



TO: PARK ADVISORY COMMITTEE
FROM: RICH GUARIENTI, CHAIR
SUBJECT: PARK ADVISORY COMMITTEE

Date: March 23, 2009
Location: East Bay Regional Park District
2950 Peralta Oaks Court, Oakland

6:45 p.m. Social (Refreshments & Relaxation – all members and guests)

7:00 p.m. REGULAR MEETING

1. Approval of Minutes – January 26 & February 23, 2009
2. Introductions
3. Board Member Comments: Director Wieskamp
4. Public Comments
5. Presentations:
 - (I) a. Sustainability Policy & Recycling Update – John Escobar, AGM Operations & Anne Scheer, Chief Maintenance & Skilled Trades
 - (R) b. Special Use Agreement – Crockett Hills – Mimi Waluch, Revenue & Administration Manager
 - (R) c. Special Use Agreement – Quarry Lakes – Mimi Waluch, Revenue & Administration Manager
6. PAC Member Comments
7. Report from the Chair – Rich Guarienti
8. Board Committee Reports
9. Status of Recommendations
10. Old Business
11. New Business
12. Adjournment to April 27, 2009

(A) Action

(I) Information

(R) Recommendation

ATTACHMENTS

1. Memo Sustainability
2. Memo Special Use Crockett Hills
3. Memo Special Use Quarry Lakes
4. Work Plan 2009
5. Status of Recommendations
6. Articles & Correspondence

Unapproved Meeting Minutes
PARK ADVISORY COMMITTEE
1-26-09

ATTENDING: Coomber, Guarienti, Harryman, Hooper, Hudson, Kaplan, Kirby, Mercurio, Shimansky, Vann, Walters, Bank, Cant, Southworth
NOT ATTENDING: Cant, Coffey
STAFF ATTENDING: Barial, Johnson, Cameron, Rockwell, Escobar, Pfuehler
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 Pfoehler 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 KOED. Johnson said we would work with KOED 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

Unapproved Meeting Minutes
PARK ADVISORY COMMITTEE
2-23-09

ATTENDING: Bank, Cant, Coffey, Coomber, Guarienti, Harryman, Hooper, Hudson, Kaplan, Kirby, Mercurio, Shimansky, Vann, Walters, Williams,
NOT ATTENDING: Peters, Kirby, Shalaby, Southworth
STAFF ATTENDING: Baglietto, Barial, Collins, Cameron, Kenny, O'Brien, Pfoehler, Rasmussen
GUESTS: Beverly Lane
PUBLIC: Dallas Harryman

The meeting began at 7:03 PM.

Approval of Minutes: None.

Legislative Administrative Manager, Erich Pfoehler explained the minutes for the January meeting were not completely edited due to the schedules of staff. The full minutes will be approved at the next meeting. Chair Rich Guarienti added while all of the minutes were not edited yet, staff was able to edit the transcription of the PACs Segway special use permit discussion. The transcription was given to AGM John Escobar and are in the PAC packet. Guarienti also noted he would be at the March 10th Board meeting to convey the PACs discussion.

2. **Introductions:** Chair Guarienti asked PAC Members and District staff to introduce themselves as well as members of the public.

3. **Public Comments:** None.

4. **Board Member Comments:**

Director Beverly Lane began by mentioning the state budget debate was tracked by the Board and District staff. While the District was not directly impacted by the budget, there is concern that property tax revenue will be down. Director Lane is chair of the Board Finance Committee and expects this to be a challenging year. There will be a Board workshop this Friday at Kennedy Grove. The Board will be discussing their goals for 2009, it is open to the public and Members of the PAC are welcome to join.

Chair Guarienti added that seating is limited so if PAC Members are planning to attend it would be helpful to let staff know.

a. **State of the District – General Manager Pat O'Brien & AGM, Rosemary Cameron, Public Affairs**

General Manager Pat O'Brien began with Robert Sibley's quote, "These valuable pieces of land ought to be preserved forever." The big home run of 2008 was the passage of Measure WW. The \$500 million capitol bond measure is the largest local park bond in the history of the U.S. It passed with 72% which basically is the same margin as the vote to create the District in 1934. As part of the planning for Measure WW, the District had to update the master plan map to conform with the priorities highlighted in the measure. The District conducted several surveys to help inform the decision about moving forward with the ballot measure. The final survey was extremely close to the actual vote, despite the downturn in the economy.

PAC Member Vann asked about the pie chart. GM O'Brien commented the chart demonstrated the results of the survey and added it was important for voters to know what projects were included in the measure. One good example was the support the residents of Concord gave to converting the Concord Naval Weapons Station into a world class park. Director Lane has been a champion on this issue and helped spread the word to the community.

Openings and Dedications: O'Brien discussed the opening and dedication of Alameda Point, Ardenwood Tank House the Tom Bates Sports Complex. Castle Rock was also improved and dedicated as a regional park.

Acreage: The District is getting very close to 100,000 acres. AGM for Land Acquisition Bob Doyle predicts the District will hit that number this year. An important acquisition for the District last year was the Breuner property.

Park Improvements: Last year, the District made improvements to Black Diamond Mines, the Tilden Carousel and group camp at Redwood. The District also complete a number of pavement projects and implemented the Quagga/Zebra mussel inspection program.

