



Midpeninsula Regional
Open Space District

NOTICE OF SPECIAL AND REGULAR BOARD MEETING

Meeting 24-23

Board Room of the Midpeninsula Regional
Open Space District Administrative Office
5050 El Camino Real, Los Altos, CA 94022

REVISED AGENDA

Wednesday, August 28, 2024

**Special Meeting starts at 5:30 PM
Regular Meeting starts at 7:00 PM***

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), Director Gleason will participate in Closed Session from 97 Badeyana Rd, Sun Valley, ID 83353; Director Kersteen-Tucker will participate in Open and Closed Session from 776 Buena Vista St. Moss Beach, CA 94038. This Notice and Agenda will be posted at the teleconference location. Accessibility to and public comment from this address will be provided as required by Government Code Section 54953(b)(3).

The Midpeninsula Regional Open Space District (Midpen) Board meetings are held in person at the District's Administrative Office, and by teleconference pursuant to Government Code Section 54953.

PUBLIC ATTENDANCE OPTIONS

1. In person at the Midpen Administrative Office: the Board Room is open to the public during meetings of the Board of Directors.
2. Remotely via Zoom: Join the meeting conference by clicking this link:
<https://openspace.zoom.us/j/81671429083>
3. By phone: dial (669) 900-6833 or (346) 248-7799 and enter the Meeting ID: 816 7142 9083

SUBMITTAL OF PUBLIC COMMENTS

Members of the public may submit written comments to be provided to the Board, or register to make oral comments, as follows:

- Written comments may be submitted via the public comment form at: <https://www.openspace.org/public-comment>.
- Requests to provide oral comment must be submitted prior to the time when public comment on the agenda item is closed as follows:
 - In-person attendance: submit a request via the paper-based public comment form at the meeting.
 - Remote attendance: submit a request through the public comment form at: <https://www.openspace.org/public-comment>.
- Any comments received after the deadline will be provided to the Board after the meeting.

5:30 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

ROLL CALL

1. Adoption of the Initial Study with Mitigated Negative Declaration/Environmental Assessment for the Highway 17 Wildlife and Regional Trail Crossings and Trail Connections Project (R-24-104)

Staff Contact: Jared Hart, AICP, Senior Planner, Planning Department

General Manager's Recommendations: Adopt a Resolution adopting the Initial Study with Mitigated Negative Declaration/Environmental Assessment and Mitigation Monitoring and Reporting Program for the Highway 17 Wildlife and Regional Trail Crossings and Trail Connections Project, in accordance with the California Environmental Quality Act (CEQA).

ADJOURNMENT

7:00 REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

ROLL CALL

ORAL COMMUNICATIONS

This portion of the agenda is for members of the public to comment on items not on the agenda; however, the Brown Act (Open Meeting Law) does not allow action by the Board of Directors on items not on the agenda. Individuals are limited to one comment during this section.

ADOPTION OF AGENDA

CONSENT CALENDAR

All items on the Consent Calendar may be approved without discussion by one motion. Board members, the General Manager, and members of the public may request that an item be removed from the Consent Calendar during consideration of the Consent Calendar.

- 1. Approve the August 14, 2024 meeting minutes**
- 2. Claims Report**
- 3. Proposed Purchase of the 1.39-acre Dunham Property located in Santa Clara County (APN: 517-24-020) as an addition to El Sereno Open Space Preserve (R-24-105)**

Staff Contact: Jasmine Leong, Real Property Agent I and Lupe Hernandez, Real Property Agent II

General Manager's Recommendations:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Dunham Property for \$900,000 with a corresponding authorization for a Fiscal Year 2024-25 budget adjustment of the same amount.
3. Amend the Use and Management Plan for El Sereno Open Space Preserve to include the acquisition of real property, as set out in the staff report.
4. Withhold dedication of the Dunham Property as public open space at this time.

4. Proposed Purchase of the 27.63-acre Graf-Scholer Property located in Santa Clara County (APN: 562-23-006) as an addition to Sierra Azul Open Space Preserve (R-24-106)

Staff Contact: Allen Ishibashi, Real Property Manager, Real Property Department

General Manager's Recommendations:

1. Determine that the recommended actions are categorically exempt from the California Environmental Quality Act (CEQA), as set out in the staff report.
2. Adopt a Resolution authorizing the purchase of the Graf-Scholer Property for \$1,000,000 with a corresponding authorization for a Fiscal Year 2024-25 budget adjustment of the same amount.
3. Adopt a Use and Management Plan for the Property, as set out in the staff report.
4. Authorize the General Manager to enter into a settlement agreement with Santa Clara County Code Enforcement regarding the resolution of the unpermitted structures on the property.
5. Authorize the General Manager to initiate plans for demolition of the structures and to bring a demolition contract award to the Board of Directors as a future item, with the exception of one structure for future staff housing if site improvements to legalize the structure fall under \$500,000.
6. Withhold dedication of the Graf-Scholer Property as public open space at this time.

