

The Board Meeting, which was held on March 2, 2010 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 12:50 p.m. by Board President Doug Siden.

ROLL CALL

Directors Present: Doug Siden, President
Beverly Lane, Vice-President
Carol Severin, Treasurer
John Sutter, Secretary
Ayn Wieskamp
Whitney Dotson
Ted Radke

Directors Absent: None.

At this time, the Board of Directors met in Closed Session to discuss those items outlined on the Board Meeting Closed Session Agenda.

The Open Session of the Board Meeting was called to order at 2:02 p.m. by Board President Doug Siden.

Staff Present Included: Pat O'Brien, Ted Radosevich, Dave Collins, Bob Doyle, Carol Victor, Mike Anderson, Mark Pearson, Diane Althoff, Rosemary Cameron, Police Chief Tim Anderson, John Escobar, Jeff Rasmussen, Carol Johnson, Anne Scheer, Nancy Wenninger, Renee Patterson, Mimi Waluch, Jack Kenny, Matt Graul.

A. APPROVAL OF AGENDA

By motion of Director Sutter and seconded by Director Radke, the Board voted to unanimously to approve the agenda.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp

Directors Absent: None.

B. PUBLIC COMMENTS

There were no public comments at this time.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Lane and seconded by Director Severin, the Board voted unanimously to approve the Consent Calendar, with the exception of items C-I-i and C-I-m which were pulled for separate vote.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.

Directors Absent: None.

- C-I-a. Approval of District Check Listing for the Period of February 8, 2010 through February 17, 2010
Resolution No. 2010 – 3 - 049 (attached)
- C-I-b. Approval of Nomination of Director Carol Severin for California Association of Recreation and Park Districts Board Member
Resolution No. 2010 – 3 - 050 (attached)
- C-I-c. Authorization to Negotiate with Various Property Owners
Resolution No. 2010 – 3 - 051 (attached)
- C-I-d. Authorization to Contract for Appraisal Services with Dean Chapman and Associates and Transfer Funds
Resolution No. 2010 – 3 - 052 (attached)
- C-I-e. Authorization to Object to Public Sale, Enter Into an Agreement to Purchase, and Transfer Funds For Purchase of Fee Interest in Tax-Delinquent Real Property (James R. Lewis, Michael S. Lewis, Joan M. Lewis and Tamara J. Lewis) from the Contra Costa County Tax Collector's Office: Sibley Volcanic Regional Preserve
Resolution No. 2010 – 3 - 053 (attached)
- C-I-f. Authorization to Re-Appropriate Funds for Contracts Awarded in 2009 to Recommend New Turbine Locations for the Tres Vaqueros Repowering Project: Vasco Caves Regional Preserve
Resolution No. 2010 – 3 - 054 (attached)
- C-I-g. Authorization to Purchase Replacement Computers
Resolution No. 2010 – 3 - 055 (attached)
- C-I-h. Authorization to Apply to Caltrans for an Environmental Justice Planning Grant: Great California Delta Trail Between Bay Point and Big Break Regional Shorelines
Resolution No. 2010 – 3 - 056 (attached)
- C-I-j. Authorization to Enter into a Special Use Agreement with the Montclair Swim Team: Roberts Regional Recreation Area
Resolution No. 2010 – 3 - 057 (attached)
- C-I-k. Authorization to Enter into a Special Use Agreement with Shadow Cliffs Open Water Aquatic Team: Shadow Cliffs Regional Park
Resolution No. 2010 – 3 - 058 (attached)
- C-I-l. Authorization to Enter into a Special Use Agreement with Shadow Cliffs ORCAS: Shadow Cliffs Regional Park
Resolution No. 2010 – 3 - 059 (attached)
- C-I-n. Authorization to Amend the Contract with Gallant Builders of Tracy, CA to Complete Boardwalk Repairs: Tilden Nature Area
Resolution No. 2010 – 3 - 060 (attached)

