

The Board Meeting, which was held on November 16, 2010 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 12:45 p.m. by Board Vice President Beverly Lane.

## ROLL CALL

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

Directors Absent: Doug Siden, President

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

The **Open Session** of the Board Meeting was called to order at 2:10 p.m. by Board Vice President Beverly Lane.

Staff Present Included: Pat O'Brien, Bob Doyle, Ted Radosevich, Carol Victor, Dave Collins, Jeff LeBow, Police Chief Tim Anderson, Shelly Lewis, Mark Pearson, Mike Anderson, Diane Althoff, Jeff Rasmussen, Doug Bell, Nadine Vargas, Pam Burnor, Jeff Wilson, Anne Scheer, Nancy Wenninger, Raphael Breines, Lena Soo Hoo Chu

## **A. APPROVAL OF AGENDA**

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

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

## **B. PUBLIC COMMENTS**

Oxane "Gypsy" Taub addressed the Board and stated that she and her young children have been subjected to ongoing and intensifying harassment by park staff at Lake Temescal due to her alleged inappropriate swim attire. She described the various instances to the Board, and handed out a letter detailing her comments as well as a timeline of events. Four other members of her group addressed the Board as well, expressing their support for Ms. Taub and their concerns that the District's policy on swim attire was too strict.

District Counsel Ted Radosevich commented that claims of improper action by District staff are taken seriously; Ms. Taub's charges against District staff are currently being investigated as a personnel matter and are being dealt with internally. In terms of the definition of appropriate swim attire at beaches, Mr. Radosevich stated that District regulations are broadly consistent with what staff believe are community standards, although there is also an understanding that views on what is appropriate may change over time.

## **C. BUSINESS BEFORE THE BOARD**

### **I. CONSENT CALENDAR**

By motion of Director Radke and seconded by Director Wieskamp, the Board voted unanimously to approve the Consent Calendar, with the exception of item C-I-f which was removed for separate vote and discussion by Director Sutter.

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

- C-I-a. Approval of District Check Listing for the Period of October 25, 2010 Through October 31, 2010  
Resolution No. 2010 – 11 - 281 (attached)
- C-I-b. Approval of the Minutes for the Board Meeting of November 2, 2010
- C-I-c. Authorization to Negotiate with Various Property Owners  
Resolution No. 2010 – 11 - 282 (attached)
- C-I-d. Authorization to Enter Into a Contract for Services Agreement with Pat O'Brien to Serve as Acting General Manager  
Resolution No. 2010 – 11 - 283 (attached)
- C-I-e. Authorization to Purchase a Yearly Maintenance Agreement from Spillman Technologies, Inc.  
Resolution No. 2010 – 11 - 284 (attached)
- C-I-g. Authorization to Execute Cooperative Agreement with the California Department of Transportation and Hire Crews from Civicorps School  
Resolution No. 2010 – 11 - 285 (attached)
- C-I-h. Approval of Adjustments to Measure AA Funded Projects and Appropriate Measure AA Bond Interest  
Resolution No. 2010 – 11 - 286 (attached)
- C-I-i. Authorization to Accept from the United States of America, Acting by and Through the General Services Administration, a 152-square-foot Trail Easement Adjacent to Robert W. Crown Memorial State Beach: San Francisco Bay Trail  
Resolution No. 2010 – 11 - 287 (attached)
- C-I-j. Authorization to Amend the 2010 Budget, Transfer Maintenance Funds and Accept the Bid for Concrete Deck Construction: Environmental Education Center/Tilden Nature Area  
Resolution No. 2010 – 11 - 288 (attached)
- C-I-k. Authorization to Encumber Funds and Enter into a Contract with the United States Department of Agriculture - Animal and Plant Health Inspection Service: Wildlife Services for Feral Animal Control and Predator Management  
Resolution No. 2010 – 11 - 289 (attached)

- C-I-l. Authorization to Execute an Electrical Distribution and Service Extension Agreement and Encumber Capital Funds for Payment of Service Installation Costs: Big Break Regional Shoreline  
Resolution No. 2010 – 11 - 290 (attached)
- C-I-m. Authorization to Transfer Funds for Capital Project Budget Reconciliation  
Resolution No. 2010 – 11 - 291 (attached)
- C-I-n. Authorization to Augment the Construction Contingency for Tidewater Aquatic Center: Martin Luther King, Jr. Regional Shoreline  
Resolution No. 2010 – 11 - 292 (attached)
- C-I-o. Authorization for the Sole Source Purchase of a Video Surveillance Security System for Tidewater Aquatic Center: Martin Luther King, Jr. Regional Shoreline  
Resolution No. 2010 – 11 - 293 (attached)

Item C-I-f was pulled for discussion and separate vote by Director Sutter.

- C-I-f. Authorization to Extend the Contract with Strategy Research Institute for One Year  
Resolution No. 2010 – 11 - 294 (attached)

By motion of Director Wieskamp, and seconded by Director Radke, the Board voted 5-1 to approve item C-I-f.

- Directors For: Whitney Dotson, Beverly Lane, Carol Severin Ted Radke, Ayn Wieskamp.
- Directors Against: John Sutter.
- Directors Absent: Doug Siden.

