



Midpeninsula Regional
Open Space District

R-19-93
Meeting 19-18
July 10, 2019

AGENDA ITEM 4

AGENDA ITEM

Award of Demolition and Site Cleanup Contract for Removal of Dilapidated and Defunct Structures at the former Lysons Property and Stevens Canyon Ranch

GENERAL MANAGER'S RECOMMENDATIONS

1. Determine that each of the recommended actions are categorically exempt from the California Environmental Quality Act, as set out in the staff report.
2. Authorize the General Manager to enter into a contract with Coastwide Environmental Technologies, Inc., of Watsonville, California for a not-to-exceed base amount of \$327,320.
3. Authorize a 15% contingency of \$49,098 to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$376,418.

SUMMARY

The Demolition Project (Project) will remove two houses that are in poor condition with lead and asbestos hazardous materials, ten miscellaneous debris piles, one dilapidated open shed, and two empty redwood water tanks at the former Lysons property in Monte Bello Open Space Preserve, and one defunct restroom structure with lead and asbestos hazardous materials at the Stevens Canyon Ranch property in Saratoga Gap Open Space Preserve. The structures are in a state of visual disrepair, located in remote areas, and would be highly costly to rehabilitate for reuse (unlikely to recoup costs). These structures hold no historic significance. The Board approved the Lysons demolition as part of the Lysons Property Preliminary Use and Management Plan. The scope of work includes installation of erosion and sediment control measures, asbestos and lead abatement, demolition of existing structures and foundations, removal of debris, waste diversion and material salvage, and site restoration grading. A Request for Bids was issued on April 30, 2019 and three bid proposals were received on May 28, 2019. The General Manager recommends awarding a contract to Coastwide Environmental Technologies, Inc., as the lowest responsive and responsible bidder for a base amount of \$327,320, and authorizing a 15% contingency of \$49,098. Sufficient funds are included in the Fiscal Year (FY) 2019-20 Budget. Work is scheduled to begin in September 2019 and conclude in November 2019.

DISCUSSION

Lysons Property – Monte Bello Open Space Preserve

In 2015, Midpeninsula Regional Open Space District (District) acquired the 60-acre Lysons property as an addition to the Monte Bello Open Space Preserve (Monte Bello) (R-14-116). The Property is located in the Cupertino foothills at 17251 Stevens Canyon Road, in unincorporated

Santa Clara County. This was the last property the District and County of Santa Clara (County) needed to complete a regional trail corridor connecting Stevens Creek County Park, Monte Bello Open Space Preserve, and Picchetti Ranch Open Space Preserve. As such, the District and County entered into a funding agreement to purchase the Property. The County paid for half of the purchase price, and in exchange for the funding, the County received a conservation easement over the Property. The conservation easement states that the Property will be maintained in a natural condition and be dedicated as public open space.

The purchase also advanced Measure AA Portfolio #17 (Complete Upper Stevens Creek Trail). Portfolio #17 includes the completion of a multi-use regional trail connection between the Bay Trail and Bay Area Ridge Trail above the Stevens Creek reservoir through Picchetti Ranch Open Space Preserve and Lower/Upper Stevens Creek County Parks. The removal of dilapidated structures on the former Lysons property and restoration of the site to a natural condition support the goals of this portfolio by preparing the site for a future multi-use regional trail extension that will bring public use through the property.

The Lysons property contains two houses that are in poor condition with lead and asbestos hazardous materials, one dilapidated open shed, two empty redwood water tanks, surface piping, and ten miscellaneous debris piles. Electric utility power has been disconnected by PG&E. The water tank for the lower house is inaccessible due to a landslide that washed away the path. The two houses were built in the 1930s and 1940s and are currently in a state of visual disrepair. Due to their age, the District hired Garavaglia Architecture, Inc., to perform a Historic Resource Evaluation (HRE) in 2015 (Attachment 6). The HRE concluded that although the structures are over 50 years old, they do not display a level of historical significance or integrity to qualify them for listing as a historic resource on the California Register of Historical Places, National Register of Historic Places, or local historic resource inventory. The structures are neither associated with a historic person or event nor do they embody any distinctive characteristics of a type or period of construction. Since 2015, the structures have remained unoccupied.

