

The Board Meeting, which was held on December 7, 2010 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 12:50 p.m. by Board President Doug Siden.

ROLL CALL

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

Directors Absent: Ted Radke.

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 2:25 p.m. by Board President Doug Siden.

Staff Present Included: Pat O'Brien, Ted Radosevich, Carol Victor, Dave Collins, John Escobar, Nancy Wenninger, Capt. Mark Ruppenthal, Shelly Lewis, Mark Pearson, Mike Anderson, Jeff Rasmussen, Jeff Wilson, Anne Scheer, Cinde Rubaloff, Deborah Spaulding, Renee Patterson, Jessica Lau, Pan Burnor, Nadine Vargas, Sylvia Pulido, Warren Schultz, Lynette Journey, Steve Albanico, Erich Pfuehler, Carol Johnson, Jim Townsend.

A. APPROVAL OF AGENDA

Board President Siden announced that staff has submitted a revised resolution for Consent Calendar item C-I-o.

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

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

B. PUBLIC COMMENTS

There were no public comments at this time.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Lane and seconded by Director Wieskamp, the Board voted unanimously to approve the Consent Calendar, with the exception of items C-I-b, C-I-j and C-I-k which were pulled for separate vote and discussion.

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

- C-I-a. Approval of District Check Listing for the Period of November 1, 2010 through November 15, 2010
Resolution No. 2010 – 12 - 296 (attached)
- C-I-c. Authorization to Negotiate with Various Property Owners
Resolution No. 2010 – 12 - 297 (attached)
- C-I-d. Authorization to Renew the Contract with The Houston Group for Legislative Advocacy Services
Resolution No. 2010 – 12 - 298 (attached)
- C-I-e. Authorization to Renew the Contract with David Weiman, DBA Agricultural Resources, for Legislative Advocacy Services
Resolution No. 2010 – 12 - 299 (attached)
- C-I-f. Authorization to Renew the Contract with Kanner and Associates, LLC for Legislative Advocacy Services
Resolution No. 2010 – 12 - 300 (attached)
- C-I-g. Authorization to File an Application for Grant Funds Through the San Francisco Bay Area Conservancy Program to Acquire Real Property: Pleasanton Ridge Regional Park
Resolution No. 2010 – 12 - 301 (attached)
- C-I-h. Authorization to Enter into a Four-Year Agreement with the Omega Group to Provide Statistical Crime Mapping Software and Support
Resolution No. 2010 – 12 - 302 (attached)
- C-I-i. Authorization to Extend the Concession Agreement with Action Vending
Resolution No. 2010 – 12 - 303 (attached)
- C-I-l. Authorization to Purchase High Capacity Disk Storage Equipment, Software and Consulting Services from Lilien Systems, Inc.
Resolution No. 2010 – 12 - 306 (attached)
- C-I-m. Acceptance of the East Bay Regional Park District Investment Report for the Quarter Ending September 30, 2010
Resolution No. 2010 – 12 - 307 (attached)
- C-I-n. Acceptance of Quarterly Unaudited Financial Statements for the East Bay Regional Park District for the Period Ending September 30, 2010
Resolution No. 2010 – 12 - 308 (attached)
- C-I-o. Authorization to Increase and/or Establish Designated Fund Balances in the General Fund for Election Costs, Legal Contingency and First Quarter Expenditures
Resolution No. 2010 – 12 - 309 (attached)

Item C-I-b was pulled for separate vote due to Director Siden's absence from that meeting:

C-I-b. Approval of the Minutes for the Board Meeting of November 16, 2010

By motion of Director Wieskamp and seconded by Director Severin, the Board voted to approve the Consent Calendar item C-I-b.

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

Item C-I-j was pulled at the request of Director Lane for separate discussion and approval:

C-I-j. Authorization to Amend the 2010 Budget and Transfer Maintenance Funds to the Capital Project Account for Vault Toilet Installation: Big Break Regional Shoreline Resolution No. 2010 – 12 - 304 (attached)

By motion of Director Lane and seconded by Director Wieskamp, the Board voted unanimously to approve the Consent Calendar.

