

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, April 7, 2009

C. BUSINESS BEFORE THE BOARD

5. Board Committee Reports

c. Operations (02/19/09) Severin

Present:

Board: Directors Carol Severin (Chair), Ayn Wieskamp, Beverly Lane

Staff: John Escobar, Jack Kenny, Anne Scheer, John Swanson, Mimi Waluch,
Jeff Wilson, Renee Patterson, Laura Comstock, Mark Ragatz,
John Hitchen, Shelly Lewis, Nancy Brownfield

Public: Judi Bank, Rich Guarienti, Jennifer Case, Nick Batteate, Lee Rutter,
BK Doyra, James Hessler, Eleanore Hessler, Peter Rauch,
Lech Naumovich, Alan Kaplan

I. **Las Trampas Stables Update**

Revenue and Administration Manager Mimi Waluch reviewed the background of the equestrian concession operation at Las Trampas Regional Wilderness, and reported on the status of the current concessionaire's contract. The Las Trampas stables have been operated for many years by concessionaires who provide full equestrian services including board, trail rides for the general public, two arenas, and riding lessons. Stables structures are in good condition and considerable site and operational improvements have been made in the last few years.

The current concessionaire's contract is at the end of its option period and, based on the District's 2008 audit and the operator's failure to adhere to provisions of the contract, staff is recommending that the current option period not be extended. The Request for Proposals process is underway, and RFPs will be accepted through March 16, 2009, with the intent to have a contract with a new concessionaire in place by June 2009.

Present at the meeting were Jennifer Case and Nick Batteate, the current operators of Las Trampas Stables, and several of their supporters who spoke in favor of allowing Ms. Case and Mr. Batteate to continue operating the stables. As native Californians,

Ms. Case and Mr. Batteate view their operation of the stables as an opportunity for them to reconnect with family history, and therefore have a vested interest in assuring its success. Ms. Case apologized for being in default with payments to the District, and expressed a strong desire to continue operating the facility. Mr. Batteate described how he and his partner are dedicated operators who serve their contract 24 hours a day, working many unpaid hours, and taking a total of only 10 days off in the past few years. The partners indicated that they have invested a substantial amount of personal funds into maintaining and upgrading the facility, and are proud of their remarkable safety record.

Interpretive Parklands Unit Manager Laura Comstock reported that, aside from financial issues, the condition of the stables has improved significantly under management by the current operators, thereby freeing staff to concentrate on other park priorities.

Lee Rutter, a member of the Volunteer Mounted Safety Patrol, said that she was prompted to address the committee after having visited other local equestrian facilities. She noted that none are as well maintained, organized and aesthetically beautiful as the Las Trampas operation. Ms. Rutter questioned the need to seek out alternate operators when the current concessionaires are successfully serving the needs of the equestrian community.

James and Eleanore Hessler, neighbors of Las Trampas Stables, also noted how the appearance of the stables has improved over the past few years under the management of Ms. Case and Mr. Batteate, and urged the committee to consider allowing them to continue operating the facility.

Director Carol Severin commented that she understands staff's concerns about the concessionaire's financial situation, but that it is also obvious that the current operators have captured the admiration and respect of the greater equestrian community. In order to address staff's legitimate concerns, Director Severin suggested that in their RFP submission, the current operators might include the hiring of a professional accountant to manage their financial records. Director Ayn Wieskamp commented that although she also understands the partners' difficult financial situation, the public expects the Board and staff to demonstrate fiscal responsibility in managing District facilities. In response to Director Wieskamp's inquiry as to what criteria is used by staff to select operations for audit, Ms. Waluch responded that with 107 private contracts, recommendations are made based on the size of the operation and the District's risk exposure.

2. Point Pinole Vegetation Management Project

Point Pinole Supervisor John Hitchen and Assistant Fire Chief John Swanson advised the Committee of the Park Operations and Fire Department's intent to seek Request for Proposals (RFPs) to thin the Point Pinole eucalyptus forest, including small stands of acacia and Chinese elm. Staff recounted Point Pinole's history in managing the park's 220 acres of blue gum eucalyptus forest. The groves were originally planted by the

Giant Powder Company in 1925, and were managed successfully until the plant closed in 1950. Between 1959 and 1980, a number of serious fires swept through the park stimulating the production of thousands of seedlings and creating dense fire-prone thickets of poorly developed trees. The proposed forest thinning project incorporates all of the accumulated experience in eucalyptus management gained by the Operations and Fire Divisions into the first comprehensive thinning project at Point Pinole. Staff noted that Measure CC includes funding earmarked for the purpose of eucalyptus management and coastal prairie restoration.

