

The Board Meeting, which was held on October 20, 2009 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland CA was called to order at 12:50 p.m. by Board President Ted Radke.

ROLL CALL

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

Directors Absent: Whitney Dotson

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 2:00 p.m. by Board President Ted Radke.

Staff Present Included: Pat O'Brien, Ted Radosevich, Dave Collins, John Escobar, Bob Doyle, Rosemary Cameron, Carol Victor, Carol Johnson, Shelly Lewis, John Boyeau, Diane Althoff, Nancy Wenninger, Cinde Rubaloff, Steve Quick, Mark Pearson, Mike Anderson, Silas Paul, Brian Wiese, Tim Anderson,

A. APPROVAL OF AGENDA

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

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

B. PUBLIC COMMENTS

Several residents of the City of Alameda addressed the Board to once again voice their opposition to the Boys and Girls Club of Alameda's application for \$ 2 million of Measure WW's local grant funds and asked the Board to express its opposition as well. They stated that this organization provides services that are more social in nature - not recreational - and does not provide public access to city residents. The speakers added that this private organization will own the building that the funds will go to and not the City of Alameda.

President Radke mentioned that while this issue has been discussed for some time, the proposals coming from Alameda for Measure WW Local Grant funds are within the responsibility of the Alameda City Council; as long as the proposals meet the legal requirements of the bond measure, the District Board will not be involved in choosing between the various local eligible projects.

Dave Collins, AGM for Finance and Management Services, commented that staff has been attending meetings of the Alameda City Council, stating that this same debate is going on in a number of agencies throughout the county. He added that staff is working with Bond Counsel and District Counsel to answer the various questions

brought forward by the City of Alameda, as well as to provide some guidance regarding project eligibility for the Local Grant Program. He also clarified that the District's Board does not have any role in evaluating specific local projects; that it is the role of the local agency to determine project priorities.

In response to Director Sutter's comment regarding additional discussion by the Board, GM O'Brien stated that it may be brought back to the Board Executive Committee. District Counsel Ted Radosevich added that decisions made now will have an impact on the 20 year life of the bond measure and need not be rushed. It was also stated that the District will not allow other agencies' timeline drive the District's decision to ensure that actions taken are appropriate.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Wieskamp, seconded by Director Sutter, the Consent Calendar was unanimously approved.

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

- C-I-a. Approval of District Check Listing for the Period of September 5 through September 25, 2009
Resolution No. 2009 – 10 - 272 (attached)
- C-I-b. Approval of the Minutes for the Board Meeting of September 1, 2009
- C-I-c. Authorization to Negotiate with Various Property Owners
Resolution No. 2009 – 10 - 273 (attached)
- C-I-d. Resolution to Support Pending Federal Legislation S. 1469 to Designate the Port Chicago Naval Magazine as a Unit of the National Park System
Resolution No. 2009 – 10 - 274 (attached)
- C-I-e. Resolution to Support Pending State Legislation SB 448 (Pavley) to Encourage Landowners to Manage Their Lands to Benefit Wildlife and Habitat
Resolution No. 2009 – 10 - 275 (attached)
- C-I-f. Resolution to Support Federal Health Care Reform Legislation Which Includes a Public Option Insurance Plan
Resolution No. 2009 – 10 - 276 (attached)
- C-I-g. Authorization to Reimburse Fields Livestock for Water System Installation: Sunol Regional Wilderness
Resolution No. 2009 – 10 - 277 (attached)

2. FINANCE AND MANAGEMENT SERVICES

- C-2-a. A Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents With Respect to the Sale of the Seller's Proposition 1A Receivable From the State; and Directing and Authorizing Certain Other Actions in Connection Therewith
Resolution No. 2009 – 10 - 278 (attached)

By motion of Director Lane, seconded by Director Siden, item C-2-a was unanimously approved.

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

Directors absent: Whitney Dotson

Dave Collins, AGM for Finance and Management Services, explained the history behind this item, stating that this is the result of the move by a consortium of local entities to have a funding process to provide for continued cash flow to local agencies in light of the suspension of Proposition 1A. AGM Collins added that there are about 1,250 agencies signed up at this time, with funds totaling about \$1.5 billion in borrowing. This item is being brought forward at this meeting to meet the November 6 deadline for document submission. Non-participation by the District would equate to the loss of about \$7.8 million in 2009-2010 fiscal year and will have to wait for repayment by the State in three years at an interest rate of 2%.

3. LAND DIVISION

- C-3-a. Authorization to Purchase Fee Interest in 1,156 Acres of Real Property from Incultorum, LLC (Priem Family Foundation) and Transfer Funds to Complete the Acquisition of Tyler Ranch: Pleasanton Ridge Regional Park
Resolution No. 2009 – 10 - 279 (attached)

By motion of Director Wieskamp, seconded by Director Severin, item C-3-a was unanimously approved.

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

Directors absent: Whitney Dotson

Bob Doyle, AGM for Land Acquisition stated that this acquisition puts the District's acreage to over 100,000 acres. He added that this was made possible through a very significant and substantial donation by the Priem family - the land was appraised at \$4,700 an acre but will be sold to the District at \$3,000 an acre. Mr. Doyle gave a description of the topography of the site and spoke about the financing involved in this acquisition: Priem Family donation at \$1.729 million, grant funding at \$1.310 million (Altamont Landfill - \$1 million, DPR Habitat Conservation - \$300,000, Barstow fund - \$10,000), Measure WW at \$1.887 million and Measure AA at \$271,100.

4. PLANNING/STEWARDSHIP & DEVELOPMENT

- C-4-a. Authorization to Transfer Funds for Capital Project Budget Reconciliation
Resolution No. 2009 – 10 - 280 (attached)

By motion of Director Lane, seconded by Director Wieskamp, item C-4-a was unanimously approved.