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

Director Lane expressed her concerned that maintenance funds were going into a capital project.

Anne Scheer, Chief of Maintenance and Skilled Trades, explained that the funds mentioned in the staff report were placed in the 2010 Budget for maintenance projects in East County. However, since Big Break has not been opened, the funds were not expended. Staff is therefore proposing its use for vault toilet installation at Big Break.

Item C-I-k was pulled at the request of Director Sutter for separate discussion and approval:

C-I-k. Approval of Consolidated Fee Schedule Resolution No. 2010 – 12 - 305 (attached)

By motion of Director Sutter and seconded by Director Lane, the Board voted unanimously to approve the Consent Calendar.

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

Director Sutter commented that given the current economic condition, any kind of upward fee adjustment may be hard to do. Since this item was discussed at the Board Operations Committee over the course of two meetings, he asked whether any changes were made or if the fees were approved as suggested by staff. John Escobar, AGM of Operations, stated that from the first meeting, staff was directed by committee members to provide background on some of the proposals from the concessionaires. None of the fees were adjusted by the committee.

Director Wieskamp asked that staff provide a clarification on the Regional Park Foundation's rationale for fee adjustment; AGM Escobar stated that the District's Board does not approve the Regional Park Foundation's fee schedule and cannot comment.

Director Sutter commented that the changes on Parking Fees, page I of Administrative and Document Fees Schedule, items 10-a and 10-b, strike him as not a wise increase to make at this time. Capt. Mark Ruppenthal answered that these were adjusted to conform to California State-mandated fee increases.

2. GENERAL MANAGER

C-2-a. FIRST PUBLIC HEARING Proposed 2011 Budget for the East Bay Regional Park District

General Manager Pat O'Brien stated that this is the first of two public hearings on the proposed budget, and that it has been reviewed by both the Board Finance and Park Advisory Committees. He added that staff has done an excellent job in trying to balance the needs of the Park District with declining revenue funds. GM O'Brien stated that current forecast calls for the decline in property values to level out in 2012, rather than in 2013 as previously predicted. However, he also added that it is not until 2016 that assessed values are expected to exceed the levels seen in the 2008 budget. The District has used funds saved from previous years to augment the operational budget to approximately sustain the 2010 level of services. GM O'Brien stated that the District is doing better than other agencies because of prudent budgeting in the past, although it will get more difficult to maintain its existing staffing levels.

He mentioned that staff will take notes on Board and public comments made at today's hearing and will bring back responses and incorporate changes to the budget where necessary for the next hearing.

Asst. General Manager Dave Collins and CFO/Controller Cinde Rubaloff provided brief presentations as well. Some of the highlights included:

- Property tax revenues peaked in 2008 and has declined since;
- Investment returns peaked in 2008 at about \$5.5 million; it is projected to be at \$1.1 million in 2011;
- Proposed budget includes budgeted revenues in the amount of \$188,272,811 (including transfers in), and \$231,768,873 in appropriations (including transfers out). The difference of \$43.5 million between revenues and appropriations will be balanced with appropriate use of fund balance of net assets;
- General Fund budgeted revenues in the amount of \$99,983,300 is a 2.7% decrease from projected 2010 actuals; between 2008 and 2010, there was a loss of approximately \$17 million in General Fund revenues;
- For the first time, there are two budget documents - the proposed operating budget and the proposed projects budget;
- Change in the format for division "budget objectives" to improve accountability, transparency and best practices as recommended by the Government Finance Officers Association of the United States and Canada (GFOA);
- Final budget document will be available in January 2011.

President Siden opened the Public Hearing; there being no one wishing to address the Board on this item, the Public Hearing was closed.

Board member questions/concerns included:

- Add a notation in the budget stating that the Budget Objectives write-up is still a work-in-progress;
- Addition of more information regarding Cultural Relations in the Planning/Stewardship Budget Objectives;
- General concern regarding Board input into the budget process – what is policy and what is operation?

