



REGULAR MEETING

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

Wednesday, June 28, 2023

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

ROLL CALL

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

Members Absent: None

Staff Present: General Manager Ana Ruiz, Assistant General Counsel II Egan Hill, 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, Deputy District Clerk/Executive Assistant Loana Lumina-Hsu, Planning Manager Jane Mark, Natural Resources Manager Kirk Lenington, Senior Planner Tina Hugg, and Planner III Ashley Mac

President Kishimoto announced this meeting is being held in accordance with Government Code section 54953. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website.

REMOTE PARTICIPATION UNDER AB2449

Pursuant to AB2449, Director Kersteen-Tucker provided notice she will participate in the Special meeting using video teleconference under the just cause exemption of illness. Director Kersteen-Tucker disclosed that her husband is the only person over the age of 18 who is present at her remote location.

ORAL COMMUNICATIONS

District Clerk/Assistant to the General Manager Maria Soria reported there were no public speakers for this item.

ADOPTION OF AGENDA

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

ROLL CALL VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:03 p.m.

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

Public comment closed at 7:03 p.m.

Director Riffle pulled Item 3 from the Consent Calendar for further discussion.

Motion: Director MacNiven moved, and Director Cyr seconded the motion to approve the Consent Calendar with all items with the exception of Item 3.

ROLL CALL VOTE: 7-0-0

- 1. Approve the April 26, 2023 Board meeting minutes**
- 2. Approve Claims Report**
- 3. Amend the Midpeninsula Regional Open Space District’s Classification and Compensation Plan to reflect Phase I Compensation Study Findings for Certain Unrepresented Office, Supervisor, and Management Employees (R-23-71)**

General Manager’s Recommendation:

Adopt a resolution amending the Classification and Compensation Plan based on the findings of a recent Compensation Study for the purpose of remaining competitive within the labor market and attracting and retaining a qualified workforce, as follows:

1. Reassign the Human Resources Manager and Information Systems & Technology Manager from a current salary range of 48 to a new salary range of 51, which also brings the salary range for the two department manager positions to be equivalent to that of other department manager positions.
2. Reassign the Information Technology Technician I from a current salary range of 22 to a new salary range of 24.
3. Reassign the Information Technology Technician II from a current salary range of 27 to a new salary range of 29.

Director Riffle stated that he supports Agenda Item 3 and mentioned that it has been approximately 5 to 7 years since the District reviewed the compensation policy, and a lot has

changed since, and that the District is currently undergoing a FOSM refresh in which the consultant will provide their comments about the organization as well as on the compensation. Director Riffle expressed two concerns, the first is whether the District is using the correct comparator agencies, and the second whether the District is staying competitive. Director Riffle inquired about the Board's thoughts to reset the benchmark in light of the ultra-competitive environment, noting that the benchmark is currently set at 55%.

General Manager Ana Ruiz indicated that staff has been discussing the Compensation Policy based on a number of trends and information gathered and which staff continue to gather. In terms of retention and recruitment, the District is struggling more now than in the past, and it is difficult to recruit larger, qualified pools of applicants as compared to pre-pandemic times. Currently, there is an increase in turnover with employees leaving the District for a number of reasons, but the top two reasons are that they are leaving geographically to live in a more affordable area or for promotional opportunities with a higher compensation. This has led staff to consider reviewing the list of comparable agencies and the compensation philosophy. Staff is conducting phased approaches to complete a compensation study for all classifications, with the most recent set of classifications completed as a Phase I effort as well as a compensation study conducted for the Ranger staff as part of the current negotiations. In both instances, based on the current list of comparable agencies that the Board has approved, and based on the current compensation philosophy, the District remains competitive. However, recruitment and retention are showing otherwise.

Ms. Ruiz stated that there are still phases of the compensation study to be completed, and staff is in the middle of the FOSM update, for which she expects will include recommendations related to recruitment and retention. Ms. Ruiz concluded that everything is pointing to the need for reviewing both the list of comparable agencies and the compensation philosophy, given the District's location in the Bay Area, the State of California and the nation. Lastly, she reported that staff will bring back recommendations from those evaluations and present it to the Board with recommendation to consider in the Spring of 2024.

Director Gleason supported Director Riffles statement, and also supported reviewing the list of comparable agencies and reviewing the compensation philosophy, in addition to supporting Agenda Item 3.

