

Approved Meeting Minutes
PARK ADVISORY COMMITTEE
1-26-09

ATTENDING: Bank, Cant, Coffey, Coomber, Guarienti, Harryman, Hooper, Hudson, Kaplan, Kirby, Mercurio, Shimansky, Southworth, Vann, Walters, Williams
NOT ATTENDING: Peters, Shalaby
STAFF ATTENDING: Barial, Cameron, Escobar, Johnson, Rockwell, Pfoehler
GUESTS: Doug Siden
PUBLIC: Dallas Harryman, Norm Kidder

The meeting began on time at 7 PM.

1. **Approval of Minutes:** The November 24, 2008 meeting minutes were approved with minor suggestions and edits.

PAC Member Walters moved and approval was seconded by PAC Member Kirby. There was one abstention by PAC Member Southworth.

2. **Introductions:** Chair Guarienti asked PAC Members and District staff to introduce themselves as well as members of the public. Chair Guarienti mentioned there was a delay in the mailing of the packets.

3. **Public Comments:** None.

4. **Board Member Comments:**

Director Doug Siden began by highlighting his request to address the January meeting to, as chair of the campaign committee, thank the PAC for their support to pass Measure WW. He specifically thanked Chair Guarienti and PAC Member John Mercurio who both volunteered on the campaign committee. He emphasized the measure passed in large part because the District is well liked by the public and our PAC members serve as effective ambassadors for the District in their respective communities. He opened it up to questions and there were none.

Chair Guarienti thanked Director Siden for his work as chair of the campaign.

5. **Presentations:**

- a. **Update on 75th Anniversary – Rosemary Cameron, AGM Public Affairs & Carol Johnson, Community Relations Manager**

AGM Rosemary Cameron welcomed PAC Members to participate in 75th Anniversary activities. Specifically, she asked PAC Members to let District staff know if they were affiliated with any groups who might like to host a presentation about the 75th Anniversary. District staff welcomes speaking opportunities.

PAC Member Hooper asked about the intended purpose of the presentation. AGM Cameron responded the presentation emphasizes the early history of the District and would be geographically customized so the audience heard more about parks in their specific region. Shimansky asked how long the presentation was. Cameron responded about 20 minutes.

AGM Cameron introduced Carol Johnson, Community Relations Manager who began a powerpoint presentation to discuss the logo and “Ours to Keep” theme of the 75th Anniversary. The look and feel of the materials attempt to evoke the historical imagery of the District and its Depression-era roots in 1934. The six objectives for the year are to:

1. Emphasize activities in our Parks.
2. Educate about the historical and environmental significance of the District.
3. Strengthen our multicultural participation.
4. Host signature events and activities in each Ward of the District.
5. Help the Regional Parks Foundation with its fundraising work.
6. Partner with corporate and private non-profit sectors.

In addition, all of our events will be focusing on preservation, environmental education, health and wellness, and historical references, as well as every day fun activities for families.

Johnson encouraged PAC members to think about ways corporate and non-profit agencies could get involved with 75th Anniversary events and the Regional Park Foundation. If PAC Members work for companies or non-profits which might be open to hosting a presentation, Johnson and Cameron would very much appreciate the opportunity.

Johnson discussed the external marketing campaign. All District materials – letterhead, brochures, website, etc. – will have the same look and feel. Commemorative calendars have already been sent out and PAC Members, as well as volunteers and staff, will be receiving lapel pins. There will also be an on-line store for other materials. Public Affairs is developing an

on-line education program for teachers and educators to use with school children. The every other month Regional In Nature (RIN) publication will focus on history. The San Francisco Chronicle will be delivered in plastic poly bags with the 75th Anniversary logo when the RIN is included with the paper.

While the exhibit at the Oakland Airport was recently taken down, there is an exhibit at the Contra Costa History Museum in Martinez. The District is also developing a mobile exhibit that can be displayed in District visitors centers. As part of our media affairs efforts, there is an on-line media kit and an active effort to work with local newspapers on historically significant stories. The District will also produce public service announcements, billboard, and broadcast radio and television campaigns to highlight favorite parks by prominent citizens in Alameda and Contra Costa counties. This District has partnered with Flickr to allow citizens to put their park photos on-line. There are several broadcast television and radio events featuring Freshtracks (our musical program), visitor center open houses and Concerts at the Cove. The District is also working with Univision to inform and educate about the District to the Spanish-speaking members of our community. The District is working with Safeway to highlight "movie nights" and work on Health & Safety Fair's together.