- Decisions as to where and what to cut are left to staff and there seems to be a disconnect between staff operations and Board input. Staff should examine ways by which the Board can have more input, which will not be disruptive, to the process for future budgets;

The Board will act on the budget at the second public hearing on December 21, 2010.

3. FINANCE AND MANAGEMENT SERVICES

- C-3-a. Authorization of Execute Grant Agreement, Appropriate Funds and Amend the 2010 Budget for Federal TIGER II Grant: District-Wide Regional Trails
Resolution No. 2010 – 12 - 310 (attached)

By motion of Director Lane and seconded by Director Wieskamp, the Board voted unanimously to approve the Consent Calendar.

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

AGM Dave Collins gave a brief presentation on this item. He stated that the original Tiger II application, made earlier in the year, was for a total amount of \$24.5 million. A \$10.2 million grant was awarded to the District in October 2010. This item will authorize a revised project list based on the amount awarded. He noted that the total cost of the projects recommended amount to \$22.371 million. AGM Collins acknowledged the work done by District staff Erich Pfuehler, Jim Townsend and Jeff Rasmussen.

Erich Pfuehler, Government Relations and Legislative Services Manager, commented that information on the list of projects have been communicated to staff of Reps. John Garamendi and George Miller, as well as Sen. Barbara Boxer. He will also continue to relay information to other relevant local elected officials.

4. LAND DIVISION

- C-4-a Authorization to Exercise the Option and Accept, Appropriate and Transfer Funds for the Acquisition in Partnership with the East Contra Costa Habitat Conservancy of the 469.41± Acre Land Waste Management, Ltd. and Bozidar Rajkovski Property: Concord Naval Weapons Station to Black Diamond Mines Regional Trail
Resolution No. 2010 – 12 - 311 (attached)

By motion of Director Lane and seconded by Director Sutter, the Board voted unanimously to approve item C-4-a.

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

Land Acquisition Manager Nancy Wenninger provided a presentation on this item, with a breakdown of the purchase price:

East CCCounty Habitat Conservancy (ECCCHC)/CA Wildlife Conservation Board	\$ 1,372,500
ECCCHCP/State Water Resources Control Board	500,000
East Bay Regional Park District	<u>1,177,500</u>
	\$ 3,050,000

Staff recommended placing the property in land bank status until a Land Use Plan for the new properties in the Black Diamond Mines area in partnership with the ECCCHC can be completed.

In response to a question from the Board, Ms. Wenninger stated that assuming that the District closes escrow on the Schmidt property at Doolan Canyon before the end of the year, a total of 5,757 acres would have been acquired this year at a total cost of about \$33 million, of which \$18 million were in the form of grants. District land will total approximately 108,000 acres.

Director Lane expressed the desire of Rep. George Miller and others of having trees planted at the nearby Concord Regional Park. Because the District is receiving funds from the Water Board, she asked what the prospects would be for beginning to plant oak woodlands at the same time *on the Land Waste Management property. It could be an example for the future Concord Regional Park.* Ms. Wenninger stated she will communicate with John Kopchik of the HCP to determine what would be involved.

Director Lane also asked that staff begin referring to Concord Regional Park whenever possible to start the process of moving away from “Concord Naval Weapons Station”.

5. PARK ADVISORY COMMITTEE

C-5-a. Approval of Park Advisory Committee Goals for 2011
Resolution No. 2010 – 12 - 312 (attached)

By motion of Director Wieskamp and seconded by Director Sutter, the Board voted unanimously to approve item C-5-a.

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

Erich Pfuehler, Government Relations and Legislative Services Manager, gave a brief presentation on this item and discussed the 2010 accomplishments as well the proposed goals of the Park Advisory Committee for 2011 as enumerated in the staff report.

6. BOARD AND STAFF REPORTS

C-6-a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager Pat O'Brien discussed the items listed on the staff report. He also announced that Sen. Ellen Corbett was named as the new Senate Majority Leader.

He also announced that he was appointed as the Chair of the CPRS Political Action Committee.

7. GENERAL MANAGER'S COMMENTS

In the interest of time, the presentation by Lakes Unit Manager Warren Schultz was postponed to the next meeting.