Emergency Response: The District was impacted by the San Francisco Bay – Cosco Bousan oil spill. The District took the lead and housed incident command headquarters in the Board Conference room. District staff was based on Treasure Island to coordinate response efforts with Fish and Game and the Coast Guard.

Fiscal Health and Grant Funding: The District did well in 2008, but Director Lane has already mentioned the challenges being forecasted for that latter part of 2009 and 2010. Patti Henry did a great job in finalizing the District's Governmental Accounting Standards Board (GASB) statements. The District also restructured Measure AA bonds to reduce the cost to the taxpayers.

Grants Department. The District benefitted from \$17 million in grant funding. \$8.5 million was from Prop 12 and Prop. 40 which were approved when Gray Davis was still Governor.

Recycling. The District continues its green initiatives. Last year, 130 recycling bins were installed on District properties, the administration building was retrofitted with energy efficient lighting, a food waste reduction program was implemented and staff is being educated on green initiatives.

Disabled Access. We have allocated \$500,000 a year for the District's ADA program. We partnered with the Oakland Rotary to install an ADA accessible swing set at Roberts Regional Recreation Area.

Regional Parks Foundation: The Foundation continues to raise funding for programs the District does not have the capacity to implement. Last year, the Foundation raised \$1.2 million. The Foundation provided over \$200,000 which enabled over 1,000 children lower income to attend Camp Arroyo.

Community Outreach: The District conducted programs for over 145,000 children and families last year. Day camp attendance was up 25%, participation in the Trails Challenge was up to 6,100. The Girls Outside Youth Leadership Program expanded. A Community Outreach Program Coordinator was hired, Elizabeth Hales.

Planning and Resource Enhancement: Last year, the District worked on the Vargas Plateau Land Use Plan (LUP), the Pleasanton Ridge Interim Land Use Plan and the Jersey Island feasibility study. Jersey Island is owned by the Ironhouse Sanitation District. There is a bridge and ferry service to the island. There is a 16 mile trail around the island. There is also a very large meadow area with trees which has been identified for family picnicking and camping, a possible pier for fishing and small watercraft launching. This could become a major park for East Contra Costa County.

Enhancement Projects: Work on the East County Habitat Conservation Plan continues, as well as the Berkeley Meadow Phase III Restoration at Eastshore State Park and the Eden Landing wetlands restoration.

Public Safety: The fire department assisted Cal Fire and OES with over 30 fires. Aquatics has increased swim lessons by over 20% and Castle Rock has a public pool. Tactical equipment was also updated.

Freeway Signage: The District installed 43 signs in both counties in '08 and more will be coming on in '09. Public Affairs is taking the lead. The signs help people identify parks in their area.

Staff Promotions and Transitions: A number of changes were mentioned. Unfortunately, two District staffers passed away last year – Steve Crudo and Roger Epperson.

Awards: The District continues to get awards including one for financial reporting. PAC Member Bob Coomber received a community leadership award, PAC Chair Rich Guarienti received Citizen of the Year Award in Dublin. The District earned a National Recognition award for advertising, an award for our Crises Communication Response for our public information efforts in response to the oil spill, and an award for best educational exhibit at the Alameda County Fair.

2009: It is the 75th Anniversary and the 40th Anniversary for the Foundation. We will have a signature event on September 26 at Lake Temescal – one of the District's original parks. The local grant program for Measure WW is starting. The District has already signed several agreements.

Possible New Park Dedications: While work on the Big Break Discovery experience was frozen during the state budget stalemate, we anticipate grant funding to resume now that a budget deal is in place. Other new projects include: Tidewater, Berkeley Meadows Phase III, Tassajara Creek and Dublin Hills.

Planning for Budget Challenges: Property tax revenue in Contra Costa County is expected to decrease by 8% and by about 5% in Alameda County. The District is also in labor negotiations and trying to be cautious about over-committing. We will know more in November/December when the second collection of taxes occurs.

PAC Member Williams asked what the 8% property tax drop represented in real dollars and does the District project a change in operations. General Manager O'Brien answered no change is currently expected, but we would know more later in the year. He anticipates a revenue drop of between \$5 million and \$12 million. The District also anticipates an increase in contributions to CalPERS because investments are down and medical benefits are up.

PAC Member Williams asked if bio-solids have been disposed of at Jersey Island and, if so, is that compatible with public park use. GM O'Brien clarified the island is large and the park is being planned at the opposite end of the island from the bio-solids.

PAC Member Hooper wondered if the District intends to implement a permanent emergency response protocol as a result of its experience with the oil spill. O'Brien mentioned the District has an incident command structure which coordinates with other agencies. The oil spill actually prompted an outpouring of volunteers who wanted to help save birds which required the District to work with the public as well. Hooper hoped these lessons learned were relayed to the Coast Guard and Fish and Game. Jack Kenny confirmed they were.

PAC Member Vann asked if the District had a land ownership goal for the two counties. AGM Doyle responded there are about one million total acres in the East Bay, which means the District manages about 10%. The vast majority of the East Bay is still privately held property for ranching, active agriculture and grazing. The District plans parks based on natural boundaries with the goal of trying to preserve connectivity for wildlife and making trail connections. PAC Member Vann asked again about long term acreage goals. Doyle said there never has been a cumulative acreage goal. The District's master plan only discusses types of parks – recreation vs. preserve vs. interpretive vs. parklands.

