



Midpeninsula Regional  
Open Space District

## **ACTION PLAN & BUDGET COMMITTEE**

R-17-82  
May 31, 2017

### **AGENDA ITEM 4**

#### **AGENDA ITEM**

Confirm Two Changes to the proposed Fiscal Year 2017-18 Action Plan and Budget

#### **GENERAL MANAGER'S RECOMMENDATIONS**

1. Confirm and recommend to the full Board the allocation of \$47,000 from District General Funds – Capital and \$425,000 from Grants/Partners/Other to fund structural investigations to identify all work required to fully implement the Seal and Retain option, which was previously approved by the Board of Directors, as well as design plans and permitting fees for the Board-approved repairs. These repairs will also ensure the protection of public health and safety given that the perimeter area will be open to the public starting September 15, 2017.
2. Confirm and recommend to the full Board the allocation of \$3 Million from District Measure AA, \$500,000 from District General Fund – Capital, and \$1,650,000 from Grants/Partners/Other to fund the three-year capital improvement work for the Bear Creek Stables Site Plan Implementation Project (MAA 21-004).

#### **SUMMARY**

Two specific changes are recommended to the Fiscal Year (FY) 2017-18 Action Plan and Budget document to respond to specific Board of Directors (Board) feedback received at the public hearing for the Action Plan and Budget held on May 24, 2017. These changes relate to the funding source allocations for the Bear Creek Stables Site Plan Implementation Project and the Mt. Umunhum Radar Tower 2<sup>nd</sup> Assessment, resulting in a net increase in anticipated expenditures in the District's General Fund – Capital (Fund 40) of \$75,000. This net change reflects a recommended shift of \$500,000 to Fund 40 for the stables work and shift of \$425,000 from Fund 40 to Grants/Partner/Other funding sources for the radar tower assessment, preparation of design plans, and associated permitting fees. Due to the shift in funding sources, the District's FY2017-18 General Fund decreases by \$425,000, while the FY2018-19 and FY2019-20 CIP budgets increase in total by \$500,000.

#### **DISCUSSION**

##### **Bear Creek Stables Site Plan Implementation (MAA 21-004)**

The General Manager recommends one change to the Bear Creek Stables Site Plan Implementation Project (Stables Project). After a careful review of prior Board actions related to the Stables Project, staff have determined that a slight change to the funding allocation is needed at this time to remain consistent with Board decisions made to date (see Attachment 1). On January 25, 2017, the Board approved the Bear Creek Redwood Preserve Plan, which specifies a

funding allocation of District funds for high priority improvements of \$4.5 Million (\$3.5 Million for stables improvements and \$1 Million for water improvements). This constitutes the most recent Board action on record regarding District funding allocations for the Stables Project. Additional costs to complete the high priority improvements would therefore come from outside sources of funding. As such, the General Manager recommends designating the funding sources as follows:

<b>Amount</b>	<b>Fund</b>	<b>Comments</b>
\$3 Million	Measure AA	Reflects what is budgeted under Measure AA
\$500,000	General Fund - Capital	Remaining District contribution (\$3.5M - \$3M = \$500k)
\$1,650,500	Grants/Partners/Other	Remaining 3-Year CIP total
<i>\$5,150,500</i>	<i>Total 3-Year CIP amount</i>	

The Board may change the funding contribution and allocation at any time, including those costs that must be borne by the stables to fund non-public uses and improvements. Development of more detailed conceptual plans for the improvements are underway. The Board will review these plans along with a more refined cost estimate next fiscal year. The Board will have an opportunity to reconsider the funding contribution and allocation at that time. It is important to note that these decisions will set the framework for a subsequent Request for Proposals solicitation for a long-term stables operator.

#### **Mt. Umunhum Radar Tower 2<sup>nd</sup> Assessment**

In response to Board feedback at the public hearing for the Fiscal Year 2017-18 Action Plan and Budget on May 24, 2016, the General Manager recommends modifying the funding source for the estimated project budget as follows:

<b>Amount</b>	<b>Fund</b>	<b>Comments</b>
\$47,000	General Fund- Capital	10% of the total FY17-18 estimate
\$425,000	Grants/Partners/Other	Remaining amount funded by outside sources
<i>\$472,000</i>	<i>Total 3-Year CIP amount (note: years 2019 and 2020 amounts are TBD)</i>	

The District would contribute \$47,000 next fiscal year to initiate the work for the 2<sup>nd</sup> tower assessment. The Umunhum Conservancy, an outside non-profit organization, has been receiving donations for the repair and maintenance of the radar tower. The District would approach the Umunhum Conservancy to provide the outside funding contribution to complete the assessment. The District would be solely responsible for completing the assessment, prioritizing the recommended repairs, and making a final determination on which repairs to complete. The findings, priorities, and recommendations would be brought to the full Board for review and approval. The Umunhum Conservancy's role would be specifically to fund the assessment and future repairs. The costs of these repairs will be known once the assessment, prioritization, and selection is made. Finally, it is worth noting that the estimated amount of \$472,000 includes the cost of the assessment, and based on Board approval of the repair line items, preparation of the design plans and permitting fees to complete the approved list of repairs.

**FISCAL IMPACT**

For the FY2017-18 budget, the proposed changes would *decrease* the General Fund by \$425,000, as this amount, which is specifically related to the Radar Tower Assessment and Repairs, would be funded through Grants/Partners/Other Funding Sources.

For the subsequent two (2) budget years (FY2018-19 and FY2019-20), the proposed changes would *increase* the General Fund by a total of \$500,000 for the Bear Creek Stables project.

When viewed over the three-year CIP, the proposed shift in funding sources would result in a net increase in anticipated expenditures from the General Fund – Capital (Fund 40) of \$75,000 (\$500,000 addition for the Stables Project *minus* \$425,000 reduction for the Radar Tower Assessment and Repair).

**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**

The Action Plan and Budget Committee's recommendations will be forwarded to the full Board at their upcoming second hearing of the FY2017-18 Action Plan and Budget.