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

Diane Althoff, Chief of Design/Construction, gave a presentation on this item, stating that it only proposes the transfer of available funds from completed projects and does not propose deletion or creation of new projects.

5. BOARD AND STAFF REPORT

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

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

6. GENERAL MANAGER'S COMMENTS

Dave Riensche, Wildlife Resource Analyst, gave a presentation on the Black Rail Habitat Enhancement Project at Pt. Pinole Regional Shoreline, and provided pictures that showed the 6-year transition of the 40-acre area of the marsh covered by the enhancement project. Mr. Riensche noted that a total of 1,965 volunteers provided 6,755 hours working on the project, which also received \$85,000 in grant funding.

7. ANNOUNCEMENTS FROM THE CLOSED SESSION

There were no announcements from the Closed Session.

8. BOARD COMMITTEE REPORTS

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| a. Executive Committee | (9/25/09) | (Radke) |
| b. Legislative Committee | (9/18/09) | (Radke) |
| c. Operations Committee | (9/17/09) | (Severin) |
| d. Pinole/Hercules/EBRPD/No. CCCty JPA | (8/25/09) | (Radke) |

9. BOARD COMMENTS

Director Sutter reported on meetings attended. Director Sutter

- Attended the Alameda County Mayors Conference where Oakland Mayor Dellums was in attendance;
- Attended a meeting with Oakland City Council member Rebecca Kaplan, together with Doug Siden, Pat O'Brien and other District staff;
- Attended the Chabot Space and Science Center's Finance Committee meeting, where it appears they are solving the problem with the COPS loan;
- Will be attending a talk on the District's 75th Anniversary by Jerry Kent on October 28 for the Alameda County Historical Society;
- Thanked Public Affairs staff for their excellent work in getting good publicity for the District on a number of projects and initiatives.

Director Lane reported on meetings attended. Director Lane

- Also thanked Public Affairs staff for excellent work, adding that Operations-related projects run smoother sometimes when Public Affairs staff are involved at an earlier juncture;
- Went with Nancy Wenninger and HCP staff to view properties east of Clayton and along the area going into Irish Canyon;

- Went to Black Diamond Mines for the 75th Anniversary event that included the Rose Hill Cemetery;
- Hiked the Iron Horse Trail and Sycamore Valley Open Space;
- Went to Las Trampas where she thanked the AT&T volunteers working there;
- Attended a YMCA event for Contra Costa County where they raised funds for their facilities;
- Had a meeting with Sharon Burke, the new Public Alternate for Contra Costa Lafco;
- Announced a change in governance for Alamo, which chose not to incorporate, stating that the Supervisor has agreed to appoint a "MAC" with seven members;
- Announced the appointment of new Danville councilmember Robert Storer;
- Will attend Louie Guzman's retirement at Temescal, the employee recognition dinner, the Pt. Pinole playground dedication, as well as the Mount Diablo Interpretive Association's annual meeting;
- Commented that the District should continue to improve its volunteer coordination and recognition process.

Director Severin reported on meetings attended. Director Severin

- Attended the NRPA conference in Salt Lake City;
- Reminded that the members of the Niles train group have offered to bring staff up Pleasanton Ridge;
- Attended the LARPD Liaison Committee event;
- Will attend the employee recognition dinner.

Director Siden reported on meetings attended. Director Siden

- Showed the newspaper article on the District's recent property acquisition putting it over 100,000 acres;
- Attended the NRPA Conference in Salt Lake City and will provide a report soon;
- Attended the Rose Hill Cemetery dedication on October 10;
- Showed the award presented to him at the NRPA conference.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the LARPD Liaison Committee meeting with Director Severin;
- Attended the Kaiser Permanente Community Benefit Recipients luncheon event;
- Attended the Cowboy Extravaganza at Sunol;
- Attended the Legislative Committee meeting yesterday;
- Will attend the Alameda County Town Hall meeting on California Constitutional Reform tonight;
- Requested that staff present a thorough report to the Board on the status of Dumbarton Quarry;
- Will attend the Employee Recognition event and the Employee Halloween event.

Director Radke reported on meetings attended. Director Radke

- Appointed Directors Wieskamp and Dotson to join him as members of the 2010 Board Officers Nominating Committee, and stated that the elections will be held at the November 3 Board meeting;
- Mentioned the 4-part Save the Bay series on KQED as worth watching;
- Attended the Black Diamond Mines 75th Anniversary event and Rose Hill Cemetery re-dedication;
- Will attend the employee recognition dinner;
- Mentioned an article the new National Parks Director John Jarvis and his desire to designate the Port Chicago Naval Weapons Station as a new national park;
- Mentioned that the District has been selected by the John Muir Association as the recipient of the "Conservation as a Public Agency" award at their November 7 event which he will be attending;
- Attended Hulet Hornbeck's 90th birthday party.

D. PUBLIC COMMENTS

Ms. Jakki Kehl addressed the Board regarding the letter she sent today concerning Brushy Peak. She also requested that the issues enumerated on the letter be put on the agenda at the next Natural and Cultural Resources Committee for discussion.

Director Sutter commented that it has been discussed at length at a previous Natural/Cultural Resources Committee and, if needed, may be discussed again. Director Lane added that Ms. Kehl's letter may include new items that may have not been discussed previously. Director Siden mentioned that at the last Board meeting on October 6 he asked that her questions be included in that meeting minutes.

E. ADJOURNMENT

The Board meeting was adjourned at 4:06 p.m. by Board President Radke.

Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2009-10-272 to 2009-10-280
Board Committee Reports