

The Board Meeting, which was held on October 4, 2011 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 12:30 p.m. by Board President Beverly Lane.

**ROLL CALL**

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

Directors Absent: Whitney Dotson

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 2:05 p.m. by Board President Beverly Lane.

Staff Present Included: Bob Doyle, Ted Radosevich, Dave Collins, Jim O’Conner, Nancy Wenninger, Police Chief Tim Anderson, Liz Musbach, Diane Althoff, Carol Victor, Jeff Wilson, Anne Scheer, Carol Johnson, Shelly Lewis, Jeff Rasmussen, Jim Townsend, Paul Miller, Jamie Perkins

**A. APPROVAL OF AGENDA**

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

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

**B. PUBLIC COMMENTS**

There were no Public Comments at this time.

**C. BUSINESS BEFORE THE BOARD**

**I. CONSENT CALENDAR**

At the request of Director Sutter, item C-1-g was pulled for separate discussion and approval:

C-1-g. Authorization to Consolidate Remainder Measure AA Funds  
Resolution No. 2011 – 10 - 225 (attached)

By motion of Director Wieskamp and seconded by Director Radke, the Board voted unanimously to approve Consent Calendar item C-1-g.

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

Director Sutter remarked that an October 2, 2011 email received from Bruce Beyaert on behalf of TRAC asked that the \$61,303 in Acquisition funds for West Metro Area/Wildcat to Pt. Pinole Trail and the \$98,000 in Development funds for West Metro Area/Point Molate not be included in the consolidation. Director Sutter stated that he himself would like to preserve the \$115,000 Development funds allotment for the West Metro/MLK to Oyster Bay Trail. He added that the concern is that these funds will be “lumped-in” with all funds available for a metro area.

Dave Collins, AGM for Finance and Management Services, responded that this item is a follow-up to discussions held during the recent Board workshops as part of staff’s efforts to close Measure AA. The summary of projects proposed for consolidation represents the threshold of \$150,000, a figure suggested during the workshops. Mr. Collins emphasized that the funds are not being moved away to other projects; rather it is being consolidated by Metro/Acquisition/Development areas and will still be subject to the Board’s discretion should projects come up as priorities.

Director Wieskamp commented that the same argument could be made for the rest of the projects listed on the consolidation proposal. There will always be the opportunity for funds for projects that are ready to go; it will be easier to move forward with funds consolidated.

General Manager Bob Doyle also commented that staff will be coming back to the Board before any funds are appropriated for specific projects, giving the Board the ability to continue to fund the projects discussed.

The Board, with a vote of 3-3, did not approve a motion by Director Sutter and a second Director Severin to adopt an amended resolution to approve the consolidation of remainder Measure AA funds with the exception of Development Projects MLK to Oyster Bay Trail and Point Molate, and Acquisition Project Wildcat to Point Pinole Trail.

Directors Voting Yes: John Sutter, Doug Siden, Carol Severin.  
Directors Voting No: Beverly Lane, Ted Radke, Ayn Wieskamp.  
Directors Absent: Whitney Dotson  
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By motion of Director Wieskamp and seconded by Director Radke, the Board voted unanimously to adopt the remainder of the Consent Calendar:

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

C-1-a. Approval of District Check Listing for the Period of September 5, 2011 through  
September 18, 2011  
Resolution No. 2011 – 10 - 226 (attached)

C-1-b. Approval of the Minutes for the Board Meeting of September 6, 2011

- C-1-c. Approval of Out-of-State Travel for Board Members Whitney Dotson and Doug Siden to Attend the 2011 National Recreation and Park Association Congress and Exposition, Atlanta, GA, November 1 – 3, 2011  
Resolution No. 2011 – 10 - 227 (attached)
- C-1-d. Authorization to Purchase one Ford F650 Cab Chassis  
Resolution No. 2011 – 10 - 228 (attached)
- C-1-e. Authorization to Apply to the Contra Costa Transportation Authority for Measure J Funding for Trails Maintenance in Contra Costa County  
Resolution No. 2011 – 10 - 229 (attached)
- C-1-f. Authorization to Apply for Prop 84 Statewide Park Development Grant: Point Pinole Regional Shoreline  
Resolution No. 2011 – 10 - 230 (attached)
- C-1-h. Authorization to Contract for Environmental Assessment Services with Fugro West, Inc.  
Resolution No. 2011 – 10 - 231 (attached)
- C-1-i. Authorization to Augment the Construction Contingency for Landslide Repair at Bollinger Canyon Road: Las Trampas Regional Wilderness  
Resolution No. 2011 – 10 - 232 (attached)
- C-1-j. Authorization to Appropriate Funds and Augment the Construction Contingency for Installation of a Segment of the San Francisco Bay Trail from Wildcat Creek to San Pablo Creek: North Richmond Wetlands  
Resolution No. 2011 – 10 - 233 (attached)