- C-I-o. Authorization to Extend the Kayak Concession Agreement with Sunrise Mountaineering Inc.:
Del Valle Regional Park
Resolution No. 2010 – 3 - 061 (attached)
- C-I-p. Authorization to Amend the Existing Consultant Contract with Moffatt & Nichol for Marine
Engineering Services: Robert W. Crown Memorial State Beach/Alameda Beach
Resolution No. 2010 – 3 - 062 (attached)
- C-I-q. Authorization to Negotiate Additional Engineering Services for the Tidewater Aquatic Center:
Martin Luther King, Jr. Regional Shoreline
Resolution No. 2010 – 3 - 063 (attached)
- C-I-r. Authorization to Extend the Existing Water Quality Analysis Agreement with the East Bay
Municipal Utility District
Resolution No. 2010 – 3 - 064 (attached)
- C-I-s. Approval of Resolution Initiating Proceedings and Ordering Filing of Annual Report for
East Contra Costa County Landscaping and Lighting Assessment District
Resolution No. 2010 – 3 - 065 (attached)
- C-I-t. Approval of Resolution Initiating Proceedings and Ordering Filing of Annual Report for Alameda
County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District
Resolution No. 2010 – 3 - 066 (attached)

Director Sutter asked about fees charged by the consulting firm as no figures were cited in the staff report for both items C-I-t and C-I-u. CFO/Controller Cinde Rubaloff stated that the fee is \$15,000 per LLD and \$10,000 for Measure CC, for a total of \$40,000 for this year. She added that there is no contract with SCI Consultants. Director Lane suggested conducting an RFP process in the future, to which both GM O'Brien and Ms. Rubaloff agreed.

- C-I-u. Authorization to Apply for Federal Funds Through the California Fire Safe Council for a Fire Fuels
Inventory Study: District-wide
Resolution No. 2010 – 3 - 067 (attached)

Director Sutter expressed his appreciation of this item as there have been lengthy discussions by staff on trying to secure funding from the federal government's Stimulus package.

Item C-I-i was pulled for separate vote to allow for the submission of a revised resolution by District staff:

- C-I-i. Authorization to Accept Funds and Appropriate Matching Funds for 2010 Federal Jobs Bill for
Pavement Rehabilitation: District-Wide
Resolution No. 2010 – 3 - 068 (attached)

By motion of Director Radke and seconded by Director Sutter, the Board voted unanimously to approve Item C-I-I with the substitute resolution as presented.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter,
Ayn Wieskamp.

Directors Absent: None.

Grants Manager Jeff Rasmussen stated that a substitute resolution was being submitted by staff. The new resolution revises the source of funding for both the Lafayette/Moraga Trail and Iron Horse Trail from Unappropriated Measure WW Contingency to the Two-county Regional Trail Fund. AGM for Finance and Management Services Dave Collins added that when the material was written up, staff did not realize that there was sufficient fund balance in the Trails/220 account sufficient to cover the matching fund requirement; the year-end budget process help determine actual fund balance. Director Sutter stated that at some point in the future the Board will have to discuss and clarify its policy on the use of Measure WW's Contingency funds.

Item C-I-m was pulled for separate vote by Director Lane:

C-I-m Authorization to Amend the 2010 Budget to Increase the Revenue and Expense Budgets for Naturalist Programs: Middle Harbor Shoreline Park
Resolution No. 2010 – 3 - 069 (attached)

By motion of Director Lane and seconded by Director Wieskamp, the Board voted unanimously to approve item C-I-m.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors Absent: None.

Director Lane asked if the contribution was meant to fund an additional naturalist program; AGM for Operations John Escobar clarified that these were to be used to provide additional bus services for residents of the Middle Harbor service area to bring more kids to the park to attend naturalist programs.

There was also a brief discussion on the current negotiations between the District and the Port of Oakland regarding the operation of Middle Harbor.

2. LAND DIVISION

C-2-a. Authorization to Accept the Assignment of Easement from Contra Costa County for the County Road Known as Feeder Trail #1: Bay Area Ridge Trail
Resolution No. 2010 – 3 - 070 (attached)

By motion of Director Radke and seconded by Director Lane, the Board voted unanimously to approve item C-2-a.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors Absent: None.

Jim Townsend, Trails Development Program Manager, gave a brief historical background on the evolution of this trail. He added that the Park District worked cooperatively with the Muir Heritage Land Trust and Contra Costa County.

Beth Pardieck, Stewardship Manager of Muir Heritage Land Trust (MHLT), thanked the Board for its acceptance of this item, stating that the feeder trail is a very critical trail connection for her organization and will provide

access to more land. She added that once completed and opened to the public, it will provide access to their Fernandez Ranch property through the Pinole watershed.