Supervisor Hitchen reported that proposed tree thinning will not only reduce the possibility of a major fire event but will also increase the wildlife diversity of the park. Staff expects that with the current state of the economy, the RFP will attract the most qualified tree contractors in the area. As a condition of their contract, staff intends to require that the chosen contractor periodically return to the park to monitor their work.

Peter Rauch of the Sierra Club expressed his support for the eucalyptus management and grassland improvement program at Point Pinole but believes there are strong interrelationships among the projects that are not being adequately addressed. Mr. Rauch suggested that during this thinning process, staff should work closely with David Amme, the District's Wildland Vegetation Program Manager and "foremost expert in restoration and coastal grassland management." Referring to staff's contention that the proposed project will also enhance the historic eucalyptus groves, Mr. Rauch expressed the need for more research and open discussion regarding the assumption that an invasive species such as the eucalyptus is indeed a historic resource. Director Wieskamp agreed that the original resource analysis definition of the term "historic" needs to be more clearly defined.

PAC Member Alan Kaplan commented that with regard to the species historic designation, there is no evidence of the eucalyptus being an ancient phenomenon. Having been introduced to California in the 19th century, the species was originally planted at Point Pinole in 1925 to protect the Giant Powder Company. Mr. Kaplan believes, however, that there is good reason to preserve some of the trees as they are the home of the Monarch Butterfly during over-wintering.

Director Severin suggested that staff might consider creating short loops of interconnecting trails during the proposed tree thinning process. Supervisor Hitchen responded that this goal can more easily be achieved after the forest is opened up through tree thinning.

3. Review of South Bay Soaring Society Special Use Agreement: Mission Peak Regional Preserve

Revenue and Administration Manager Mimi Waluch and Administrative Analyst II Renee Patterson introduced this item to the Committee, indicating that this Special Use Agreement with South Bay Soaring Society (SBSS) is a continuation of an existing

contract. SBSS members have flown radio controlled, battery operated sailplanes at this designated site on the lower slopes of Mission Peak for about ten years.

The SBSS is a non-profit corporation registered with the State of California and is a chartered member of the Academy of Model Aeronautics (AMA) which provides organizational and technical support to SBSS along with \$4,000,000 in liability insurance. The SBSS is governed by many rules and restrictions limiting the flight area in order to avoid impinging on the activities of the Wings of Rogallo Hang Gliding Club, also using Mission Peak. The group is able to walk to their site from the Mission Peak staging area, and their presence involves no extra work for park staff. The Park Supervisor reports that there have been no incidents or problems with the group while using the premises at Mission Peak.

Staff is recommending that the SBSS's Special Use Agreement be extended for five (5) years commencing January 1, 2009, and terminating December 31, 2014, with an increase in annual fee from \$100 to \$500.

Director Wieskamp moved to recommend authorizing the Special Use Agreement with SBSS and increasing their annual fee to \$500. Director Severin seconded the motion which passed unanimously (2-0).

4. 2009 Board Operations Committee Draft Work Plan

AGM John Escobar recommended that review of the 2009 Board Operations Committee Draft Work Plan be tabled until both Directors Whitney Dotson and John Sutter are in attendance to include their input on the proposed Work Plan.

5. Public Comments: No comments were received.

6. Staff Comments:

Park Operations Chief Jack Kenny updated the Committee on the Quagga Mussel inspection program at Contra Loma and Del Valle. He reported that the program is entering its first full year and is now being conducted on a regular basis. The District is working with County water agencies, including EBMUD, to comply with a new state law requiring agencies to develop a Program Statement describing what each agency is doing to prevent invasion of the Quagga Mussel.

Chief Kenny briefed the Committee on the Boy Scouts of America's plans to hold their 100th Anniversary Jamboree in 2010 at Del Valle Regional Park. Staff plans to bring this item to the Board Operations Committee in April prior to presentation to the full Board.

Director Severin motioned that the meeting be adjourned at 2:45 p.m. The next meeting of the Board Operations Committee will be held on Tuesday, March 24, 2009, at 12:45 p.m., in the Peralta Oaks Board Room.