Attachment(s)

1. January 25, 2017 Board Report (R-17-15) related to the Bear Creek Redwoods Preserve Plan, includes two relevant excerpts from the Board-approved Preserve Plan
2. Approved minutes for the January 25, 2017 Board meeting

Responsible Department Head:  
Steve Abbors, General Manager

Prepared by:  
Ana Ruiz, AICP, Assistant General Manager



Midpeninsula Regional  
Open Space District

R-17-15  
Meeting 17-02  
January 25, 2017

## AGENDA ITEM 5

### AGENDA ITEM

Adoption of a Resolution Certifying the Final Environmental Impact Report, Making Certain Findings of Fact, Approving a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan, and Approving the Bear Creek Redwoods Preserve Plan including the Bear Creek Stables Site Plan and the Alma College Cultural Landscape Rehabilitation Plan

### GENERAL MANAGER'S RECOMMENDATIONS

Adopt a resolution of the Board of Directors of the Midpeninsula Regional Open Space District (District):

- Certifying the Final Environmental Impact Report
- Adopting the Findings of Fact and Statement of Overriding Considerations
- Approving a Mitigation Monitoring and Reporting Plan
- Approving the Bear Creek Redwoods Preserve Plan including the Bear Creek Stables Site Plan and the Alma College Cultural Landscape Rehabilitation Plan

### SUMMARY

The Bear Creek Redwoods Open Space Preserve Plan ("Preserve Plan") was developed to identify long-term public access and stewardship actions for Bear Creek Redwoods Open Space Preserve, which is currently closed to the public. The Final Environmental Impact Report ("EIR") for the Preserve Plan, which includes the Draft EIR, comments, responses to comments, and changes to the Draft EIR, is presented for review and certification, along with associated findings and the Mitigation Monitoring and Reporting Plan. The Final EIR concludes that all impacts potentially associated with the Preserve Plan can be mitigated to less-than-significant levels, with the exception of impacts to Historic Resources resulting from demolition of structures at the former Alma College site. These impacts are significant and unavoidable. A Statement of Overriding Considerations describes the social, recreational, environmental, and economic benefits of the Preserve Plan which balance these impacts. The Board will consider adoption of the Findings of Fact and Statement of Overriding Considerations, and final approval of the Preserve Plan. All costs associated with Year 1 implementation of the Preserve Plan are included FY2016-17 Planning, Natural Resources, and Engineering and Construction budgets, and ongoing implementation costs will be included in future year's budgets. The Preserve is targeted for opening to general public use in 2018.

### MEASURE AA

This project supports Measure AA (MAA) Portfolio #21, Bear Creek Redwoods Public Recreation and Interpretation Projects, which specifies: *Open for hiking, equestrian activities.*

*Provide parking areas, trails; upgrade stables. Restore & protect habitats for various species. Repair roads and trails to reduce sediment. Rehabilitate Alma College site.* Measure AA allocated \$17.478M for all eligible Bear Creek Redwoods Open Space Preserve projects.

## DISCUSSION

The Final Environmental Impact Report (EIR) for the Bear Creek Redwoods Preserve Plan (Preserve Plan) includes the Draft EIR, responses to comments received during the public review period, responses to these comments, and changes made to the Draft EIR. Comments, responses, and changes made to the Draft EIR are provided as an attachment to the Final EIR. The Draft EIR and Preserve Plan are available on the District's website at <http://www.openspace.org/our-work/projects/bcr-plan>. A summary of the Preserve Plan project and environmental review process is provided below.

### Project Description

The District is the lead agency for the Preserve Plan, as defined in Section 15367 of the State CEQA Guidelines. The Preserve is located in the south-central portion of Santa Clara County (and one parcel within Santa Cruz County), just west of Lexington Reservoir and nine miles south of Los Gatos. Existing facilities include legacy roads and trails, a small informal parking area, the former Alma College Site, and Bear Creek Stables. The Preserve is currently open for use by permit only for stable riders and hikers. The Preserve Plan would open new areas to low-intensity recreation at the Preserve, construct additional trails and parking areas for public use, enhance native habitats and protect sensitive biotic resources, interpret and protect cultural resources, and maintain and operate Preserve facilities over the long term.

Preserve-wide actions would be implemented incrementally over the next 20 years. Phase I Actions would be implemented within the first 1-3 years following Plan approval. Phase II Actions would be implemented during years 4-10 and Phase III during years 11-20.

### *Phase I Key Actions*

- Construct Alma College parking area and Bear Creek Road crossing
- Improve existing roads in western zone for trail use; replace Webb Creek bridge; prepare road maintenance plan
- Treat high-priority weed infestations
- Provide alternate bat habitat structures
- Open western Preserve zone to hiking and equestrian use (eastern zone remains open to neighbor and stables permit-holders)

### *Phase II Key Actions*

- Construct new trails and stream crossings in the eastern Preserve zone, including new segments of a multi-use trail; close unwanted trails to public access and restore if feasible
- Continue to treat high-priority weed infestations
- Stabilize and enhance ponds
- Open eastern Preserve zone to hiking and equestrian use
- Once regional connections have been formalized, open multi-use trail to hiking, equestrian, and bicycle use

*Phase III Key Actions*

- Construct northern parking area
- Construct southeastern trails and Webb Creek Trail

*Bear Creek Stables Site Plan*

The Preserve Plan incorporates actions, guided by Stables Improvement Standards, to renovate infrastructure, restore natural areas, and improve public access at Bear Creek Stables (Table 1). The Preserve Plan also includes Stables Management Guidelines for long-term tenant operation to ensure a safe and healthy environment for horses, boarders, and visitors. All costs associated with the stables are included in Objectives PU-6, NR-6, MO-5 of the Preserve Plan Implementation Table, and actions summarized in Table 3-6 of the Preserve Plan. These actions and costs are also provided below.