Public Affairs is working with Legislative Administrative Manager Erich Pfuehler to secure legislative proclamations and resolutions from our state and federal legislators.

AGM Cameron is working with an author to update the District's *Vision Achieved* historical book. It is scheduled to be released in 2010.

Johnson thanked PAC Members and Ambassadors for their volunteer work at Community Fairs and Festivals. She also mentioned that Public Affairs is working with groups such as: Save the Bay, Save Mt. Diablo, the League of Women Voters, etc. – to highlight the District's anniversary in their newsletters. If PAC Members belong to groups which publish a newsletter, please let District staff know so we can provide them information.

In addition to working on corporate partnerships with Safeway, Bank of America, Wells Fargo, PG&E and others, the District will be hosting a number of chamber mixers and community events. Specifically, the District will work with the Chamber of Commerce's from Oakland, Concord, Fremont, Brentwood, Alameda, San Leandro and Richmond.

The main "signature event" is the anniversary dinner at Lake Temescal on September 26th.

With regard to "signature programs," we expect 7,500 people to participate in our Trails Challenge. Again, Kaiser Permanente is underwriting the entire project as they did last year. The District is also promoting the "Bike and Bird" series as part of the Trails Challenge this year for birdwatchers. The Kid's Challenge is underway as well.

PAC Member Mercurio asked if Public Affairs intended to approach Michael Krasny about discussing the 75th Anniversary on his Forum program on KQED. Johnson said we would work with KQED in some capacity. Cameron acknowledged this was a well-intended idea, but was unsure about Michael Krasny's disposition with regard to the District.

PAC Member Shimansky asked about the budget for these activities. Cameron said that all 75th Anniversary programs were within the existing Public Affairs budget. Public Affairs, including the Environmental Graphics Department, represents only 1.9% of the District's overall annual budget. PAC Member Hooper asked if this included personnel costs and salaries. Cameron confirmed it does.

PAC Member Kirby asked if Public Affairs would emphasize the 75th Anniversary at BART stations. Cameron agreed that Measure WW benefitted from exposure at BART stations.

PAC Member Southworth asked if parking would be free at 75th Anniversary signature events. Johnson agreed that the District should look into it. AGM for Operations, John Escobar said the District had waived parking fees in the past for big events.

PAC Member Williams asked what does it mean that Kaiser has "underwritten the Trails Challenge." Johnson said they are donating about \$80,000 so participants in the Trails Challenge do not have to pay. In the past, it would cost somewhere between \$12 and \$13 per person to participate.

Chair Guarienti encouraged PAC Members to participate in the District's anniversary events. He mentioned that the Contra Costa History Museum is not open every day nor on Saturday, but that the exhibit is worth seeing. Mercurio added it is open during the middle of the day in the middle of the week. It is run by volunteers.

PAC Member Shimansky asked what day the District was formed. Cameron said election day 1934 on November 7th. The actual opening celebration for the District was held in 1936 at Redwood Bowl. PAC Member Kaplan pointed out the District did not own Redwood Bowl at the time.

Mercurio asked how to coordinate getting District materials to other organizations for their newsletters. Johnson said either through her or anyone else at Public Affairs.

b. The Contra Costa Centre's Segway Special Use Permit – John Escobar, AGM Operations and Anne Rockwell, Regional Trails Manager

Operations AGM John Escobar introduced Manager of Regional Trails Anne Rockwell to discuss a special use permit for Segways and electric bicycles. The PAC reviews special use permits and their views are passed along to the Board of Directors. Special use permits are contractual agreements with specific entities like – Archery Groups at Briones and Redwood, the So What Group which are allowed to swim in unguarded areas of Shadow Cliffs, and hang glider groups at Mission Peak and Coyote Hills.

Typically, staff reviews special use requests and vets them before they are brought before the Board Operations Committee. If requests are supported by the Board Ops Committee, they are reviewed by the PAC for input.

The Segway request comes from the Contra Costa Centre Association which is a group of businesses and residences around the Pleasant Hill BART station. The Association is asking to use Segways on the Iron Horse and other trails within a four mile radius of the BART station.

