates as guidelines are tested with projects of varying constraints, sizes, and sensitivities.

Ms. Chan reviewed the design elements, specifically focusing on striping, which aligns with the Board's interest in exploring natural colors. However, investigations by the consultants and staff found that there are strict design standards related to parking, outlined in the California Uniform Traffic Control Device Manual (MUTCD), mandating white parking area markings with little room for deviation. The MUTCD is integrated into the government code as the vehicle code and is referenced by both San Mateo and Santa Clara Counties in their local code, which are the District's permitting agencies.

Additionally, Ms. Chan highlighted signage as another point of interest. The PADG allows for both metal and wood posts, providing flexibility for designers to choose based on context. She mentioned that the Board suggested removing EV charging stations from the list of design elements in March. However, discussions with the County of San Mateo have found that the County's General Plan mandates the installation of EV charging stations in parking lots. The planning staff from San Mateo indicated that all discretionary permits, which include most parking area projects falling under that category, are required to comply with the General Plan requirement. Considering this requirement, EV charging stations have been retained under the parking technology section of the PADG.

CSW/ST2 Project Manager Jessie Maran introduced herself and Landscape Architect Bob Birkland, they both reviewed their experience and work they have performed for the District.

Director Holman inquired if EV stations are required in parking lots in remote and rural areas.

Ms. Chan affirmed that EV stations are a requirement as outlined in the San Mateo County General Plan. Therefore, the expectation is that the District must meet these requirements when seeking a permit.

Director Holman asked if striping must be white in any parking lot, regardless of the setting or how remote it is, and if this requirement applies in both San Mateo and Santa Clara counties.

Ms. Chan confirmed that according to design standards, parking area markings must be white, and this requirement applies in both San Mateo and Santa Clara Counties.

Director Gleason asked what green striping means in the code.

Ms. Chan stated that according to the code, green typically indicates movements or actions permitted in directional guidance, though she noted this is related to traffic control rather than parking specifically. She also mentioned that green zones are often associated with temporary parking.

Director Gleason noted that the parking lot at his office is striped green and believes it is not temporary parking.

Ms. Chan offered to discuss the matter offline to determine the site specifics of the site, noting that oftentimes the code is specific to public spaces and not private parking lots.

Director Riffle noted that there will be an anticipated increase in EV usage in the future and emphasized the need to address it in some way. He also suggested considering the incorporation of technology to indicate available parking spots before arriving. Although, this may not currently be included in the guidelines, he stressed its importance for maximizing the use of parking areas in the future.

Ms. Chan stated that currently the PADG focus more on the aesthetic treatment of the parking areas and agrees that the design should consider installing underground infrastructure that will allow ease of EV charging implementation in the future.

Director Riffle inquired whether the PADG would need to be updated for this addition.

Ms. Chan stated that if the Board desires to incorporate that vision into the document, staff can incorporate it under the parking technology section.

Director Riffle raised concerns about whether the current focus on the PADG assumes that the majority of visitors arrive by car. He emphasized the importance of accommodating various modes of transportation, including biking, carpooling, ridesharing, to encourage more sustainable transportation options. He expressed uncertainty about whether the guidelines adequately address this multi-modal approach and whether they sufficiently promote alternative transportation methods.

Ms. Chan stated that PADG also has elements specific to equestrian amenities, which have been added in response to a public comment. Additionally, comments received related to pedestrian access and bicycle accommodation will also be included into the document.

Director Kishimoto commented on page 7 of attachment 1 of the board report, noting that it discusses the need for the District and staff to consider a balance among aesthetics, visitor experience, resource protection, public safety, upfront construction costs, and long-term maintenance requirements, and inquired if this approach leaves the final decision to be made on a case-by-case basis.

Ms. Chan explained that while the document is designed to offer flexibility, staff appreciates guidance from the Board on their expectations regarding the balance between aesthetic treatment and associated project costs. She noted that in the past, when presenting parking area projects, concerns were raised about high costs. Therefore, having a clearer understanding of the Board's expectations would enable staff to better articulate these considerations in the document.

Director Kishimoto suggested adding a reference of the Basic Policy to the PADG, emphasizing the importance to both the Board and staff to consider a balance while recognizing that long-term environmental protection holds the highest priority.

Ms. Chan clarified that while environmental protection is crucial for the District, the document primarily focuses on the aesthetic treatment of parking areas. She acknowledged that certain design choices may come at a higher cost to maintain these values and requested feedback from the Board on this matter.