A Preliminary Use and Management Plan (PUMP) for the Lysons property was approved by the Board of Directors (Board) as part of the action to purchase the property in February 2015 (R-14-116). The PUMP took effect at the close of escrow. Per the PUMP, the District has secured the site, posted signage, and tested for asbestos-containing material and lead-based paint. A District biological consultant, H.T. Harvey & Associates, surveyed the property for roosting bats and woodrats as part of the PUMP's animal management activities.

Staff evaluated whether the structures were salvageable for District use at the time of purchase; there were many elements that precluded this. Both houses are poorly sited for long term maintenance and access. The main drainage of the property runs through an undersized culvert underneath the only access road to both structures. The lower structure has no foundation. Many of the support beams rest on compacted soil. The upper house is accessed by the same unpaved road, approximately a quarter mile away from Stevens Canyon Road. The building pad was graded out of steep side slopes and the access road in front of the house is narrow. The upper house is in poor condition and a major addition was constructed without permits. Both structures were once served by a remote spring with unknown reliability. Given their poor condition and the marginal access road, the Board approved the demolition and removal of the structures and miscellaneous debris piles, and restoration of the property to a natural condition as part of the PUMP.

Stevens Canyon Ranch Property – Saratoga Gap Open Space Preserve

In 2006, the District acquired the 238.15-acre Stevens Canyon Ranch Property as an addition to the Saratoga Gap Open Space Preserve (R-06-147). The property is located in the Cupertino foothills at 16891 Stevens Canyon Road, in unincorporated Santa Clara County; it is approximately 0.75 miles south of the former Lysons property. The purchase of the property advanced the District's goal to connect Stevens Creek County Park to the Saratoga Gap Open Space Preserve and the Bay Area Ridge Trail. The Santa Clara Valley Water District (Valley Water) and the District entered into a funding agreement to purchase the property and protect the Stevens Creek watershed. In exchange for the funding, Valley Water received a riparian conservation easement over the property. The purpose of this easement is to preserve and protect the creeks and riparian corridor on the property. It also restricts use on the property to open space activities, low intensity recreation, habitat preservation, and environmental protection.

The property contains a small defunct restroom structure that was built to service a picnic area located near a creek that runs through the property. It is located in the riparian corridor near the creek bank. The structure is boarded up and is in poor condition. It is of simple, unfinished, plywood construction and its dilapidated condition warrants removal; it is included as part of this contract. The Stevens Canyon Ranch area remains closed to the public at this time. If this area were opened to the public, this structure could not be reused because it poses a public health concern. It is located within 50-feet of a creek. The Department of Public Health requires sanitary sewer facilities be located no closer than 50-feet from a water source, such as a creek.

A PUMP for the Stevens Canyon Ranch property was approved by the Board as part of the action to purchase the property in December 2006 (R-06-147). The PUMP took effect at the close of escrow. Per the PUMP, the property remains closed to public access until a more detailed site plan is developed. Per Board Policy 4.02 *Improvements on District Lands*, the restroom structure is a candidate for potential demolition given that this auxiliary structure is not historically significant, is not a habitable structure, and is under 1,500 square feet.

Project Scope of Work

Due to the similar nature of the work and close proximity of the sites, the demolition scope of work for the Lysons and Stevens Canyon Ranch properties was combined into one Project to capitalize on economies of scale. The purpose of this Project is to improve public safety by removing hazardous, uninhabitable structures and debris from District land, and improve the natural resource values of the property. These efforts will facilitate the future opening of the regional Stevens Creek Trail corridor to public access by removing a potential safety hazard and nuisance concern.

Board Policy 4.02 *Construction and Demolition Waste Diversion* has a goal of diverting non-hazardous waste, generated from demolition projects, away from landfills. Diversion strategies include salvage, re-use, and/or recycling. Prior to the start of work, Coastwide will develop a waste-stream diversion plan describing how all non-hazardous demolished materials will be handled. Staff will work with Coastwide to identify materials in each of the buildings that are suitable for salvage. The contractor's waste diversion plan will list any materials that cannot be diverted or salvaged, and the reasons why for District review. Staff will closely monitor the two redwood water tanks as they are demolished and as feasible, divert the redwood tank material for reuse on other District projects.