PAC Member Hudson asked if the District's pavement management plan could qualify for federal economic stimulus money. O'Brien said maybe, but no application guidelines have been established yet. Hudson believes Contra Costa County should receive anywhere from \$21 to \$21.5 million, but that securing CEQA permits will take at least 90 days. O'Brien said District staff would continue to work with our legislative delegation to try to apply for stimulus funds.

PAC Member Walters mentioned PG&E was providing funds for reforestation projects which could benefit the District. Cameron responded the District would look into it.

Guarienti wondered if dedicating new parks, which will require maintenance by District staff, would put additional pressure on the budget. O'Brien confirmed some projects may need to be delayed.

Chair Guarienti thanked General Manager O'Brien and added the presentation was very informative.

b. Regional Parks Foundation 40th Anniversary Goals/Membership – AGM, Rosemary Cameron, Public Affairs and Nancy Baglietto, Development Officer, Public Affairs

AGM for Public Affairs, Rosemary Cameron, discussed 2008 highlights for the Foundation. Former General Manager Dick Trudeau began the Regional Park Foundation in 1969. It was the first non-profit established solely for the benefit of a park agency. In 2008, the Foundation exceeded fundraising goals by 11% or \$1.3 million. While investments suffered some last year, the Foundation's portfolio is spread out over six investment managers and funds will remain there for the long term. The Foundation donated over \$1.5 million to the District last year and made the lead donation to the Measure WWV campaign account.

The Foundation supports camperships (scholarships) for lower income children to attend day camp programs at Camp Arroyo. The Foundation also works with corporations to support environmental restoration efforts. The Board of the Foundation set up an endowment, many people make donations in the name of their favorite park and occasionally the Foundation contributes funds for specific capital projects. An example is the \$700,000 gift for restoration of the Tilden Carousel.

Foundation Development Officer, Nancy Baglietto, mentioned that while most nonprofits experienced a decline in fundraising the Foundation took in \$178,110 and saw an increase in giving in April and May for the campership program. The Foundation Board did approve spending between \$70,000 and \$90,000 of unrestricted funds to ensure the campership program was fully funded. The Foundation raised membership rates in 2005 when membership was around 10,000. Initially, membership dropped off, but is now back up to approximately 8,000.

The Foundation raised about \$27,000 above their 2008 goal. The Foundation brings Doc Quack and companies like Chevron, Nummi and Fremont Bank together for environmental restoration work. The JM Long Foundation donated \$100,000 for the construction of a playground at Miller Knox.

The Annual Fund is unrestricted and receives funding from events, vehicle donations, year end direct mail appeals and Foundation Board Members. Foundation Board Members Tom and Maria Williams actually started the Annual Fund with a gift of \$25,000. The Regional Park Foundation's Board donated \$130,000 to the Measure WW campaign. The Foundation hosted a donor recognition event at the Dunsmuir House which was underwritten by Kaiser and PG&E. The Foundation sponsors two estate planning workshops each year.

Two Board Members, Jim Summers and Carolyn Henel, were termed off the Foundation Board after eight years of service. Baglietto identified the Foundation's 2009 Board Leaders and their various positions.

The Foundation has over 70,000 people in their database and is gearing up for an endowment campaign. They have raised the resources, largely through Kaiser Permanente, to fund 7,500 participants in the Trails Challenge in honor of the 75th Anniversary.

AGM Cameron made an appeal for support of the 75th Anniversary event on September 26 at Lake Temescal. A number of corporations are underwriting the event by purchasing tables. If any PAC Members have corporate contacts that may be interested in purchasing a table, Cameron would like them to contact her. For example, Bob Coomber is working with Wells Fargo on supporting the event.

PAC Member Vann asked if the Foundation had an advertising campaign. Baglietto mentioned the Foundation is featured on the website and in Regional in Nature, as well as advertising in local newspapers three times a year. AGM Cameron emphasized the Foundation seeks pro bono advertising in an effort to keep operating costs down.

PAC Member Kaplan mentioned he was approached by a woman who was upset she could only sign up for the Trails Challenge via computer. Baglietto responded front desk staff is willing to help if people call in instead of using a computer.

PAC Member Mercurio wondered if proceeds from the endowment would be targeted to a certain aspect of operations. Baglietto responded for camperships and environmental restoration.

Chair Guarienti thanked Cameron and Baglietto and asked that the remaining 75th Anniversary pins be sent to PAC members who were not in attendance.

c. Measure WW Implementation - AGM Management Services, Dave Collins and Grants Manager, Jeff Rasmussen

AGM Dave Collins stated the District intends to issue Measure WW bonds this year, market permitting, to fund the local grant program. The program will issue about \$50 million in bonds this year.

PAC Member Shimansky asked if local agencies could get reimbursed by the District if they began a project right away. AGM Collins responded yes and local agencies can also request progress payments. AGM Collins added the caveat that there needs to be a market to sell the bonds in order for the District to reimburse right away. Shimansky also wanted to know about the process. AGM Collins stated the District will enter into a master agreement with each municipality. The municipality can use the funding for one project or ten, it's their choice. The District is trying to settle all of these master agreements by the end of March.

