Midpeninsula Regional
Open Space District

R-26-166
Meeting 26-27
November 10, 2026

REVISED AGENDA ITEM 3

AGENDA ITEM

Approval of the Sale of a Public Right of Way Easement to the County of Santa Clara for the Herbert Creek Bridge Replacement Project on Midpeninsula Regional Open Space District Property located along Alamitos Road in Sierra Azul Open Space Preserve (Portions of Santa Clara Assessor's Parcel Numbers 562-23-002, 562-23-005, and 562-23-007~~, and 562-23-009~~)

GENERAL MANAGER'S RECOMMENDATION

Adopt a Resolution authorizing the sale of a public Right of Way Easement for roadway purposes to County of Santa Clara.

SUMMARY

Santa Clara County Roads & Airports Department (County Roads) proposes to replace three existing bridges on Alamitos Road, a County road in unincorporated Santa Clara County, as part of the Herbert Creek Bridges Replacement Project (Bridge Project). County Roads is seeking to acquire additional Right of Way (ROW Easement) on portions of Midpeninsula Regional Open Space District (District) land in Sierra Azul Open Space Preserve (Preserve) for the completion of the Bridge Project. The three bridges span Herbert Creek on portions of Assessor's Parcel Numbers (APNs) 562-23-002, 562-23-005, and 562-23-007~~, and 562-23-009~~ (Attachment 2 – Location Map). The ROW Easement consists of approximately 15,737 square feet (or 0.36 acres), an area adjacent to the existing bridges (Attachment 3 – Right of Way Easement). The County would provide a payment of $5,500, ($15,223 per acre) to the District to purchase the ROW Easement, which is based on an independent third-party appraisal commissioned by the County.

DISCUSSION

The Bridge Project consists of the replacement of three existing bridges: #37C0501 (0.7 miles west of Hicks Road), #37C0502 (0.9 miles west of Hicks Road), and #37C0503 (1.1 miles west of Hicks Road) on Alamitos Road over Herbert Creek in unincorporated Santa Clara County (collectively referred to as "Bridge Project"). The Bridge Project requires County Roads, which is leading the project in coordination with Caltrans, to acquire additional easement rights over 15,737 square feet of District property.

The three bridges were constructed in 1956 and do not meet current National Bridge Inspection Standards (NBIS), which are regulations set by the Federal Highway Administration. Replacement is needed to meet current seismic, flood, and highway (weight) design standards. The existing bridges are narrow, single-lane structures. The Bridge Project would remove the existing bridges and replace them with longer and wider span structures, with new abutments,

retaining walls, wingwalls, and associated roadway improvements. The Bridge Project will result in new bridges that meet NBIS requirements and allow for two lanes of traffic.

The Bridge Project would provide direct benefits to District management of the Preserve. Alamitos Road terminates within the Preserve, providing important access for District operation and management activities, including patrol, emergency and wildfire response, and natural resource management. The new bridges would also allow fire agencies, such as Cal Fire, to bring larger pieces of equipment up Alamitos Road when fighting a wildfire (which cannot be done with the current bridges). Replacing the existing bridges with longer spans would also reduce infrastructure within Herbert Creek, and its riparian corridor by removing existing bridge supports from the creek banks and adjacent riparian areas. The associated mitigation project approved by the District Board of Directors on October 28, 2026, will also benefit the District by enhancing riparian and aquatic habitat on the District's Twin Creeks property within the Preserve (R-26-162).

CEQA COMPLIANCE

As the Lead Agency on this project, County Roads filed a Notice of Exemption for the Bridge Project on July 13, 2023. County Roads found the Bridge Project categorically exempt from the California Environmental Quality Act under Section 15302, which exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure replaced. The Bridge Project includes the replacement of the existing bridges with new bridges in the same locations and for the same purposes, with increases to their lengths and widths.

TERMS AND CONDITIONS

The District would grant the County a new ROW Easement over 15,737 square feet of District land for its Bridge Project. The County would provide the District $5,500 ($15,223 per acre) in compensation for the ROW Easement. The purchase price represents fair market value of the ROW Easement. Escrow would be set to close within 60 calendar days following County Board of Supervisors approval of the agreement to purchase the ROW Easement.

