

The Board Meeting, which was held on December 16, 2008 at the Administrative Building, 2950 Peralta Oaks Court, Oakland, CA, was called to order at 12:50 p.m. by Board President Ayn Wieskamp.

ROLL CALL

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

Directors Absent: None.

At this time, the Board of Directors met in Closed Session to discuss those items outlined on the Closed Session Board Meeting Agenda.

The Open Session of the Board Meeting was called to order at 2:04 p.m. by Board President Ayn Wieskamp;

Staff Present Included: Pat O'Brien, Dave Collins, Rosemary Cameron, Shelly Lewis, Ted Radosevich, Tim Anderson, Mark Ruppenthal, Carol Victor, John Escobar, Nancy Wenninger, Mark Pearson, Pam Burnor, Dave Sumner, Megan Jones, Rick Parmer, Brian Wiese, Mimi Waluch, Renee Patterson, Jack Kenny, Laura Comstock, Carol Johnson, Bob Doyle.

A. APPROVAL OF AGENDA

By motion of Director Siden, seconded by Director Severin, the Agenda was unanimously approved.

B. PUBLIC COMMENTS

Ms. Jakki Kiehl addressed the Board to ask that it take action to close Brushy Peak due to the destruction to cultural sites along various locations along the trail and the failure by District staff to protect the sacred sites. She also added that there have been CEQA and permitting violations.

District Counsel Ted Radosevich addressed the Board, stating that there no action can be taken at this meeting as it is not an item on the agenda. He added that the District has hired an outside archeologist and, along with District staff, is looking at this issue.

Director Lane stated that she had the opportunity to visit the park with Ms. Kiehl and District staff, but did not go to the actual area described by Ms. Kiehl. She requested that a review of procedures and processes involved in the development of the Brushy Peak Trail be discussed at the February 18, 2009 meeting of the Natural and Cultural Resources Committee.

Police Chief Tim Anderson, Asst. General Manager of Public Safety, introduced Mark Ruppenthal as the incoming Captain for the District.

C. BUSINESS BEFORE THE BOARD

Item C-1-f was pulled for separate vote by Director Siden.

By motion of Director Siden, seconded by Director Radke, item C-1-f was unanimously approved.

Directors present: Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors absent: None.

C-1-f. Approval of Extension of Employment Agreement of the General Manager for
East Bay Regional Park District
Resolution No. 2008-12-305 (attached)

I. CONSENT CALENDAR

By motion of Director Radke, seconded by Director Sutter, the Consent Calendar, as amended, was unanimously approved.

Directors present: Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors absent: None.

C-1-a. Approval of District Check Listing for the Period of November 22, 2008 through
December 5, 2008
Resolution No. 2008-12-306 (attached)

C-1-b Approval of the Minutes for the Board Meetings of October 16 and December 2, 2008

Regarding the December 2, 2008 meeting minutes, Director Sutter asked that a correction to his comment on the City of Oakland/Redwood-WW be made. Director Lane also asked that highlights of the presentation on item C-2-b be added to the minutes.

C-1-c. Authorization to Negotiate with Various Property Owner
Resolution No. 2008-12-307 (attached)

C-1-d. Approval of Resolution Declaring the Results of the November 4, 2008 General
Elections for East Bay Regional Park District Measure WW
Resolution No. 2008-12-308 (attached)

C-1-e. Certification of Election Results and Declaring Three Candidates Elected as Directors of the
East Bay Regional Park District
Resolution No. 2008-12-309 (attached)

C-1-g. Authorization to Enter into a Contract with Communication Advantage to Provide
Communications Consultation Services for 2009
Resolution No. 2008-12-310 (attached)

C-1-h. Authorization to Print and Distribute Regional in Nature Through Various East Bay Newspapers
Resolution No. 2008-12-311 (attached)

- C-I-i. Authorization to Renew the Contract with The Houston Group for Legislative Advocacy Services
Resolution No. 2008-12-312 (attached)
- C-I-j. Authorization to Renew the Contract with Dave Weiman, DBA Agricultural Resources for Legislative Advocacy Services
Resolution No. 2008-12-313 (attached)
- C-I-k. Approval of Contract Renewal of Sole Source Agreement for Helicopter Engine Maintenance With Turbomeca USA, Inc.
Resolution No. 2008-12-314 (attached)

Director Sutter asked that current contract amounts be detailed in future Board material involving contract renewal items, such as C-I-i, C-I-j and C-I-k, so that it will be clearer to the Board how much a contract's price will be increased or decreased.

