



Midpeninsula Regional  
Open Space District

FUND E D B Y

**MEASURE AA**

2014 OPEN SPACE BOND

**MEASURE AA BOND OVERSIGHT COMMITTEE OF THE  
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

**Tuesday, March 14, 2023**

**DRAFT MINUTES**

*The Board of Directors conducted this meeting in accordance with California Government Code section 54953 and Midpeninsula Regional Open Space District Resolution 21-33.*

**ROLL CALL**

Committee Chair Cilker called the meeting to order at 5:32 p.m.

Members present: Paul Betlem, Brian Cilker, Curtis Cole, Kit Gordon, Bruce Tolley, and Steven Permut

Members absent: David Emery

Staff present: Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Finance Manager Andrew Taylor, and District Clerk Maria Soria

Chair Cilker 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.

**ORAL COMMUNICATIONS**

District Clerk Maria Soria reported no public comments were submitted for this item.

**COMMITTEE BUSINESS**

**1. Approve February 28, 2023, Measure AA Bond Oversight Committee Revised Minutes**

**Motion:** Committee Member Cole moved, and Committee Member Betlem second the motion to approve the February 28, 2023 Measure AA Bond Oversight Committee revised minutes.

**ROLL CALL VOTE 6-0-0 (Emery Absent)**

Committee member Tolley stated that he was not able to find the documents on the District's website of the November 2022 Committee tour and the January 17, 2023 Committee meeting.

District Clerk Soria reported she would look at the website and confirm that the January 17, 2023 reports are posted, and in addition staff is working to upload all the Committees documents to the District's public portal.

**2. Draft Report from the Bond Oversight Committee to the Board of Directors for the period from July 1, 2021 to June 30, 2022**

Chief Financial Officer/Director of Administrative Services Stefan Jaskulak commented staff met with the ad hoc committee on March 9, 2023 which consisted of Committee members Betlem, Emery and Tolley. The ad hoc committee drafted the report from the Bond Oversight Committee to the Board of Directors for the review period from July 1, 2021 to June 30, 2022. Mr. Jaskulak reviewed the draft report and asked the Committee if they had any edits or comments on the report that will be provided to the Board of Directors in April.

Committee member Tolley stated that he recommended during the ad hoc committee meeting to attach the fund exhibit and the Schedule of Program Expenditures as part of the March 14, 2023 Committee materials, this would serve as documentation that the Committee has indeed reviewed the audited statements.

Mr. Jaskulak stated that the Measure AA Bond Annual Accountability Report that was provided to the Committee included two pages that had unaudited numbers, the Schedule of Program Expenditures on page 108, and the Financial Report of Revenues, Expenditures and Changes in Fund Balance on page 109. These two pages are an excerpt from the Annual Comprehensive Financial Report (ACFR) that include the audited documents. Mr. Jaskulak suggested adding a hyperlink to the minutes including the page number where the two documents could be found on the ACFR.

Committee member Tolley agreed to add the information to the minutes.

It is reflected in these minutes that the Bond Oversight Committee members reviewed the ACFR for the fiscal year that ended on June 30, 2022 with the audited pages on 91 and 88. [Midpen Annual Comprehensive Financial Report 2021-22 \(openspace.org\)](https://www.midpen.org/ACFR/2021-22/)

Committee member Betlem inquired if the sampled transactions representing 29% of the Fiscal Year was the correct percentage.

Finance Manager Andrew Taylor confirmed that the 29% is the percentage that was sampled of the transactions that were selected.

Mr. Taylor commented he confirmed with Mr. Pham from Chavan and Associates on that on page 3 where it states the “Overall, the sampling covered approximately 80% of total Measure AA expenditures...” will need to updated to “72%” of the total Measure AA expenditures.

Committee member Cole suggested adding the following sentence on the first paragraph of page three after the word (*unaudited*) “At a later point in time the Committee confirmed the audited report matched the unaudited Schedule of Program Expenditures.”

Committee member Gordon suggested a change on page four, first sentence from “the” to “this”, “The Committee reviewed, discussed, and approved *this* final report.”

Public comments opened at 6:03 p.m.

District Clerk Soria reported there were no public speakers for this item.

Public comments closed at 6:03 p.m.

Committee Chair Cilker inquired and received information if there were any proposed amendments to the expenditure plan.

**MOTION:** Committee member Tolley moved, and Committee member Permut second the motion to approve the draft Bond Oversight Committee report to be presented to the Board of Directors.

