

The Board Meeting, which was held on October 6, 2009 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland, CA 94605 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  
Whitney Dotson  
Ayn Wieskamp  
John Sutter

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 2:10 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, David Amme, Carol Johnson, Shelly Lewis, Anne Scheer, Jeff Rasmussen, John Escobar, Diane Althoff, Ken Blonski, Bill Louie, Mimi Waluch, Cinde Rubaloff, Isa Polte-Jones, Sofia Zander.

A. APPROVAL OF AGENDA

President Radke announced that a need to include an additional Consent Calendar item, C-I-L, arose after the agenda was printed last week:

“Approval of Out-of-State Travel for Board Members Carol Severin, Doug Siden, Whitney Dotson and General Manager Pat O'Brien to Attend the 2009 National Recreation and Park Association Congress and Exposition, Salt Lake City, Utah, October 13-16, 2009”

By motion of Director Siden, and seconded by Director Wieskamp, the Board voted unanimously to amend the agenda to include Consent Calendar item C-I-L.

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

By motion of Director Wieskamp, and seconded by Director Sutter, the Agenda as revised was unanimously approved.

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, seconded by Director Sutter, the Consent Calendar was unanimously approved.

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 August 22, 2009 through September 4, 2009  
Resolution No. 2009 – 10 - 258 (attached)
- C-I-b. Approval of the Minutes for the Board Meeting of July 21 and August 11, 2009
- C-I-c. Authorization to Negotiate with Various Property Owners  
Resolution No. 2009 – 10 - 259 (attached)
- C-I-d. Approval of Five Year Grazing License with a Five Year Option for Mendoza Ranch:  
Dublin Hills Regional Park  
Resolution No. 2009 – 10 - 260 (attached)
- C-I-e. Authorization to Extend the Concession Agreement with Jobetty, LLC for the  
Café at Lake Anza: Tilden Regional Park  
Resolution No. 2009 – 10 - 261 (attached)
- C-I-f. Acceptance of Bid for Asphalt Pavement Repairs: EBRPD Administration Building  
Resolution No. 2009 – 10 - 262 (attached)
- C-I-g. Approval to Adopt a Modified and Updated Plan Document for 401(a)  
Money Purchase Plan to Comply with IRS Regulations  
Resolution No. 2009 – 10 - 263 (attached)
- C-I-h. Authorization to Enter into Cooperative Funding Agreements with Contra Costa County  
and the City of Pittsburg, Appropriate Funds and Award a Consultant Contract for a  
Feasibility and Preliminary Engineering Study: Great California Delta Trail  
Resolution No. 2009 – 10 - 264 (attached)
- C-I-i. Acceptance of Quarterly Unaudited Financial Statements for the East Bay  
Regional Park District for the Period Ending June 30, 2009  
Resolution No. 2009 – 10 - 265 (attached)
- C-I-j. Authorization to Transfer Funds and Award a Sole Source Contract for  
Serpentine Prairie Fence Construction  
Resolution No. 2009 – 10 - 266 (attached)

Chief of Design and Construction Diane Althoff gave a presentation showing a rendering of the fence design; Directors Lane and Sutter thanked staff for taking their concerns into consideration.

C-1-k. Authorization to Appoint Vavrinek, Trine, Day & Co. LLP as the District's Independent Outside Auditor  
Resolution No. 2009 – 10 - 267 (attached)

C-1-l. Approval of Out-of-State Travel for Board Members Carol Severin, Doug Siden, Whitney Dotson and General Manager Pat O'Brien to Attend the 2009 National Recreation and Park Association Congress and Exposition, Salt Lake City, Utah, October 13-16, 2009  
Resolution No. 2009 – 10 - 268 (attached)

## 2. LAND DIVISION

C-2-a. Authorization to Exchange Real Property with Brian Gates: Sibley Volcanic Regional Preserve  
Resolution No. 2009 – 10 - 269 (attached)

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

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

Directors absent: None.

Bob Doyle, AGM for Land Acquisition, gave a presentation on this item, stating that the Gates property is adjacent to Sibley Volcanic Regional Preserve and is greater in value and acreage. He added that this item requires a unanimous vote by the Board.

## 3. FINANCE AND MANAGEMENT SERVICES

C-3-a. Approval and Authorization to Execute the Third Amended Redevelopment Agreement with the City of Fremont  
Resolution No. 2009 – 10 - 270 (attached)

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

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

Directors absent: None.

