

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 16, 2017

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

a. Operations (Thursday, February 23, 2017) (Waespi)

Present

Board: Directors Dennis Waespi (Chair), Ellen Corbett, Dee Rosario

Staff: Jim O'Connor, Ira Bletz, Renee Patterson, Nancy Krebs, Noah Dort, Sean Dougan, Kelly Barrington, Anne Kassebaum, Terry Noonan, Steve Castile, Mimi Waluch, Tamie Andrews, Denise Valentine

Guests: Stan Wong, Steve Jacobson, Randal Dutra

Agenda Item 1: Update Bicycle Loop Brochures: District-wide

Trails Development Program Manager Sean Dougan presented the Northern and Southern Region Bicycle Loop brochures to the Committee. The project was developed in 2015 with District Park Supervisors, Unit Managers, and local bicycle advocates, to identify and designate bicycle loop trails within 16 Regional Parks. Each loop identified in the brochure is presently open to bicycles.

Dougan shared with the Committee the process which began with requesting recommendations for popular bicycle trails from District Park Supervisors and the biking community. Through feedback received, the bicycle loops were then identified. A PowerPoint presentation provided a detailed overview of the brochure that was provided.

Director Rosario commented that the longer route located in Redwood Regional Park would be the Eastridge/Westridge and inquired if it would be included as a route. Dougan replied yes, the route is a recommendation.

Rosario inquired if yield signs are still a beneficial use for the District. Dougan responded he has not received any feedback on confusion of the signs. The next step is to define appropriate signage for the routes.

Director Corbett inquired if the signage compliments the brochures and suggested it might be helpful to explain the signage in the brochure, such as the definition of the triangle. Dougan replied the QR codes will direct the public to a website where other optional bike loops are located. All the loops included and those that could not be included in the brochure are on the District website.

Director Waespi inquired if any of the designated loops will be on single track trails. Dougan replied no. Waespi suggested including trail etiquette in the brochure and inquired if there was thought given to leaving out the trails that cyclists are not allowed on. Dougan replied it would have been difficult, with all the data included on the brochure.

Corbett inquired on where the brochures will be located. Dougan stated they will consult with the Public Affairs Department on which locations to distribute the brochure. Corbett suggested some should be distributed to partners such as Recreational Equipment Inc. (REI).

Agenda Item 2: Update Blacksmith Concession Requests for Proposals Results with Recommendation: Ardenwood Historic Farm

Regional Services Manager Ira Bletz provided a PowerPoint presentation overview on the history of the Blacksmith Concession at Ardenwood Historic Farm and the need for a Blacksmith at the Concession in the park.

Administrative Analyst Renee Patterson stated that a Request for Proposal (RFP) for the blacksmith concession was advertised to the public in March 2015, with a payment of up to \$15,000 per year. The RFP was advertised in local papers as well as a blacksmithing association website. No proposals were received and the RFP was released for the second time in July 2015 with the same result. It was decided at the time that staff would request an increase in budget funds in 2017 for the payment to the concessionaire of up to \$30,000 per year and release the RFP for the third time in September 2016. Staff also contacted ten local stables to help advertise the RFP as well as the blacksmithing association website. As of January 2017, no experienced blacksmiths have made inquiries.

As a result of the non-responsive RFP process, staff's new approach is to recommend entering into contract with experienced blacksmiths as needed, for Ardenwood Special Event days. The District shall compensate the blacksmithing contractor/s for blacksmithing services performed not to exceed \$20,000 the first year and \$30,000 thereafter. With the remaining \$10,000 budget for the first year, naturalist staff will have a static display created to describe blacksmithing and the history of blacksmithing during the Patterson family ownership period of Ardenwood. The Park District will not receive any concession fees.

Corbett inquired if other park agencies were contacted, who have Blacksmiths. Bletz replied yes and mentioned that a number of people who reside in the Sierra Foothills contacted Ardenwood regarding the position, but were not willing to come to the Bay Area for two days a week.

