



Midpeninsula Regional
Open Space District

R-16-132
Meeting 16-28
November 9, 2016

AGENDA ITEM 3

AGENDA ITEM

Use and Management Plan Amendment for Fremont Older Open Space Preserve and Award of Contract to West Coast Netting Construction Services to install the Prospect Road Parking Area Safety Structure for a Base Amount Not-to-Exceed \$46,500 and a Separate 15% Contingency

GENERAL MANAGER'S RECOMMENDATIONS

1. Approve a Use and Management Amendment to allow for the construction of a net canopy safety structure at Fremont Older Open Space Preserve.
2. Authorize the General Manager to enter into a contract with West Coast Netting Construction Services of Kingman, Arizona for an amount not to exceed \$46,500.
3. Authorize a 15% construction contract contingency in the amount of \$6,975 to be reserved for unanticipated issues, thus allowing a total contract amount not-to-exceed \$53,475.

SUMMARY

The proposed Prospect Road Parking Area (Net Canopy) Safety Structure (Project) at Fremont Older Open Space Preserve (Preserve) is designed to protect visitors and vehicles from errant golf balls entering the parking area from the adjacent Saratoga County Club golf course. An amendment to the Preserve's Use and Management Plan is required to allow for installation of the net canopy. To improve after-hours security of the net canopy, an existing standard gate will be replaced with a new automated gate. A Request for Bids to implement the Project was issued on September 19, 2016. Two bid proposals were received and opened on Thursday, October 27, 2016. Evaluation of the bids revealed that the low bidder, West Coast Netting Construction Services, presented a complete and responsive bid package. Therefore, the General Manager recommends awarding a contract to West Coast Netting Construction Services for a total amount not-to-exceed \$53,475, which includes the bid amount of \$46,500 plus a 15% contingency amount of \$6,975. Sufficient funds for the Project are included in the Board-approved Fiscal Year 2016-17 Budget.

DISCUSSION

Background

Fremont Older Open Space Preserve is the second most popular District Preserve and includes a well-used parking area that is located adjacent to the Saratoga Country Club (Club) and its fifth hole green. Preserve parking is available at a flat area at the end of the public portion of Prospect Road, which is the subject of this Agenda Item (approximately 24 spaces). The proximity of the green to the parking area has resulted in errant golf balls landing in the parking area and damaging Preserve visitor's vehicles (see Attachment 1: Prospect Road Staging Area Site Map).

Golf balls have likely landed in this parking area since before the District's purchase of the property, as the golf course use preceded the formalization of the Preserve parking area and District ownership.

In an effort to improve visitor safety and potentially relocate and expand parking, a thorough study of potential options for a new, formal parking lot was commissioned in the late 1990s. This study continued in the mid-2000s with the evaluation of a new, potential site on surplus Saratoga Country Club property. Based on the findings of these feasibility studies, which included order of magnitude cost estimates and an evaluation of likely constraints, the District concluded that these other options would result in high implementation costs, possibly trigger a permitting requirement to widen Prospect Road, and may not reduce conflicts between Preserve visitors and errant golf balls. As a result, the District considered alternatives and arrived at a canopy solution to protect visitors from flying golf balls at the existing parking area location.

Simultaneously, the District and Club met numerous times and together identified various actions each could take to improve safety. Following these discussions, the Club modified the location of the fifth hole, which reduced the number of golf balls entering the lot. In addition, the District moved forward with the canopy solution by hiring a consultant to provide golf ball trajectory analysis and preliminary design recommendations for a protective barrier structure. The results of the design work concluded that a horizontal canopy would provide the greatest protection of the parking area (R-14-128, R-15-11).

The recommended horizontal safety netting structure design (see Attachment 2: Parking Protection Structure Perspective View.) includes fifteen (15) 15-foot high steel posts installed along the perimeter of the parking area with a mesh golfing netting strung horizontally taut between the posts, creating a 7,150-square foot protective netting surface. The ability to locate the posts at key points along the boundary of the parking area allows the netting structure to avoid several large oak trees and their canopies. A section of 15-foot tall vertical mesh golf netting will also be attached to the steel posts on the southern edge of the parking area to ensure complete protection from low trajectory golf balls.

As part of the Planning Variance Permit approval process, District staff worked closely with Santa Clara County Fire Marshal Office to develop a comprehensive ongoing maintenance plan to ensure the structure would not pose a fire safety hazard. Once the structure is installed, District maintenance staff would be required to comply with the following maintenance requirements:

- Monthly scheduled blowing events, or as needed per inspections;
- Bi-weekly inspections during fire season;
- Daily District ranger patrols through the parking area;
- Response to emergency issues within the parking area by the resident District ranger;
- Annual inspections to ensure adequate distance from overhanging vegetation and top of the safety netting structure; and
- As needed, removal of overhanging limbs to provide adequate distance and clearance.