Director Kersteen-Tucker inquired and received information on how closely the compensation study and philosophy analysis would be linked to the FOSM or if it should be considered separately so that it could move more quickly.

Director Kersteen-Tucker expressed concern the staffing issues may need to be addressed sooner than later, and she would not want to see the compensation tied to a longer term FOSM process.

Director Holman remarked that the conversation is solely centered on financial compensation and benefits, but recruitment can also be influenced by other aspects, such as hybrid work, organizational culture and structure, and what opportunities are available. It is a mixture of these factors, not simply the financial aspect, that drives someone to want to work, stay, and be happy in one place. Furthermore, the Board should keep that context in mind while this matter is discussed.

Public comment opened at 7:19 p.m.

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

Public comment closed at 7:19 p.m.

Motion: Director Riffle moved, and Director Gleason seconded the motion to approve the Consent Calendar Item 3.

ROLL CALL VOTE: 7-0-0

4. Award of Contract with Grassroots Ecology to Conduct Service-Learning Natural Resource Stewardship Activities that Engage the Public (R-23-72)

General Manager's Recommendation:

Authorize the General Manager to enter into a four-year agreement with Grassroots Ecology of Palo Alto, California to provide service-learning events for an amount not to exceed \$408,000, a portion of which (up to \$250,000) is reimbursable through an existing grant.

5. Contract Amendment for Lehigh Quarry Ridgeline Easement Monitoring (R-23-73)

General Manager's Recommendations:

1. Authorize the General Manager to amend a professional services contract with Cotton, Shires and Associates, Inc., to provide additional monitoring and reporting related to Easements protecting Rancho San Antonio Open Space Preserve and County Park from activities at the neighboring Lehigh Cement Plant and Quarry for Years 2 and 3 in the amount of \$15,800.
2. Authorize an allowance of \$8,640 for additional data processing and graphics in Years 2 and 3 if significant changes in topography are noted during monitoring (allowance would only be spent if the topographic changes indicate a potential breach of one of the easements), bringing the total not-to-exceed contract amount to \$72,940.

6. Annual Review of and Proposed Updates to the Fiscal Management Policies (R-23-74)

General Manager's and Controller's Recommendations:

1. Adopt the proposed amendments to Board Policy 3.07 – *Fund Balance Policy*.
2. Adopt the proposed amendments to Board Policy 3.08 – *Investment Policy*.
3. Affirm Board Policy 3.09 - *Debt Management Policy*.

BOARD BUSINESS

7. Hawthorns Area Plan — Public Access Working Group Appointments (R-23-75)

Senior Planner Tina Hugg provided the staff presentation and stated that the Hawthorns Area Plan is entering the Programming and Conceptual Planning phase, which will involve a Public Access Working Group who will assist the project team in finding parking and trailhead options to evaluate. Ms. Hugg discussed the location of the Hawthorns Area of Windy Hill Preserve, stating that the Hawthorns Area is a 79-acre property located in the Town of Portola Valley. Ms. Hugg reviewed the purpose of the Working Group, provided a summary of the recruitment process and next steps. In addition, she reviewed the workflow of the Working Group and how it would interact with the Planning and Natural Resources (PNR) Committee and full Board. The

Working Group would operate in an advisory capacity and provide feedback to the project team and PNR. The PNR would consider the Working Group's suggestions and determine when to forward recommendations to the full Board. At any time, either the PNR or Board can request that the Working Group revisit an item or provide more information. The Board would make the final policy decisions and the Working Group's work would end upon Board selection of the Preferred Alternative. Ms. Hugg then continued to review the composition of the Working Group, which is comprised of 7 ward stakeholders, 6 interest area representatives, and Director MacNiven as the representative from the District's Board of Directors and Vice Mayor, Councilmember Sarah Wernikoff as representative for the Portola Valley's Town Council.

Director Riffle requested and received information on how members of the public may obtain and review documents shared at the meetings and whether there would be a dedicated site on the District's website where the material and meeting dates will be posted so that the public can participate.

Director Holman inquired if it is clear to the liaisons that they can ask questions but not state preferences.

Ms. Hugg confirmed that was correct, and that the guidelines specify their roles and responsibilities. Part of their role, for the town and board liaison is to provide information on the agency that they represent.