- C-I-l. Authorization to Renew the Contract for Youth Employment Services with Civicorps Schools
Resolution No. 2008-12-315 (attached)
- C-I-m. Authorization to Purchase One Kubota Tractor
Resolution No. 2008-12-316 (attached)
- C-I-n. Authorization to Amend the Contract with Active Network, Limited for the Expansion of the Point of Sale System
Resolution No. 2008-12-317 (attached)
- C-I-o. Authorization to Purchase Two Vault Restrooms: Point Isabel Regional Shoreline
Resolution No. 2008-12-318 (attached)
- C-I-p. Acceptance of 3rd Quarter Report of Investment Activity for the East Bay Regional Park District for the Period Ending September 30, 2008
Resolution No. 2008-12-319 (attached)
- C-I-q. Acceptance of Quarterly Unaudited Financial Statements for the East Bay Regional Park District for the Period Ending September 30, 2008
Resolution No. 2008-12-320 (attached)
- C-I-r. Approval of the 2008 Year-End Budget Review and Amendments
Resolution No. 2008-12-321 (attached)
- C-I-s. Authorization to Amend the 2008 Budget and Transfer Funds to Capital Project Accounts: Office Services Department
Resolution No. 2008-12-322 (attached)
- C-I-t. Authorization to Apply to the Alameda County Transportation Improvement Authority, Measure B, Bicycle and Pedestrian Countywide Discretionary Fund for Feasibility Study: Iron Horse Regional Trail
Resolution No. 2008-12-323 (attached)

- C-1-u. Authorization to Enter into an Agreement with Livermore Area Recreation and Park District for Holdener Park Environmental Documentation
Resolution No. 2008-12-324 (attached)
- C-1-v. Authorization to Hire Mark Ruppenthal as Police Captain at Step F of Management Salary Range MG-06
Resolution No. 2008-12-325 (attached)
- C-1-w. Authorization to Enter into a Cooperative Funding Agreement with the Tri-Valley Conservancy and to Transfer Funds for Acquisition of the Bobba Property: Del Valle to Shadow Cliffs Regional Trail
Resolution No. 2008-12-326 (attached)
- C-1-x. Authorization to File an Application for Grant Funds under the Habitat Conservation Fund Program, California Wildlife Protection Act, 1990: Pleasanton Ridge Regional Park
Resolution No. 2008-12-327 (attached)

2. PARK ADVISORY COMMITTEE

- C-2-a. Approval of Park Advisory Committee Goals for 2009
Resolution No. 2008-12-328 (attached)

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

Directors present: Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors absent: None.

PAC Chair Rich Guarienti provided a brief comment on the Park Advisory Committee's goals for 2009. The Board was unanimous in giving their appreciation to the PAC's hard work and dedication to the District.

3. GENERAL MANAGER

- C-3-a. SECOND PUBLIC HEARING

Adoption of the 2009 Budget for the East Bay Regional Park District
Resolution No. 2008-12-329 (attached)

By motion of Director Siden, seconded by Director Radke, item C-3-a was unanimously approved and in honor of retired Asst. CFO Patti Henry.

Directors present: Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors absent: None.

AGM for Finance and Management Services Dave Collins stated that the Board material includes the list of comments received to-date and corrections that staff is aware of which will be included in the final version of the 2009 Budget; a few minor corrections may also be added after today's meeting as staff goes through the Budget for finalization.

Director Severin asked about funding for the Internship Program; AGM Collins stated that adjustments have already been made, but the item may be brought forward to the Board in the future should funding adjustments be necessary.

Director Wieskamp asked staff to clarify and ensure that the District's 2009 plan for Vargas Plateau is addressed in the budget document.

Director Siden commented that Budget Manager Pam Burnor recommended at the last Finance Committee meeting that the 2009 Budget be adopted in honor of retired Asst. CFO Patti Henry, to which the Board agreed.

Director Lane commented that in preparation for next year's budget, a provision be made to add the hiring of a cultural resources consultant or staff person to monitor cultural resources within the District. She also inquired if funding for the publication of the Rose Hill Cemetery is included in the budget. AGM of Operations John Escobar stated that while it is not specified on the budget, staff is working with Supervising Naturalist Traci Parent to obtain grants and/or to address this within existing departmental budgets.

There were no Public Comments received.

C-3-b. Authorization to Extend the Contract with Strategy Research Institute (SRI)
Resolution No. 2008-12-330 (attached)

By motion of Director Radke, seconded by Director Siden, item C-3-b was approved with a vote of 4 - Yes (Radke, Wieskamp, Siden and Severin) and 2 - No (Sutter and Lane).

Directors present: Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors absent: None.

Director Sutter stated he was the single dissenting vote on the Board Executive Committee when this issue was taken up. He explained that there was a tremendous amount of work related to Measure WW in 2008 that justified the \$66,000 contract, which is not the case in 2009. Various Board members gave individual comments on SRI and its role with the District.

4. LAND DIVISION

C-4-a. Authorization to Approve Settlement Agreement and to Transfer Funds for the Acquisition of 20% Undivided Fee Interest in Real Property from Larry D. and Juanita C. Butler:
Pleasanton Ridge Regional Park
Resolution No. 2008-12-331 (attached)

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

Directors present: Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.
Directors absent: None.

Land Acquisition Nancy Wenninger gave a presentation on this item, stating that it is a settlement agreement resolving an eminent domain action filed by the District so that the remaining 20% interest may be acquired in the 103-acre Tehan Falls property. This acquisition will provide improved access in the northern portion of Pleasanton Ridge Regional Park.

5. BOARD AND STAFF REPORTS

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

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

6. GENERAL MANAGER'S COMMENTS

AGM for Public Affairs Rosemary Cameron gave a presentation on the District's planned 75th Anniversary celebration in 2009.