Escobar noted the District initially allowed UC Berkeley to conduct a study of the use of pedal bicycles, electric bicycles and Segways as a way to close the gap between mass transit and employers. Typically, the last mile is the most difficult link for public transportation connections. While the study took a long time to complete, it ended last summer. The results were somewhat underwhelming, but Contra Costa Centre Association would like to continue allowing the use of these devices.

PAC Member Hooper asked to clarify that electric bikes are included as part of the special use permit as well as Segways. AGM Escobar noted the permit did, in fact, include both Segways and electric bikes.

Anne Rockwell, Manager of Regional Trails, used the distributed materials to emphasize the study attempted to determine if these devices helped close the “last mile” link in public transportation connections. The UC Berkeley study did seem to indicate that having a mode of transportation available during the day was desirable to employees. Most employees were making short trips ranging from between 1.4 and 2.8 miles during the day. The study also indicated very few people actually saw Segways or electric bikes on the trail.

Escobar showed the Pleasant Hill BART location on a map and highlighted the Contra Costa and Iron Horse Trails. He discussed some of history of this issue and referenced the spirited nature of previous discussions about the use of these devices on District managed trails.

Rockwell referenced the businesses in the Centre which have automated monitoring of Segway use by their employees, but the statistics aren't particularly useful.

PAC Member Hooper asked to clarify if the special use request was for 10 electric bicycles and 10 Segways. Escobar confirmed and added currently only about six devices are being used.

PAC Member Vann asked about registered employees. Rockwell clarified they were those working in the Contra Costa Centre area who have taken a safety training program to operate these devices.

PAC Member Kaplan wanted clarification that the users were trained. Rockwell clarified they take a class with a live instructor before they are issued a key card to operate the devices.

Chair Guarienti asked PAC members to hold their questions until the presentation was complete.

Rockwell clarified the special use permit would only be for those employees trained through the Contra Costa Centre Association's program within about a three mile radius from the Pleasant Hill BART station. The permit would allow use only during business hours Monday through Friday between 8 AM and 6 PM with no weekend or holiday use. The Contra Costa Centre Association assumes all of the liability insurance and maintains the devices. The term of the permit is three years and can be revoked by the District if conditions are violated. She is aware that the PAC had strong opinions in 2003 and expects a spirited discussion to follow. At this time, District staff is recommending approval of this special use permit.

Escobar asked if the PAC could recall their recommendation in 2003. PAC Member Hudson said there were concerns, but the group wanted to see the outcome of the study. Chair Guarienti clarified that the PAC recommended the study be conducted.

PAC Member Hudson discussed further the history of Segway use in 2003. Originally, there was a provision which would allow local agencies to make their own determination about whether to classify Segways as non-motorized. The law was to expire (or sunset) on January 1, 2008. Assembly Member Mark DeSauliner last year sponsored legislation (AB 470 in 2007) that removed the sunset provision and made permanent the inclusion of Segways within the definition of “pedestrian.” The bill also specified that Segways greater than 20 inches deep and 25 inches long could not be operated on a sidewalk nor can they exceed more than 12.5 mile per hour. Walnut Creek and Pleasant Hill permit the use of Segways on sidewalks and view them as non-motorized, yet they clearly have a motor.

PAC Member Williams wanted clarification that members are to ask questions and not make statements. Guarienti confirmed. Williams then asked for clarification about the definition of “being trained” to use the devices. Rockwell responded users view a video, are shown how to use the device from a live trainer and are required to use a helmet. Williams wanted to know about speed. Escobar responded that although the speed limit on the trails is 15 mph, the typical Segway cannot exceed eight mph.

PAC Member Kirby asked about enforcement. There needs to be a way to designate – either by placard or signage – which devices are approved for use. Escobar clarified the devices would be clearly marked as part of the Contra Costa Centre, but that a signage program had not been discussed. Kirby emphasized it would be something to consider. He further added that he did not believe this special use permit would be consistent with the District’s master plan. The trails portion of the master plan only specifies uses for pedestrians, bicycles or equestrians. It also makes allowances for those who have mobility challenges to use District trails and comply with the Americans with Disabilities Act. Kirby also expressed his support for ensuring detailed minutes of this discussion would be taken. Guarienti concurred.

Escobar pointed out most PAC recommendations are fairly unanimous, but in instances where the issues are more complicated the PAC can provide a letter or memorandum to better express the nature of the Committee’s discussion. This is probably an appropriation discussion to capture in that format.