8. ANNOUNCEMENTS FROM THE CLOSED SESSION

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

9. BOARD COMMITTEE REPORTS

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| a. | EBMUD/EBRPD Liaison Committee | (11-08-10) | (Siden) |
| b. | Finance Committee | (10-26-10) | (Severin) |
| c. | Legislative Committee | (09-30-10) | (Radke) |
| d. | Operations Committee | (10-21-10) | (Lane) |

10. BOARD COMMENTS

Director Dotson reported on meetings attended. Director Dotson

- Attended the various meetings pertaining to the GM hiring process;
- Attended the recent NRPA Conference in Minnesota. He also suggested that a discussion be conducted to guide the Board and staff on developing interpretive centers in the future;
- Attended the Natural and Cultural Resources Committee meeting.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended meetings of the Finance Committee, Legislative Committee, and LAFCO;
- Attended meetings pertaining to the GM hiring process;
- Attended the PAC dinner event in Walnut Creek;
- Will attend the District Charity Luncheon in Livermore tomorrow;
- Will attend the Pleasanton Liaison meeting on Thursday;
- Asked when a report on the Master Plan Update process will be provided;
- Stated that an item is included on tonight's Dublin City Council meeting that will be asking for development throughout the rest of Doolan Canyon, and asked if someone from staff will be attending.

Director Sutter reported on meetings attended. Director Sutter

- Attended various meetings of the Finance, Legislative, and Natural and Cultural Resources committee meetings, as well as the GM interview/hiring process;
- Attended as a member of the public the recent Executive Committee meeting wherein there was a discussion of Gateway Park;
- Participated in the ribbon cutting for a new trail in Lafayette that runs from the Lafayette Community Center Park along Murray Lane;
- Attended the Gail Steele Retirement event, the PAC dinner and EB EDA Annual event;
- Visited the Bay Model in Sausalito, stating that he wondered if there could be some collaboration between the District and the Corp of Engineers who operate it;
- Complimented Director Lane on the Trail Award she received, and thanked Doug Siden for his leadership on the GM Selection process; and Carol Severin for her talents on the PAC dinner song.

Director Lane reported on meetings attended. Director

- Attended the Executive Committee meeting, the two December PAC meetings, the Public Safety Holiday lunch, and the Walpole dedication event in Tilden Park;
- Visited Martinez Shoreline and Iron Horse Trail;
- Visited the Mt. Diablo Summit's new visitor center;
- Participated in a panel for Leadership San Ramon Valley;
- Received a birding brochure "Birding – the Carquinez Strait Scenic Loop Trail" which she shared with the Board;
- Asked that she be provided an estimate on the opening of the Delta Model at Big Break.

Director Severin reported on meetings attended. Director Severin

- Attended the Finance Committee meeting, the Public Safety Holiday luncheon, and the PAC dinner;
- Will be attending the District charity luncheon in Livermore;
- Presented a plaque to retiring GM Pat O'Brien.

Director Siden reported on meetings attended. Director Siden

- Attended the various meetings pertaining to the GM selection process;
- Will be representing the District as its appointee to the MLK Rally Committee;
- Attended meetings of the ACSDA, EBMUD Liaison, Executive Committee, the PAC holiday dinner, the EB EDA Anniversary event, Public Safety holiday lunch, Walpole Dedication at Tilden Park, and Supervisor Gail Steele's retirement event;
- Will attend the District Charity luncheon and the Alameda County Mayors Conference in Berkeley
- Will be attending retirement events for Julie Haselden and Andy White;
- Will meet with Bay Area Council Chair Jim Wunderman with GM Pat O'Brien;
- Will be attending the December 15 Development Reviews as well as Supervisor Alice Lai-Bitker's retirement event in Alameda.

E. PUBLIC COMMENTS

There were no Public Comments at this time.

F. ADJOURNMENT

The Board meeting was adjourned by President Siden at 5:20 p.m.

Respectfully submitted:

Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2010 - 12 - 296 to 2010 - 12 - 312
Board Committee Report