General Manager Ana Ruiz emphasized that ecological impact considerations are governed by the District's Resource Management policies, which dictate the planning and siting of potential parking areas. These policies take precedence before the implementation of the PADG. Once an appropriate site is selected, the PADG come into play, focusing on the materials and design elements used in parking area, primarily addressing aesthetic concerns rather than ecological protection. She further noted the importance of striking the right balance, considering both upfront construction costs and long-term maintenance costs. With limited staff capacity, resources allocated to parking area maintenance are the same staff maintaining the trails, defensible space, and habitat restoration work. Finding the right balance is essential to ensure that resources allocated to parking area maintenance does not detract from other priorities.

Director Holman suggested adding biological to the ecological value statement and noted the PADG should cross reference other polices since it is not a standalone document.

Ms. Chan agreed that the references to the other policies will be added to the PADG.

Director Kishimoto commented that bicycles are mentioned in the PADG but are not called out as an element.

Ms. Chan stated bikes can be specifically called out.

Director Kishimoto expressed that her preference is having sign uniformity.

Director Cyr spoke about the cost increase of adding EV charging stations to remote parking lots and how the permitting counties influence the design considerations for the parking lot.

Director Kersteen-Tucker commented that parking lots serve as gateways to preserves and stressed the importance of balancing cost considerations with aesthetics. She also agreed that the PADG should cross-referencing other relevant policies. She is also in agreement with Director Riffle on the importance of having EV amenities and e-bike charging, even though they are not allowed on trails, the public may still ride them to the preserves and may have the need for charging facilities. Furthermore, she raised the question of whether standardization would be appropriate in elements like bathrooms, signage, bike racks, and trash cans or if diversity in design better reflects the unique characteristics of each location.

Ms. Maran stated that it is a question of direction. She suggested pursuing the idea that there is a sense for visitors to understand that they are in a District facility, and that can be supported by using consistent, if not identical, elements across all of the preserves parking areas. While standard designs exist, their application should vary depending on context or significance, allowing for flexibility when needed.

Mr. Birkeland suggested that certain elements should be standardized, unless there is an unusual site condition that warrants something different. He also believes that signage should be standardized using both wood and metal posts, ensuring it remains elegant and subtle to blend with the surroundings. He highlighted the need for attention to the site's unique characteristics and sense of place when considering elements like the entry road and parking layout. By incorporating both standard District components and site-specific features, the parking area can maintain its sense of place while also being functional.

Director Kersteen-Tucker suggested referencing in the PADG any existing standardizations, such as signage.

Director Kersteen-Tucker spoke about costs versus the aesthetics and natural resource protection and indicated that she would rather invest more in cost if it meant protecting resources.

Director Holman expressed concerns about the Grasshopper Loop Trail parking lot, describing it as urbanized and using inappropriate materials and colors. She questioned if the PADG would prevent similar occurrences at other locations. Additionally, she mentioned being unaware that the District has a Sign Manual and whether it aligns with the PADG, highlighting that the Board is approving the PADG without knowledge of potential conflicts between the two documents.

Director Holman raised several concerns about inconsistencies and potential conflicts within the document. On Page 6, she noted discrepancies in prioritizing responsiveness to the environment and sense of place versus prioritizing maintenance over aesthetic and environmental considerations. She offered to meet separately with staff to point out additional inconsistencies and suggested that the document needs to be reviewed again to address internal conflicts. On Page 5, she questioned the reference to standards and guidelines that may be unknown to some Board members. Additionally, on Page 4, she expressed concern about the construction and maintenance guideline section. Finally, on Page 8, she highlighted a contradiction regarding sustainable practices, where the document encourages environmentally sustainable design but also directs the selection of low-maintenance elements, which she interpreted as a directive rather than a consideration.

Ms. Chan stated that Director Holman's comments are well taken and will be addressed in the next round.

Public comment opened at 6:50 p.m.

Jerry Wittenauer, an equestrian, expressed gratitude for the inclusion of equestrian amenities in the document, that was provided in March. He thanked the Board for considering their comments and noted that the document includes everything they had requested.

Ms. Lumina-Hsu reported that Dashiell Leeds and Shani Kleinhaus submitted a form to provide virtual comments, but both speakers were not online.

Public comment closed at 6:51 p.m.

President MacNiven inquired if the Natural Resources staff felt satisfied with the level of attention given to natural resources in the document and whether they required more specifics in the document.

Natural Resources Manager Kirk Lenington suggested incorporating and cross-referencing the Resource Management Policies and the Preserve Planning Process into the PADG to ensure alignment.

Director Kishimoto inquired using the term “staging area designs” rather than “parking lots designs” so that the document is not to auto centric.

Ms. Ruiz stated that the term can be used although the broader public may not necessarily know that it refers to parking lots.

Director Kishimoto suggested cleanup on page 20. She noted that it mentions providing potable water, which she believes is not something provided. Additionally, there is a reference to wider trails, she suggested instead referring to the Trail Guidelines.