PAC Member Mercurio recalled the Segway manufacturer originally launched an effort to allow segways on sidewalks unless a jurisdiction specifically passed a law preventing it. Some jurisdictions, like San Francisco, actually passed ordinances prohibiting the use of Segways on sidewalks.

Guarienti stated as of November last year 43 states enacted laws allowing local jurisdictions to determine the fate of the use of Segways on sidewalks.

PAC Member Bank mentioned she learned during a District Operations Committee meeting that the BART station does not have a place to recharge these devices. Rockwell added that the new AAA building will have six docking stations for Segways. Escobar pointed out that BART uses high voltage power and does not have 110 watt power. Bank added once a program like has started, it becomes hard to take it away as those that use it consider it a right.

PAC Member Shimansky wondered how it would be possible to stop users of these devices at the boundary authorized by the permit once they were on the trail. Escobar added it would be extremely difficult, but if they are seen beyond the boundary they would be in violation of the permit and the District could revoke the contract – in particular, the District could specify the user who violated the permit and ask that their key card privileges revoked. Shimansky added that he didn’t see how the District could stop people from going down the Iron Horse Trail on their Segways and asked if park police will enforce the permit limit. Escobar said he didn’t think policing levels would change.

PAC Member Walters asked if the District can unilaterally revoke the contract if it receives public complaints. Escobar said that would be written into the conditions of the permit.

PAC Member Cant asked if he understood correctly that the UC Berkeley study was based on only a grand total of 36 trips. Rockwell confirmed that was number referenced in her presentation. Cant expressed concern with such a small sample number and surprise UC Berkeley would release something so seemingly preliminary.

PAC Member Coffey added the study was generally regarded as inconclusive and not worth very much because of the lack of data. He asked if District staff view this situation as an ongoing experiment. Escobar stated the short answer was yes, in his view, this was a continuing experiment.

PAC Member Hudson asked to clarify the hours of operation for District trails. Escobar said park hours are 5 AM to 10 PM, so trails are open until 10 PM. Hudson also questioned whether Segways could legitimately be considered an enhancement to transit. He doubted if they could be carried on a bus, both because of their weight and because County Connection buses would have to pull out three or four chairs to accommodate them. Escobar clarified that the Contra Costa Centre Association wants the permit to allow employees to easily get to downtown Walnut Creek and not necessarily on a transit bus. He also added that Segways weigh somewhere between 80 and 100 lbs.

PAC Member Kaplan asked for the definition of a “Giant bicycle.” PAC Member Williams responded that Giant is the brand name.

PAC Member Southworth wondered if District staff viewed the use of Segways on trails as recreational or functional. Escobar said recreational use was okay, but thought most trips would be functional in nature. Southworth wondered whether the Segways would cause congestion if they were all on the trail at the same time. Escobar indicated they would be stored at different businesses and starting off from different locations so congestion issues should be minimal.

Escobar pointed out that Contra Costa Centre had limited parking spaces and is actively encouraging the use of BART, rideshare vehicles, shuttle buses and free cab rides. PAC Member Shimansky wondered if the lack of parking was a condition of approval for the Segways to be used on the trails. Escobar clarified that it is not a condition.

PAC Member Hooper pointed out one of the original selling points of the Iron Horse Trail was that it would be used by bikes. Additionally, he expressed concern that electric bikes may travel faster than bicycles. Escobar clarified Segways can stop faster than a bicycle, but cannot accelerate faster. Hooper questioned how enforceable the permit would be. Escobar agreed enforcing regulations on trails is difficult. Hooper asked if District police would use Segways to enforce trail regulations. Rockwell mentioned that Contra Costa Sanitary District uses Segways once a month to monitor gates.

PAC Member Coomber wondered why there wasn't more focus on using smaller buses as a transit link rather than using rails. Escobar clarified that Contra Costa Center was offering numerous choices to their employees, including improved bus service. Coomber also wondered what the cost would be to upgrade sections of the Iron Horse Trail between Newell and Heather Farms to allow for Segways to pass each other. He pointed out that it's difficult for wheelchairs and bicycles to pass each other along this stretch. Rockwell pointed out the trail physically cannot be widened in that area.

Escobar stated this is a difficult issue and has faced tough questions throughout the process. While staff is recommending the permit move forward, the PAC can certainly express their own opinions.