FISCAL IMPACT

The County of Santa Clara would provide the District compensation for the easement in the amount of $5,500, (roughly $15,223 per acre), representing the fair market value of the ROW Easement.

PRIOR BOARD AND COMMITTEE REVIEW

Due to the small scale of the Bridge Project, this item was not presented to the Real Property Committee. Moreover, just recently on **October 28, 2026**, the full Board of Directors received information about the Bridge Project and the associated mitigation project at Sierra Azul Open Space Preserve, voting to authorize the General Manager to negotiate a Mitigation Agreement with County Roads for future consideration and approval (R-26-162, draft minutes – Attachment 4).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. In addition, staff sent notifications to the Sierra Azul interested parties list. Postcard notices were sent to potentially impacted inholding properties along Alamitos Road.

NEXT STEPS

Upon approval by the Board of Directors, staff will work with County Roads to execute the agreement for purchase of the ROW Easement, execute the ROW Easement, and monitor the construction phase of the project for impacts on District property.

Attachments

1. Resolution of the Board of Directors of Midpeninsula Regional Open Space District Approving the Agreement for Sale of a Right of Way Easement to the County of Santa Clara, Authorizing the President of the Board, General Manager or Other Officer to Execute an Agreement to Sell a Right of Way Easement to the County of Santa Clara, and Authorizing the General Manager to Execute any and all Other Documents Necessary or Appropriate to the Closing of the Transaction (Sierra Azul Open Space Preserve - County Roads)
2. Location Map
3. Right of Way Easement Map
4. October 28, 2026 Draft Minutes

Responsible Department Head:
Allen Ishibashi, Real Property Manager

Prepared by / Contact person:
Lupe Hernandez, Real Property Agent II

Graphics prepared by:
Anna Costanza, GIS Technician
Nathan Greig, Senior Technologist

ATTACHMENT 1

RESOLUTION 26-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPROVING THE AGREEMENT FOR SALE OF RIGHT OF WAY EASEMENT TO THE COUNTY OF SANTA CLARA, AUTHORIZING THE PRESIDENT OF THE BOARD, GENERAL MANAGER OR OTHER OFFICER TO EXECUTE AN AGREEMENT TO SELL RIGHT OF WAY EASEMENT TO THE COUNTY OF SANTA CLARA, AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE ANY AND ALL OTHER DOCUMENTS NECESSARY OR APPROPRIATE TO THE CLOSING OF THE TRANSACTION (SIERRA AZUL OPEN SPACE PRESERVE- SANTA CLARA COUNTY ROADS & AIRPORTS)

The Board of Directors of Midpeninsula Regional Open Space District does hereby resolve as follows:

SECTION ONE. The Board of Directors of the Midpeninsula Regional Open Space District (District) does hereby approve the Agreement for the Sale of a Right of Way Easement to the County of Santa Clara, a copy of which purchase agreement is attached hereto and by reference made a part hereof, and authorizes the President of the Board of Directors, General Manager, or other appropriate officer to execute the Agreement and all related transactional documents on behalf of the District ("County Roads").

SECTION TWO. The General Manager, President of the Board or other appropriate officer is authorized to convey the Right of Way Easement to the County of Santa Clara.

SECTION THREE. The General Manager and General Counsel are further authorized to approve any technical revisions to the Agreement, Right of Way Easement, and any other document(s), which do not involve any material change to any term of the Agreement or documents, which are necessary or appropriate to the closing or implementation of this transaction.

SECTION FOUR. The General Manager or the General Manager's designee (Real Property Manager) is authorized to execute all escrow documents and to extend escrow if necessary.

* *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on November 10, 2026, at a regular meeting thereof, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Margaret MacNiven, Secretary
Board of Directors

APPROVED:

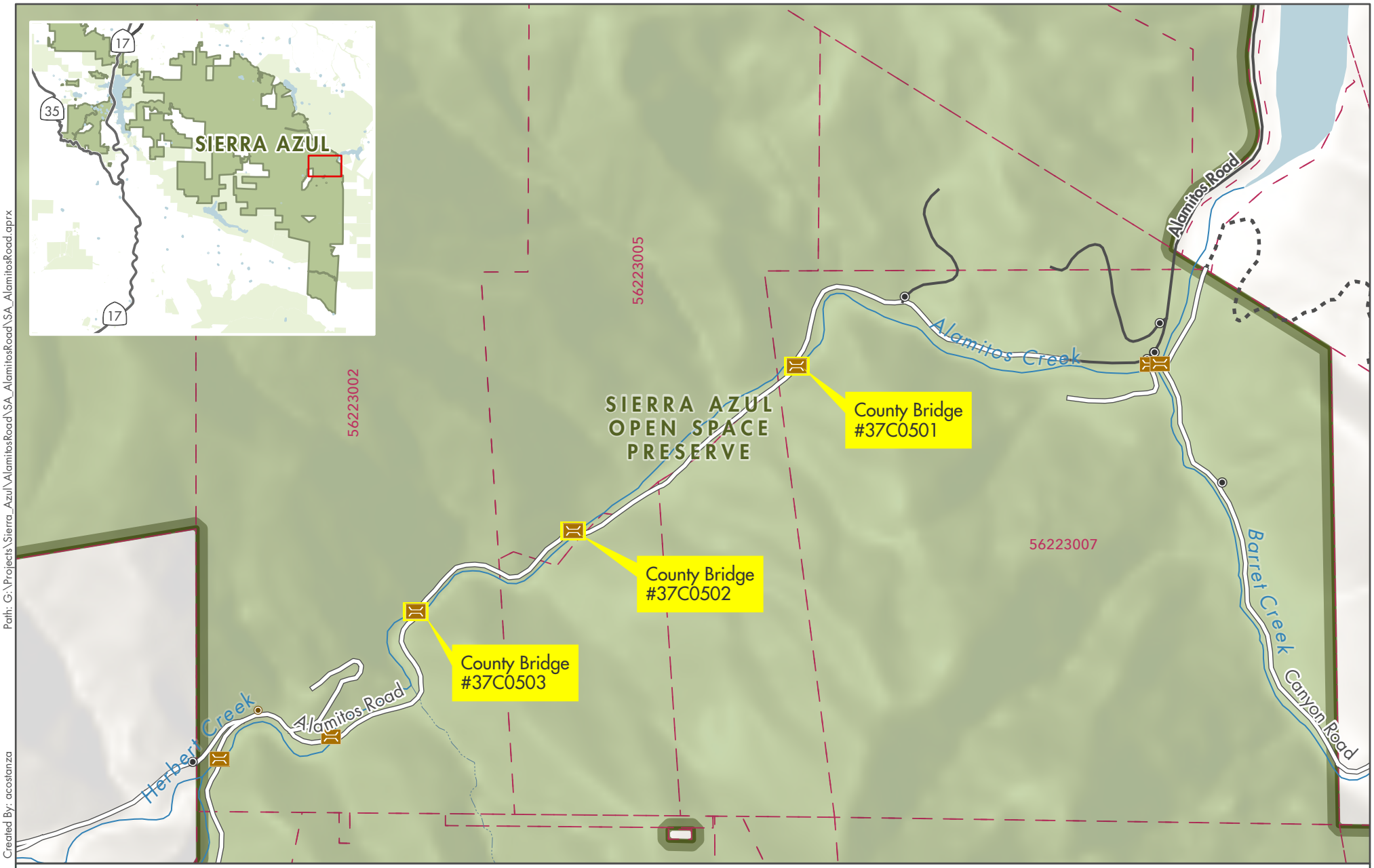
Zoe Kersteen-Tucker, President
Board of Directors

APPROVED AS TO FORM:

Hilary Stevenson, General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

Maria Soria, District Clerk



Path: G:\Projects\Sierra_Azul\AlamitosRoad\SA_AlamitosRoad\SA_AlamitosRoad.aprx

Created By: acostanza

Attachment 2 - Herbert Creek Bridges Location Map

Midpen preserve

County parcel

Gate Width Class

Road Width

Trail Width

Trail Class

Paved road

Unpaved seasonal road

Trail

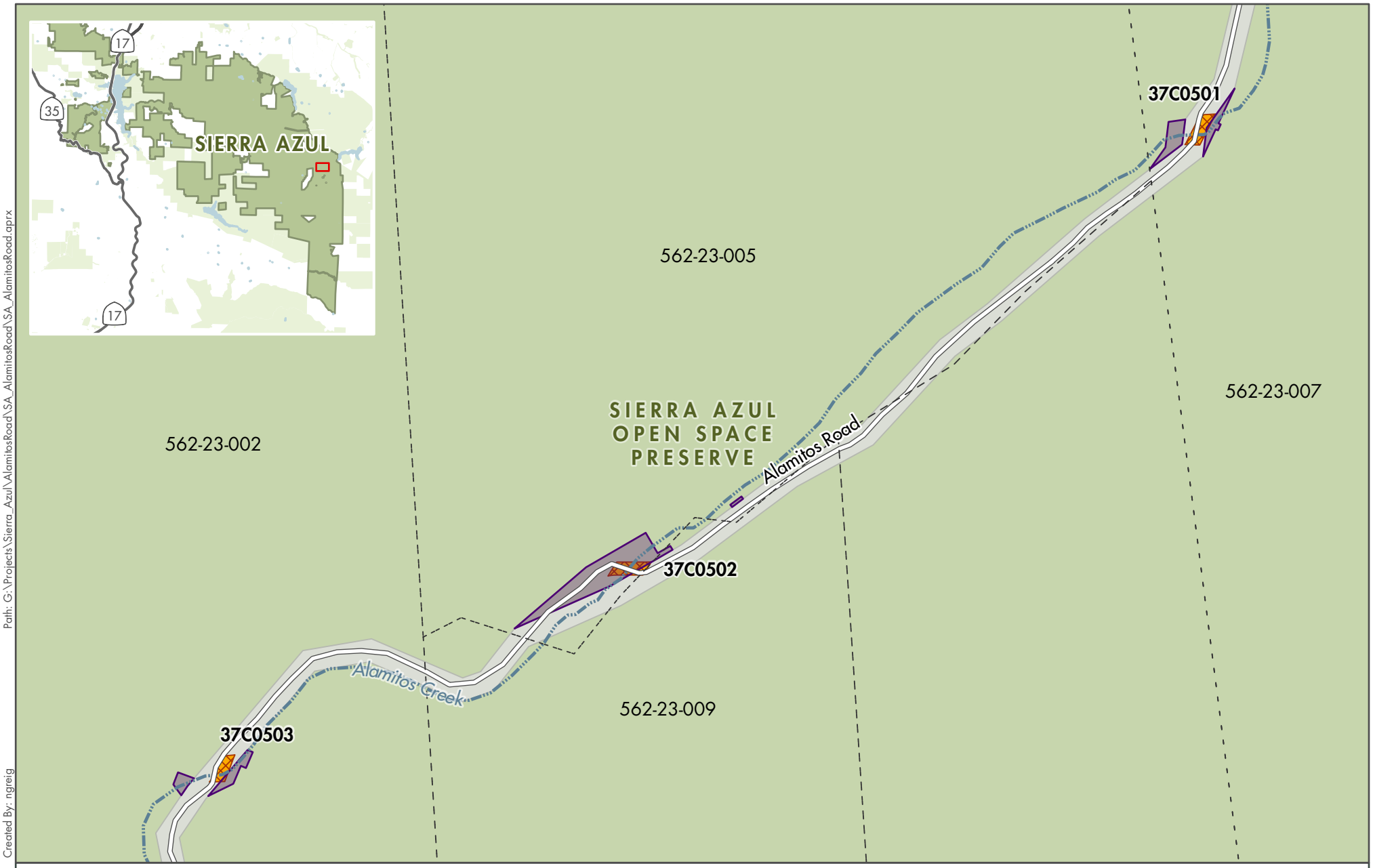
Bridge

Midpeninsula Regional Open Space District *(Midpen)*

10/9/2026

Miles 0 0.1 0.2

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\Sierra_Azul\AlamitosRoad\SA_AlamitosRoad\SA_AlamitosRoad.aprx

Created By: ngreig

Attachment 3 - Right of Way Easement

- New ROW
- Existing ROW to remain
- Bridge
- Santa Clara County parcel
- Alamitos Road
- Stream
- Midpen preserve

Midpeninsula Regional
Open Space District
(Midpen)
11/3/2026

Feet
0 200 400

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.

Midpeninsula Regional Open Space District

October 28, 2026
Board Meeting 26-26

SPECIAL AND REGULAR MEETING

BOARD OF DIRECTORS
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Wednesday, October 28, 2026

The Board of Directors conducted this meeting in accordance with California Government Code section 54953.