Bern Smith, Bay Area Ridge Trail Council, addressed the Board to communicate his organization's support for the passage of this item.

Director Sutter commented that it is important to have the Ridge Trail continue to develop and this item closes an important gap. Jim Townsend commented that this particular section is a little over 3 miles; another mile will have to be secured to get to the EBMUD section.

C-2-b. Approval of a Funding Agreement and Authorization to Acquire a Conservation Easement and Transfer Funds for the 22.6± Acre Haji Property: Briones-to-Mt. Diablo Regional Trail Resolution No. 2010 – 3 - 071 (attached)

By motion of Director Sutter and seconded by Director Lane, the Board voted unanimously to approve item C-2-b.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.

Directors Absent: None.

AGM for Land Acquisition Bob Doyle gave a presentation on this item which will aid in preserving significant scenic ridgeline and open space, stating that it is a partnership with primarily the Muir Heritage Land Trust (MHLT) and the cities of Lafayette and Walnut Creek and the Park District. Mr. Doyle also acknowledged the work of Mr. Linus Eukel, Executive Director of MHLT and the District's Land Acquisition Manager Nancy Wenninger in bringing this item to fruition. Mr. Doyle explained that MHLT will acquire fee title to the subject property, with a conservation easement to be held jointly by Lafayette, Walnut Creek and the Park District.

Director Sutter complimented staff from the participating agencies, adding that he was happy to see that it did not take long after the passage of Measure WW. The rest of the Board concurred.

Donn Walklet, Board Chair of Muir Heritage Land Trust, thanked the Board on behalf of Linus Eukel and the Board of MHLT, stating that this item is a great example of what agencies can do when they work well together.

3. BOARD AND STAFF REPORTS

C-3-a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager Pat O'Brien discussed the items listed on the staff report.

4. GENERAL MANAGER'S COMMENTS

Rosemary Cameron, AGM for Public Affairs, introduced Mona Co, newly hired Administrative Analyst II. Ms. Cameron gave a presentation on the Regional Parks Foundations' 2009 activities and accomplishments. Some of the highlights include the following:

- Fundraising reached \$1.290 million (9% over goal);
- Campership Program raised \$163,507 (versus goal of \$160,000);
- Kaiser Permanente sponsored the Trails Challenge Program with an \$80,000 grant;

The Foundation also provided funding for various projects, such as:

- Camp Arroyo received over \$113,000;
- Public Safety and Aquatics received \$35,190;
- Park'n It Day Camp received \$48,954, with another \$10,533 to the Overnight Camping Program

Carol Johnson, Community Relations Manager, gave an overview of the 2010 Community Relations Plan. She spoke about the departments' Strategic Initiatives, which include:

- Connect and communicate with diverse audiences
- Plan and implement community outreach for the Master Plan policy update
- Develop social media policy
- Outreach Activities in Each District Ward

Ms. Johnson also spoke about the various dedications and events planned for 2010 involving various Board members at different park locations.

5. ANNOUNCEMENTS FROM THE CLOSED SESSION

Board President Siden announced that the Board unanimously voted to approve the following:

Approval of Settlement of Worker's Compensation Claims of Gilbert Aviles
Resolution No. 2010 – 3 – 072 (attached)

Approval of Settlement of Claim of Jimmy Johnson
Resolution No. 2010 – 3- 073 (attached)

6. BOARD COMMENTS

Director Sutter reported on meetings attended. Director Sutter

- Attended the Sierra Club/David Brower event in San Francisco which honored Sen. Barbara Boxer;
- Attended a meeting of the Oakland City Council's Redevelopment Commission about the proposed rezoning of part of East Oakland including the Tidewater area. About 40 people, mostly from organized labor, showed up to oppose the proposed change in zoning from industrial to residential, causing the commission to delay their decision on the matter;
- Attended the February PAC meeting;
- Attended a presentation about Gateway Park last February 25 in Oakland. He spoke about the presentation on various ideas for development, and reported that there is a well-funded study in progress, with most of the funds coming from the Metropolitan Transportation Commission.