**Table 1. Bear Creek Stables Actions**

<b>Actions/Priority</b>	<b>Cost/ Funding</b>	<b>Preserve Plan Phasing</b>
<p><i>HIGH PRIORITY ACTIONS</i></p> <ul style="list-style-type: none"> <li>• Establish San Jose Water Company connection, and provide water storage tanks</li> <li>• Provide a public restroom with flush toilets</li> <li>• Stabilize old stables building; demolish other dilapidated structures</li> <li>• Restore and revegetate degraded pastures</li> <li>• Construct a livery stables and public arena</li> <li>• Complete initial improvements to boarding facility and site infrastructure (roads, parking)</li> <li>• Solicit long-term tenant operator and execute lease agreement</li> </ul>	<p>\$4.5M MAA</p>	<p>Phase I – Phase II (Years 1-10)</p>
<p><i>LOWER PRIORITY ACTIONS</i></p> <ul style="list-style-type: none"> <li>• Replace caretaker house/office (may be implemented as part of high priority actions, if feasible)</li> <li>• Construct Stables parking areas (vehicle and trailer parking)</li> <li>• Complete boarding facility and site infrastructure upgrades (replace hay barn, maintenance and storage buildings, upgrade paddocks, shelters, boarder arena and round pen, restroom)</li> <li>• Restore old stables building</li> </ul>	<p>\$3.4M General Fund, Tenant/ Operator, Grant</p>	<p>TBD</p>

**Alma College Cultural Landscape Rehabilitation Plan**

The Preserve Plan includes rehabilitation of the Alma College cultural landscape (Table 2). The vision for the former Alma College site is to implement a fiscally-sustainable, clean-up and rehabilitation plan that allows the site's cultural significance to be understood and safely enjoyed by the public, while remaining within the District's mission.

**Table 2. Alma College Cultural Landscape Rehabilitation Actions**

<b>Actions/Priority</b>	<b>Cost /Funding</b>	<b>Preserve Plan Phasing</b>
<p><i>HIGH PRIORITY</i></p> <ul style="list-style-type: none"> <li>• Demolish and cleanup dilapidated structures (garage, classroom, and 1950 library)</li> <li>• Improve site safety and security, remediate hazardous materials, manage vegetation</li> <li>• Stabilize chapel; rehabilitate shrines, lily pond, and roman plunge</li> <li>• Install interpretive elements, select native plants</li> </ul>	<p>\$4.3M MAA</p>	<p>Phase I – Phase II (Years 1-10)</p>
<p><i>HIGH PRIORITY</i></p> <ul style="list-style-type: none"> <li>• Install native plants to convey historic landscape</li> <li>• Stabilize the 1934 library roof</li> <li>• Stabilize the north retaining wall</li> </ul>	<p>\$3.2M General Fund, Partner, Grant</p>	<p>Phase II (Years 4-10)</p>
<p><i>LOWER PRIORITY</i></p> <ul style="list-style-type: none"> <li>• Rehabilitate 1909 chapel for re-use</li> <li>• Modify 1934 library for open air pavilion</li> <li>• Install restroom facility and related infrastructure</li> </ul>	<p>\$4.0M Partner, Grant</p>	<p>TBD</p>

### CEQA Overview

The Draft EIR indicates that the proposed project has the potential to result in significant impacts to: biological resources (impacts to heritage trees, special-status bats, reptiles, amphibians, nesting birds, San Francisco dusky-footed woodrat, ringtail, and sensitive natural communities); cultural resources (historical structures and undiscovered human remains); hazardous materials (potential exposure of workers to soil contamination); and geology and soils (potential risk of seismically-induced dam failure). The Draft EIR identifies mitigation measures to reduce all of these impacts to a less-than-significant level with the exception of impacts to historic resources related to demolition of select structures at the former Alma College site, that are listed on the Santa Clara County Heritage Resource Inventory. Implementation of all feasible mitigation measures would not reduce the project's impacts to historic resources below the threshold of significance. Thus the impact arising from the demolition of select structures at the former Alma College site remains significant and unavoidable, even with the recognition that these structures are highly dilapidated and pose a serious health and safety risk.

A project impact is considered significant and unavoidable if it would result in a substantial adverse change in the environment that cannot be feasibly avoided or mitigated to a less-than-significant level if the project is implemented. If a lead agency proposes to approve a project with significant unavoidable impacts, the agency must adopt a Statement of Overriding Considerations to explain its actions (CEQA Guidelines, Section 15093(b)). The Statement of Overriding Considerations is included in the Findings of Fact (Exhibit B to the attached resolution.

### Project Alternatives

The Draft EIR discusses several project alternatives to present a reasonable range of options. The alternatives analyzed in detail include the No Project Alternative, the No Alma College Rehabilitation Alternative, and the No Special Events Alternative.

Under the No Project Alternative, no Preserve Plan actions would be taken and the existing condition of the Preserve would continue. Bear Creek Stables would remain in the current condition, and the former Alma College site would remain closed to the public and existing structures would not be removed or rehabilitated. The No Project Alternative would not meet any of the project objectives related to increased public access, enhancing the public benefit of the Stables, providing interpretive and educational opportunities, and addressing wildfire risk and other environmental hazards, and is therefore rejected. Under the No Alma College Rehabilitation Alternative, public access would not be permitted at the former Alma College site because the existing structures would not be stabilized, posing an increasing public safety hazard as the structures continue to degrade over time, resulting in greater overall impacts to Cultural Resources than would occur with site rehabilitation. Additionally, the public would not be able to access and understand the historic significance of the site. The No Alma College Alternative is therefore rejected.

Under the No Special Events Alternative, all proposed features of the Preserve Plan would be implemented except for special events that would potentially occur at Bear Creek Stables and the former Alma College site. Special events may include weddings, equestrian events, or other group gatherings accommodating up to 250 guests. The No Special Events Alternative was found to be the environmentally superior alternative, due to slightly reduced impacts related to air quality, greenhouse gas emission, and noise. However, these slight reductions do not change the level of significance of these impacts (which are all considered to be less than significant under the full project). Therefore, the District rejects the No Special Events Alternative because it does not substantially reduce impacts of the project, would remove a potential key funding opportunity for the proposed project and could preclude development of full public benefits at Bear Creek Stables, and therefore does not meet the project objectives as fully as the proposed project.