The maintenance requirements of the structure were taken into account during the design and development phase, and the netting system has been designed to be retractable to allow for easy access, cleaning, and maintenance of the net structure.

Finally, there is an existing standard District pipe gate (Gate FO01) located on Prospect Road at the Preserve property line that is currently kept open, in part for ease of passage for in-holding

residents that live further down on Prospect Road. The General Manager recommends replacing Gate FO01 with an automated gate for ease of operation during off-hours to keep the parking area with the new canopy structure secure while allowing residents to easily open and close the gate for their access. If approved, the proposed automatic gate system would be installed as part of a separate bid/contract process. If bids are over \$50,000, the gate installation would return separately to the Board for award of contract.

Use and Management Plan

Given that the proposed horizontal safety netting structure would result in a new physical structure at the Preserve, an amendment to the Preserve's Use and Management Plan is required. The Planning and Natural Resources Committee reviewed the project designs and the proposed Use and Management amendment at their July 6, 2016 meeting and recommended Board approval of the amendment (R-16-88). The Board of Directors also received a FYI Memorandum at their August 10, 2016 meeting (see Attachment 3 FYI Memorandum to Board), related to the streamlined Board review of the proposed Use and Management Plan Amendment and award of contract in order for staff to proceed with construction in a timely manner. The Board will be asked to consider both items at the same Board meeting for expediency since the County has just recently issued the building permit for construction.

Contractor Selection

A Request for Bids for the net canopy installation was issued on September 19, 2016 and released to five (5) builders' exchanges. A legal notice was also posted in the San Mateo County Times, the Santa Cruz Sentinel, and the San Jose Mercury News, and an Invitation to Bid was posted on the District website. Finally, staff contacted thirteen (13) contractors to notify them of this Project prior to bid. A pre-bid meeting was held on September 29, 2016. Two contractors attended this pre-bid meeting. Two bids were received on October 27, 2016.

Bidder	Location	Total Bid	Percent +/- from Engineer's Estimate (\$145,530)
West Coast Netting Construction Services	Kingman, AZ	\$46,500	- 68.0%
Judge Netting, Inc.	Costa Mesa, CA	\$123,900	-14.8%

Upon review of the Bid Proposals and confirmation of the contractors' qualifications, the General Manager recommends awarding the contract to West Coast Netting Construction Services as the lowest responsible bidder who submitted a responsive bid.

FISCAL IMPACT

The District's Fiscal Year 2016-17 Action Plan and Budget includes \$240,250 (CapEx- GF, *Fremont Older Staging Area Public Safety Improvements*) to complete the Project. The budget includes construction costs, allowances for contingencies and unforeseen conditions, consultant fees for general conditions, construction administration, and other soft costs.

Fremont Older OSP Parking Protection Structure	\$240,250
Spent to Date (FY 16-17 as of 10/31/16):	\$8,381

Encumbrances:	\$7,968
West Coast Netting Construction Contract:	\$53,475
Budget Remaining:	\$170,426

BOARD COMMITTEE REVIEW

The Planning and Natural Resources Committee reviewed this project on July 06, 2016 (see Attachment 4 for draft PNR meeting minutes), asked clarifying questions, and heard public comments that included support for the project. The PNR Committee recommended forwarding the Project to the full Board.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. Additional notice was provided to interested parties and adjoining neighbors of the Preserve. Finally, notice was posted at the Preserve's Prospect Road parking area.

CEQA COMPLIANCE

Staff completed a Notice of Exemption (NOE) for the Project and filed it with the Santa Clara County Clerk Recorder on June 13, 2016. As part of the NOE, the District concluded that the installation of the Parking Protection Structure at Prospect Road Staging Area Project at Fremont Older OSP is categorically exempt from CEQA (California Environmental Quality Act) under Article 19 of the CEQA Guidelines as follows:

Section 15303(e): This class of project consists of the construction and location of new, small accessory structures, including garages, carports, and fences. The proposed project consists of the replacement of an existing gate, and the installation of an associated solar powered automatic gate system, which is considered a new, small accessory structure to the existing parking area.

Section 15304(d): This class of projects consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature scenic trees. The proposed project will require the removal of one (1) tree in order to provide the needed height clearance to install the safety netting structure. A licensed arborist has evaluated the tree, and has determined the tree selected for removal is not a mature scenic tree.

Section 15311(b): This class of project consists of the construction of minor structures accessory to existing institutional facilities, including small parking lots. The proposed project consists of the installation of a new accessory net canopy structure to an existing small publicly accessible parking area, within a public open space preserve.

NEXT STEPS

Upon approval by the Board of Directors, the General Manager would enter into a contract with West Coast Netting Construction Services to perform construction of the Prospect Road Parking Area (Net Canopy) Safety Structure Project. Activation of the contract is subject to the contractor meeting all District requirements, including required insurance and bonding. Once

paperwork and contract signatures are in place, the project is scheduled to begin in November 2016 and be completed by February 2016.