Guarienti pointed out the report says field tests were conducted from August 2005 to December 2006. Since the tests took 16 months, he assumes the permit was extended. Escobar confirmed that it was extended twice in order to collect more data, but even with the extensions not much data was collected. Guarienti mentioned that BART conducted a pilot program and found that only about 15 to 20 Segway owners ride BART. BART made a distinction between users with disabilities and those without. He wondered if any Contra Costa Centre employee with a disability wanted to use a Segway on District trails. Rockwell confirmed there was one (Ron Brown). Guarienti also wondered about the discrepancy between the state law which sets a 12.5 mph speed limit and the District 8 mph restriction.

Dallas Harryman asked if there was supposed to be a special bridge crossing over Treat Blvd. Escobar said Contra Costa County's construction of the bridge is way overdue, but currently it is scheduled for 2009-2010.

Chair Guarienti proposed opening the item up for discussion with the goal of making a recommendation to the Board. Vann seconded and asked for a "sense of the body" motion. Four PAC members supported the proposal, five opposed and the rest were undecided.

PAC Member Kaplan pointed out a number of people have put time, energy and money into developing a "transit village" at Contra Costa Centre. Just for the cutting edge nature of what they are trying to do, Kaplan would be supportive of approving the special use permit.

PAC Member Hudson pointed out that as a condition of approval for high density residential/commercial development, such as the Contra Costa Centre, the state and county require mitigation of traffic impacts. He flagged that using Segways on trails, such as the Iron Horse, could be a way for developers and communities to meet their multiple transit objectives. He also agreed with Kaplan that if we encourage "transit villages," then we need to support innovative approaches to meeting those objectives. The bottom line is do we want the Iron Horse Trail to remain a non-motorized trail as it was originally intended and do we believe that non-motorized means something you use human energy to propel.

PAC Member Bank stated it seemed to her that able bodied people should walk or ride a bike and Segways should be reserved for those who can't do either.

PAC Member Kirby complimented Kaplan and Hudson for the way they framed the discussion. In the future, jurisdictions will look at our decision. If this permit is approved, more jurisdictions are likely to try to use our trails and parks as part of their traffic mitigation solution. The District has traditionally encouraged the use of its trails as an alternative to vehicle travel. While that is something he generally supports, this seems to be a special permit for a very small group to meet their own needs. Kirby does not believe that in this instance the District should take away the trail "haven" from those seeking a respite from motorized vehicles. There should be an exception for those with disabilities, but not for able bodied citizens. The Contra Costa Centre should look to expand other alternatives such as small buses, and providing bikes and in-line skates to meet their needs. In Kirby's view, the use of Segways and motorized bikes is inconsistent with the District's master plan. If the District approves this special use, surely other jurisdictions will be making similar requests.

PAC Member Vann complimented staff on bringing forward a proposal that seems to be well thought out with a fair number of safeguards and a limited area of use. The District does need to adapt to new technologies. This is a case where it makes sense, and he stated his support for the permit.

PAC Member Mercurio looks at District trails as a sanctuary. This particular special use request seems to be more about giving employees a "thrill ride" on a Segway at lunch than encouraging alternative transportation use. In fact, given how flat the area is a pedal bicycle could make better time than a Segway which is limited to 8 mph. Mercurio supports the use of pedal bikes, but not Segways and electronic bikes. He encourages everyone to vote no on this special use permit.

PAC Member Cant stated, particularly in flat areas, that if someone can get on a bike, they ought to be able to pedal. Segways and electronic bikes don't make a lot of sense when it's so easy to ride a regular bike at 10 mph. Cant expressed that his view had changed and he is inclined to oppose the special use permit.

PAC Member Williams commented that he had never seen the PAC so polarized on an issue. He supports alternative transportation. He lives by a BART station and understands the value of getting to and from the station by motorized means. Even though he is a bike rider, he is expected to “dress and smell a certain way” at the office so riding his bike to work is not a viable option. He also agreed pedal bikes are faster, with some folks going as fast as 20 mph on the Iron Horse Trail. Williams asked if all trails are created equal. He thinks of “trails” as walking in the hills, but the Iron Horse Trail which goes between BART stations is different. The District should consider categorizing trails. It is true that the District allows bikes on certain trails and not on others. By that logic, if Segways were allowed on this trail the District would not have to allow them on all trails.

