



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

Wednesday, March 22, 2023

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

A G E N D A

Midpeninsula Regional Open Space District Board meetings are held in person at the District's Administrative Office, and by teleconference pursuant to Government Code Section 54953(e). Members of the public can attend and participate in the meeting 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/83350282128> or listening to the meeting by dialing (669) 900-6833 or (346) 248-7799 (Meeting ID 833 5028 2128).*

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

- Written comments may be submitted via the public comment form at: <https://www.openspace.org/public-comment>.*
- Requests to provide oral comment must be submitted prior to the time 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.*
- Any comments received after the deadline will be provided to the Board after the meeting.*

5:00 SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION

ROLL CALL

- 1. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**
Agency designated representatives: Ana Ruiz, General Manager, Brian Malone, Assistant General Manager, Jack Hughes, Liebert Cassidy Whitmore

Employee organization: Midpeninsula Rangers Peace Officers Association

ADJOURNMENT

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

ANNOUNCE OUT OF CLOSED SESSION

ORAL COMMUNICATIONS

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

ADOPTION OF AGENDA

CONSENT CALENDAR

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

- 1. Approve the January 11, 2023 and January 25, 2023 Board meeting minutes**
- 2. Claims Report**
- 3. Minor Contract Amendment for Caltrans Permit Design Services with BKF Engineers for the Bear Creek Redwoods North-East Trailhead (an Element of Phase II Trail Improvements) (R-23-30)**

Staff Contact: Scott Reeves, Senior Capital Project Manager, Engineering and Construction Department

General Manager's Recommendation: Authorize a contract amendment in the amount of \$34,000 with BKF Engineers of Redwood City, California to provide Permit Design Services required for the Caltrans encroachment permit to establish the Bear Creek Redwoods North-East Trailhead, bringing the existing contract to a not-to-exceed total amount of \$154,956.

- 4. Award of Contract for Construction of the Bear Creek Redwoods Phase II Trails Project (R-23-31)**

Staff Contact: Zachary Alexander, Capital Project Manager III, Engineering and Construction Department

General Manager's Recommendation:

1. Authorize an award of contract to Gordon N. Ball, Inc., of Alamo, California for a not-to-exceed base contract amount of \$1,966,750.
2. Authorize the award of a Bid Alternate in the amount of \$238,000 for the installation of a water supply line to provide reliable water for Bear Creek Stables, bringing the base contract amount to \$2,204,750.
3. Authorize a 15% contingency of the base contract plus bid alternate in the amount of \$330,713 to be reserved for unanticipated issues.
4. Authorize an allowance in the amount of \$115,000 specifically for dewatering activities should these be required, bringing the total not-to-exceed contract amount to \$2,650,463.
5. Allocate \$1,486,000 of the available interest income on Measure AA Bond Proceeds to close the budget funding gap and complete the Phase II Trails to open the northern portion of Bear Creek Redwoods Open Space Preserve.

5. Amend Legal Services Agreement with Jarvis Fay, LLP (R-23-32)

Staff Contact: Hilary Stevenson, General Counsel

General Manager's Recommendation: Authorize an amendment in the amount of \$60,000 to an existing agreement with the firm of Jarvis Fay, LLP to provide specialized local government legal advice and litigation services, for a not-to-exceed total contract amount of \$95,000.

BOARD BUSINESS

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

6. Approval of Refinements to the Bear Creek Stables Capital Maintenance and Repair Project to Address Use Permit Conditions (R-23-33)

Staff Contact: Scott Reeves, Senior Capital Project Manager, Engineering & Construction Department

General Manager's Recommendation:

1. Receive an update on the Bear Creek Stables Use Permit process that will facilitate Santa Clara County approvals for the Capital Maintenance and Repair Project.
2. Approve refinements to the Bear Creek Stables Capital Maintenance and Repair Project to address Use Permit Conditions.

7. 2023 Awareness Survey Results (R-23-34)

Staff Contact: Ryan McCauley, Public Affairs Specialist II

General Manager's Recommendation: Receive a presentation regarding the findings of the 2023 awareness survey conducted to measure shifts in public awareness of and regard for the agency, its mission and goals. No Board action required.

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

**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.

I, Maria Soria, District Clerk for the Midpeninsula Regional Open Space District (MROSD), declare that the foregoing agenda for the special and regular meetings of the MROSD Board of Directors was posted and available for review on March 16, 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 website at <http://www.openspace.org>.



Maria Soria, CMC, CPMC
District Clerk