The scope of work for this Project includes the following:

- Remediation and abatement of hazardous materials;
- Demolition and removal of the listed Lysons Property structures, including accessory improvements and septic systems;
- Demolition and removal of the Stevens Canyon Ranch restroom structure, including accessory improvements and septic system;
- Waste diversion of all non-hazardous demolition materials;
- Clean up and removal of debris piles; and
- Minor restoration grading for drainage, erosion control, and reducing potential impacts to the stream system.

A Request for Bids was issued on April 30, 2019 and released on BidSync. A legal notice was posted in the San Jose Mercury News and San Mateo County News, and a link to the solicitation was posted on the District website. A mandatory pre-bid walk was held on Tuesday, May 14, 2019; five contractors attended. Three bids were received on May 28, 2019 as listed below:

Bidder	Location	Total Base Bid	Percent +/- from Engineer's Estimate (\$251,000)
Resource Environmental, Inc.	Long Beach, CA	Non-responsive*	N/A
CVE Demolition, Inc.	Fresno, CA	\$442,000**	+76%
Coastwide Environmental Tech, Inc.	Watsonville, CA	\$327,320	+30%

*Resource Environmental, Inc.'s bid was deemed non-responsive because a bid form was not submitted.

**Adjusted bid price due to math error in original bid.

The engineer's estimate used the current market rate for demolition activities; each item was compared to prior District projects of similar scope. Staff attributes the 30% cost increase to a higher cost of business and competitive bidding market (other agencies concurrently advertised for similar project scopes in more accessible areas). Staff spoke with the pre-bid walk participants that did not submit bids, and received the feedback that the remote location of the sites and amount of material hauling were reasons they did not submit a bid.

Staff spoke with three references provided by Coastwide for similar completed projects. The references provided satisfactory feedback in regards to Coastwide's performance. The General Manager recommends awarding the contract to Coastwide Environmental, Inc., as the lowest responsive and responsible bidder.

FISCAL IMPACT

The FY2019-20 budget includes \$426,487 for the Lysons Dispositions Project #MAA17-002. There are sufficient funds in the project budget to cover the recommended action, including the inclusion of the restroom structure removal at Stevens Canyon Ranch, which is not MAA reimbursable and will be paid for by the District's General Fund (Fund 10).

Lysons Dispositions at Monte Bello MAA17-002	Prior Year Actuals	FY2019-20 Adopted	FY2020-21 Projected	Estimated Future Years	TOTAL
MAA17-002 Budget:	\$173,037	\$426,487	\$0	\$0	\$599,524
Spent-to-Date (as of 07/02/2019):	(\$173,037)	\$0	\$0	\$0	(\$173,037)
*Encumbrances:	\$0	(\$35,660)	\$0	\$0	(\$35,660)
**Coastwide Environmental Technologies, Inc. Contract:	\$0	(\$320,320)	\$0	\$0	(\$320,320)
**15% Contingency:	\$0	(\$48,048)	\$0	\$0	(\$48,048)
Budget Remaining (Proposed):	\$0	\$22,459	\$0	\$0	\$22,459

*Includes previously approved H.T. Harvey contract including 10% contingency (\$20,854) and anticipated costs for hazardous materials abatement monitoring work (\$14,806).

**Excludes Stevens Canyon Ranch Property restroom removal (\$7,000 with 15% contingency of \$1,050), which is not funded by Measure AA.

The following table outlines the Measure AA Portfolio #17 budget, costs-to-date, and the fiscal impact related to the Lysons Dispositions project #MAA17-002. This project supports Portfolio #17 Complete Upper Stevens Creek Trail: complete multi-use connection between the Bay Trail and Bay Area Ridge Trail above the Stevens Canyon reservoir through Picchetti Ranch Open Space Preserve and Lower/Upper Stevens Creek County Parks.

MAA #17 Portfolio Allocation:	\$7,760,000
Life-to-Date Spent (as of 07/02/2019):	(\$2,090,723)
Encumbrances:	(\$35,660)
*Coastwide Environmental Technologies, Inc. Contract including contingency:	(\$368,368)
Portfolio Balance Remaining (Proposed):	\$5,265,249

*Excludes Stevens Canyon Ranch Property restroom and gas tank removal (\$7,000 with 15% contingency of \$1,050), which is not funded by Measure AA.