Hudson clarified the Iron Horse Trail is a Class I bike trail and that the District does have different classes of trails. Given the ramifications of the DeSaulnier legislation, a Segway is considered to have pedestrian rights and should be allowed on a Class I bike trail. He believes, however, that Segways clearly are motorized. As soon as they are allowed on the trails others will try to make a distinction between electric or gas motorization. He also agreed that enforcement would be very difficult. Once you start letting motorized vehicles on the trails, the floodgates are open.

Guarienti recognized the enforcement issues are difficult, although this is not too dissimilar from enforcing the policy to keep dogs on leash when they are on District trails. To emphasize the nuances of the “motorization” debate, he highlighted an article from the January 15 Independent newspaper where an inventor is getting around motorized classification by using a weed whacker motor to power a hand held wheel which is technically not attached but propels his skateboard. Guarienti pointed out this is not a special use issue, but rather a policy issue. He added the District is supposed to promote health. Riding bicycles is healthy, but Segways take the exercise out of it. He also pointed to the 20% in the study that said they would use the trail less or not at all if Segways were on it. He speculated they would then jump in their car which defeats the whole purpose of allowing a small segment of the people bus options, walking options, ride a bike options and so forth. He has no problem providing special use permits for those with mobility issues, but they are categorized under “mobility device” and not a vehicle. It is better to deny this special use permit and look at the policy as a whole, particularly given the enforcement limitations.

Shimansky offered a motion that the PAC recommends to the Board that they deny this special use permit. The motion would prohibit the use of Segways and electronic bicycles on the Iron Horse Trail. Hudson seconded.

Hudson also pointed out the possibility of a lawsuit. If the District allows Segways in one area, couldn’t someone challenge why they are not allowed in their area – particularly in transit villages. Guarienti added that a similar debate in Dublin near the BART station would be a possibility.

Guarienti recognized a motion and a second was before the committee and asked if there was any further discussion before taking a vote.

PAC Member Coffey stated he was unconvinced that these devices will actually change the sanctuary of the trail. He also expressed concern that the District should not take on the role of telling people how to stay fit. He mentioned that the UC Berkeley study was inconclusive and worthless. If other users are disturbed by the Segways, they will let us know and we can revoke the permit.

Bank added that once Segways are on, it will be difficult to remove them. We are opening a Pandora’s box to let them on the trail.

Walters asked if the DeSaulnier legislation clarified that Segways are pedestrian devices, then isn’t this all moot?

Hudson said he believes that EBRPD has the license for maintenance and is allowed to enforce rules on their trails. Since motorized vehicles are not currently allowed on trails, the District can enforce that. At some point Segway users will instigate a legal challenge. The bottom line is if you let them on the trails, it will be difficult to get them off.

Kirby wondered if any other jurisdiction had tried to limit the use of Segways to a segment of a trail or sidewalk. He agreed that the District could be subject to legal challenge on all trails once Segway use is allowed on one. Escobar responded that he didn’t know about other jurisdictions, but did recall there was some ability for local agencies to ban their use on one side of the street.

Guarienti claimed that AB 470 says it will continue to allow California communities to regulate Segways as they deem necessary.

Guarienti asked if anyone was still undecided and wanted to weigh in?

Dallas Harryman asked why Segway users need to use pathways and trails if they are allowed on the sidewalks. Escobar said they don’t have to, but the Contra Costa Centre is trying to make as many routes available to them as possible.

Guarienti added the Contra Costa Centre is trying to continue an option for their employees that they have had for the last few years.

Williams asked if the special use permit had a time limit. Escobar said three years and it is revocable. Rockwell added since the study has ended, Segways cannot be used on the trail. Williams deduced that the District had sole discretion to revoke the permit, so this would not be a permanent policy change. Kaplan recalled the Alameda dog park which was supposed to be temporary, but no one wanted to see it taken away so it's still there.

Guarienti called for a vote on the motion. The motion is to recommend the denial of the permit request. Voting no will recommend the approval of the permit.

PAC Member Shimansky motioned and PAC Member Kirby seconded.

The motion passed 10 to 6 with zero abstentions. Thus, the PAC recommends the Board deny the request of the Contra Costa Centre Association for a special use permit.

c. Draft Geocaching Policy - John Escobar, AGM Operations and Anne Rockwell, Regional Trails, Manager

AGM Escobar started by saying that developing a broad policy recommendation to bring to the Board is a long and deliberate process. Developing a District-wide policy on geocaching has been on Escobar's workplan for about three years. It is a challenge to protect natural and cultural resources. The District has developed maps of protected areas where caching is not permitted. The policy also provides for the District to dispose of found cached items. The policy also provides the General Manager some discretion to address challenges as they arise.