Director Sutter expressed his concern that the contract amount has not changed over several years. He stated that the amount of work needed in 2011 will not necessarily be at the same level as in previous years wherein the District was considering Measure WW. Director Sutter added that the District continues to keep open previously unfilled staff positions. Dave Collins, AGM for Finance and Management Services, stated that Dr. Manross has offered other alternatives such as charging on a per-project or retainer basis. He also clarified that the District is still engaged in the Master Plan process as well as the Healthy Parks Initiative and believes that the contract amount provides a good value to the District. GM O'Brien added that there is also a community survey to be conducted, as well as longitudinal tracking work.

Director Radke commented that Dr. Manross' surveys have been very accurate and very helpful to the District as well as its constituents, and feels it is money well spent. Other Board members concurred with Director Radke's comments.

## 2. LAND DIVISION

- C-2-a Acceptance of Dedication of Fee Interest in 301± Acres of Real Property Plus Trail and Access Easements and Various Improvements from Signature Properties, Inc.: Garin Regional Park  
Resolution No. 2010 – 11 - 295 (attached)

By motion of Director Severin and seconded by Director Dotson, the Board voted unanimously to approve item C-2-a.

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

Bob Doyle, AGM for Land Acquisition, gave a presentation describing the property, stating that this has been a long-anticipated dedication of property adjacent to Garin Regional Park. There are no acquisition costs related to this dedication of open space and easements other than staff time; the Walpert Ridge Zone of Benefit (ZB-3) with the Alameda County and Contra Costa County Landscaping and Lighting District has been established to finance maintenance and operations costs. Mr. Doyle added that it is staff's recommendation that the property be placed into land-bank status until completion of the land use plan for Garin Regional Park.

### **3. BOARD AND STAFF REPORTS**

a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager Pat O'Brien discussed the items listed on the staff report. GM O'Brien also commented on the results from the November 2<sup>nd</sup> election (as of November 10).

### **4. GENERAL MANAGER'S COMMENTS**

Dave Collins, AGM for Finance and Management Services, gave a presentation about several District staff internal workgroups, such as Capital Projects and Central Stores, its structure and reporting responsibilities, and functions. Mr. Collins described the various projects currently in discussion.

Mr. Collins also gave a brief demonstration on the initial results of work that staff has contracted with San Francisco-based Internet Archives to scan into digital format all District resolutions, starting from 1934.

GM O'Brien also showed a video of First Lady Michelle Obama's remarks at this year's NRPA Congress regarding her Let's Move campaign where she references the District's Kids Challenge Program as an example of programs that help her campaign to combat childhood obesity.

### **5. ANNOUNCEMENTS FROM THE CLOSED SESSION**

Vice President Lane stated that there were no announcements from the Closed Session.

### **6. BOARD COMMITTEE REPORTS**

a. Finance Committee (09-22-10) (Severin)

### **7. BOARD COMMENTS**

Director Radke reported on meetings attended. Director Radke

- Attended the regularly scheduled Board and Committee meetings;
- Plans on attending the Legislative and Executive committee meetings coming up.

Director Sutter reported on meetings attended. Director Sutter

- Attended the various Board meetings on the GM selection process, commenting that he was impressed with the quality of the Assistant General Managers interviewed. He also expressed his appreciation to the work done by Board President Doug Siden, stating that he handled the whole process in a very efficient and courteous manner, letting each Board member express his/her views. He also expressed thanks to the assistance provided by HR Manager Susan Gonzales and Mr. Sato, HR Consultant;
- Was involved in a telephone conference with Supervisor Nate Miley and other members of HARD regarding the Montclair 4H Club's need for land;
- Attended the retirement celebration for Rosemary Cameron in Oakland;
- Attended the Alameda County Mayors Conference;
- Attended the annual gala of the Chabot Space and Science Center;
- Attended the District's Saturday Stroll at Leona Canyon, and commented that there is now a handout about the park for a self-guided tour;
- Attended the Claremont Canyon Conservancy annual meeting where District Asst. Fire Chief John Swanson spoke on the District's fuels management plan;
- Attended the Measure DD meeting in Oakland.

Director Severin reported on meetings attended. Director Severin

- Acknowledged the presence at this meeting of her PAC appointees Dr. Godfrey and Steve Soderstrom;
- Attended the GM selection process meetings;
- Attended the EBMUD Liaison Committee meeting;
- Attended the Alameda County CSDA meeting held at the Alameda County Vector Control District;
- Attended the retirement celebration for Rosemary Cameron;
- Will be attending the CARPD planning session meeting on November 18.

Director Dotson did not offer any comments.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the GM selection process meetings;
- Attended the Alameda County Mayors Conference with Director Severin;
- Will be attending the meetings of the Finance Committee, Legislative Committee, as well as Alameda County LAFCO.

Director Lane reported on meetings attended. Director Lane

- Attended the retirement celebration for Rosemary Cameron;
- Visited Crocket Hills and Sycamore Valley;
- Stated that a Park District report may be presented to the Alamo Municipal Advisory Committee (MAC) at some point now that they are about a year old;
- Looking forward to attending the next Regional Park Foundation meeting;
- Recognized the attendance of Hulet Hornbeck at this meeting;
- Asked that a brochure on the Anza Trail in the East Bay be prepared and ready for next year's CA Trails and Greenways conference to be held in April in San Ramon.

**E. PUBLIC COMMENTS**

There were no Public Comments at this time.

**F. ADJOURNMENT**

The Board meeting was adjourned by Vice President Lane at 3:50 p.m.

Respectfully submitted:

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Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2010 - 10 - 281 to 2010 - 10 - 295.  
Board Committee Report