#### Environmental Review and Compliance

In accordance with the requirements of CEQA and the State CEQA Guidelines, the District, as the lead agency, prepared a Notice of Preparation (NOP) and filed the Project with the State Clearinghouse Office of Planning and Research (State Clearinghouse). The District issued the NOP on June 11, 2015 to public agencies and interested parties for a 30-day public review period, which ended on July 10, 2015. In addition, the District held a public scoping meeting on June 24, 2015, to obtain public input on the proposed scope and content of the Draft EIR.

The District prepared a Draft EIR to assess the potential environmental consequences of adopting a Preserve Plan for Bear Creek Redwoods Open Space Preserve. In accordance with Section 15161 of the State CEQA Guidelines, this Draft EIR is a Project EIR that examines the reasonably foreseeable and potentially significant adverse environmental impacts of the proposed project. The Project EIR examines the potential environmental effects of all phases of the project: design, construction, and operation.

The District circulated the Draft EIR for a 45-day public review period from September 16 to October 31, 2016. The District held a public hearing on September 28, 2016, to receive public comments on the Draft EIR.

#### Public Review and Comments

The District received a total of ten comment letters from public agencies, individuals, and organizations during the public comment period. Issues raised included:

- Traffic impacts (increased vehicle traffic on Bear Creek Road and Skyline Boulevard, safety and need for proposed at-grade pedestrian crossing of Bear Creek Road)
- Historic resources (interpretation of a historic-era radio tower, re-use of Alma College structures)
- Bear Creek Stables site design and operating details
- Neighbor easement to and water quality of a spring water source
- Need for additional water storage capacity for community wildfire protection

Section 15088 of the State CEQA Guidelines requires that the lead agency evaluate comments on environmental issues received from parties who reviewed the Draft EIR and prepare a written response addressing each of the comments. The District has responded to all comment letters received. The District's responses are included in the Final EIR, which was posted on the District website and circulated for public review on January 13, 2017. All public agencies and members of the public who submitted comments were mailed individual response letters. A minor error in DEIR was also identified during the final review process, which is addressed in Attachment 2. Response to comments and the errata are considered minor insignificant changes and did not require recirculation of the Draft EIR.

## FISCAL IMPACT

The District's FY2017 Budget and Action Plan includes a total of \$1,882,730 for Bear Creek Redwoods Preserve projects:

<b>FY 2017 Bear Creek Redwoods (BCR) Projects</b>	<b>Budget</b>
BCR Preserve Plan and EIR (GF)	\$90,000
Bear Creek Stables Site Plan (GF)	\$14,000
<b>General Fund (GF) Subtotal:</b>	<b>\$104,000</b>
BCR Water Infrastructure Improvements (AA 21-3)	\$487,500
BC Stables Site Plan Implementation (AA 21-4)	\$139,000
BCR Phase I Public Access Projects (AA 21-5)	\$516,200
BCR Alma College Site Rehabilitation Plan (AA 21-6)	\$419,250
BRC Invasive Weed Treatment (AA 21-7)	\$128,880
BCR Pond Restoration (AA 21-8)	\$87,900
<b>MAA 21 Portfolio Subtotal :</b>	<b>\$1,778,730</b>
<b>Total FY 2017 BCR Projects Budget</b>	<b>\$1,882,730</b>

The following table outlines the status of the Measure AA Portfolio Expenditure Plan allocation, and the fiscal impact related to the Preserve:

<b>MAA 021 Portfolio Allocation</b>	<b>\$17,478,000</b>
Spent Life to Date:	\$545,819
Encumbrances:	\$258,789
FY 2016-17 BCR Projects Budgeted*:	\$1,519,941
<b>Balance Remaining (Proposed):</b>	<b>\$15,153,451</b>

\*FY2017 BCR Projects Budgets less the encumbrances, reflecting current fiscal commitments to other BCR projects this fiscal year.

## **BOARD COMMITTEE REVIEW**

Preserve Plan Actions incorporate extensive direction from the District's Board of Directors and Planning and Natural Resources Committee, as well as robust input from stakeholders, staff, and the general public.

## **PUBLIC NOTICE**

Public notice of this Agenda Item was provided as required by the Brown Act. Additional notice was provided to neighbors, residents along Bear Creek Road, and other interested parties. An electronic copy of the Final EIR was provided to all public agencies and members of the public who submitted comments, and posted on the District website.

## **NEXT STEPS**

Following adoption of the Final EIR and project approval, the District will file the Notice of Determination (NOD) with the State Clearinghouse to fulfill CEQA requirements. With Board approval, staff will move forward with the Board-approved Action Plan projects listed in the Fiscal Impact section.

### Attachments

1. Resolution Certifying the Final Environmental Impact Report, Making Certain Findings, Approving a Mitigation Monitoring and Reporting Plan, and Approving the Bear Creek Redwoods Preserve Plan  
*Exhibits to the Resolution*
  - a. Bear Creek Redwoods Preserve Plan Final Environmental Impact Report including Errata to the Final EIR
  - b. Findings of Fact and Statement of Overriding Considerations
  - c. Mitigation Monitoring and Reporting Plan

Electronic copies of the Preserve Plan, Draft EIR and Final EIR are available at: <http://www.openspace.org/our-work/projects/bcr-plan>. Hard copies can be found at the District Administration Office (contact District Clerk, Jennifer Woodworth) at 330 Distel Circle, Los Altos, and the Los Gatos Public Library at 100 Villa Avenue, Los Gatos.