Director Gleason hoped that in the future the discussion could be extended to road and trail construction. He advocated for reconsidering traditional notions of cost and value, emphasizing the importance of evaluating the value of alternative decisions. He expressed support for refining the document further based on today’s discussions.

Director Riffle commented that he views the PADG as a guideline rather than a manual. Having worked along with Natural Resources staff, he favors adaptive management and suggested proceeding with the PADG with some tweaks and to refine as needed over time. He questioned what was the problem the document aims to solve, expressing satisfaction with the current state of parking lots. He cautioned against drifting into a detailed design manual, preferring a lighter touch given the existing Preserve Planning Process in place. He expressed concern about potential administrative burden to staff.

Director Holman raised several points of concern about the PADG. She questioned whether the documents will adequately address potential issues like the one she mentioned earlier about the Grasshopper Loop Trail. She also noted that it will be beneficial to refine and cross-reference existing policies. She noted a lack of illustrative examples in the document, which typically help clarify what is desirable and what is not. Additionally, she found some of the drawings difficult to interpret and hard to read and suggested adding additional drawings and some cleanup or revisions to the existing drawings. She also suggested using timbers to delineate parking spaces or adding a subtle symbol in the timbers, stating by doing this it may do away with white stripping. Overall, she suggested sending the document back for further refinement, highlighting issues such as prioritizing cost, the need for cross-referencing policies, the lack and unclear illustrations, and discrepancies with trail standards, comments about construction and maintenance, and also adding biological to the ecological value statement.

President MacNiven stated that she is fine with the illustrations as they are and inquired what major additions need to be done other than adding the cross-references to other policies.

Ms. Chan acknowledged the need for general cleanup in the document and agreed that there are some inconsistencies that could be addressed, including adding the cross-references to other policies, adding a specific design element for bike parking, as well as brainstorming about changing the name to "staging area" to make it less auto centric.

President MacNiven asked if staff is able to complete the work without having to extend the contract an additional \$15,000.

Ms. Chan stated that if the graphics are altered, she will need the consultants support, if it is just cross-referencing and general cleanup, staff will be able to address it.

Director Kishimoto asked if the PADG will return to the Board as a consent item or action item so the Board has the opportunity to review it.

President MacNiven stated the item should be brought back to the Board as an action item for the Board to review.

Director Holman asked if all her items were captured by staff and expressed uncertainty regarding the consensus of the rest of the Board regarding her suggestions. She sought clarification on the direction for staff in implementing these suggestions.

Ms. Chan expressed her willingness to meet with Director Holman to discuss incorporating her suggestions into the document. Afterwards, the revised PADG will be presented to the Board for further review and approval.

Motion: Director Riffle moved, and Director Kersteen-Tucker seconded the motion to approve the proposed Parking Area Design Guidelines with changes as requested by the Board of Directors and return to the Board of Directors at a later date for final review and approval.

ROLL CALL VOTE: 4-3-0 (Directors Gleason, Holman, and Cyr opposed.)

ADJOURNMENT

President MacNiven adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:16 p.m.

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 7:25 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, Controller Michael Foster, 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, and Executive Assistant/Deputy District Clerk Loana Lumina-Hsu

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 7:26 p.m.

Jenny Whitman commented that she volunteered as an Open Space Docent and an Equine Trail Patrol Volunteer at Bear Creek Stables, she recounted her years of preserving the stables and spoke about the formation of Friends of Bear Creek Stables. She commented that she returned to the stables after years and felt disheartened to see the stables and that the remaining boarders seemed afraid and silent. She presented a document to the Board, detailing the stables' history and programs, expressing her pride and service.

Public comment closed at 7:29 p.m.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:30 p.m.

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

Public comment closed at 7:30 p.m.

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

ROLL CALL VOTE: 7-0-0

- 1. **Approve the April 24, 2024 Board meeting minutes**
- 2. **Approve Claims Report**

BOARD BUSINESS

- 3. **Resolution approving the Preliminary Official Statement for the Issuance of the Measure AA Series 2024 General Obligation Bonds (Green Bonds). (R-24-56)**

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak provided the presentation and stated that the purpose of the 2024 Series General Obligation Bonds (Green Bonds) is to provide the next tranche of funding under Measure AA for capital projects and land acquisitions. The issuance of the Bonds was authorized at the April 24, 2024 Board meeting. The Preliminary Official Statement (POS) Resolution provides Board approval of the disclosure documents to be used in the marketing of the Bonds. The POS is the disclosure document necessary for the marketing of the bonds, the proceeds of which will be used to fund ongoing and future capital projects and acquisitions under Measure AA. He mentioned that the POS is preliminary and there may be some adjustment made but, none which will be material. He stated that all material information is included in the POS for any potential bond buyers to inform their decision to purchase the bonds. Additionally, he reviewed the indicative cost, marketing, and preliminary financing schedule. If approved by the Board, staff will proceed with finalization of the Official Statement and sell the 2024 General Obligation Bonds.