Rosario commented on the popularity of the operation. He inquired if staff has considered making this a permanent position. Bletz replied it was considered. O'Connor stated the annual challenge is parsing out the number of allotted positions provided to the division. This position does not reach the top of the list compared to other priority positions. It would be good to try the alternate solution of having a Blacksmith perform duties during special events.

Corbett inquired if staff could be trained to become a Blacksmith. Bletz indicated that some introductory Blacksmith training to staff was provided by retiree Dave Collins.

Waespi commented it would be good to look in house to fill the position.

Rosario moved to approve the staff recommendation to enter into contract with experienced blacksmiths as needed for Ardenwood Special Event days, if it is possible. The District shall compensate the blacksmithing contractor/s for blacksmithing services performed not to exceed \$20,000 the first year and \$30,000 thereafter. With the remaining \$10,000 budget for the first year, naturalist staff will have a static display created to describe blacksmithing and the history of blacksmithing during the Patterson family ownership period of Ardenwood. The Park District will not receive any concession fees. Corbett seconded with the stipulation to include the other ideas mentioned regarding keeping a Blacksmith at the shop. The motion passed unanimously.

Agenda Item 3: Update Business Services Agreements: District-wide

Business Services Manager Mimi Waluch began by providing the Committee members a handout which covers the District's current District-wide agreements for Concessions, Special Use, Communication Sites, Residence, and other agreements. Waluch reviewed the variety of contracts and agreements District-wide and defined concession and special uses. The District uses partnerships to manage and often develop unique facilities it does not choose to directly operate, thereby freeing up its own staff to concentrate on other critical park resources and public service opportunities.

Waluch provided a recap of the number of concession agreements, approved caterers, vending machine operations, special use agreements, communication site leases, and the annual revenue figures generated. Lastly, a brief overview was provided of the Concessionaire Maintenance Fund.

Waespi inquired if there was any opportunity for additional cell sites to be added. Waluch responded that AT&T has approached the District and both of the District golf courses would like connectivity.

Waespi inquired which concession produces the most revenue. Waluch replied Tilden Golf Course and Mud Puppy's at Pt. Isabel.

Rosario inquired on the current rate of return to the District. O'Connor commented that a process was started last year at the request of former Director Sutter, who requested a revenue and expenditures recap of the District concessions. Staff created a thorough report and will be bringing an update of the report to the Committee in November.

Corbett inquired on the list of references and those that do not have possessory tax. Waluch explained the possessory tax relates to a private entity conducting business on District property. Most of the contracts have possessory tax. Rosario inquired if the tax would be applicable to professional dog walkers. O'Connor replied the tax is associated with land and would not apply.

Waespi inquired on the status of the Touchstone, LLC agreement. Waluch replied it is currently being reviewed by Touchstone's legal department with an anticipated return date of a week. East Bay Municipal Utility District (EBMUD) has already reviewed the agreement.

Rosario inquired what the current term is for District residences. Waluch replied up to 9 years. In 2013 a policy change occurred. Initially the term was a 6-year agreement with no opportunity to return to the program. Now staff can resubmit for another term when an opening occurs, and go through the process again.

**Agenda Item 3: Review Amendment for the Marina and Food Agreement:
Lake Chabot Regional Park**

Administrative Analyst Renee Patterson provided an overview on the site location of the California Parks Company, dba as Urban Park Concession (UPC) and a brief history of the facility. At the March 20, 2008 meeting, the Board Operations Committee approved an agreement for (2) five-year terms with the first term ending on November 30, 2014.

On November 30, 2014, the extension of the Urban Parks Agreement for the second five-year period was denied by the District due to the terms and conditions contained in the Master Lease, the controlling document, between the District and East Bay Municipal Utility District (EBMUD) which was in negotiations at that time. Instead, the Agreement was placed in month to month Hold Over as allowed in the Urban Parks' Agreement. The District agreed to execute an amendment for the Urban Parks' agreement deferred term after the execution of a new lease between the District and EBMUD for Lake Chabot. The EBMUD lease was approved by the District's Board of Directors on December 1, 2015 by resolution 2015-12-343.