DRAFT MINUTES

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

President Kersteen-Tucker called the special meeting of the Midpeninsula Regional Open Space District to order at 5:30 p.m.

ROLL CALL

Members Present: Craig Gleason, Karen Holman, Zoe Kersteen-Tucker, Margaret MacNiven, and Curt Riffle

Members Absent: Yoriko Kishimoto

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, District Clerk/Assistant to the General Manager Maria Soria, Real Property Planner III Aaron Peth, Real Property Manager Allen Ishibashi, and Senior Real Property Agent Mike Williams

President Kersteen-Tucker announced that the public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)
Property: San Mateo County APN(s): 086-280-320, 086-280-140, 086-280-150, 086-280-190, 086-280-200, 086-280-250, 086-280-260, 086-300-020, 086-300-010, 064-390-010 and 064-390-030
Agency Negotiator: Aaron Peth, Real Property Planner III
Negotiating Party: Darla Guenzler, California State Parks
Under Negotiation: Terms and Conditions

2. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION, 1 Case (Government Code Section 54956.9(d)(1))
Steven Casaccia et al v. Guido Schwager, Midpeninsula Regional Open Space District, et al, Santa Clara County Superior Court Case Number 23CV423443

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)
Property: Santa Clara County APN(s): 537-07-004, 537-08-018, 537-08-022, 537-08-023, 537-08-024 and 537-08-025
Agency Negotiator: Allen Ishibashi, Real Property Manager
Negotiating Party: Dominic V. Signorotti, Esq.
Under Negotiation: Terms and Conditions

Public comment period opened.

District Clerk Maria Soria reported no public comments were submitted for the closed session.

Public comment period closed.

The Board convened into closed session.

ADJOURNMENT

President Kersteen-Tucker adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:52 p.m.

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

President Kersteen-Tucker called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:01 p.m.

ROLL CALL

Members Present: Craig Gleason, Karen Holman, Zoe Kersteen-Tucker, Margaret MacNiven, and Curt Riffle

Members Absent: Yoriko Kishimoto

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Susanna Chan, Assistant General Manager Brian Malone, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Maria Soria, Executive Assistant/Deputy District Clerk Nelia Lopez, Senior Capital Project Manager Mark Brandi, Senior Resource Management Specialist Coty Sifuentes-Winter, Human Resources Manager Candice Basnight, Engineering and Construction Manager Scott Reeves

President Kersteen-Tucker announced that the public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District's Administrative Office, and on the District website.

REPORT OUT OF CLOSED SESSION

President Kersteen-Tucker reported the Board met in closed session, and no reportable action was taken.

ORAL COMMUNICATIONS

Public comment period opened.

District Clerk Maria Soria reported there were no public speakers for this item.

Public comment period closed.

ADOPTION OF AGENDA

President Kersteen-Tucker announced removing Agenda Item #6, stating that it will be brought back to the Board at a later date yet to be determined.

Motion: Director Holman moved, and Director Riffle seconded the motion to adopt the agenda removing Agenda Item #6.

ROLL CALL VOTE: 5-0-0 (Absent Director Kishomoto)

INFORMATIONAL MEMORANDA

- Minor Revisions to the Bear Creek Redwoods Multi Use Trail Alignment

CONSENT CALENDAR

Public comment period opened.

Ms. Soria reported there were no public speakers for this item.

Public comment period closed.

Motion: Director MacNiven moved, and Director Riffle seconded the motion to approve the Consent Calendar.

ROLL CALL VOTE: 5-0-0 (Absent Director Kishomoto)

1. Approve the October 14, 2026 Board meeting minutes

2. Approve Claims Report

3. Rejection of All Bids for the Title 24 Residential Window Replacement Project (R-26-158)

General Manager's Recommendation:
1. Reject all bids received for the Title 24 Residential Window Replacement Improvement Project.
2. Authorize the General Manager to re-solicit bids.

4. Amendments to the Classification and Compensation Plan pertaining specifically to the Classifications of the Information Systems & Technology Department (R-26-159)

General Manager's Recommendation: Adopt a resolution amending the Classification and Compensation Plan for changes pertaining specifically to the classifications of the Information Systems & Technology Department to reflect the results of a recent Classification and Compensation Study.