BOARD COMMITTEE REVIEW

The purchase of the Lysons property was approved by the Board at the October 8, 2014 meeting (R-14-116) and a funding agreement with Santa Clara County Parks to support the purchase was approved by the Board at the February 25, 2015 meeting (R-15-35). The purchase of the Stevens Canyon Ranch property was approved by the Board on December 13, 2006 (R-06-147).

PUBLIC NOTICE

Public notice of this item was provided as required by the Brown Act. Notification of the proposed work will be mailed to adjacent residents on or around August 1, 2019. Residents will receive additional notice 14 days in advance of the start of work in their immediate area.

CEQA COMPLIANCE

Potential environmental impacts associated with the proposed demolition and restoration activities at the former Lysons property were reviewed during the property purchase and CEQA

compliance determination, adopted by the Board in October 2014. The District concluded at the time that the purchase would not have any significant effect on the environment.

Demolition and removal of the Lysons Property structures and the Stevens Canyon Ranch restroom structure are categorically exempt under section 15301, Existing Facilities, which exempts the repair, maintenance, or minor alteration of existing public or private structures, facilities, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, including the demolition of individual small structures. The Project proposes performing minor erosion control work along existing roads, and performing minor restoration activities to return the site to a natural condition.

NEXT STEPS

If approved, the General Manager will enter into a contract with Coastwide Environmental Technologies, Inc. Final contract signature is subject to the contractor meeting all District requirements, including required insurance and bonding. The Project is anticipated to begin in September 2019 and conclude in November 2019.

Attachments

1. Location Map
2. Project Work Areas Map
3. Historic Resource Evaluation (HRE) Findings Excerpt prepared by Garavaglia Architecture, Inc.
4. Photos of Buildings to be Demolished

Responsible Department Head:

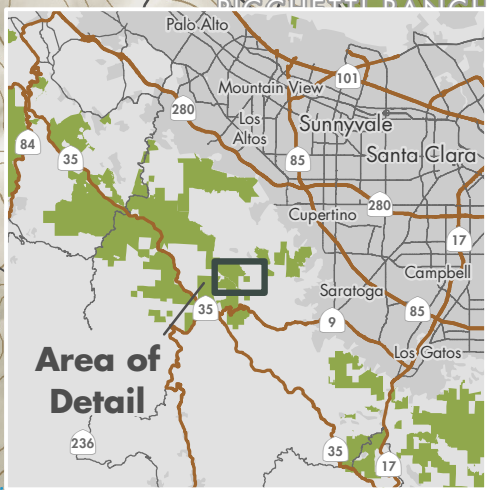
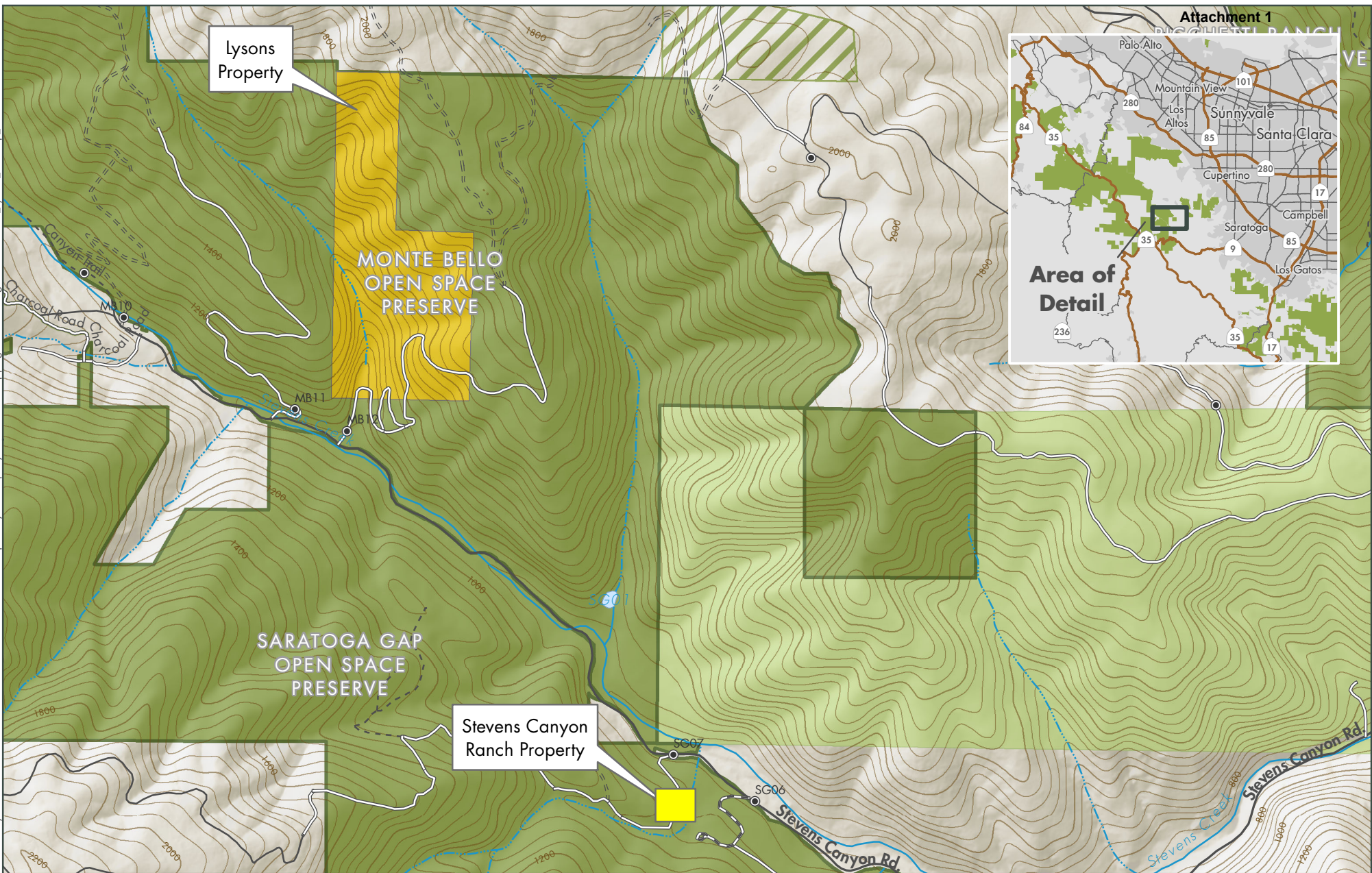
Jason Lin, Engineering and Construction Department Manager