Attachment(s)

1. Prospect Road Staging Area Site Map
2. Parking Protection Structure Perspective View
3. FYI Memorandum to Board (August 10, 2016 Board meeting)
4. Approved minutes for July 6, 2016 PNR Committee meeting

Responsible Department Head:

Jason Lin, Engineering and Construction Manager

Jane Mark, AICP, Planning Manager

Prepared by:

Dale Grogan, Capital Project Manager, Engineering and Construction Department



Gretchen Laustsen, Planner III, Planning Department

Contact person:

Dale Grogan, Capital Project Manager, Engineering and Construction Department



: Prospect Road Staging Area, Fremont Older Open Space Preserve

-  MROSD Preserve
-  Prospect Road Staging Area

This map was used by G.Lausten
for the October 21, 2014
PNR Committee Meeting.

Midpeninsula Regional
Open Space District
(MROSD)



Feet 0 50 100

October, 2014



PERSPECTIVE VIEW TO EAST

PARKING PROTECTION STRUCTURE
Fremont Older Open Space Preserve




Midpeninsula Regional
Open Space District

Memorandum

DATE: August 10, 2016

MEMO TO: MROSD Board of Directors

FROM: Stephen E. Abbors, General Manager 

SUBJECT: Proposed Prospect Road Parking Area (Net Canopy) Safety Structure at Fremont Older Open Space Preserve

The Fremont Older Parking Area Public Safety Improvement Project (Attachment 1) includes design, permitting and construction of a net canopy structure to protect Preserve visitors and vehicles from errant golf balls entering the parking area from the adjacent Saratoga County Club golf course. Staff, with the assistance of a licensed landscape architect, has completed the necessary design and permitting to solicit bids to construct the safety structure. Staff presented the structure design to the Planning and Natural Resources (PNR) Committee and the community on July 11, 2016. Previously, the PNR Committee received an informational presentation on the proposed design and construction of a safety structure on October 21, 2014 (R-14-128). The Board approved the contract for the canopy design and related construction administration on January 14, 2015 (R-15-11). The purpose of this memorandum is to preview the final structure design and construction schedule and to prepare the Board for their upcoming consideration of a necessary Use and Management Plan Amendment and award of contract to proceed with construction. The Board will be asked to consider both items at the same time for expediency given that the project will soon be ready for construction. Funds for this project are included within the Board-approved Fiscal Year 2016-17 Budget and Action Plan.

FINAL STRUCTURE DESIGN

The recommended horizontal safety netting structure design (Attachment 2) includes sixteen (16) 15-foot high steel posts installed along the perimeter of the parking area with a mesh golfing netting strung horizontally taut between the posts, creating a 7,150-square foot protective netting surface. The ability to locate the posts at key points along the boundary of the parking area would allow the netting structure to avoid several large oak trees and their canopies. A section of 15-foot tall vertical mesh golf netting will also be attached to the steel posts on the southern edge of the parking area to ensure complete protection from low trajectory golf balls.

As part of the permit approval process for this structure, District staff has worked closely with the Santa Clara County Fire Marshall Office to develop a comprehensive ongoing maintenance plan to ensure the structure does not pose a fire safety hazard. Once the structure is installed, as part of the permit conditions for construction, the District will be required to comply with the following maintenance requirements:

- Monthly scheduled blowing events, or as needed per inspections;
- Bi-weekly inspections during fire season;
- Daily District ranger patrols through parking area;

- Response to emergency issues within parking area by the resident District ranger;
- Annual inspections to ensure adequate distance from overhanging vegetation and top of the safety netting structure
- As needed, removal of overhanging limbs to provide adequate distance and clearance

The netting system has been designed to be retractable to allow for easy access, cleaning, and maintenance of the net structure to help the District meet these maintenance requirements.

Finally, there is an existing standard District pipe gate (Gate FO01) located on Prospect Road at the Preserve property line that is currently kept open, in part for ease of passage for in-holding residents that live further down on Prospect Road. In order to keep the parking area with the new canopy structure secure when the Preserve is closed and allow residents to easily open and close the gate for their access, I will be recommending that Gate FO01 be replaced with an automated gate as part of this Project.