Grants Manager, Jeff Rasmussen began by explaining out of the overall \$500 million Measure WW initiative, 25% or \$125 million is directly granted to local agencies. There are approximately 46 such agencies throughout Alameda and Contra Costa Counties. The money is available for 10 years through 2018. It can be used for two major categories – acquisitions and development. It cannot be used for libraries, street and highway beautification, master plans or maintenance equipment.

PAC member Vann asked about long term maintenance, particularly for cities like Oakland which cannot maintain their parks. Rasmussen clarified the funding could be used for projects which upgrade existing parks, such as installing a new sprinkler system. The most important thing for a local agency to do would be to clarify with the District ahead of time that the project is indeed reimbursable with Measure WW funds.

Rasmussen discussed unincorporated areas of the counties. The district is working with each county to develop a list of potential projects. Director Lane asked if cities could work with the County to request funds for projects adjacent to their city limits. Rasmussen said that is encouraged, particularly in Contra Costa County. Mercurio wondered if the District had a list of projects from the Counties already. Rasmussen clarified that the District did not. He also clarified the counties need to ensure equitable geographic distribution of funds.

Overall, Contra Costa County will receive about \$3 million and Alameda County about \$500,000 for projects in unincorporated areas. Mercurio suggested that perhaps Contra Costa County would be willing to partner with the District to complete a beneficial project for an unincorporated area. Rasmussen clarified this would be a possibility. Mercurio added the District is good at managing projects which is recognized by the County.

PAC Member Walters asked about the administrative costs involved in the District administering the grants. Rasmussen said there is about a 5% cost in administering them.

PAC Member Hooper asked about two areas where local agencies have a dispute about jurisdiction. Collins clarified the two areas are Green Valley in Danville and Ambrose in Contra Costa County. District staff has made the Board's Legislative Committee aware of the conflicts and has asked those agencies to work together to resolve their disputes. Hooper stated he believed Green Valley provides services, particularly the pool, which are not offered by the Town of Danville. Shimansky stated the Town was providing similar services and that Green Valley is more like a homeowners association whose services are not open to everyone. Guarienti stated these discussions should continue at the local level and the PAC is not being asked to make a recommendation at this time. Collins clarified that both Ambrose and Green Valley were included in Measure AA in 1988. Collins continued by clarifying Livermore and Murray Township were annexed to the district after 2008 and not in Measure AA, nor were they included in the Measure WW extension.

Guarienti asked if cities could submit existing projects which are underfunded. Collins said yes. Shimansky wondered if a senior center would qualify. Rasmussen said yes as long as it's open to the public and not just for an exclusive membership.

PAC Member Bank asked if applications will be submitted annually. Collins clarified they could be for the next ten years, but once a local agencies spends their allocation there is no point in applying.

d. Parklands Dedications – AGM Bob Doyle, Land Division

AGM Bob Doyle, Land Division clarified by law the District must dedicate certain parcels as "parkland," which can not be resold for profit. The purpose is to prevent the District from speculating on real estate and to provide public oversight of our land acquisition purchases. The term "dedication" in this context is a technical, legal designation. Doyle proceeded to go through a list of individual dedications:

1. Seeno – Developer Alfred Seeno donated 60 acres of property to the District with the stipulation it remain parkland in perpetuity. Shimansky asked if it was undevelopable. Doyle said it was habitat mitigation for another development. Hooper wondered if a trail extension would go through the property. Doyle said yes.
2. Briones – This is a small piece of property with a home on it. It is another in the series of acquisitions by the District over the last 20 years to protect the watershed.
3. Briones to Mt. Diablo Trail – This piece of Iconetti property was previously acquired, but now needs to be dedicated. Mercurio asked if this will be part of the Regional Trail. Doyle responded yes.
4. Acalanes School District Easement – The Briones to Mt. Diablo Trail runs along the front of the school and should be dedicated.
5. Chabot – Two East Bay MUD in-holdings for water tank sites which were acquired by the District last year will be folded into the existing park. Shimansky wondered if either tank existed and if the District was responsible for disposing of them. Doyle said one was never build and the other was taken down by EBMUD for seismic reasons.
6. Claremont Canyon – This area was subdivided for development in the 1920's. The District has purchased 342 individual lots in the last 25 years and thought they were all dedicated. There are three more small parcels that still need to be dedicated.
7. Dry Creek Pioneer – This parcel was donated to the District by the East Bay Community Foundation. The Meyers Garden parking lot is on this property and should be dedicated. Guarienti commented this was a nice staging area.
8. Las Trampas – This parcel was owned by 11 interests in China. Originally, it was purchased for development, but the owners approached the District about two years ago. Despite the fact the area is not open to the public, District staff is recommending dedication because we have grant funding to purchase the property. The grants require the property to be permanently protected parklands. Director Lane commented this was a wonderful piece of property. Doyle added the Town of Danville acquired a nearby piece and will be dedicated as part of the Elworthy project.
9. Las Trampas – The District acquired the Gleason/Gerber and Jegers properties about two or three yeas ago with about \$3 million in grants. Vann asked if the all of the property was purchased. Doyle confirmed.