Prepared by:






Tanisha Werner, Capital Project Manager III, Engineering and Construction

Contact person:

Tanisha Werner, Capital Project Manager III, Engineering and Construction



Lysons and Stevens Canyon Ranch Properties

-  MROSD Preserves
-  Lysons Property
-  Other Protected Lands
-  Stevens Canyon Ranch Property
-  Private Property

Midpeninsula Regional
Open Space District
(MROSD)
April 2019








While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.

ATTACHMENT 2 - PROJECT WORK AREAS MAP

Path: G:\Projects\Monte_Bello\Lysons\Demolition\Lysons_DemoKeyPlan_20171030.mxd
Created By: ngreig



Lysons Demolition - Existing Structures and Debris to be Removed

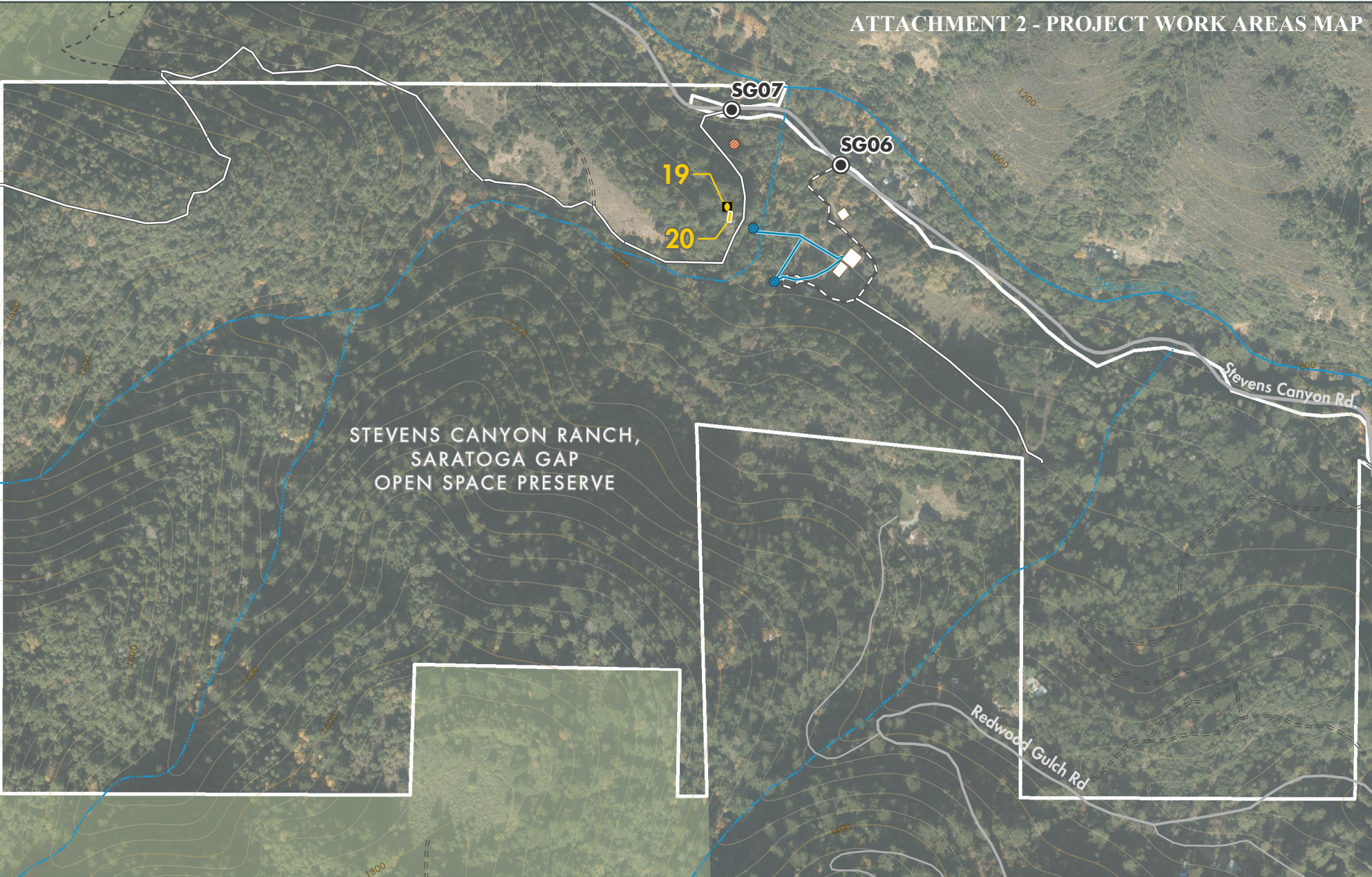
- | | | | |
|---|---------------------|----------------------|------------------------|
|  Structure | 1. Lower House | 8. Dump Site | 15. Debris and Fencing |
|  Debris | 2. Debris (Wood) | 9. Garage/Shed | 15A. Debris (Various) |
|  Water Tank | 3. Debris (Various) | 10. Agave plants | 16. Debris and Fencing |
|  Water Line | 4. Water Tank | 11. Water Tank | 17. Electrical conduit |
|  Power Pole | 5. Water Line | 12. Upper House | 18. Cement Mixer |
| | 6. Dump Site | 13. Debris (Wood) | |
| | 7. Debris (Wood) | 14. Debris (Various) | |

Midpeninsula Regional
Open Space District
(MROSD)
October 2017



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.

Path: G:\Projects\Saratoga_Gap\Stevens_Canyon\Demolition\StevensCanyon_DemoKeyPlan_20190625.mxd
Created By: ngreig



STEVENS CANYON RANCH,
SARATOGA GAP
OPEN SPACE PRESERVE

Stevens Canyon Ranch Demolition - Existing Structures to be Removed

- 19. Approximate Location of Propane Tank and Meter to be Removed
- 20. Approximate Location of Restroom Structure to be Removed
- Active Water Tank to Remain
- Active Water Line to Remain
- Abandoned Water Tank to Remain

Midpeninsula Regional
Open Space District
(Midpen)
6/25/2019



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.