BOARD APPROVALS AND COMMUNICATIONS

The Planning and Natural Resources Committee met on July 11, 2016 at the Prospect Road Parking Area to receive an informational presentation on the project and to consider forwarding a recommendation to amend the Preserve's Use and Management Plan to the full Board. Several members of the public attended, asking specific questions related to the design of the structure and indicating overall support of the project. Committee members inquired about impacts of the structure on wildlife and the necessity and timeline of the Use and Management Plan Amendment. Based on staff's consultation with both the designer and with maintenance staff from a local golf course that has a similar protective net structure, the likelihood for potential bird entrapment would be infrequent. However, given the existing trees around the parking area, the net structure would need to be regularly monitored. District staff would be prepared to carefully remove any trapped birds during routine check-in of the net structure. A Use and Management Plan amendment is necessary given that the proposed horizontal safety netting structure would result in a new physical structure at the Preserve. If the permitting process proceeds as anticipated, this amendment and the award of contract for construction will be brought to the Board for consideration as one agenda item in September to increase efficiency by streamlining Board review time.

Prospect Road Parking Area Safety Structure Tentative Schedule:

Task	Date
PNR Committee and Community Meeting – Present plan and proposed construction schedule	July 11, 2016
Bid Release (pending permit issuance)	August 2016
Bid Opening	September 2016
Board Meeting – approval of Use and Management Plan Amendment and Construction Contract	September 2016
Prospect Road Parking Area Safety Structure Construction <i>Parking area will need to be closed for duration of construction</i>	October/ November 2016
Anticipated re-opening of Prospect Road Parking Area	November 2016

Attachments:

1. Prospect Road Parking Area Site Map
2. Prospect Road Parking Area Safety Structure Perspective View



Midpeninsula Regional
Open Space District

PLANNING AND NATURAL RESOURCES COMMITTEE

Fremont Older Open Space Preserve
Prospect Road Preserve Parking Area
22500 Prospect Road
Saratoga, CA 95070

July 11, 2016

DRAFT MINUTES

CALL TO ORDER

Director Harris called the meeting of the Planning and Natural Resources Committee to order at to order at 2:00 p.m.

ROLL CALL

Members Present: Jed Cyr and Cecily Harris

Members Absent: Curt Riffle

Staff Present: General Counsel Sheryl Schaffner, Planning Manager Jane Mark, Planner III Gretchen Laustsen, Engineering and Construction Manager Jason Lin, Capital Project Manager III Dale Grogan, Land and Facilities Manager Brian Malone, and District Clerk Jennifer Woodworth

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

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

VOTE: 2-0-0 (Director Riffle absent.)

COMMITTEE BUSINESS

1. Approve the April 20, 2016 Planning and Natural Resources Committee Minutes

Motion: Director Cyr moved, and Director Harris seconded the motion to approve the minutes for the April 20, 2016 Planning and Natural Resources Committee meeting.

VOTE: 2-0-0 (Director Riffle absent.)

2. Proposed Prospect Road Parking Area (Net Canopy) Safety Structure at Fremont Older Open Space Preserve (R-16-88)

Planner III Gretchen Laustsen provided the staff presentation summarizing the history of the project, including modifications to the golf course made by Saratoga Country Club to reduce the number of golf balls entering the parking lot. Additionally, Ms. Laustsen explained that due to the terrain of the area and infeasibility of modifying or relocating the parking lot, staff recommends construction of a protective structure to prevent golf balls from entering the parking lot.

Capital Project Manager III Dale Grogan displayed renderings of the proposed protective structure and described the measures to be used to protect the existing trees. The fifteen-foot height of the netting was selected to meet Santa Clara County Code requirements, and construction is anticipated to begin in fall of 2016. Construction will take approximately eight weeks, during which time portions of the parking lot will be closed during the week but not on weekends.

Director Harris inquired regarding measures to prevent birds from nesting in the netting or bird entrapment.

Mr. Grogan explained when he visited another golf course with a similar netting structure, birds were able to easily take flight from the netting. Also, the netting will be able to be rolled back to allow for debris removal.

Director Harris questioned the sequence of Board action for the projects, especially as it relates to the proposed Use and Management Plan amendment.

Planning Manager Jane Mark stated the proposed Use and Management Plan amendment will require Board approval at the time the construction contract is brought forward for approval.

Public comment opened at 2:16 p.m.

A member of the public asked why the netting would be horizontal instead of vertical.

Mr. Grogan reported a study to determine the trajectory of the golf balls entering the parking lot concluded vertical and horizontal netting is needed.

A member of the public inquired if the netting structure would provide additional shade for the parking lot.

Mr. Grogan stated the netting will not provide additional shade; however, all of the trees, except one, will remain in the parking lot, and tree limb removal will be minimal.

A neighbor to the preserve spoke in favor of the protective structure.

Public comment closed at 2:25 p.m.

Motion: Director Cyr moved, and Director Harris seconded the motion confirm and recommend Board approval of a proposed Use and Management Plan Amendment for construction of a net canopy safety structure over the Prospect Road Parking Area.

VOTE: 2-0-0 (Director Riffle absent.)

ADJOURNMENT

Director Harris adjourned the meeting of the Planning and Natural Resources Committee of Midpeninsula Regional Open Space District at 2:28 p.m.

Jennifer Woodworth, MMC
District Clerk