### **ROLL CALL VOTE 6-0-0 (Emery Absent)**

#### **3. Preview of Expected Portfolio Progress During FY23**

Mr. Jaskulak provided a preview of the expected portfolio progress during FY23. He highlighted the FY23 budget for Measure AA and noted that the Capital Improvement Action Plan (CIAP) is a three-year forecast. Mr. Jaskulak stated that the projects are listed in three different programs Land Acquisitions, Natural Resource Protection, and Public Access, and the total budget for FY23 is \$10.4M for Measure AA projects. Mr. Jaskulak continued to highlight the projects that are underway in FY23 that includes the Alpine Road Regional Trail, the Cloverdale Acquisition, Highway 17 Crossings, Bear Creek Stables, and Sierra Azul Cathedral Oaks project.

Committee Chair Cilker requested and received information on the method used to decide when to sell bonds to fund projects and timing in comparison to projects already budgeted. In addition, what impact it would have if the debt had to be sold sooner than anticipated at a less favorable rate.

Committee Chair Cilker inquired if the Alpine Road Regional Trail Road project would be wide enough for emergency vehicles, or will it be only a pedestrian trail.

Assistant General Manager Susanna Chan stated this is a public trail. There will be an area wide enough to accommodate staff patrol and operation vehicles, but there is no fire access on the entire stretch of the trail. However, there is vehicle access that can go from the top, and also from the bottom to a certain point.

Committee member Betlem inquired and received information of the plan for the Cloverdale Acquisition property.

Public comments opened at 6:38 p.m.

District Clerk Soria reported there were no public speakers for this item.

Public comments closed at 6:38 p.m.

No action needed from the Committee.

Committee member Cole requested that Mr. Jaskulak forward the missing slides from the PowerPoint of the Bear Creek Stables to the Committee.

Committee member Betlem stated that the ad hoc committee discussed the written public comment that was submitted to the Committee at its meeting on February 28, 2023. The written comment expressed concerns about the number of trails that have been made available to the public as part of the bond measure. The ad hoc committee discussed the intention to review the original language of the bond provisions and align the public's expectations to determine whether there is an issue in terms of what the public believes what they were funding and the progress to date in terms of trail access. It was not a formal action the ad hoc committee took, but more one of visibility to ensure the public that the funds aligned with what the public expected.

Mr. Jaskulak reported that every year before completing the Annual Accountability Report staff reviews the deliverables for each of the 25 Portfolios and determine the progress of each deliverable and reviews the progress calculations of each of the deliverables. Currently staff is working with a consultant to do a Refresh of the Financial and Operational Sustainability Model (FOSM) that was completed in 2015 as a result of Measure AA. One of the components of the FOSM refresh is for the consultants to review the progress on the Measure AA projects.

Committee member Betlem suggested publishing the miles of new trails, or acres of land purchased as a simple metric to highlight progress of Measure AA on the District's website.

Mr. Jaskulak stated that at the Board of Directors Retreat on March 7, 2023, the Board was presented with two maps that show the miles of trails completed and locations. Mr. Jaskulak stated that he will provide the maps to the Committee.

Committee member Permut suggested adding information either on the District's website or a one or two page report that the public can easily see how Measure AA funds are been spent but, not financially detailed as the Annual Accountability Report. Mr. Permut suggested that whatever the notion, it should be presented in a way that it is easier for the public to understand, such as through the use of pictures, bullet points, or number of parking spaces added. Additionally, it was proposed that the Committee or staff should do a slightly better job of informing the public that Measure AA funds are being used properly, reassuring the public they voted correctly by approving Measure AA, and that they are receiving the benefiting from those funds.

Mr. Jaskulak stated that is a great suggestion and will review his suggestion with staff.

Committee Chair Cilker commented that the ballot language wording has all the goals listed but not ranked in order. The first goal listed is to "improve access to hiking and biking opportunities", which is what the voters sees first and directly affects them, the other goals are more abstract. He suggested it would be beneficial for the public to know the thought process on how the Board prioritized the projects.

Committee member Gordon commented that a more comprehensive Measure AA website and regular Board meetings with the topic of Measure AA Priorities are important. Committee member Gordon suggested there should be more visuals added to the website so that the public can see quickly what the priorities are, what work is being done, and how funds are spent.

### **ADJOURNMENT**

Committee Chair Cilker adjourned the meeting of the Measure AA Bond Oversight Committee at 6:50 p.m.

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Maria Soria, MMC  
District Clerk