FINDINGS

NATIONAL REGISTER OF HISTORIC PLACES/CALIFORNIA REGISTER OF HISTORICAL RESOURCES

This section uses the historic information discussed above to evaluate the property at 17251 Stevens Canyon Road for historic significance. The NRHP/CRHR uses generally the same guidelines as the National Register of Historic Places (developed by the National Park Service); as such, selected language from those guidelines will be quoted below to help clarify the evaluation discussion.

To be potentially eligible for *individual* listing on the NRHP/CRHR, a structure must usually be more than 50 years old, must have historic significance, and must retain its physical integrity. The subject building at 17521 Steven Canyon Road was constructed in the late 1930s and early 1940s and therefore does meet the age requirement. In terms of historic significance, the NRHP/CRHR evaluates a resource based on the following four criteria:

Criterion A/1 (event)

As stated by the National Park Service (NPS), this criterion “recognizes properties associated with single events, such as the founding of a town, or with a pattern of events, repeated activities, or historic trends, such as the gradual rise of a port city’s prominence in trade and commerce.”¹ When considering a property for significance under this criterion, the associated event or trends “must clearly be important within the associated context: settlement, in the case of the town, or development of a maritime economy, in the case of the port city...Moreover, the property must have an important association with the event or historic trends”²

The rural subject property and its two extant buildings do not appear to be associated with a significant event or significant developmental pattern in local, state, or national history. As such, the property is not eligible for listing on the CRHR or NRHP under Criterion A/1.

Criterion B/2 (person)

This criterion applies to properties associated with individuals whose specific contributions to history can be identified and documented. The NPS defines significant persons as “individuals whose activities are demonstrably important within a local, state, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person’s important achievements. The persons associated with the property must be individually significant within a historic context.” The NPS also specifies that these properties “are usually those associated with a person’s productive life, reflecting the time period when he or she achieved significance.”³

As the Lysons property is not associated with significant individuals who have contributed a to local, state, or national historic context, the buildings at the Lysons property are ineligible for listing under Criterion B of the National Register and Criteria 2 of the California register.

¹ National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, online at http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_6.htm

² *Ibid.*

³ National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation.



Criterion C/3 (design/construction)

Under this criterion, properties may be eligible if they “embody the distinctive characteristics of a type, period, or method of construction, ...represent the work of a master, ...possess high artistic values, or...represent a significant and distinguishable entity whose components may lack individual distinction.”⁴

According to the NPS, “ ‘Type, period, or method of construction’ refers to the way certain properties are related to one another by cultural tradition or function, by dates of construction or style, or by choice or availability of materials and technology. A structure is eligible as a specimen of its type or period of construction if it is an important example (within its context) of building practices of a particular time in history.”⁵

As the buildings at the Lysons property are not the work of a master, and do not possess high artistic values nor do they embody any type of distinctive construction characteristic, the property does not appear eligible for listing on the CRHR or NRHP under Criterion C/3.

Criterion D/4 (information potential)

Archival research and physical investigation of the site focused on the above ground resource only. Therefore, no informed determination could be made regarding the property’s eligibility for the CRHR under Criterion D/4.

INTEGRITY EVALUATION

Evaluation of potential historic resources is a two-part process. A property must meet one or more of the criteria for significance, and possesses historic integrity. Since the property was not found to exhibit the level of significance necessary for listing on the CRHR, evaluation of the building’s integrity is unwarranted.

CONCLUSION

In summary, the subject property at 17251 Stevens Canyon Road does not display a level of historical significance or integrity that would qualify it for listing as a historic resource on the California Register of Historical Places or National Register of Historic Places under any criterion or as a local landmark.

Based on information found to date, the buildings on the Lysons Property, while over 50 years old, are neither associated with a historic person or event nor do they embody any distinctive characteristics of a type or period of construction. The buildings have largely been modified since their initial construction, the construction dates remain unclear, and the buildings lack structural integrity. As a result, the Lysons Property does not meet the level of significance necessary for inclusion on the California Register of Historic Places or any local historic resource inventory. Therefore, they would not be considered a historic resource under CEQA.

⁴ *Ibid.*

⁵ *Ibid.*



Photos of Buildings to be Demolished



Lysons – Open Shed



Lysons – Upper House Side View



Lysons– Upper House Back Patio Area



Lysons – Upper House Kitchen Interior



Lysons – Lower House Side View



Stevens Canyon Ranch – Restroom Structure