General Counsel Hilary Stevenson stated that the General Manager and the Bond Team retain the ability to make corrections to the POS between now and when the bonds go to market. She assured the Board that the disclosure council plans to review the document again, and if any Board members have any additional edits, there is still an opportunity to make changes.

Director Kersteen-Tucker noted that on page 13 of the staff report, the District's Coastal mission was missing, although it was included elsewhere in the document. She requested updating the POS accordingly. Additionally, she pointed out that under the Volunteer Program section, it states that the District has 500 volunteers, and requested that the number be updated since there are far more volunteers.

Mr. Jaskulak confirmed both requests will be updated.

Director Kishimoto pointed out that on page 1 of attachment two, it states that there are more than 2.6 million people that live within the District and clarified that the correct figure is closer to 800,000.

Mr. Jaskulak stated the that the number will be corrected.

Public comment opened at 7:48 p.m.

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

Public comment closed at 7:48 p.m.

Motion: Director Riffle moved, and Director Cyr seconded the motion to adopt a Resolution approving the Preliminary Official Statement for the Issuance of the Measure AA Series 2024 General Obligation Bonds (Green Bonds)

ROLL CALL VOTE: 7-0-0
INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported the Action Plan and Budget Committee met on May 7, 2024 and provided an update.

B. Staff Reports

Assistant General Manager Brian Malone reported that on April 26, 2024, the Los Vientos Way trailhead into Pulgas Ridge Open Space Preserve opened as of April 26, 2024.

C. Director Reports

Director Kishimoto reported that she attended the TOGETHER Bay Area conference on May 8, and attended the May 2 BCDC meeting.

Director Cyr reported he presented to the City of Sunnyvale Council on May 7.

President MacNiven reported she presented to the North Fair Oaks Community Council on April 25.

Director Riffle expressed appreciation to staff for the well-attended and well-done Restoration Open House held on May 1. He also attended the virtual opening session for the TOGETHER Bay Area conference on May 7.

Director Holman reported that she also presented to the City of Sunnyvale Council on May 7, and that the Council were very responsive to the presentation, and that some of the council members, including the mayor, made complimentary and interesting comments about the District that she suggests capturing this feedback for marketing purposes.

Director Kersteen-Tucker reported that she has a presentation scheduled on May 13 with the City of San Carlos Council.

Director Gleason reported he also attended the Restoration Open House held on May 1. He requested to agendaize an item for discussion regarding the Bear Creek Stables concessionaire and stated that recently the General Manager took steps of shutting down the lesson and camp programming at the stables, to which he applauds. He believes the Board has a duty to again review the dynamic situation at Bear Creek Stables. He requested placing an item for the next agenda either during closed or open session based on the General Counsel's advisement.

Director Holman spoke in support of agendaizing the topic.

Ms. Ruiz requested clarification if the agenda topic is to be added for discussion at the regular Board meeting of May 22, or the May 14 Special Board meeting.

Director Gleason commented that the situation is dynamic, and it would be best to agendaize the item as soon as possible.

Ms. Ruiz pointed out that the May 14 Special Board meeting includes major considerations regarding Bear Creek Stables, and based on that conversation and Board direction, an agenda item responding to Director Gleason can be prepared.

Director Holman asked if the item would be scheduled as an open or closed session item.

Ms. Stevenson stated that there are very limited categories of safe harbor topics to convene a closed session, it depends on the proposed action of the topic to be discussed.

Director Gleason clarified that the topic of his item is in regards to the concessionaire and not the management of the stables, and not the long-term direction of the stables.

Ms. Ruiz added that the discussion on May 14 will have implications for the long-term operation of the site, which in turn affects the need and type of concessionaire needed. She suggested that it would be prudent to have the May 14 meeting first and then proceed with a decision about adding an item at a later meeting.

Director Kersteen-Tucker inquired if Director Gleason was comfortable with waiting to agendaizing an item until after the May 14 meeting, and then see if there any additional issues he wants to address with the Board.

Director Gleason noted that he will explore options with Ms. Ruiz.

Ms. Stevenson stated that there is a section in the Board policies on the procedures on how to agendaize an item and will work with the District Clerk to provide that information to the Board.

ADJOURNMENT

President MacNiven adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 8:09 p.m.

Maria Soria, MMC
District Clerk