Director Sutter cited the incorrect reference to Bollinger Canyon in the Cost Section of the staff report.

## 2. LAND DIVISION

- C-2-a. Authorization to Enter into Option, Purchase and Sale Agreement and to Transfer Funds for the Acquisition in Partnership with the East Contra Costa County Habitat Conservancy of 116.49± Acres of Real Property from the Alfred A. Affinito Trust: Black Diamond Mines Regional Preserve  
Resolution No. 2011 – 10 - 234 (attached)

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

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

Liz Musbach, Land Acquisition Manager, provided a presentation to the Board, showing photos of the property and existing structures within. She stated that this is a high priority for the Conservancy, and funding for the proposed acquisition was enumerated as follows:

ECCC Habitat Conservancy (HCP)	\$ 2,011,500 (90%)
EBRPD Measure WW	<u>223,500</u> (10%)
	\$ 2,235,000

In response to a question by Director Wieskamp, Ms. Musbach stated that the structures are mostly in good condition; the structure on Kirker Pass Road that may conceivably serve as a park residence may need some renovations.

Atty. George Speir from the Miller, Starr, Regalia Law Office, representing Seecon Financial, addressed the Board. He stated that from the photos presented, the improvements on the property are substantial and it appears to his client that a substantial portion of the value/purchase price of the property is appropriately due to these improvements. Seecon Financial believes that it is inappropriate for the HCP to provide for funding other than raw land appropriate for habitat mitigation and conservation. Mr. Speir stated that his client intends to signify his opposition to the Board of the HCP, and suggested that it would be appropriate for the District's Board to consider whether or not it is in a position to go forward with this acquisition in the event that the HCP funds will ultimately be determined to be unavailable.

In response to a question by Director Sutter, GM Doyle stated that as presented earlier by Ms. Musbach, about 5% of the total property has improvements, adding that if the District were successful in acquiring the property, many of those improvements will be eliminated due to age or because they are out-buildings that will not be needed. With restoration, probably only the main house and barn will be kept.

Director Sutter noted that since about 95% of the area is open land, it would seem to put the property in a category of providing a wildlife corridor, which is a mission of the HCP.

C-2-b. Authorization to Enter into a Memorandum of Agreement with the Antioch Unified School District and the Williamson Trustees and to Transfer Funds for the Management of the 206.11± Acre Moller Ranch Property: Black Diamond Mines Regional Preserve  
Resolution No. 2011 – 10 - 235 (attached)

By motion of Director Radke and seconded by Director Lane, the Board voted unanimously to approve item C-2-b.

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

Liz Musbach, Land Acquisition Manager, provided a presentation on this item and illustrated how integrated the property was to Black Diamond Mines and its importance as a future entrance. She stated that the MOA will allow the District the opportunity to manage the property in the interim over a two-year period during which agreements with the resource agencies can be negotiated over the conservation easement. It will also allow the purchase of the property at a price certain at the end of the 2+ year period. Of the total area, 170 acres would be encumbered by a conservation easement. Of the agreed appraised market value of \$1.44 million, the District will be providing \$314,590 for its portion.

Atty. George Speir from Miller, Starr, Regalia Law Office, representing Seecon Financial, addressed the Board. He stated that the area in question is adjacent to property owned by the City of Pittsburg and not Antioch, and that Pittsburg has designated the property as a site for a water tank in its Water Master Plan and is not aware of any discussions being held regarding the extent to which construction of the water tank would be consistent

with any of the purposes for the proposed acquisition. His client has requested that consideration of this item be deferred until discussions with the City of Pittsburg and the relevant property owners have been conducted.

