



**SPECIAL AND REGULAR MEETING  
BOARD OF DIRECTORS OF THE  
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

**Wednesday, January 11, 2023**

**Special meeting starts at 5:00 PM  
Regular meeting starts at 7:00 PM\***

**A G E N D A**

*Consistent with Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33, and in light of the declared state of emergency, the meeting will be conducted in a hybrid manner. Individuals can attend in-person or via Zoom. Some board members may be teleconferencing into the meeting via a virtual platform. Members of the public can listen to the meeting and participate using the following methods.*

1. *In-person at the Midpen Administrative Office – 5050 El Camino Real, Los Altos, CA 94022.*
2. *Viewing the meeting in real-time at <https://openspace.zoom.us/j/86763902237> or listening to the meeting by dialing (669) 900-6833 or (346) 248-7799 (Meeting ID 867 6390 2237).*

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

- *Requests to provide oral comment must be submitted prior to the time public comment on the agenda item is closed.*
- *Requests to provide oral comments may be made by:*
  - *Submitting a request through the public comment form at: <https://www.openspace.org/public-comment> for those attending via Zoom.*
  - *Submitting a request via the paper-based public comment form at the meeting for those attending in-person.*
- *Written comments may be submitted via the public comment form at: <https://www.openspace.org/public-comment>.*
- *Comments via text or social media (Facebook, Twitter, etc.) will not be accepted.*
- *All comments shall be subject to the same rules as would otherwise govern speaker comments at the board of directors meeting.*
- *Any comments received after the deadline, will be provided to the Board after the meeting.*

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA  
REGIONAL OPEN SPACE DISTRICT**

**ROLL CALL**

**5:00 1. Swearing in of New Board Members for the Term Starting January 2023**

Staff Contact: Maria Soria, Acting District Clerk

General Manager's Recommendation: Administer the oath of office for the Board Members appointed/elected in November 2022.

## **ADJOURNMENT**

### **5:10 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

#### **ROLL CALL**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)**

**Property:** San Mateo County APNs: 072-343-010, 072-343-020, 075-340-130, 075-330-100

**Agency Negotiator:** Allen Ishibashi, Senior Real Property Agent

**Negotiating Party:** Martin and Carolyn Eberhard

**Under Negotiation:** Purchase Terms

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

Title of Employee: Controller

General Counsel

## **ADJOURNMENT**

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

#### **ORAL COMMUNICATIONS**

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

#### **INTRODUCTION OF NEW BOARD MEMBERS**

- Craig Gleason, Ward 1
- Margaret MacNiven, Ward 6

#### **ADOPTION OF AGENDA**

#### **BOARD BUSINESS**

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

**1. Election of the Calendar Year 2023 Officers for the Midpeninsula Regional Open Space District Board of Directors (R-23-07)**

Staff Contact: Maria Soria, Acting District Clerk

General Manager's Recommendation: Elect Officers of the Board of Directors for Calendar Year 2023.

## CONSENT CALENDAR

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

### **2. Approve the November 9, 2022 Board meeting minutes**

### **3. Claims Report**

### **4. Teleconferenced Board Meetings Pursuant to the Brown Act and Assembly Bill 361 (R-23-01)**

Staff Contact: Hilary Stevenson, General Counsel

General Manager's Recommendation: Adopt a resolution affirming findings to continue remote teleconferenced public meetings, including as part of hybrid (remote/in-person) meetings, pursuant to AB 361.

### **5. Annual Findings on the number of Compensated Board Meetings (R-23-02)**

Staff Contact: Hilary Stevenson, General Counsel

General Manager's Recommendation: Adopt a Resolution making annual findings that more than five Board meetings per month are necessary for the effective operation of the Midpeninsula Regional Open Space District.

### **6. Minor Contract Amendment for Construction Administration Services with Waterways Consulting, Inc., for the Lower Alpine Road Retaining Wall Project (R-23-03)**

Staff Contact: Zachary Alexander, Capital Project Manager III

General Manager's Recommendation: Authorize the General Manager to execute a contract amendment with Waterways Consulting, Inc., of Santa Cruz, California to provide construction administration, geotechnical oversight, structural observations, civil observations, and project closeout services for the Lower Alpine Road Retaining Wall Project in the amount of \$46,338, bringing the total contract to a not-to-exceed amount of \$368,267.

### **7. Contract Amendment for the San Gregorio Creek Sediment Survey (R-23-04)**

Staff Contact: Meredith Manning, Water Resource Specialist

General Manager's Recommendation:

1. Authorize the General Manager to execute an amendment to the professional services contract with Balance Hydrologics, Inc., to provide additional field data collection and reporting for the San Gregorio Water Quality Improvement Plan in the amount of \$54,624.
2. Authorize an allowance of \$7,475 for sediment surveys on a future proposed property purchase located in the San Gregorio Creek watershed (allowance would only be spent if the property purchase is approved by the Board of Directors).
3. Authorize a 10% contingency in the amount of \$6,210 to address unforeseen issues, bringing the total not-to-exceed amendment amount to \$62,099 and total not-to-exceed contract amount to \$302,542.
4. Authorize extending the term of the contract to June 30, 2024.

**8. Partnership Agreement with the United States Geological Service for Reptile and Amphibian Monitoring to Inform Management Planning at Three Preserve Locations (R-23-05)**

Staff Contact: Julie Andersen, Senior Resource Management Specialist

General Manager's Recommendation: Authorize the General Manager to enter into a partnership agreement with the United States Geological Survey for a base amount of \$198,364 to provide reptile and amphibian monitoring.

**9. Contract Amendment for Cultural Resources Support to Implement the Bear Creek Redwoods Vegetation Treatment Project (R-23-06)**

Staff Contact: Zachary Alexander, Acting Sr. Resources Management Specialist

General Manager's Recommendation: Authorize the General Manager to execute a contract amendment with Rincon Consulting, Inc., of Santa Cruz, California to provide cultural resources support to the Vegetation Treatment Project, in the amount of \$36,915, bringing the contract to a not-to-exceed total amount of \$110,337.

**BOARD BUSINESS**

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

**10. Award of Contract to Granite Rock Company to complete the Lower Alpine Road Regional Trail Retaining Wall Project at Coal Creek Open Space Preserve (R-23-08)**

Staff Contact: Zachary Alexander, Capital Project Manager III

General Manager's Recommendation:

1. Authorize the General Manager to enter into a contract with Granite Rock Company of San Jose, California for a base amount of \$626,800.
2. Authorize a 15% contingency in the amount of \$94,020 to be reserved for unanticipated construction issues.
3. Authorize an allowance in the amount of \$40,260 for inflationary cost increases to account for delays in commencing the project to address issues related to neighboring properties, bringing the total not-to-exceed contract amount to \$761,080.

**INFORMATIONAL MEMORANDA**

- Alma Bridge Road Newt Passage Project Update and Final Background Technical Memorandum

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

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

**ADJOURNMENT**

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA  
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

**ROLL CALL**

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

Title of Employee: General Counsel

**ADJOURNMENT**

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

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

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

**CERTIFICATION OF POSTING OF AGENDA**

I, Maria Soria, Acting District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the special and regular meetings of the MROSD Board of Directors was posted and available for review on January 5, 2023, at the Administrative Offices of MROSD, 5050 El Camino Real, Los Altos California, 94022. The agenda and any additional written materials are also available on the District's web site at <http://www.openspace.org>.



Maria Soria, CMC, CPMC  
Acting District Clerk