Responsible Department Head:  
Jane Mark, AICP, Planning Manager

Prepared by:  
Lisa Bankosh, Planner III

## BEAR CREEK REDWOODS PRESERVE PLAN EXCERPT, Page 03-43

### Phasing

Improvements at the site will be implemented in phases. High priority improvements focus on essential safety and environmental protection improvements to provide a safe environment for boarders, their horses and the public, and to protect the site's natural resources. In addition, a livery stable will provide additional public access programming. These high priority improvements at the Stables will be implemented as part of the Preserve Plan's Phase I Actions and will occur during the first three years following the Plan approval. Implementation of some high priority improvements may continue into the beginning of Phase II. Lower priority improvements will be recommended, pending funding, available capacity, and other priority needs, as part of the District's annual Action Plan and programmed into tenant work plans. This will result in a phased budgeting and expenditures.

High priority improvements include removal of dilapidated structures, stabilization of the original stables building, restoration of pastures, installation of a public restroom, public livery stable and public open air arena. Limited improvements will be made to paddocks, shelters and boarder arena (maintaining the existing boarder area layout), parking, roads, hay barn and manure dump. Lower priority improvements include additional upgrades to roads and parking; replacement of the hay barn and caretaker house; construction of the new maintenance and storage building, and vehicle and trailer parking lot; and restoration of the original stables building for use as a visitor center and farm animals barn.

**TABLE 3-6** Phased Implementation Plan for the Preferred Bear Creek Stables Site Design Alternative A2

Priority	Improvements	Phasing
HIGH	<ul style="list-style-type: none"> <li>• Removal of dilapidated structures</li> <li>• Stabilize old stables building</li> <li>• Hillside restoration</li> <li>• New livery stables and public area arena</li> <li>• New public restroom</li> <li>• Limited improvements to roads, parking, hay barn, manure dump</li> <li>• Limited improvements to paddocks, shelters, boarder arena, maintaining the existing layout</li> <li>• New water system and fire suppression water tank</li> </ul>	Implementation of the high priority improvements will begin in <b>Phase I</b> . (Years 1-3) Implementation is expected to be completed early in <b>Phase II</b> . (Years 4-10)
LOWER	<ul style="list-style-type: none"> <li>• Replacement of caretaker house/office</li> <li>• Additional road upgrades: asphalt roads and parking areas</li> <li>• Replacement of hay barn</li> <li>• New maintenance/storage building</li> <li>• New vehicle/horse trailer parking lot</li> <li>• Restore old stables building</li> <li>• Additional improvements to reconfigure boarder area; upgrade paddocks, shelters, boarder arena and round pen; and add restroom</li> </ul>	<b>Phase To Be Determined</b> (no sooner than Phase II): Pending funding, available capacity, and other priority needs, lower priority improvements will be recommended as part of the District's annual Action Plan and programmed into tenant work plans.

## BEAR CREEK REDWOODS PRESERVE PLAN EXCERPT, *Page 04-4*

### *Preserve Phase II Actions*

#### *High Priority*

- *Construct new trails and stream crossing infrastructure in the northeastern zone, including new segments of the multi-use trail*
- *Close redundant or oversteep trails to public access and restore if feasible*
- *Formalize regional trail connections, and open multi-use trail*
- *Open trails on eastern zone, including former Alma College site's interpretive trail and the Stables Loop*
- *Continue design and implementation of Stables boarder area improvements, public access and visitor facilities*
- *Treat invasive species and restore degraded areas*
- *Begin work of stabilization and interpretation at former Alma College site*

#### *Moderate to Low Priority*

- *Explore alternatives for funding sources and strategic partnerships*
- *Implement further lake management recommendations*
- *Work with partner agencies to develop wildlife linkages*

Phase III of Preserve Plan implementation focuses on completing trail connections in the eastern Preserve zone. Two new trail segments will link the high-use areas at the Stables and Alma College sites to the farther reaches of the summit area. These new trails must be constructed across steep, rugged terrain, and existing trails in this zone require re-contouring and, in some cases, decommissioning and re-routing. A new trail will be constructed in the western zone, contouring through the dense redwood forest in the Webb Creek drainage. Final improvements to the Stables and the Alma College Cultural Landscape will be completed in Phase III. Finally, if demand for additional Preserve parking requires, a third parking area near the Stables and Highway 17 (the lower parking area) will be constructed.

### *Preserve Phase III Actions*

#### *High Priority*

- *Complete southeastern trails and Webb Creek trail*
- *Finalize Stables facilities*
- *Finalize Alma College improvements*

#### *Moderate to Low Priority*

- *Construct North parking area*
- *Study feasibility of potential future parking area 4*
- *Develop interpretive programs for rest of Preserve areas (outside of Alma College and Stables)*

### **Bear Creek Stables Site Plan**

In July 2016, the Board reviewed the Bear Creek Stables site design alternatives and corresponding preliminary phasing scenarios and selected Phased Alternative A2 as the preferred alternative. This alternative includes necessary improvements for the existing Stables facilities and a new caretaker residence, and would accommodate 62 boarded horses. Public access improvements would include a livery stables (for public program horses) visitor information kiosk, visitor parking, restroom and a public open air riding arena. Pasture areas would be fully restored to natural landscape and the paddock area would be rebuilt for improved drainage and equestrian health and safety.

As described in Chapter 3, the improvements for Bear Creek Stables will be implemented in phases, subject to funding availability. High priority and lower priority components of the Stables plan are identified in Table 03-6 and in Figure 03-8B. Potential phasing of the selected alternative is provided below. However, the actions, phasing, and funding source are subject to change during the planning and permitting process.