5. Award of Contract for Conservation Grazing Water Development at Purisima Creek Redwoods and Tunitas Creek Open Space Preserves (R-24-107)

Staff Contact: Matthew Shapero, Conservation Grazing Program Manager, Land & Facilities Department

General Manager's Recommendations:

1. Award a contract to ECAST Engineering Inc. of Oakland, California to develop water infrastructure on two (2) Grazing Units for a not-to-exceed base contract amount of \$307,785.
2. Authorize a 10% contingency in the amount of \$30,778 to be reserved for unanticipated issues, including weather-related constraints, difficult terrain, and access challenges, bringing the total not-to-exceed contract amount of \$338,563.

6. Award of Contract for Conservation Grazing Wildlife-friendly Livestock Fencing at Purisima Creek Redwoods, Cloverdale Ranch, Tunitas Creek, and Skyline Ridge Open Space Preserves (R-24-108)

Staff Contact: Matthew Shapero, Conservation Grazing Program Manager, Land & Facilities Department

General Manager's Recommendations:

1. Award a contract to Hammer Fence & Construction Inc. of Tracy, California to construct wildlife-friendly fencing and three (3) corral replacements on five (5) Grazing Units for a not-to-exceed base contract amount of \$449,861.
2. Authorize a 10% contingency in the amount of \$44,986 to be reserved for unanticipated issues, bringing the total not-to-exceed contract amount to \$494,847~~6~~.

7. Hawthorns Historic Complex – Vision and Goals (R-24-109)

Staff Contacts: Galli Basson, Planner III, Planning Department

General Manager’s Recommendation:

1. Review and approve the Vision and Goals for the Hawthorns Historic Complex as recommended by the Hawthorns Historic Complex Ad Hoc Committee.
2. Extend the Hawthorns Historic Complex Ad Hoc Committee work to complete and present the findings to the Board of the high-level feasibility analysis for re-use of the Lower Barn, anticipated for January 2025.

BOARD BUSINESS

Public comment on agenda items is received at the time each item is considered by the Board of Directors.

8. Award of Contract to Ecological Concerns, Inc., for 2024 Conservation Grazing Vegetation Management and Brush Reduction (R-24-110)

Staff Contact: Matthew Shapero, Conservation Grazing Program Manager, Land & Facilities

General Manager’s Recommendations:

1. Award a contract to Ecological Concerns, Inc., of Santa Cruz, CA for the 2024 Conservation Grazing Vegetation Management and Brush Reduction for an initial one-year term (Year 1) in the amount of \$460,096.
2. Authorize the General Manager to extend the contract for up to three additional one-year terms, based on contractor performance for a not-to-exceed base contract amount of \$2,035,096 over a total of four years.
3. Authorize a 15% contingency in the amount of \$305,264 over the four-year term to address unforeseen issues, for a total not-to-exceed contract amount of \$2,340,360 over the four-year term.

INFORMATIONAL REPORTS – Reports on compensable meetings attended. Brief reports or announcements concerning activities of District Directors and staff; opportunity to refer public or Board questions to staff for information; request staff to report to the Board on a matter at a future meeting; or direct staff to place a matter on a future agenda. Items in this category are for discussion and direction to staff only. No final policy action will be taken by the Board.

- A. Committee Reports
- B. Staff Reports
- C. Director Reports

ADJOURN TO CLOSED SESSION

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957(b)(1))

Title of Employee: General Counsel

ADJOURNMENT

**Times are estimated and items may appear earlier or later than listed. The Agenda is subject to a change of order.*

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (650) 691-1200. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Written materials relating to an item on this Agenda that are considered to be a public record and are distributed to Board members less than 72 hours prior to the meeting, will be available for public inspection at the District's Administrative Office located at 5050 El Camino Real, Los Altos, California 94022.

CERTIFICATION OF POSTING OF AGENDA

I, Maria Soria, District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the special and regular meetings of the MROSD Board of Directors was posted and available for review on August 22, 2024, at the Administrative Offices of MROSD, 5050 El Camino Real, Los Altos, California, 94022. The agenda and any additional written materials are also available on the District's website at <http://www.openspace.org>.



Maria Soria, MMC, CPMC
District Clerk