10. Martin Luther King, Jr. Shoreline – The four parcels make up the new Tidewater staging area. There is a new restroom, parking lot and landscaping. The aquatic center will be built north of the property. Vann asked about the Lowlor and Swinford parcels. Doyle clarified these were part of the Bay Trail.

Shimansky asked how much of the 1,000 total acres being dedicated was actually purchased. Doyle said about 80%. Guarienti pointed out that two of the parcels comprised much of the acreage.

Doyle asked the PAC to recommend to dedicate these 1,000 acres to the Board. PAC Member Hooper made the motion and Harryman seconded it. The motion was unanimously approved with no abstentions.

6. **PAC Member Comments:**

Chair Guarienti pointed out while PAC member Shalaby couldn't attend this meeting, he shared with the chair he spoke about Measure WW and the 75th Anniversary before a February 9th luncheon at the Sons of Retirement Community.

PAC Member Coomber reported the Community Outreach Subcommittee had a meeting earlier in the evening and is looking for more members of the PAC to join it. Williams expressed some interest.

PAC Member Guarienti discussed the Trails Challenge and how to register for it. He also mentioned there would be a Board workshop on Friday.

7. **Report from the Chair:**

Guarienti added the District staff, other than Legislative Administrative Manager Erich Pfoehler, who attended the Community Outreach Subcommittee meeting were Rick Parmer, Chief Interpretive and Recreation Services; Elizabeth Hales, Community Outreach Coordinator; Rosemary Cameron, AGM Public Affairs; and Nancy Baglietto, Development Officer, Regional Parks Foundation.

8. **Board Committee Reports:**

PAC Member Kaplan reported on the Operations Committee meeting. The main item of discussion was finding a group to manage the stables at Las Trampas. The current group is behind in their financial agreement with the District. PAC Member Bank mentioned there is a short timeline for groups to respond to the District's Request for Proposal (RFP) at Las Trampas. Kaplan added the change has to do with finances and not services. Everyone agrees the service is excellent. There was also discussion about whether the eucalyptus trees at Point Pinole were historic. Chair Guarienti commented there is a master plan for Point Pinole which makes it clear that some eucalyptus need to be cleared to reduce the fire hazard.

PAC Member Cant attended the Natural and Cultural Resources Committee. There was discussion about establishing a central location for cultural artifacts. Parmer mentioned a central repository which is climate controlled is needed. During the construction of the Brushy Peak Loop Trail, some mortars needed to be capped. There was a suggestion made the District should have an archaeologist on retainer. Director Lane added she believes the District is in need of having a full time staff person who is knowledgeable about cultural resources. Hooper added a display area is a good idea. Guarienti interjected this item is not on the agenda and we should limit the discussion.

PAC Member Hooper commented his report from the Finance Committee is in the PAC members' packets.

9. **Status of Recommendations:**

Chair Guarienti stated we will begin the 2009 list with the PAC's recommendations on the Segway issue and the parkland dedication.

10. **Old Business:**

Chair Guarienti highlighted that in the PAC's workplan they will be discussing the Tilden and Briones trails changes next month. He commented that anyone who is interested in hiking the trails to see for themselves should ask staff for guidance about where on the trails the changes may occur. Kenny added that the Planning Department might have a map. Hooper asked if the trail information could be e-mailed to the PAC. Kenny said he would look into it.

11. **New Business:**

None.

12. **Adjournment:** The meeting was adjourned at 9:45 p.m. The next meeting will be Monday, March 23, 2009.

Summary of Actions :

1. Guarienti asked Nancy Baglietto to leave 75th Anniversary pins for those PAC Members not in attendance.

2. Doyle asked the PAC to recommend to dedicate these 1,000 acres to the Board these 1,000. PAC Member Hooper made the motion and Harryman seconded it. The motion was unanimously approved with no abstentions.
3. Guarienti asked in preparation for the 3/23/09 meeting that the PAC be provided with the actual list of the trails change check list for Tilden and Briones.

Respectfully submitted,
Yolande Barial, PAC Secretary

SUSTAINABILITY POLICY

STATEMENT OF POLICY

In keeping with the goals set out by its 1997 Master Plan to “maintain a careful balance between the need to protect and conserve resources and the recreational use of parkland” the East Bay Regional Park District recognizes the need for a comprehensive sustainability policy in order to integrate environmentally sound practices, waste stream reduction, and new technologies into the operations, stewardship and development of our parks and facilities. To that end, it is the policy of East Bay Regional Park District (District) to:

- Voluntarily comply with the California Waste Management Act of 1989, Assembly Bill 939 requiring each local jurisdiction in the state to divert 50% of discarded materials from landfill by December 31, 2000 and thereafter maintain or exceed that diversion rate.
- Voluntarily comply with the Waste Reduction and Recycling Act of 1990 (Measure D), whereby the County of Alameda has adopted a policy goal to reduce the total tonnage of landfill materials generated in Alameda County by 75% by the year 2010.
- Apply the State of California and Alameda County principles of waste reduction, reuse and recycling District-wide in the absence of other mandates.
- Conserve energy and natural resources.
- Reduce or eliminate toxic materials in the park environment, support strong recycling markets, and be cost effective

IMPLEMENTATION

- The General Manager shall be delegated the responsibility to implement this policy and coordinate with other District personnel as appropriate.
- The General Manager shall work to identify and provide funding to support this policy.
- The General Manager shall direct staff to develop and maintain written guidelines necessary to implement this policy.
- The General Manager shall provide annual program updates to the Executive Committee.