Director Holman inquired and obtained confirmation on whether there would be two alternates in the event of a vacancy in the Working Group.

Director Holman inquired whether the alternates are aware that if a vacancy occurs, they may be called to join the Working Group.

Ms. Hugg stated that staff will follow-up with the alternates so that they are aware.

Public comment opened at 7:37 p.m.

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

Public comment closed at 7:37 p.m.

Director Cyr expressed appreciation for staff's work.

Director MacNiven expressed appreciation for staff's work and added that she looks forward to serving as the Board liaison and understands her role. She also praised all the applicants and those who were chosen and accepted the Working Group role.

Director Holman stated that she is looking forward to the process and that the Working Group will be led by Ms. Hugg, who was applauded for her leadership of the La Honda Public Access Working Group. She also expressed her appreciation to those who applied and went through the interview process.

Director Riffle expressed appreciation for staff's work and the twenty candidates who applied to be part of the Working Group, stating that any of the twenty candidates could have been great member of the Working Group, and that he is pleased with the members who will be appointed today, and pleased with the Stakeholders that were nominated by each Director. In addition, he recognized Sandy Sommer, a former District employee who served on the La Honda Public Access Working Group and will represent his ward on the Hawthorns Area Public Access Working Group.

Director Gleason stated that the Working Group members are an extremely strong group and thanked Ms. Hugg and the team for their community outreach efforts. It was great to see the enthusiasm and varied experience that the candidates brought to the interviews and agrees with Director Riffle that any of the candidates would have been a great addition to the Working Group. Furthermore, he encouraged all candidates to participate in the sessions and present their ideas to the Working Group.

Director Kersteen-Tucker agreed with the other Directors' compliments for the staff and the Working Group.

Motion: Director Holman moved, and Director Riffle second the motion to appoint members to serve on the Hawthorns Area Public Access Working Group as listed in the staff report.

ROLL CALL VOTE: 7-0-0

8. Oral Presentation – Planning Department Overview

Planning Manager Jane Mark provided an overview of the department's organizational chart, the Planning team, their mission, core functions, and the key programs. Ms. Mark also highlighted the Use & Management Planning Process and the work of the Planning Department in relation to public access planning. Ms. Mark stated that when Planners lead a project, it is usually carried out by a project team effort, she further explained how other departments also play an important role in supporting the project planning efforts and how they rely on in-house expertise. Furthermore, she stated that the Planning Department promotes a culture of teamwork, collaboration, and fun. Lastly, she reviewed the upcoming Fiscal Year 2023-24 project list, which contains a total of 14 projects, 8 which are ongoing, and 6 which are new projects.

Director Riffle inquired about the Planning Department's biggest challenge to accomplish their goals this year.

Ms. Mark indicated that some components of the planning process, such as CEQA and public engagement, require a significant amount of time, and that workload and capacity are factors to consider when balancing the needs of a project, particularly if the project runs longer than expected. Ms. Mark stated that her team is of high caliber and strives for excellence in their work, and she wants to ensure that they do not burn-out by exceeding expectations. Ms. Mark indicated that the public engagement projects are important work but acknowledged that Public Access Working Groups require a significant amount of effort and staff time to support them. Furthermore, these types of efforts can extend the work of the project for at least a year, if not more, and divert time away from working on other projects. Finally, she mentioned that as the District works on goals and action items for Diversity, Equity, and Inclusion, one topic that staff

is constantly discussing is whether the District is providing equitable access to residents who are not at the table to provide input on the District's work.

Director Riffle inquired as to what the Board of Directors could do to support the Planning staff to be successful.

Ms. Mark stated input from the Board from a holistic, higher-level view is valuable since staff is usually in the weeds of the project and that higher-level input from the Board will help guide staff on their work. In addition, as Planning staff does more access and engagement work, receiving recommendations from the Board of additional folks and groups include and engage in the planning process would also be beneficial.

Director Holman inquired and received information on what is included in signage and does it include how parking lots are delineated and marked off.

Director Holman inquired and received information about the project hand-off process and whether, if any mitigation is required, does the Planning Department check in after the hand-off to confirm that the mitigation and other requirements are still being completed.

Director Kersteen-Tucker inquired and received information on how staff stays abreast of the newest standards and stays informed on what is going on in the County and the region.