In addition to the 5-year deferred term, staff would like to formally amend the agreement to include a monthly boat inspection fee paid to the concessionaire since 2009. District staff is also proposing to change the fee structure to align this agreement with other concession agreements being updated. The new structure simplifies fees paid to a single percent with no thresholds and a higher percentage of the fees paid deposited to the Concession Maintenance Fund (CMF) rather than Concession Fee revenue, thus allowing monies to be set aside as well as accumulate in the CMF for much needed maintenance and capital improvements.

Corbett inquired how business is doing due to the water level. Stan Wong, Operations Manager with UPC, commented that the water level is high, but it has not created a lot of damage. The visitors are happy with the water levels.

Rosario inquired if the fee for the Quagga Mussel inspection is adequate. Wong replied yes, and that not many inspections are conducted in the winter months.

Waespi inquired on the cost of the launch of a personal vessel. Wong replied \$2 for a launch and \$4 for an inspection fee. Transactions are handled at the kiosk. Waespi inquired on the status of the launch ramp. Wong commented that UPC accommodates those who come to launch their kayaks. Some like to launch from the concrete area and those who wish to launch from the dock, UPC assists in carrying their kayaks down to the marina to launch due to safety.

Park Supervisor Tamie Andrews commented that the launch ramp has a certain fluctuation level and generally it is removed in high water. Due to the quick rising of the water levels, staff was unable to remove the launch ramp this winter.

Corbett moved to approve the staff recommendation that the agreement with Urban Parks for the Lake Chabot food and marina concession at Lake Chabot Regional Park be amended to modify the agreement's five-year term date for January 1, 2017 through December 31, 2021, a monthly fee of \$750 per month for boat inspections, and change the fees paid from 3% for the concession fee and 3% for the concession maintenance fee to 2% of gross receipts for the concession fee and 4% of gross receipts for the concession maintenance fee. Rosario seconded. The motion passed unanimously.

Agenda Item 4: Open Forum for Public Comments

Randal Dutra – resident from Castro Valley commented on his concerns for the Chabot Nike Base area. On February 2, 2017 an email was sent to the Board inquiring about the District's plans or projects for the base. A response has yet to be received. Corbett replied it is her understanding that the response is being worked on by staff.

Steve Jacobsen – resident of Castro Valley and Marshall of the Redwood Canyon Golf Course commented on the bad condition that the golf course and inquired on how long the estimated recovery and repair plan will take. In addition, he inquired if a preventative plan might be put into place to work with East Bay Municipal District (EBMUD) to limit the damage of rain storms. O'Connor responded that the golf course has had regular flooding on the back 9 for many years due to debris and silt downstream of the golf course. The challenge this year was the upgrade work that EBMUD has been conducting on the dam, which restricted their ability to release water in a timely manner. A meeting is being set with District and EBMUD staff to discuss working more closely in the future, regarding releases. In reference to recovery efforts, as soon as there is an opportunity for the water to recede and dry out, staff will be able to access the damage and create a plan.

Agenda Item 5: AGM Comments

O'Connor provided the following updates:

- Provided photos of the District Roads and Trails crews making repairs at Redwood Canyon Golf Course
- Del Valle has had flooding for the fifth time this season, which is the highest in history. The water level reached over 716 cubic feet per second. Photos were shared of the Oak Point restroom and the Marina concession.
 - Additional landslides have occurred this year. The waterline was moved towards the backside, so the current slides have not been affected. This will be a long and expensive repair.
 - There were water intrusions to the new restrooms near the Wild Turkey area.
- Tilden – Jewel Lake
 - Engineering staff reviewing the erosion that can lead to the dam.
- Provided update on the process with the District and Alameda County for their renewal of the Local Area Management Plan in relation to septic and sewer systems.
- Due to the Board Workshop, staff is requesting to move the Board Operations Committee meeting from April 27, 2017 to April 13, 2017. If a member is not able to attend, the alternate may fill in.

Agenda Item 6: Board Comments

- Rosario commended staff on the presentations provided at the meeting.
- Corbett commended staff for all the hard work performed due to the storms.

Director Waespi adjourned the meeting at 2:05 p.m.

Respectfully submitted:
/s/ Denise Valentine
Executive Secretary

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