EFFECTIVE DATES

- This policy shall take effect on April 22, 2009.

3/10/09



TO: Park Advisory Committee Update

FROM: John Escobar, AGM Operations
Anne Scheer, Chief Maintenance & Skilled Trades

DATE: March 23, 2009

RE: EBRPD Sustainability Practices

Under direction from the General Manager, the AGM group discussed and agreed to proceed with a Greening Committee that would continue the efforts of recycling in the District and move towards adoption of a District-wide Sustainability Policy. The team was made up of representatives from Management, facilities supervisors and field staff and was led by Anne Scheer, Chief of Maintenance and Skilled Trades. Several staff volunteered to be a member of the initial team:

Diane Althoff, Chief of Design
Dennis Waespi, Sanitation and Recycling Supervisor
Anne Rockwell, Trails Unit Manager
Mark Ragatz, Shoreline Unit Manager
Steve Myli, Facilities Manager
Pam Burnor, Budget Manager
Stephen Gehrett, Maintenance Superintendent
Jeff Wilson, Parklands Unit Manager
Michael Charnofsky, Naturalist (Crab Cove)
Jack Kenny, Chief of Park Operations

The first meeting of the team was April, 2008. Over the past year, they worked on a Sustainability Policy that is currently being reviewed for adoption by the Board for use District-wide. The draft policy (attached) will be formally presented to the Board Executive Committee March 26, 2009, with the ultimate goal of it being effective on Earth Day (April 22, 2009).

The goal was to formulate a policy that would guide the District in the following:

- Identify and recommend pilot programs meeting general sustainability principles
- Identify methods for recovery of construction and demolition waste generated by District staff and contractors, food waste and other organics for composting and other materials currently not recycled
- Develop a methodology for monitoring and reporting the quantities and costs of District solid waste, and recycling and waste reduction activities in order to establish baseline data for measuring waste reduction efforts
- Establish and/or improve appropriate recycling opportunities and methods to be used by the general public in the parks



- Establish an Environmentally Preferred Purchasing Program that would identify products that minimize environmental impacts, the use of toxic materials, pollution, and hazards to worker and community safety to the greatest extent practicable
- Divert 90% to 100% of all portland cement concrete and asphalt concrete and an average of at least fifty (50) percent of all remaining debris from construction, demolition, and renovation projects
- Incorporate information about sustainability and waste reduction/recycling in the District's public education and outreach programs in order to encourage the public to actively participate in the programs available
- Improve practices and procedures for reducing waste generated at District offices and outdoor facilities
- Develop in-house training and expertise in green building techniques and identify and recommend standards for construction and remodeling projects.
- Identify projects and procedures for introducing Bay Friendly Landscaping methods in the design and operation of District lands
- Reduce dependence on fossil fuels in the transportation of District staff and equipment
- Promote work practices that conserve energy and support the natural resource protection goals of the District.

The policy is intended to be flexible enough to take into consideration the wide variety of types and large number of facilities operated by the District, the various services available from other agencies, haulers and recyclers servicing the two-county area, and the variety of work assignments encompassed in the District's daily operations.

The team will be providing quarterly updates to one of the Board committees, as approved by the General Manager.

Other efforts towards greening the District over the past year have included:

- Placement of 211 can & bottle recycling containers in 39 parks.
- Development of the two corporation yards (Tilden and South County) as "mini recycle centers", collecting and recycling metal, cardboard & paper, and storing reusable building materials.
- Food composting operations at the Trudeau Center and several work sites.
- Certifying the Tilden and South County Equipment shops as Green Businesses, and working on similar certifications for several Visitors' Centers.
- Working with representative of PGE and the associated "SmartLights" program to audit lighting/energy usage at park offices with the goal to retrofit inefficient lighting systems.
- Researching the use of recycled paint provided by the Alameda County Household Hazardous Waste paint give away program.
- Approval of an Environmentally Preferred Purchasing Program by the Board April 1, 2008.



- Installation of waterless urinals in several locations throughout the District in order to save water and convey a waste reduction/water conservation message to park visitors.
- Annual attendance by several District employees to the United States Green Building Council Conference and the Green Technology Summit and Exposition.
- Reduction in number of wood-burning stoves in District residences and shops.
- Downsizing District equipment to help comply with EPA/CARB rules and switching to hybrid vehicles when possible.



TO: Rich Guarienti, Chair
Park Advisory Committee

FROM: Mimi Waluch, Revenue & Administration Manager
Operations Division

DATE: March 23, 2009

SUBJECT: Crockett Hills Hang Gliders Special Use Agreement

District staff met with representatives from the Berkeley Hang Gliding and Paragliding Club who are looking for a new site to accommodate beginner hang gliding training classes between the months of September and October. Crockett Hills was proposed due to the combination of strong winds and steep grassy hills to launch from and level fields for landing sites. The Black Valley area is especially attractive for this activity and is consistent with conditions in the Carquinez Strait Regional Shoreline Land Use Plan Amendment.

The Berkeley Hang Gliding and Paragliding Club is a non-profit group comprised of pilots ranging in experience from true beginners to advanced pilots. Formed in the 1970s, this club is one of only a select few in the United States that operates as a cooperative, where students are taught by instructors within the club and in turn share that knowledge with new students.