BOARD BUSINESS

5. Bear Creek Stables Capital Maintenance and Repair Project - Phase 1 Improvements (R-26-160)

General Manager Ana Ruiz provided opening remarks and assisted with answering questions. Senior Capital Project Manager Mark Brandi presented. Assistant General Manager Brian Malone and Engineering and Construction Manager Scott Reeves assisted with answering questions.

Public comment period opened.

Anita Enander spoke on behalf of President of Friends of Bear Creek Stables Rick Parfitt.

Public comment period closed.

Director Gleason commented that he is in favor of Option 1 and thanked the Friend of Bear Creek Stables (FBCS) for their flexibility and support of Option 1. He expressed concern over the caretaker residence in the future, but he is in favor of not precluding it.

Director Riffle concurred with Director Gleason in favor of Option 1. He also expressed concern regarding the caretaker residence but agrees that the matter could be revisited in the future, emphasizing that the current decision would not omit the possibility of exploring the feasibility of a future caretaker residence. He noted concern about the challenges encountered during the permitting process but reiterated his support for Option 1 as it will likely reduce potential delays and impacts.

Director Holman expressed agreement with the comments made by Directors Gleason and Riffle and expressed support for Option 1. She asked whether the FBCS saw any potential benefit to removing any of the existing structures, whether such removal would be feasible with the County, particularly if it did not involve a change in use. She also sought clarification regarding whether removing a building from the anticipated project scope might provide any benefit or

flexibility in the Couty's review process, including the possibility of dividing the project into two phases, with the first phase allowing for demolition.

Mr. Brandi responded that the demolition and removal of structures are included in the Phase 1 improvements.

Director Holman commented that she understood that the work would be done in Phase 1 but inquired whether there could be a potential for a Phase 1A and Phase 1B where the County could potentially allow the removal of certain structures in order to allow for the work to move forward sooner.

Mr. Brandi stated that the potential benefits of dividing Phase 1 into two phases would need further evaluation. He noted that completing the demolition and new site improvements as one phase has been the intended approach and would allow the work to be completed all at once.

Assistant General Manager Brian Malone explained that separating the work into multiple contracts would increase cost and staff time. He also expressed concern that multiple phases of demolition would create ongoing disruptions to site operations and suggested completing the work all at once for greater efficiency.

President Kersteen-Tucker expressed concern that pursuing a separate approach could further complicated the use permit and the approval process, noting that the process is already challenging.

Ms. Enander noted that from her perspective she believes that Phase 1 will be a complex project but expressed confidence that the FBCS, in coordination with staff, will successfully manage the work while carefully considering potential cost or staffing impacts. She emphasized the importance of ensuring the FBCS can continue to function during construction, including phasing the work as needed.

Director MacNiven commented that she is in favor of Option 1.

Director Holman moved Option 1 with the following changes:
"Reduce the Size and Capacity of the Onsite Wastewater Treatment System *as currently proposed* (Value Engineering – High Certainty of County Approval): Reduce the size and capacity of the onsite wastewater treatment system by omitting the caretaker residence from the project scope and replacing the plumbed public restrooms with vault toilets *while also retaining the potential of a caretaker cottage and the plans pending any future possibility*. This option results in a cost savings of approximately $600,000.

Ms. Ruiz offered the proposed language for clarification: *while retaining the caretaker residence in the use permit*. She noted that the caretaker residence would not be included in Phase 1 but could be pursued as a future improvement, provided all County requirements are met.

Director Holman emphasized the importance of retaining the caretaker residence in the plans as a potential future improvement, noting that it would avoid requiring the FBCS or staff in developing a new set of plans.

Mr. Brandi suggested adding "…omitting the caretaker residence from the *Phase 1* project scope…". He explained that the suggested language would not be included in the Phase 1 improvements, but it would not preclude it from potentially being included in a future phase.

Director Holman commented that the suggested language was an improvement but did not necessarily capture her concern about the potential need to create a new set of plans for a future caretaker residence.

Ms. Ruiz clarified that this concern does not need to necessarily be captured in the motion, and that staff would retain all files and information gathered to date regarding the caretaker residence for future use.

Director Holman moved for Option 1 with the staff recommended language "Reduce the size and capacity of the onsite wastewater treatment system by omitting the caretaker residence from the *Phase 1* project scope and replacing…".