GM Doyle stated that the Antioch Unified School District has owned the property for over a decade. Since the Park District is not the property owner, it would have no idea as to what discussions have transpired unless mentioned by the actual owner.

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

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

GM Bob Doyle discussed the item listed on the staff report.

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

Paul Miller, Recreation Areas Unit Manager, provided a presentation on the various projects and activities within the parks in the unit, namely Temescal, Little Hills, Cull Canyon, Roberts, Diablo Foothills, and Kennedy Grove. Completed projects included swim lagoon reconstruction, construction of shade structures, picnic areas, decks, lawn areas, ADA features, new mechanical systems and rest rooms, to name a few.

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

There were no announcements from the Closed Session.

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

- a. Operations Committee (8-18-11) (Severin)

Director Sutter commented that it was unclear as to what was being proposed by the guidelines for power assisted mobility devices. Carol Victor, Asst. District Counsel, stated that it is currently still in draft form awaiting Park Advisory Committee review and comment and will be presented to the full Board for discussion and approval at a future Board meeting. Being that it is not on this Board meeting agenda, further discussion was withheld, although a draft copy will be provided for a preliminary review.

### **7. BOARD COMMENTS**

Board President Lane announced that she is assigning Directors Siden and Radke to serve with her as the Nominating Committee for 2012 Board Officers. The Nominating Committee will confer prior to the next Board meeting and will submit their nominees for the full Board's consideration on October 18.

1) Director Severin reported on meetings attended. Director Severin

- Attended the Lampert Knoll picnic site dedication at Quarry Lakes;
- Attended meetings of the Executive Committee, CARPD, and HASPA;
- Attended the Special Park Districts Forum in Virginia.

2) Director Sutter reported on meetings attended. Director Sutter

- Attended the Finance and JPA meetings of the Chabot Space and Science Center;
- Attended the Special Park Districts Forum in Virginia.

- 3) Director Radke reported on meetings attended. Director Radke
- Announced that the District received an award for its collaboration on the acquisition of Acalanes Ridge
  - Will attend the CCCSDA meeting on October 17 wherein GM Doyle would be speaking;
  - Attended the yearly CoCoCty Fish and Game Commission Dinner held in honor of law enforcement personnel.
- 4) Director Wieskamp reported on meetings attended. Director Wieskamp
- Gave presentations to various agencies in her ward – Newark, LARPD;
  - Will be giving a presentation tonight at the Pleasanton City Council meeting;
  - Attended the Tri-Valley Mayors Summit, the Finance Committee meeting, and the Lampert Knoll Picnic site dedication.
- 5) Director Siden reported on meetings attended. Director Siden
- Attended the Special Park Districts Forum in Virginia;
  - Attended the ED EDA Executive Committee meeting;
  - Attended meetings of the Executive Committee and the MLK Rally Committee;
  - Attended “Tres Muchos” local Boy Scout Council Breakfast meeting;
  - Will attend the Commonwealth Club meeting tonight;
  - Will attend the Workforce Diversity Committee meeting tomorrow;
  - Will attend John Escobar’s retirement event and the Sierra Club event.
- 6) Director Lane reported on meetings attended. Director Lane
- Attended a meeting of the Contra Costa Board of Supervisors to comment on the Urban Line Limit issue in Tassajara Valley as well as the tree cutting incident at Pt. Pinole;
  - Attended the PAC meeting last September;
  - Attended the Executive Committee meeting;
  - Mentioned that District employee Doug Bell was presented an award at the Moonlight on the Mountain event;
  - Attended the Art and Park event in Danville as District Ambassador;
  - Visited Sycamore Valley and Morgan Territory;
  - Attended the District’s Health and Safety Fair at Little Hills;
  - Complimented the Maintenance Department for all the work they’ve done as presented by Unit Manager Paul Miller earlier;
  - On behalf of Director Dotson, invited Board members to the Pt. Pinole event on Saturday, October 8.

#### **D. PUBLIC COMMENTS**

There were no Public Comments at this time.

#### **E. ADJOURNMENT**

The meeting was adjourned at 4:25 p.m.

Respectfully submitted:

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Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2011- 10 - 225 to 2011 – 10 - 235