Each fall, the club organizes lesson sets for new pilots. Lessons include both ground school, where the basic concepts of hang gliding are taught on the ground, and three weekends of actual flight training. The beginner's first flight is not from a cliff but rather training on level ground and gradually proceeding uphill as one gains necessary skills and experience. The emphasis of early flights is on perfecting launches and landing.

Staff recommends entering into a Special Use Agreement with the Berkeley Hang Gliding and Paragliding Club to accommodate beginner hang gliding training classes at Crockett Hills, led by certified instructors between the months of September and October. The term of this Special Use Agreement would be two years with a two year option, allowing for site improvements as well as trial program planning. Conditions of the agreement include pre-scheduled use dates, standard District insurance, \$50.00 per date use fee, and access restrictions relating to the raptor breeding season. District and club members will coordinate various site improvement volunteer projects directed by Park Supervisor Bill Nichols. The agreement is not to be exclusionary (e.g., another group could make a similar request for use of the site) and group camping reservations would have priority over hang gliding reservations.

This item received a unanimous vote to proceed at the November 20, 2008 Board Operations Committee meeting.

Board of Directors

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TO: Rich Guarienti, Chair
Park Advisory Committee

FROM: Mimi Waluch, Revenue & Administration Manager
Operations Division

DATE: March 23, 2009

SUBJECT: Quarry Lakes Master Gardener Special Use Agreement

District staff met with representatives from the Alameda County Master Gardeners Program who are looking for a new site to accommodate an earth friendly demonstration garden. Quarry Lakes was proposed due to the site's ability to promote the growth and display of native and Mediterranean plants that can be used in home gardens in an informal and easily maintained area. The appearance of the demonstration garden is intended to blend in with the surrounding area and the views of the hills and lake. The proposed site is especially attractive for this activity and is consistent with conditions in the Quarry Lakes Regional Recreation Area Land Use Plan.

The Alameda County Master Gardeners is part of the University of California Statewide Master Gardener Program dedicated to facilitating excellence in California's Master Gardener Programs by increasing the professionalism of California's Master Gardener Coordinators and volunteers. In exchange for the training and materials received from UC, master gardeners perform volunteer services in a myriad of venues.

The Master Gardener Program is an example of an effective partnership between the University, US Department of Agriculture, County and Local Governments, and motivated citizens. The Master Gardener Program is administered locally by participating University of California Cooperative Extension county offices.

Staff recommends entering into a Special Use Agreement with the University of California Cooperative Extension to accommodate an Alameda County Master Gardeners demonstration garden at Quarry Lakes Regional Recreation Area. The term of this Special Use Agreement would be five years with a five year option, allowing for site design, construction and improvements as well as trial program planning. Conditions of the agreement would include preapproval of site design to meet District standards for design, planning, and construction for demonstration garden and surrounding area, approximately 75' by 150'. An annual fee of \$1.00 is recommended as no revenue will be generated for the use and development of this site.

This item received a unanimous vote to proceed at the January 15, 2009 Board Operations Committee meeting.

Board of Directors

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Memorandum

Date: February 25, 2009

To: EBRPD Park Advisory Committee

From: Bick Hooper

Subject: Board Finance Committee meeting, February 25, 2009

The Board Finance Committee met on February 25, 2009. The agenda consisted of 5 items.

1. Report of Investment Activity – 4th Quarter, 2008 (David Sumner, Audit Manager): The grand total of all District investments as of December 31, 2008 was \$194,208,546. This includes property taxes collected late in the quarter and held in short-term investments for operating costs for the first half of 2009. This total was higher than a year ago by over \$14M, due in part to the conservative budgeting by the District, and is available to smooth out budget corrections and adjustments needed in light of the present financial crisis. In summary:

	October 2008	November 2008	December 2008
POOLED INVESTMENTS			
Consolidated Holdings	\$ 96,305,676	\$ 92,285,890	\$126,025,523
Sweep Account	7,683,838	8,222,928	15,991,663
Checking Accounts	2,796,353	501,648	1,545,605
Sub-Total Pooled Invest.	\$106,785,867	\$101,010,466	\$143,562,791
Bond Proceeds			
Measure AA Debt Service Funds	\$ 3,093,196	\$ 3,476,214	\$ 19,909,145
Measure AA Project Funds	29,931,352	30,003,132	29,676,111
2002 Limited Obligation Reserve Fund	1,060,500	1,060,500	1,060,500
Sub-Total Bond Proceeds	\$ 34,085,048	\$ 34,539,845	\$ 50,645,755
GRAND TOTAL	\$140,870,915	\$135,550,312	\$194,208,546

The average yield was 3.27% for the quarter due to long-term holdings in the portfolio. This return is expected to drop as these holdings mature. The portfolio diversification was 31% short-term cash equivalent, 7% U.S. Treasuries, 60% U.S. Instrumentalities, and 2% corporate. The latter is a \$2M bond with General Electric which is considered to be low risk.

The report was forwarded to the Board with a recommendation of acceptance.