#### *Stables High Priority Improvements - \$4.5M (includes water system)*

- *Demolition of structures and stabilization of old stables building*
- *Hillside restoration*
- *Public access area restroom*
- *New public access area livery stable and arena*
- *Limited improvements to roads (gravel), parking, hay barn, manure dump (public area)*
- *Interim improvements to existing boarder area (new fencing, shelters, footing, drainage improvements)*

#### *Stables Lower Priority Improvements - \$3.4M*

- *Replacement of caretaker house/office*
- *Additional road upgrades: asphalt roads and parking areas*
- *Replacement of hay barn*
- *New maintenance/storage building*
- *New vehicle/horse trailer parking lot*
- *Restore old stables building*
- *Additional improvements to reconfigure boarder area; upgrade paddocks, shelters, boarder arena and round pen; and add restroom*



Midpeninsula Regional  
Open Space District

**January 25, 2017**  
**Board Meeting 17-03**

**SPECIAL AND REGULAR MEETING**

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

Administrative Office  
330 Distel Circle  
Los Altos, CA 94022

**Wednesday, January 25, 2017**

**APPROVED MINUTES\***

**SPECIAL MEETING**

President Hassett called the special meeting to order at 5:00 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Yoriko Kishimoto, and Curt Riffle

Members Absent: Cecily Harris, Nonette Hanko, and Pete Siemens

Staff Present: General Manager Steve Abbors, General Counsel Sheryl Schaffner, Assistant General Manager Ana Ruiz, Assistant General Manager Kevin Woodhouse, Chief Financial Officer/ Administrative Services Director Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Planning Manager Jane Mark, Senior Planner Tina Hugg, Engineering and Construction Manager Jay Marvin, and Senior Real Property Agent Allen Ishibashi

**1. Selection of Preferred Option for the New Administrative Main Office Project (R-17-08)**

General Manager Steve Abbors provided introductory comments providing an overview of the project and the process used to date.

Senior Planner Tina Hugg provided the staff presentation describing the majority and minority recommendations from the Facilities ad hoc committee and introduced Signo Uddenberg from MKThink.

Mr. Uddenberg described the various steps of the process used by District staff, the Committee, and the project team to create various scenarios for consideration, including real estate analysis and site feasibility studies, future trends and emerging issues, and a staff survey.

\*Approved by the Board of Directors on February 8, 2017

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Director Riffle inquired if the number of commuters that would be using the building in the future was considered by the project team.

Mr. Uddenberg reported staff was asked questions related to commutes and use of mass transit in the staff survey. The results of the survey demonstrated many staff members use their vehicles for other reasons that may not be resolved by an increased availability of mass transit.

Director Riffle inquired regarding housing availability near workplaces and whether it was a factor in the process.

Ms. Hugg explained housing shortages would unfortunately continue to exist due to rapid increase in job availability with high salaries, such as in the technology sector. Additionally, due to the age range of staff members, many are seeking to live in family-friendly areas with green space and are less likely to seek urban or infill housing.

Mr. Uddenberg described the future scenarios the District could best position itself for through its future Administrative Office. The scenarios were discussed by the ad hoc committee, and three were determined to be most probable and beneficial to the District's future. Based on the recommendation of the General Manager's Office and the ad hoc committee, it was determined that a one-story option was not feasible at this time. The ad hoc committee moved forward with a minority and majority recommendation for a two-story or three-story design.

President Hassett questioned the amount of square footage needed by the District and whether the District may choose to build beyond the amount needed for potential commercial rental. Additionally, questioned if three stories of underground parking would be needed for a three-story building that was not built to the maximum allowable size.

Mr. Uddenberg explained the square footage amounts provided are the maximum levels possible in the various options presented.

Mr. Abbors described the District's current and projected future needs for staff space, which, using current density levels, would require approximately 27,000 square feet.

Director Kishimoto commented on the design flexibility that would be allowed for in a larger building, such as designing a light well in the building.

Ms. Hugg described the full evaluation criteria used by the project team to evaluate the three options, including growth flexibility, revenue potential, partnership potential, responsible infill density, maximizing value for "today's dollar," community engagement, etc. Based on the various criteria, the General Manager's Officer recommends the three-story option to maximize the benefits and flexibility of the once-in-a-lifetime opportunity to position the District for the future.

Mr. Abbors commented on the benefits of the three-story option to help the District be a leader in the community for expanded land stewardship and public engagement, providing space for partners and community use, and providing the greatest stability and flexibility for the District's long-term future.

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Mr. Uddenberg and Matt Pietras, an architect with MKThink, presented conceptual visualizations of how the future Administrative Office may be used, including solar panels or shades, social gathering spaces, water capture systems, creation of a rooftop garden, etc.

Ms. Hugg described the proposed next steps of the project, including various jump points in the process where the Board may act on an unforeseen real estate opportunity if one arises. Ms. Hugg presented a cost analysis based on the previously completed Tanner-Hecht, a study based on square footage costs for the Peninsula area plus an additional 20 percent allowance for design elements. Mr. Pietras explained the cost analysis represents a middle range of costs.

President Hassett commented on conversations at ad hoc committee meetings related to the minority recommendation. President Hassett explained Director Siemens's main concern related to the District building additional square footage not needed by the District and acting as a landlord.

Director Kishimoto commented on the work of the ad hoc committee and her preference for the three-story option, including its location along El Camino Real and near transit options, the high likelihood of finding a tenant for additional space, and the lower net cost of the building if it is offset by rental revenue. Director Kishimoto spoke in favor of reducing parking as much as possible.

Director Cyr spoke in favor of the three-story option due to its ability to provide the District the most flexibility and value for today's dollar.

Director Riffle spoke regarding the need to identify goals of the project.

Ms. Hugg shared the project goals approved by the Board November 18, 2015.

Director Riffle commented on the Board's need to adhere to the goals of the project and the ability to provide a facility for the public to begin to understand and experience open space. Additionally, a space must be built to help staff do their jobs effectively and efficiently and provide a community benefit.

Public comments opened at 6:50 p.m.

Jerry Hearn representing the trust fund owning the Peninsula Conservation Center commented on the thoughtful and thorough process being used by the District for this project. Mr. Hearn also spoke regarding the high likelihood of the District finding renters if additional square footage is built.

Public comments closed at 6:55 p.m.

President Hassett spoke in favor of the three-story option, which may be smaller than the 46,000 square foot estimate once building design begins.

**Motion:** Director Riffle moved, and Director Kishimoto seconded the motion to select construction of a new, three-story office building at the existing location with a rooftop common area as the preferred option for a new Administrative Office.

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**VOTE: 4-0-0** (Directors Hanko, Harris, and Siemens absent)

President Hassett adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 7:00 p.m.

