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**BOARD OPERATIONS COMMITTEE**  
**Thursday, January 15, 2015 – 12:30 p.m.**  
**Peralta Oaks – Board Room**

The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee’s purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

**AGENDA**

<u>Status</u>	<u>Time</u>	<u>Item</u>	<u>Staff</u>
(R)	12:30	1. Review South Bay Soaring Special Use Agreement; Mission Peak Regional Preserve	(Patterson)
(R)	1:00	2. Review Wings of Rogallo Special Use Agreement; Mission Peak Regional Preserve	(Patterson)
(R)	1:15	3. Review Vasco Caves Caretaker Agreement: Vasco Caves Regional Preserve	(Dort)
(D)	1:30	4. 2015 Committee Work Plan Review	(Waluch)
	2:00	5. Public Comments	
	2:10	6. AGM Comments	
	2:30	7. Board Comments	
	2:45	8. Adjourn	

**Status**

- (R) Recommendation
- (I) Information
- (D) Discussion

**Board Operations Committee Members**

John Sutter (Chair); Doug Siden; Diane Burgis;  
 Dennis Waespi (Alternate); Jim O’Connor (Staff Coordinator)

**Future Meetings**

February 19 <sup>th</sup>	July 16 <sup>th</sup>
March 19 <sup>th</sup>	August 20 <sup>th</sup>
April 16 <sup>th</sup>	September 17 <sup>th</sup>
May 21 <sup>st</sup>	October 15 <sup>th</sup>
June 18 <sup>th</sup>	November 19 <sup>th</sup>
	December 17 <sup>th</sup>

**Distribution/Agenda Only**

Board of Directors	Kristina Kelchner	Renee Patterson
Bob Nisbet	Diane Althoff	Noah Dort
Dave Collins	Capt. Mark Ruppenthal	Beverly Ortiz
Carol Johnson	Jeff LeBow	Dave Zuckermann
Carol Victor	Mary Mattingly	Ira Bletz
Chief Tim Anderson		Park Ops Unit Mgrs

**Distribution/Full Packet**

Board Committee	Anne Kassebaum	Jerry Kent
Robert E. Doyle	Kelly Barrington	Glenn Kirby/PAC
Jim O’Connor	Clerk of the Board	Judi Bank/PAC
Mimi Waluch	Tyrone Davis/P. Safety	John Gouveia
Mark Ragatz	Cliff Rocha Local /2428	

Board of Directors

Whitney Dotson President Ward 1	Doug Siden Vice-President Ward 4	Beverly Lane Treasurer Ward 6	Dennis Waespi Secretary Ward 3	John Sutter Ward 2	Ayn Wieskamp Ward 5	Diane Burgis Ward 7	Robert E. Doyle General Manager
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AGENDA  
REGULAR MEETING  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, April 7, 2015

C. BUSINESS BEFORE THE BOARD

6. BOARD COMMITTEE REPORTS

d. Operations (January 15, 2015) (Sutter)

Present

Board: Directors John Sutter (Chair), Diane Burgis, Doug Siden

Staff: Jim O'Connor, Kelly Barrington, Mimi Waluch, Denise Valentine, Mark Ragatz,  
Noah Dort, Matt Graul, Gordon Willey, Paul Miller

Guests: Chris Lyall, Frank Burton, Marie Lomonaco,

**I. Review South Bay Soaring Special Use Agreement; Mission Peak Regional Preserve**

Administrative Analyst Renee Patterson provided a map to the Committee and reviewed the current agreement. The agreement is to exclusively launch model airplane gliders at Mission Peak; you must be a member to fly a glider; does not include parking permits or special access. Staff is requesting and recommending to renew the agreement for another five years with an additional five year term upon mutual agreement of the District and South Bay Soaring (SBS).

AGM O'Connor noted that recently the FAA has issued rules regarding the use of drones. The FAA is treating drones in the same category as a model aircraft. The District's Ordinance 38 prohibits the use of model aircraft except in designated areas.

Director Burgis inquired if drones are allowed to be used by South Bay Soaring at Mission Peak. In reply, the club does not allow drones.

Ms. Patterson stated the club has requested a decrease in their fee from \$500 to \$250 annually, which is supported by the staff recommendation.

Park Supervisor Gordon Willey stated there have been no issues with the group at Mission Peak.

Director Siden commented on the special emphasis of the club serving youth. He inquired as to the response received from youth. Ms. Patterson stated that their main base is at the Curtis School in Santa Clara. The club is provided a space to conduct their youth activities.

Director Burgis moved that the Committee authorize the Special Use Agreement with SBS, which will allow its members the use of a limited area, consisting of approximately three acres total of land, referred to as R/C Hill in Mission Peak Regional Preserve, in order to conduct radio controlled model aviation sailplane flying (RCS). The Agreement will be for five (5) years, commencing January 1, 2015 and terminating December 31, 2019 with one five (5)-year option. The District will receive \$250 per year for the License. There is no cost to the District involved. Director Sutter seconded the motion, which passed unanimously.