7. ANNOUNCEMENTS FROM THE CLOSED SESSION

Board President Ayn Wieskamp announced that the Board during Closed Session voted to approve the following:

Denial of the Claim of Robert Blanson (Parent of Deceased Minor Roman Isaah Blanson)
Resolution No. 2008-12-332 (attached)

Denial of the Claim of Jamie Lewis-Ware (Parent of Deceased Minor Jamon Lewis)
Resolution No. 2008-12-333 (attached)

8. BOARD COMMITTEE REPORTS

- a. Regional Parks Foundation (Wieskamp) (9-19-2008)

9. BOARD COMMENTS

Director Radke reported on meetings attended. Director Radke

- Attended Richmond Liaison Committee meeting where there was a discussion of the apparent success of City of Richmond and TRAC with the State Lands Commission regarding the Chevron Wharf and the trail alignment issue;
- Attended the CoCoCty Liaison Committee meeting where there was a discussion of the HCP and the progress of its implementation;
- Attended the EBRPD/Pinole/Hercules JPA meeting;
- Attended the field trip to Big Break wherein there were about 50 people from the Coastal Conservancy in attendance, including some members of their Board ;
- Attended Carquinez Preservation Trust meeting.

Director Sutter reported on meetings attended. Director Sutter

- Cited the Berkeley Daily Planet/Pt. Molate article in the packet press clips wherein the casino promoter stated that the District supported the casino, and asked for an update;
- Attended the CoCoCty Liaison Committee meeting;
- Attended the holiday event of the Alameda County Democratic Club;
- Attended Chabot Space and Science Center Finance Committee meeting, and mentioned that the CSSC will have to cut their budget by 10%; contributions at this time are not as expected.

Director Lane reported on meetings attended. Director Lane

- Also mentioned the Pt. Molate article in the packet newsclips;
- Attended the CoCoCty Liaison meeting; spoke about the IHT overcrossing at Treat Blvd. as well as the HCP process;
- Stated that Brian Holt has a copy of the CNWS Survey;
- Attended the lunch meeting of the Contra Costa Council where Assy. Torlakson spoke;
- Hiked to view the Brushy Peak Trail;
- Spoke about the 75th Anniversary exhibit at the Contra Costa County History Center which will open on January 24, 2009;
- Went to Garin Park to meet with the Park Supervisor.

Director Siden reported on meetings attended. Director Siden

- Attended Alameda County Democratic Party Holiday event;
- Attended the San Leandro Chamber of Commerce event;
- Attended the holiday event of the Alameda Boys and Girls Club, and mentioned that he will be seeking a new appointee to the PAC as George Philipps, the Club's Executive Director, will be leaving the PAC to concentrate on fundraising efforts;
- Attended County Supervisor Alice Lai-Bitker's holiday event and the Alameda County Mayors Conference in Albany;
- Attended the East Bay EDA meeting;
- Attended the Airport Area Business Association meeting, as well as Patti Henry's retirement celebration;
- Will be attending the holiday event sponsored by Barbara Lee, where other State officials in attendance;
- Will be attending Debbie Brawner's retirement event;
- Gave a report on the recent Trails Conference he attended in Arkansas.

Director Severin reported on meetings attended. Director Severin

- Attended the Regional Planning Committee of ABAG;
- Attended the HASPA meeting with other District staff;
- Attended a meeting of the Heritage Society of San Lorenzo (aka Barn Committee);
- Met with former colleagues from San Francisco State University; she had a discussion with their Intern Coordinator who looked forward to working with the District concerning its Internship Program;
- Will be attending Debbie Brawner's retirement celebration;
- Suggested that the District send a thank you note recognizing Jim Wolfe, who is retiring from the City of Pleasanton, for his work in support of the EBRPD.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Completed her tours to various parks – Alameda Trails (Tassajara Creek to Alameda Creek);
- Attended the Tri Valley Business reception to honor newly elected and retiring officials;
- Will be attending the retirement celebration for Karen Smith for Stopwaste.org;
- Will attend the Operations Committee meeting and Debbie Brawner's retirement celebration;
- Mentioned that she agrees with the hiring of a cultural resources consultant or staff person;
- Will attend Supervisor Scott Haggerty's swearing-in ceremony.

D. PUBLIC COMMENTS

Jakki Kiehl spoke to express her disappointment with the District's lack of cultural awareness and asked the Board to not include Brushy Peak in its 75th anniversary celebration.

E. ADJOURNMENT

AGM for Land Acquisition Bob Doyle spoke about the life of long-time Park District employee and Black Diamond/Morgan Territory/Round Valley Regional Parks Supervisor Roger Epperson who recently passed away.

Director Radke mentioned that the Contra Costa County Board of Supervisors adjourned their meeting in honor of Roger Epperson today.

Meeting was adjourned at 4:35 p.m. in honor of Roger Epperson, Park Supervisor for Black Diamond, Round Valley and Morgan Territory Regional Parks.

Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2008-12-305 to 2008-12-333, Board Committee Report