Director Kersteen-Tucker expressed her admiration for the way staff harness the future for the benefit of the District's open space, which is no small feat considering how quickly things are moving on the urban, agricultural, and rural fronts. She also praised Ms. Mark and noted that whatever the Board can do in the future to facilitate Planning in their efforts will also benefit the District.

Public comment opened at 8:21 p.m.

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

Public comment closed at 8:21 p.m.

No Board action required.

9. Oral Presentation – Natural Resources Department Overview

Natural Resources Manager Kirk Lenington provided the staff presentation and reviewed the department's organizational chart and mission statement. Mr. Lenington highlighted the responsibilities of the Vegetation Program, the Wildlife Program, and the Earth Sciences Program. Mr. Lenington stated that he currently has a vacancy for the Earth Sciences program for a Senior Resources Management Specialist, there has been three attempts to recruit for this position, but they have been unsuccessful. As a result, he slightly reconstructed the department to incorporate the staff and work functions from the Earth Sciences program into the other programs. Mr. Lenington stated that the Earth Sciences program is an area that he hopes to be able to stand back up as a standalone program in the future years. In addition, he presented the Natural Resources team, and highlighted the upcoming FY24 projects.

Director Riffle inquired about the Natural Department's biggest challenge to accomplish their goals this year.

Mr. Lenington stated that having the time to focus on the key work projects that need to be completed is important, but feels his department is spread thin. Reflecting on Ms. Mark's presentation and thinking about the planning process and how frequently his department does a parallel planning process, he would like to determine which areas his department needs to be involved in and which they do not, in order for his department to better utilize their time.

Director Riffle asked how the Board can better the Natural Resources Department goals.

Mr. Lenington commented that he has felt very supported by the Board and has for over the past twenty years he has been with the District and is incredible appreciative of this support, something that is not always found elsewhere. He also expressed appreciation for the Board's support of the District's restoration efforts to protect the natural environment.

Director Kersteen-Tucker requested and got information on whether there are any other areas in which Mr. Lenington believes the Natural Resources Department should expand or perhaps bifurcate in the future to address the unique environment and agricultural uses of the coastside.

Director MacNiven expressed appreciation for the Natural Resources Department and staff.

President Kishimoto thanked Mr. Lenington for his efforts and extended the Board's appreciation to his entire team; and requested that a copy of both department presentations be forwarded to the Board.

Public comment opened at 8:54 p.m.

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

Public comment closed at 8:54 p.m.

No Board action required.

INFORMATIONAL REPORTS

A. Committee Reports

Director MacNiven reported that a Legislative, Funding, and Public Affairs Committee (LFPAC) was held on the June 27. LFPAC provided feedback on recognition options for former Board members Larry Hassett and Pete Siemens and supported the installation of a bench and plaque on the Grasshopper Loop Trail in La Honda Creek Open Space Preserve for Mr. Hassett and a trail naming in Bear Creek Redwoods Open Space Preserve for Mr. Siemens.

B. Staff Reports

General Manager Ruiz reported that staff gave a presentation to the Peninsula Open Space Trust (POST) on the District's work, mission, and projects. In turn, POST provided an update on their work and their new strategic plan at today's All-Staff meeting.

C. Director Reports

Director Cyr reported that the week of June 19 he attended the Special Parks District Forum in Illinois and provided an overview of the forum.

Director Riffle reported that on June 17 he joined staff at a tabling event to talk to preserve users of the dangers of using rodenticides at Rancho San Antonio Preserve.

Director Gleason reported that he attended the Bird Blitz on June 17, and gave a presentation to the of Los Gatos Town Council on June 20. Lastly, he joined a volunteer event at St. Joseph's Hill for the removal of yellow and maltese star-thistle on June 22.

Director Kersteen-Tucker along with General Manager Ruiz attended Supervisor Ray Mueller's Coastal Office grand opening on June 16 at Pillar Point Harbor.

President Kishimoto reported that she presented the Los Altos Hills Town Council meeting on June 15. She also attended the launch of Carnegie California on June 22, and noted that the founding director is a resident of Woodside and a big fan of the District.

ADJOURNMENT

President Kishimoto adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:05 p.m.

Maria Soria, MMC
District Clerk