## **2. Review Wings of Rogallo Special Use Agreement; Mission Peak Regional Preserve**

Administrative Analyst Renee Patterson presented a staff recommendation to continue the Wings of Rogallo Special Use Agreement at Mission Peak to paraglide and hand glide. Changes from the previous agreement are not being requested or made. The use would remain the same, and the option period would change from three years to five years with one five year option. The fee would remain \$1400 annually, with \$900 transferred into a special project for road maintenance.

Director Sutter sought clarification of the word option. AGM O'Connor responded that option is used to extend contract terms by mutual agreement from both parties. Director Sutter requested to clarify that in the agreement. AGM O'Connor commented that in his previous position in Santa Clara County, he worked with Wings of Rogallo (WOR) and found them to be easy to work with, focused on safety, and the District is pleased to have them manage this extreme sport.

Chris Valley – Pilot with Wings of Rogallo is responsible for issuing access keys, 55 in total, on an annual basis to hang gliding and paragliding pilots that utilize the site.

Director Siden recalled that the organization sets aside \$900 for roadside maintenance and inquired if anyone else other than the club uses the road. Chief of MAST Kelly Barrington responded that the Sanitation Department uses the road occasionally to pump out the restrooms, park staff and residents also utilize the road. The District is the largest user of the road.

Ms. Patterson stated the club has rules and regulations in their policy to avoid harming the road. Mr. Valley noted that they conduct what is known as “the wet road test” which means if you can walk on it and pick up mud on your shoes, you shouldn’t be driving on it.

Director Sutter asked Mr. Valley if there is a waiting list for the 55 keys. Mr. Valley stated that on an annual basis there is a new set of keys, with seven or eight keys that are interchanged annually. New keys are issued on a first come, first served basis to a member in good standing, who is an advanced rated pilot, and meets specific insurance requirements for the vehicles.

Park Supervisor Gordon Willey stated once a year they obtain a list of issued keys and keeps the list in the District vehicles. He commented there have been no concerns in regards to safety.

Director Siden moved that the Committee authorize the Special Use Agreement for Wings of Rogallo for five (5) years, commencing May 4, 2015 and terminating May 3, 2020 with one five (5)-year option. WOR will continue to pay \$500 annually for a License Fee and \$900 annually for road maintenance. The \$900 fee is added to a Road Maintenance OTA project account. There is no cost to the District involved. Director Burgis seconded the motion, which passed unanimously.

### **3. Review Vasco Caves Caretaker Agreement; Vasco Caves Regional Preserve**

Administrative Analyst Noah Dort provided a map and overview of Vasco Caves. Mr. Dort indicated that due to protected species such as red-legged frogs and tiger salamanders, the map is purposely not detailed. Due to the sensitive environmental and cultural aspects of the preserve, a caretaker is required. Windmills are also present on the property and past issues were present when metal theft was frequent. The term of the current caretaker, Neil Nobriga, ended on January 11, 2015, and will remain through March 12, 2015 with a sixty-day extension amendment to the contract. Staff is currently seeking a total of eighteen months to bring the contract through July 2016, which will allow the District to post an open application.

Director Siden inquired as to how many hours the caretaker is required to be on the property. Mr. Dort referred to the contract schedule. Mr. Dort said that the contract states that, except Saturdays and Sundays, the caretaker is permitted to leave the preserve up to 3 weekdays for 8 hours. The caretaker is not permitted to leave on weekend days, unless the Park Supervisor is notified. Park staff, windmill contractors, District Public Safety, and Contra Costa Sheriff's also patrol the premises.

Acting Park Supervisor Chris Lyall stated that staff is on the preserve four to five times a week on regular patrol. There have been no significant recent incidents at the park.

Director Burgis inquired if the caretaker is compensated for their time. Mr. Dort replied yes.

Director Sutter inquired as to what is the normal term for caretakers. Mr. Dort replied the current caretaker contract term is for one initial year with two one-year options, for a total of three years.

Director Siden moved to authorize the contract extension for the Vasco Caves Caretaker agreement to commence March 13, 2015 and end July 11, 2016. Director Burgis seconded the motion, which passed unanimously.

#### 4. 2015 Committee Workplan Review

AGM O'Connor stated that, as part of the succession planning for Operations, it has been encouraged for staff to present informational items at Committee meetings.

Revenue and Administration Manager Mimi Waluch stated that, at the December meeting, the final year end work plan was reviewed. Incomplete items for 2014 were moved to the 2015 work plan. It was requested to submit any suggested changes or additional recommendations for the 2015 work plan. Ms. Waluch provided an overview of the list of 56 items. Items 57-61 were intentionally left blank for suggested items.