Motion: Director Holman moved, and Director Gleason seconded the amended motion selecting Option 1 for the onsite wastewater treatment system to address Santa Clara County permitting requirements:

> Option 1 – Reduce the Size and Capacity of the Onsite Wastewater Treatment System (Value Engineering – High Certainty of County Approval): Reduce the size and capacity of the onsite wastewater treatment system by omitting the caretaker residence from the *Phase 1* project scope and replacing the plumbed public restrooms with vault toilets. This option results in a cost savings of approximately $600,000.

ROLL CALL VOTE: 5-0-0 (Absent Director Kishomoto)

6. Funding Agreement for Farm Labor Housing with Puente de la Costa Sur (R-26-161)

Agenda Item #6 was removed and will be brought back to the Board at a later date.

7. Consideration of the Proposed Twin Creeks Mitigation Project at Sierra Azul Open Space Preserve (R-26-162)

Senior Resource Management Specialist Coty Sifuentes-Winter presented.

Public comment period opened.

Ms. Soria reported there were no public speakers for this item.

Public comment period closed.

Motion: Director Gleason moved, and Director Riffle seconded the motion confirming that the proposed Santa Clara County Roads and Airports Department mitigation project aligns with the Mitigation Policy and following confirmation, authorize the General Manager to negotiate a Mitigation Agreement with Santa Clara County Roads and Airports Department for future consideration and approval.

ROLL CALL VOTE: 5-0-0 (Absent Director Kishomoto)

8. Approval of Salary Adjustments and Amended Classification and Compensation Plan for Board Appointee Controller (R-26-163)

President Kersteen-Tucker commented that the Board will consider agenda items #8-10 jointly and take a single, consolidated vote on all three items.

Human Resources Manager Candice Basnight and Board Appointee Evaluation Committee Chair Curt Riffle presented.

Public comment period opened.

Ms. Soria reported there were no public speakers for this item.

Public comment period closed.

Motion: Director Riffle moved, and Director Holman seconded the motion for agenda items # 8-#10 to:

1. Adopt resolution to adjust the Controller's base salary upward to $86,285, plus a one-time merit pay bonus of $4,314.
2. Adopt a resolution to adjust the General Counsel's base salary upward to $366,028 plus a one-time merit pay bonus of $14,641.
3. Adopt a resolution to adjust the General Manager's base salary upward to, $403,029 plus a one-time merit pay bonus of $20,151.

ROLL CALL VOTE: 5-0-0 (Absent Director Kishomoto)

9. Approval of Salary Adjustments and Classification and Compensation Plan for Board Appointee General Counsel (R-26-164)

Agenda item #9 was heard jointly with agenda items #8 and #10.

10. Approval of Salary Adjustments and Amended Classification and Compensation Plan for Board Appointee General Manager (R-26-165)

Agenda item #10 was heard jointly with agenda items #8 and #9.

INFORMATIONAL REPORTS

A. Committee Reports

Director Riffle reported on the Board Appointee Evaluation Committee that was held on October 19, 2026.

Director Holman reported on the Action Plan and Budget Committee held on October 20, 2026, and reported on the Legislative Funding Public Affairs Committee held on October 27, 2026.

B. Staff Reports

Ms. Ruiz reported on her quarterly meeting with Peninsula Open Space Trust President Gordon Clark. She also reported meeting with Assemblymember Pellerin to request further funding through the State budget for the Highway 17 project.

C. Director Reports

Director Holman reported that she and Director Riffle presented on October 27 to the Mountain View City Council.

Director MacNiven reported that she and President Kersteen-Tucker will be presenting to Redwood City Council.

Director Gleason reported attendance at a joint trail maintenance project event with Santa Cruz Mountains Trail Stewardship, a volunteer newt meeting, joined a hike with Boys and Girls Club of Half Moon Bay, joined the Saved by Nature tarantula hike, and attended the meeting with Assemblymember Pellerin.

President Kersteen-Tucker reported that she attended the Valley Water Commission meeting. She also announced the reports of a river otter being discovered in Cloverdale and suggested a naming contest for the otter.

ADJOURNMENT

President Kersteen-Tucker adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District meeting at 8:37 p.m.

Nelia Lopez, Deputy District Clerk
Maria Soria, District Clerk