**REGULAR MEETING**

President Hassett called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:05 p.m.

**ROLL CALL**

Members Present: Jed Cyr, Larry Hassett, Yoriko Kishimoto, and Curt Riffle

Members Absent: Cecily Harris, Nonette Hanko, and Pete Siemens

Staff Present: General Manager Steve Abbors, General Counsel Sheryl Schaffner, Assistant General Manager Ana Ruiz, Chief Financial Officer/Administrative Services Director Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Planning Manager Jane Mark, Legislative/External Affairs Specialist Joshua Hugg

**ORAL COMMUNICATIONS**

No speakers present.

**SPECIAL ORDERS OF THE DAY**

- Introduction of Staff
  - Jay Marvin, Ranger
  - Kyle Shank, Ranger
  - Ashley Ryder, Ranger

**ADOPTION OF AGENDA**

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

**VOTE: 4-0-0** (Directors Hanko, Harris, and Siemens absent)

**CONSENT CALENDAR**

Public comment opened at 7:15 p.m.

No speakers present.

Public comment closed at 7:15 p.m.

**Motion:** Director Kishimoto moved, and Director Riffle seconded the motion to approve the Consent Calendar, as amended.

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**VOTE: 4-0-0** (Directors Hanko, Harris, and Siemens absent)

**1. Approve January 11, 2017 Minutes**

Director Riffle requested the minutes be changed to reflect that he, not Director Siemens, made the suggestion to appoint to fill the Bond Oversight Committee vacancy.

District Clerk Jennifer Woodworth noted the change.

**2. Approve Claims Report**

Director Kishimoto commented on the District's recent vehicle purchases, including the District's vehicle policy, expressing her belief that newer vehicles may last longer than previous vehicle models.

Mr. Abbors spoke regarding the terrain on which the vehicles are used causes more wear and tear than may be seen on paved roads.

**3. Appointment of Board of Directors Standing Committee Members and District Representatives to the Governing Board of the Midpeninsula Regional Open Space District Financing Authority for Calendar Year 2017 (R-17-14)**

Board President's Recommendation: Approve the Board President's appointments to the Board Standing Committees and the Governing Board of the Midpeninsula Regional Open Space District Financing Authority, as well as approve the appointments of Board representatives to other bodies, and determine the compensation status for attendance at Board Committee meetings.

**4. Contract Amendment with PGA Design, Inc., for Additional Design, Engineering, and Permitting Services for the Sears Ranch Parking Area at La Honda Creek Open Space Preserve (R-17-02)**

General Manager's Recommendation: Authorize the General Manager to execute a contract amendment with PGA Design, Inc., for additional services related to the Sears Ranch Parking Area Project at La Honda Creek Open Space Preserve in the amount of \$42,626, for a total not-to-exceed contract amount of \$123,821.

**BOARD BUSINESS****4. Adoption of a Resolution Certifying the Final Environmental Impact Report, Making Certain Findings of Fact, Approving a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan, and Approving the Bear Creek Redwoods Preserve Plan including the Bear Creek Stables Site Plan and the Alma College Cultural Landscape Rehabilitation Plan (R-17-15)**

Planner III Lisa Bankosh provided the staff report describing the project, California Environmental Quality Act (CEQA) process, and Preserve Plan, including stewardship, public access, Alma College Rehabilitation Plan, and Bear Creek Stables Site Plan. Based on the extensive planning process, public access to the Bear Creek Redwoods Preserve would be

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opened in a phased approach to include stewardship actions to prepare for increased use, reopening and constructing new trails, and construction of parking areas and trail crossings. Portfolio 21 of Measure AA includes funds for various projects at the Preserve, including Alma College, Bear Creek Stables, environmental stewardship, parking lots, trails, etc. The Alma College Site Rehabilitation Plan allows for enhanced access and use, minimal stabilization and rehabilitation, and site cleanup, where necessary.

Planner III Gretchen Laustsen summarized the main elements of the Preserve Plan specific to Bear Creek Stables. The Site Plan emphasizes protection of the site's natural resources, maximizes public benefits by broadening public access, and develops a financially feasible plan for a stables tenant and the District. Ms. Laustsen summarized several high-priority improvements and associated cost estimates for the site planned for phase 1 of the Preserve Plan. Finally, Ms. Laustsen provided a project schedule for the Site Plan.

Director Riffle inquired regarding the cost of the water system for the Bear Creek Stables.

Engineering and Construction Manager Jay Lin reported the estimate received was \$1 million, and the current request for proposals posted by the District includes an estimate of \$500K to \$1 million with a large portion of the cost going to a large water tank and pipe installation.

Director Kishimoto inquired regarding the next steps for Alma College and whether it would need to be referred to the Santa Clara County Historical Heritage Commission.

Ms. Bankosh reported the Santa Clara County Planning Director may decide whether to issue a demolition permit or whether to refer the item to the Historical Heritage Commission to make that determination.

Public comment opened at 7:55 p.m.

Melany Moore with the Summit Riders and Friends of Bear Creek Stables thanked staff for responding to her letter and questions. Ms. Moore asked if the manure dump could be used as a composting site to allow Bear Creek Stables to possibly pursue grant funding. Ms. Moore also commented on a large amount of Scotch Broome invasive species in the area. Finally, the Friends of Bear Creek Stables recently received grant funding for a gutter improvement.

Jenny Whitman thanked staff for their work on the project and spoke in favor of the District keeping the radio tower currently on site. Ms. Whitman thanked Ms. Moore for the help to secure grant funding to create defensible space.

Peter Hargreaves requested clarification on when public access would begin on the western side of the Preserve and how long would public access be closed for western and eastern sides of the Preserve.

Frank Bakonyi requested clarification for the phased implementation of the Site Plan at Bear Creek Stables and stated the parking area should be able to accommodate the large demand this preserve will have due to its proximity to urban areas. Mr. Bakonyi suggested moving the arena closer to the public areas to provide separation for the stables' tenants. Mr. Bakonyi spoke in favor of holding small events at the Bear Creek Stables and spoke against limiting amplified

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sound to event attendees to hear the event. Finally, spoke in favor accelerating the project schedule.