2. Review of 2009 Internal Audit Plan (David Sumner, Audit Manager): The audit plan is very similar to past years', consisting of 14 items. The choice of the items is based on a more formal, financial risk assessment than in previous years, but also includes Management Requests. The list contains payroll practices, review of concessions, and review of Measure AA and WW local grant projects, among others. The review of prior year audit findings and

recommendations will be expanded and more formal, and will include both the implementation and to determine if the impact was in line with that anticipated.

The report was forwarded to the Board with a recommendation of acceptance.

3. Tentative 2009 Finance Committee Work Plan (Cinde Rubaloff, CFO/Controller): The plan was similar to last year's, with minor changes to ensure that the Board is kept fully informed of budgetary activities.

The item was for information only and no action was taken.

4. Refunding of CalPERS Retirement Pooled Safety Plan Side Fund (Cinde Rubaloff, CFO/Controller): When the District effected the change of safety employees' pensions to CalPERS, the terms of the contract established that an equalizing payment was required to join the safety pooled plan. This obligation (\$9.1M as of June 30, 2009) carries a 7.75% interest rate this year and the amount varies annually. The external auditor recommended refunding this loan with the intention of reducing the interest rate, re-structuring the debt, and eliminating the actual/expected compensation provision. Staff requested the authority to make such a change when conditions allowed a minimum net savings of 3%.

Forwarded to the Board with a recommendation of authorization to proceed.

5. California State Budget Update (Pat O'Brian and Dave Collins): A summary of the changes in revenues and tax credits/incentives was distributed. There are no direct impacts on the District's budgets, but there will be indirect impacts through reduced property tax revenues, higher fees from local authorities, and other mechanisms. The consequence is estimated to be ~ 5% this year and greater next year.

This item was for information only.

PARK ADVISORY COMMITTEE
2009 Status of Recommendations

The following is a record of items, which have come from the PAC during the year beginning January 1, 2009.

1. The PAC recommended Board adoption of the Draft Geocaching Policy. (January 26, 2009)
STATUS: The Board unanimously voted to adopt the Geocaching Policy. (Resolution #2009-2-044)

2. The PAC did not recommend the Board approval of the Contra Costa Centre's Segway Special Use Permit. (January 26, 2009)
STATUS: Pending Board action.

3. The PAC recommended Board approval of the dedication of Regional Parkland and Trails. (February 23, 2009)
STATUS: The Board unanimously voted to dedicate Regional Parkland and Trails. (Resolution #2009-3-066)

PAC 2009 WORK PLAN Revised 3/10/09

	JAN 26	FEB 23	MAR 23	APR 27	MAY 18	JUN 22	JUL 27	SEP 28	OCT 26	NOV 16	DEC 7
PAC	<p>Update on 75th Anniversary Events (I) – Cameron/Johnson</p> <p>Segway Special Uses and Concessions Policies (R) - Escobar/Rockwell</p> <p>Draft Geocaching Policy (R) - Escobar/Rockwell</p>	<p>State of the District (I) – O'Brien/Cameron</p> <p>Regional Parks Foundation 40th Anniv. Goals and Membership (I) - Cameron/ Baglietto</p> <p>Review Measure WW Implementation (I) – Collins/Rasmussen</p> <p>Bob Doyle (R) - AGM Land Division</p>	<p>Sustainability Policy and Recycling Update (I) – Escobar/Scheer</p> <p>Special Use Agreement Crockett Hills (R) – Waluch</p> <p>Special Use Agreement Quarry Lakes (R) – Waluch</p>	<p>District Camping Plan (I) – Kenny</p> <p>Measure CC Progress Report (I) - Collins</p> <p>Garin LUP (R) – Weise</p> <p>Trails Change Checklist Tilden-Briones (R) – Weise</p> <p>Fuels Management & Vegetation Plan Update (R) – Wiese, Amme</p>	<p>Community Outreach Update (I) – Parmer/Hales</p> <p>Outdoor Environmental Education / Children in Nature / Interpretative Programs (I) – Kaiser</p> <p>CAFR (R) – Collins/Rubaloff</p>	<p>Review of Trails Program (I) – Townsend/Scheer</p> <p>Ordinance 38 Modifications (R) – T. Anderson/King</p> <p>Volunteer Program Update (I) - Kassenbaum</p>	<p>Update on 75th Anniversary Dinner (I) – Cameron/Baglietto</p> <p>East Contra Costa County Parks HCP (I) - Weise</p>	<p>BBQ – East County???</p> <p>Workshop On Master Plan (I) – M. Anderson/Weise</p>	<p>Goals 2010</p> <p>Prop. 84 Park Improvement Bond Act (I) – Collins/Rasmussen</p> <p>Americans with Disabilities Act Plan (I) - Radosevich</p>	<p>2010 Proposed Budget (R) – Collins/Rubaloff</p>	<p>Holiday Dinner</p>
	<p><u>ExComm Subcommittee</u> Work Plan (R) - Pfoehler</p>	<p><u>Community Outreach Subcommittee</u> – Parmer/Hales</p>		<p>Fuels Management Field Trip – Blonski/Swan son</p>	<p><u>Finance Subcommittee</u> CAFR</p>		<p>Shadow Cliffs Field Trip???</p>		<p><u>ExComm Subcommittee</u> Goals 2010</p>	<p><u>Finance Subcommittee</u> 2010 Budget</p>	

Revised: 3/10/09