PAC Member Kaplan said he sent Escobar some information about the successful Cleveland Metro Parks geocaching program. Escobar acknowledged that the District's Interpretive and Recreation Services Department would be developing a virtual cache program to take visitors to unique areas of the District's parks.

PAC Member Kirby mentioned he hoped the Board would discuss and review the guidelines for the District's geocaching policy. Chair Guarienti mentioned the PAC would have an opportunity to discuss the guidelines and our minutes would be available to the Board. Escobar confirmed that guidelines per se do not go before the Board. Kirby asked the PAC to recommend the Board have further discussion about the guidelines. Escobar said he would share the PAC's views with the Board, but the General Manager does make the final decision. Kirby confirmed he understood the procedure and the guidelines will need to be adaptive over time, particularly since the technology used in geocaching continues to advance. He also reiterated he hoped the Board would have a broad discussion about this issue.

Chair Guarienti complimented the staff on doing a thorough job. Mercurio expressed concern that geocachers might not understand the reasons for "prohibiting" certain areas of the District's parks and wondered if there would be any way to enforce the prohibition. Rockwell responded the prohibited polygons were large enough that geocachers would have to go pretty deep into the prohibited area to actually disturb the resource the District intends to protect. Escobar added that the protected polygon could be made even larger if problems developed. This District will also review the sites for geocachers and will inform them if they intend to use an unapproved site. Kirby asked to clarify the District will use the term "approved site" and not "inaccessible." Escobar confirmed.

PAC Member Walters motioned to approve the policy. PAC Member Harryman seconded. The PAC approved the District's Draft Geocaching Policy.

Kirby commented he would like the Board to have a thorough discussion about the implementation guidelines.

6. PAC Member Comments:

PAC Member Guarienti discussed the Executive Committee's review of the workplan. He pointed out tonight's workplan should have just read "Segway" and not "Segway and Special Use Policy." He added Pfuehler has done a good job in developing placeholders for items in the workplan and has already learned items get moved throughout the year. An item to be added is the "Dedication Status of Parks and Trails" by AGM Bob Doyle possibly in April. The Committee discussed a possible field trip to Garin where the Land Use Plan may be reviewed and a barbeque in East Contra Costa County or at Shadow Cliffs. The Executive Committee was satisfied the PAC's goals were well incorporated into the workplan.

Chair Guarienti recommended the PAC adopt the workplan. PAC Member Hooper moved and Walters seconded to adopt the workplan. It was unanimously approved with no abstentions.

7. Report from the Chair:

PAC Chair Rich Guarienti said, given the hour, he would forego his comments.

8. Board Committee Reports:

PAC Member Judi Bank shared notes from Board Operations meetings in December and January. While the notes are self-explanatory, she highlighted the memorial bench program has installed 77 benches. The District is now using western redwood cedar for their benches and designing them to comply with ADA accessible requirements. She will miss the next Operations Committee meeting. Kaplan said he may be able to attend in her place.

9. Status of Recommendations:

All items passed for 2008.

10. Old Business:

None.

11. New Business:

None.

12. Adjournment: The meeting was adjourned at 9:59 p.m. The next meeting will be Monday, February 23, 2009.

Summary of Actions:

1. The November 24, 2008 meeting minutes were unanimously approved with minor suggestions and edits.
2. Regarding the Segway Special Use Permit, PAC Member Shimansky motioned and PAC Member Kirby seconded. The motion passed 10 to 6 with zero abstentions. Thus, the PAC recommends the Board deny the request of the Contra Costa Centre Association for a special use permit.
3. Regarding the District's geocaching policy, PAC Member Walters motioned to approve the policy. PAC Member Harryman seconded. The PAC approved the District's Draft Geocaching Policy. Kirby commented he would like the Board to have a thorough discussion about the implementation guidelines.
4. Regarding the PAC workplan, Chair Guarienti recommended the PAC adopt the workplan. PAC Member Hooper moved and Walters seconded to adopt the workplan. It was unanimously approved with no abstentions.

Respectfully submitted,
Yolande Barial, PAC Secretary