Public comment closed at 8:06 p.m.

Ms. Bankosh explained that the entire western side of the preserve would be opened in 2018, which will allow for the large stewardship projects and construction of the Alma College parking lot to be completed prior to public access.

Ms. Laustsen clarified any composting station would have to be in addition to the manure dump due to the site's constraints.

Mike Parker of Ascent Environmental summarized the CEQA process and schedule to date for the Environmental Impact Report (EIR). The Preserve Plan was designed to mitigate impacts through avoidance, minimization, compensation, and adaptive management. Mr. Parker described several impacts that were mitigated to less than significant, including biological resources, cultural resources, hazardous materials, and dam safety. There was one significant and unavoidable impact associated with the demolition of historic structures associated with the "Alma College Complex." Mitigation includes documentation of the 1950 library, utility garage, and 1934 library prior to removal, but the impacts to historic structures would remain significant and unavoidable after mitigation. Mr. Parker described public comments received and explained public comments received did not change the conclusion of the EIR nor were changes necessary. The Board will be adopting a statement of overriding considerations, which is required when there is a significant and unavoidable impact. The District did add enhanced mitigation language to project the Western Pond Turtle and a trail undercrossing option to the Preserve Plan.

President Hassett requested additional information related to the limits on amplified sound.

Ms. Bankosh explained the restriction is not a District policy and would need to be evaluated separately from the EIR. The Preserve Plan does prohibit amplified sound.

Director Kishimoto requested clarification related to the removal of redwood and oak trees.

Ms. Bankosh explained the removal of the trees is related to mitigation measures for the Western Pond Turtle and needed for line-of-site requirements for the parking area.

General Counsel Sheryl Schaffner provided additional comments on amplified sound on the site explaining a neighboring site studied the impact of amplified sound on open space, including the District's preserve and found that it had a negative environmental impact.

Public comment opened at 8:29 p.m.

No speakers present.

Public comment closed at 8:29 p.m.

**Motion:** Director Kishimoto moved, and Director Cyr seconded the motion to adopt a resolution of the Board of Directors of the Midpeninsula Regional Open Space District:

- Certifying the Final Environmental Impact Report

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- Adopting the Findings of Fact and Statement of Overriding Considerations
- Approving a Mitigation Monitoring and Reporting Plan
- Approving the Bear Creek Redwoods Preserve Plan including the Bear Creek Stables Site Plan and the Alma College Cultural Landscape Rehabilitation Plan

**VOTE: 4-0-0** (Directors Hanko, Harris, and Siemens absent)

**6. Fiscal Year 2016-17 Quarter 2 District Budget Amendments (R-17-16)**

Finance & Budget Analyst II Nicole Gonzales presented the staff report describing the creation of a new debt service fund and affirmation of the District's budget by fund both resulting from the District auditor's recommendation. Ms. Gonzales described proposed Quarter 2 budget amendments, which have been funded by savings resulting in net-zero budget amendments across District departments and funds.

Public comment opened at 8:45 p.m.

No speakers present.

Public comment closed at 8:45 p.m.

**Motion:** Director Kishimoto moved, and Director Riffle seconded the motion to adopt a resolution approving the proposed FY2016-17 Quarter 2 District Budget amendments, and affirming the adopted FY2016-17 District Budget by fund.

**VOTE: 4-0-0** (Directors Hanko, Harris, and Siemens absent)

**7. Measure AA Bond Oversight Committee Appointment (R-17-13)**

District Clerk/Assistant to the General Manager Jennifer Woodworth provided the staff report and provided ballots for the Board to select a candidate to fill the vacancy.

Public comment opened at 8:47 p.m.

No speakers present.

Public comment closed at 8:47 p.m.

The Board voted 2-2 for Bruce Tolley and Susan Dunn, resulting in a tie with Director Cyr and Riffle voting for Mr. Tolley and Directors Hassett and Kishimoto voting for Ms. Dunn.

The Board members commented on their selections to determine if the tie could be broken.

**Motion:** Director Cyr moved, and Director Kishimoto seconded the motion to appoint a member to serve on the Measure AA Bond Oversight Committee by coin flip. Susan Dunn will be assigned heads. Bruce Tolley will be assigned tails.

**VOTE: 4-0-0** (Directors Hanko, Harris, and Siemens absent)

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Ms. Schaffner flipped a coin, and District Clerk Jennifer Woodworth acted as a witness.

The result of the coin flip was tails, and Bruce Tolley was appointed to fill the vacancy on the Measure AA Bond Oversight Committee.

**INFORMATIONAL REPORTS****A. Committee Reports**

President Hassett reported his appointment of Director Kishimoto to serve on the Santa Clara Valley Water Commission and Director Cyr to serve as an alternate for the Commission.

**B. Staff Reports**

Assistant General Manager Ana Ruiz provided an update on the La Honda Creek demolition project reporting the wood from the project will be salvaged and reused. Ms. Ruiz has been appointed to serve on the San Francisco Bay Authority Advisory Committee.

Assistant General Manager Kevin Woodhouse on a recent presentation by Legislative/External Affairs Specialist Josh Hugg, on “disadvantaged communities,” at the Bay Area Caucus. The presentation was well received, and staff hopes it will lead to a concerted policy effort to enable Midpen and other Bay Area public agencies to better serve their low-income communities.

Mr. Abbors provided updates on legislation the Board directed staff to pursue, including the Guadalupe and Los Gatos Creek Watershed and disadvantaged communities.

**C. Director Reports**

The Board members submitted their compensatory reports.

Director Kishimoto reported her attendance at the Santa Clara Valley Water District groundbreaking event for the Permanente Creek restoration project and attendance at a meeting of the Santa Clara Valley Water Commission.

**ADJOURNMENT**

President Hassett adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:14 p.m.

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Jennifer Woodworth, MMC  
District Clerk