Director Radke reported on meetings attended. Director Radke

- Attended the Board workshop;
- Mentioned that there will be a presentation tonight to the Iron House Board of Directors regarding Jersey Island;
- Spoke about a letter he received from a park user regarding another dog attack at the Alhambra entrance to Briones Park, stating that he believes there is a real continuing problem in that location, and suggested that a revision be made to Ordinance 38 to require that all dogs be on leash at that location at all times due to the numerous dog/horse conflicts.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Asked staff to determine if dog walkers are in compliance with District rules;
- Met with Erich Pfuehler and Carol Johnson to discuss ideas on community events;
- Attended the Special Olympics event in Livermore;
- Attended the Legislative and Finance Committee meetings and the Board workshop;
- With Kelly Barrington, attended a Rotary trip to Mission Peak;
- Attended the LARPD/EBRPD Liaison Committee meeting yesterday;
- Will be attending the LARPD Employee Appreciation event tomorrow;
- Asked the Clerk to coordinate a tour of the Lawrence Livermore National Lab in April or May with interested Board members and staff;
- Announced that the Hike for Hope event will be held in Sunol on May 1.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Sierra Club/David Brower event in San Francisco;
- Attended the Board Workshop, as well as the Operations and Natural/Cultural Resources Committee meetings, and sat-in on the Finance Committee meeting.

Director Severin reported on meetings attended. Director Severin

- Attended the Sierra Club/David Brower event in San Francisco;
- Attended the Board Workshop;
- Attended the LARPD Liaison Committee meeting yesterday;
- Attended meetings of the Finance and Operations Committees;
- Spoke about the visit of the Siberian Parks group to the District;

Director Lane reported on meetings attended. Director Lane

- Attended the various meetings as mentioned by the other Board members;
- Participated in the fund raising event that featured Sgt. Tyrone Davis;
- Attended the meeting on CNWS as discussed earlier in this meeting;
- Attended the meeting on Gateway Park in Oakland with Director Sutter; suggested adding information on the Gateway Park process to the District's website;
- Attended Sylvia McLaughlin's reception event;
- Had an interview with Congressman John Garamendi in Walnut Creek, where CNWS and HCP issues were discussed;
- Conducted a hike in Castle Rock. The people in attendance read about it in the column she and Shelly Lewis prepare for a local weekly newspaper.

Director Siden reported on meetings attended. Director Siden

- Attended the recent American Camp Association Conference in Florida;
- Attended the State of the District address by Supervisor Alice Lai-Bitker;
- With Director Severin attended the Eden Area League of Women Voters meeting;
- Attended the Alameda County Mayors Conference;
- Attended the Coliseum Area Committee meeting in Oakland;
- Attended the East Bay Economic Development Alliance meeting;
- Attended the Waterfront Action meeting;
- Will be doing an appreciation breakfast meeting for Crown Beach staff;
- Will also be hosting an appreciation breakfast for Middle Harbor staff;
- Had a breakfast meeting with his PAC representative;
- Attended a "Construction Celebration" of the Boys and Girls Club in Alameda;
- Also attended Sylvia McLaughlin's reception event with Director Lane.

D. PUBLIC COMMENTS

Alice Philipson, a Berkeley resident, addressed the Board regarding the dog incident referenced by Director Radke earlier. She stated that she is a horse rider who rides the Briones area often and reported on the numerous dog encounters that their group has experienced. She stated that the term “under voice control” is not understood by some dog walkers. She added that additional problems are caused by the bottle-neck at the staging area, dogs being let loose too early and some professional dog walkers, some of whom are not licensed or cannot control their dogs. She gave a suggestion installing an area near the entrance for separate use by dog owners.

Director Radke asked that requiring dogs to be leashed at all times in the problem area be studied and the professional dog walkers cited by Ms. Philipson be checked and the license revoked if necessary. He also asked that the stable owners in the area be notified if any changes are made.

Police Chief Tim Anderson stated that they have already been made aware of the incident and have initiated the review of the dog walking licenses in question.

Director Sutter also suggested looking at the District as a whole in reviewing Ordinance 38 in terms of the proposed update since this incident happens throughout the District, like at Redwood Regional Park.

F. ADJOURNMENT

The Board meeting was adjourned by Board President Siden at 4:45 p.m.

Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2010 – 3 - 049 to 2010 - 3 - 073
Board Committee Report