Director Sutter inquired if the list is typically this extensive. Ms. Waluch stated there were 45 items when we first started, however, the list is growing. Director Siden inquired if there were scheduled dates for the upcoming Informational Reports. Ms. Waluch stated she has begun to fill those in and balance the concession and informational reports together. Director Siden inquired on what role Operations anticipates the Board having on these items. AGM O'Connor stated some reports will be informational only and some will seek input.

Director Sutter inquired on how to seek Board input on the Camping Program. AGM O'Connor stated he'll address it with staff and bring back to the Committee for a discussion at a later date.

#### **Referring to item 3 of the Committee Workplan – Anthony Chabot Marksmanship Range Concession Agreement**

Frank Burton – stated a former member of the Committee indicated due to authorization on the study of lead and noise at the gun range, it did not necessarily mean the lease of the range would be continued. His concern is the degradation of the quality of life due to extreme noise. Staff indicated they were going to contract out the noise study, and his concern is the adequacy of a complete, wide-range study of the noise.

AGM O'Connor responded to Mr. Burton stating he made note on his comments and appreciated them in reference to engineering and design around gun ranges. They will be incorporated into the study design.

AGM O'Connor advised the Committee that a workgroup was created and had its first meeting this week to address the items with General Manager Robert E. Doyle. The study will include consideration of the trail users, decibel levels, campgrounds and trails systems.

Marie Lomonaco – Oakland resident who lives on the Golden Rod Trail has noticed there is more rapid and consistent fire when police staff are using the range. It is appreciated that staff is concerned and receptive.

Director Siden acknowledged that this is an item that won't necessarily please all the people all of the time.

Peter Volin – shared a hypothetical commentary on the park and gun range, if they both had not existed.

Jorge Rupf – a neighbor of Anthony Chabot, is pleased staff is moving towards the direction of conducting a thorough study. Mr. Rupf stated he's not against guns or gun ranges, but is concerned on how can we preserve the diminishing resources. He expressed his appreciation that the District is including public comments in the design of the noise study.

In response to Mr. Rupf, AGM O'Connor stated the sound study will include the abatement options.

John Maunder – the Range Master for Chabot Gun Club recalled conversation with staff on seeking approval for a rate increase. He stated the club has not had a rate increase since 2006. He asked what would be the best procedure of obtaining an increase for 2015.

Revenue and Administration Manager Mimi Waluch – advised that staff would provide an official response by this Friday on how to request a fee increase outside the regular, annual process.

Director Sutter commented to both sides regarding the gun range issue stating that this Committee can't afford to spend meeting after meeting listening to pros and cons of the gun issue. Ultimately, it has to go before the full Board and without a Committee recommendation from the Committee. Due to the number of people attending the Board meetings and the Committee meetings who make the same comments, it takes a large amount of Committee and staff time and it is an inconvenience to the public if people believe they have to attend the Committee meeting to make their case and then attend the Board again to make the same case. It is Director Sutter's hope that people do not think the purpose of this Committee is to listen to this issue at multiple meetings. He suggested to those in attendance that they could submit written letters or signed petitions.

AGM O'Connor stated the review process is being discussed with General Manager Robert E. Doyle next week and the ultimate decision is with the Board.

## **5. Public Comments**

No public comments were made.

## **6. AGM Comments**

Mission Peak - AGM O'Connor presented to the Committee a PowerPoint review and detailed update of the restoration work being completed.

Director Sutter requested to view the specific locations on the map where the Wings of Rogallo members launch and land their hand gliders and paragliders; and where the South Bay Soaring members fly their model airplanes gliders. Chief of MAST Kelly Barrington provided the overview.

Parks Update – Due to weather, we’re seeing the same type of public safety calls as in the summer season.

Unit Manager Interviews – final interviews are being conducted tomorrow. The positions being replaced are the Delta Unit Manager and the Parkland Unit Manager.

Director Siden inquired to where the staff consideration on the impact in terms of staffing, in reference to 9-month employees. AGM O’Connor replied that one of the strategies adopted over the last few budgets is converting staff to extend some 9-month positions to 12-month positions. Another strategy being worked on is converting some Ranger positions to a Park Craft Specialist. This allows a position with a higher level of skills to conduct minor repairs in parks.

## 7. Board Comments

Director Siden expressed appreciation to staff for the updates and requested field trips for the Committee to Willow Park, Anthony Chabot Gun Range, and to the equestrian centers.

Director Sutter also suggested to hold one of the Committee meetings off-site. AGM O’Connor stated the need to consider that this will be a public meeting and will need to accommodate for space. Revenue and Administration Manager Mimi Waluch stated in past practices, there would be a pre-meeting at Peralta Oaks and then conduct the field tour.

## 8. Adjourn

The meeting adjourned at 2:18 p.m. The next Board Operations Committee meeting is scheduled for 12:30 p.m. on **Thursday, February 19, 2015** in the Board Room, Peralta Oaks.

Respectfully submitted,

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Denise Valentine  
Executive Secretary  
Operations Division

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