Dave Collins, AGM for Finance and Management Services, gave a presentation on this item, stating that it is essentially the continuation of an existing agreement with the City of Fremont which provided a pass-through of funding through the District as well as on-going funding for both capital projects and marketing agreements at Quarry Lakes Regional Recreation Area.

- 4. PLANNING/STEWARDSHIP & DEVELOPMENT
- C-4-a. Authorization to Amend 2009 Budget and Appropriate Measure WW Funds for Development Projects  
Resolution No. 2009 – 10 - 271 (attached)

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

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

Directors absent: None.

Diane Althoff, Chief of Design and Construction, gave a presentation on this item, stating that this item proposes a list of Measure WW projects proposed for appropriation for 2009/2010. She also mentioned that a draft list was presented to the Board earlier this year at two workshops.

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.

AGM Collins also spoke about the recently concluded sale of the first series of Measure WW bonds, stating that according to the underwriters, it was the best market they have seen in the last 38 years. This, combined with the District's excellent credit rating, contributed to the sale being concluded in about 3-1/2 hours. AGM Collins added that \$80 million in new funds and \$19.9 million in refunding Measure AA bonds was generated. Because of the excellent conditions, the District incurred an \$860,000 savings in net present value versus the initial expected cost of about \$300,000. This will in turn amount to tremendous savings for the taxpayers.

6. GENERAL MANAGER'S COMMENTS

Community Relations Manager Carol Johnson gave a presentation on the Regional Parks Ambassador Program, including the training provided for the volunteers and the various areas of the community that they participate in.

PAC Chair Rich Guarienti shared his compliments of the Volunteer Program as well as the volunteers themselves. He suggested formulating a more consistent way in which the District can recognize trail volunteers, Ambassadors, PAC members and docents.

7. ANNOUNCEMENTS FROM THE CLOSED SESSION

8. BOARD COMMITTEE REPORTS

- a. Alameda County Special Districts Association (7-8-09) (Siden)
- b. Executive Committee (7-23-09) (Radke)
- c. Executive Committee (8-20-09) (Radke)
- d. Finance Committee (8-26-09) (Lane)
- e. Natural and Cultural Resources Committee (8-19-09) (Sutter)

## 9. BOARD COMMENTS

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the Finance, Executive and Legislative Committee meetings;
- Attended the Pleasanton and Fremont Liaison Committee meetings;
- Attended the Livermore Chamber of Commerce meeting where a speech was given by Supervisor Scott Haggerty;
- Will be attending a Kaiser Permanente-sponsored benefit luncheon for their project participants;
- Mentioned that the "Cowboy Extravaganza" will be held on October 17 in Sunol.

Director Lane reported on meetings attended. Director Lane

- Attended a CNWS liaison meeting, which is now set-up to meet once a month on a regular basis;
- Attended the Pleasanton Liaison meeting;
- Attended the Coastal Clean-up events in Bay Point and Martinez;
- Attended the Galindo Trail Dedication with Cong. Miller in attendance;
- Attended the Little Farm fair;
- Attended the Martinez – Bay Trail/Ridge Trail event;
- Attended the Ohlone Gathering event;
- Will be attending the Rose Hill Cemetery Dedication at Black Diamond Mines on October 10;
- Suggested improving the District's volunteer coordination process, that it would be good to have a single contact person within the District.

Director Siden reported on meetings attended. Director Siden

- Will be attending the Alameda City Council meeting, where there will be Measure WW discussion;
- Attended the Alameda County CSDA chapter meeting;
- Attended the Regional Parks Foundation meeting;
- Attended the retirement event for Park Supervisor Ed Leong;
- Attended the CSDA Conference in Palm Springs;
- Attended the Executive Committee meeting;
- Participated in the Shoreline Stroll for International Maritime Association at Middle Harbor;
- Attended the PAC meeting on September 28, where he introduced his new appointee Jeremy Madsen;
- Working with MLK, Jr. Rally Committee to establish the District's role in the event;
- Met on October 5 with new Oakland City Council member Rebecca Kaplan and other District staff;
- Will be attending the Rose Hill Cemetery dedication and the NRPA Conference in Salt Lake City.

Director Severin reported on meetings attended. Director Severin

- Attended the CSDA conference in Palm Springs;
- Attended meetings of the Pleasanton Liaison and Operations Committee;
- Attended the Alameda County CSDA meeting;
- Attended the HARD staff luncheon;
- Attended the Ohlone Gathering event;
- Attended the Children's Memorial Grove event at Fairmont Ridge, Lake Chabot on October 2, and mentioned that Supervisor Steele is concerned with the program not continuing since she will not be running for office next year;
- Will attend the next ABAG Regional Planning Committee meeting as well as the LARPD liaison meeting;
- Will be attending a Kaiser Permanente-sponsored benefit luncheon for their project participants.

Director Sutter reported on meetings attended. Director Sutter

- Attended the Operations Committee meeting;
- Attended the meeting with Oakland City Council member Rebecca Kaplan;
- Attended last month's PAC meeting;
- Attended the Finance Committee meeting of the Chabot Space and Science Center;
- Mentioned that the Sierra Club/Bay Chapter Yodeler's review of the District's vegetation management plan written by Norman LaForce was generally favorable;
- Reported that the City of Oakland, due in part to its budget problems, decided to locate another billboard on the approach to the Bay Bridge coming from San Francisco, and asked staff to study its impact on Gateway Park;
- Reported on a situation on Campus Drive, where local access to Leona Open Space near Merritt College has been prevented due to a property owner putting up a fence. AGM Doyle answered that staff will be reporting to be Board on this issue soon;
- Reported on a proposed dog park in Lafayette in the Olympic Staging Area and asked staff to provide feedback on it;
- Met with Sam Schuchat, Executive Officer of Coastal Conservancy and Chair of the SF Bay Restoration Authority to explain the District's various campaigns.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Little Farm event at the Tilden Nature Area;
- Attended the Operations Committee meeting;
- Attended the North Richmond Shoreline festival two weeks ago;
- Attended the "Healthy Estuary" conference;
- Announced that there will be a community meeting spearheaded by District staff in Parchester Village tomorrow to get community input on the North Richmond Shoreline;
- Will be attending the Miller Knox Playground dedication as well as the opening of the group camp at Pt. Pinole.

Director Radke reported on meetings attended. Director Radke

- Attended the PAC meeting last month, as well as other regularly scheduled Board committee meetings;
- Attended a Delta Science Center meeting wherein there was a presentation by AGM Mike Anderson on the design for the building;
- With GM O'Brien and Director Lane, attended a CNWS discussion with City of Concord staff;
- Attended the Nejedley staging area event at the Carquinez Regional Shoreline on October 3 to commemorate the District's 75<sup>th</sup> anniversary as well as the 20<sup>th</sup> anniversary of the Bay Trail and Ridge Trail. It also coincided with Hulet Hornbeck's 90<sup>th</sup> birthday celebration;
- Was interviewed by a reporter from the Martinez Gazette to get his thoughts on the Ken Burns documentary on National Parks as well as the state of the District;
- Will be attending the Rose Hill Cemetery event at Black Diamond Mines.

#### D. PUBLIC COMMENTS

Ms. Jakki Kehl addressed the Board and gave an update on the investigation that she had asked to be conducted on Brushy Peak, that there was a concern that Native consultation was not being done as part of the development of the area. She added that the process being followed by the District was not up to par, that the Heritage Commission has also contacted the District and has requested to have not only Native consultation, but also site registration with the State of California to identify its boundaries and historical contents, referring to the "capping" of the one mortar identified as being damaged.

District Counsel Ted Radosevich responded that staff has been in meetings and conversations with a number of people, including Ms. Kehl, and that the District, as it proceeds, will have archeologists on site to determine where the soil may be taken from. He added that information on how the capping will be done has been sent to various regulatory agencies, and that it will be conducted such that the site will be protected and will allow it to be uncovered should that be needed at a future time. An outside archeologist has also been retained to outline the process to get the site registered.

Director Siden asked that Ms. Kehl's concerns be noted on the minutes of this meeting and that the appropriate Board committee respond as necessary.

#### E. ADJOURNMENT

The Board meeting was adjourned at 4:40 p.m. by Board President Radke in honor of former District Board member William Jardin passed away on September 14, 2009.

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Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2009 - 10 - 258 to 2009 - 10 - 271  
Board Committee Reports