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BOARD EXECUTIVE COMMITTEE

Thursday, May 27, 2010
12:45 p.m., Board Room

The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee's purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

A copy of the background materials concerning these agenda items, including any material that may have been submitted less than 72 hours before the meeting, is available for inspection on the District's website (www.ebparks.org), the Headquarters reception desk, and at the meeting.

AGENDA

STATUS	TIME	ITEM	STAFF
R	12:45 pm	1. Renewal of Hayward Area Shoreline Planning Agency Joint Powers Agreement	M. Anderson
R	1:00 pm	2. Health Savings Account/High Deductible Health Plan	Gonzales
R	1:15 pm	3. Tom Bates Regional Sports Complex—Phase 2A	Radosevich/Musbach
		4. Public Comments	

- (R) Recommendation for Future Board Consideration
- (I) Information
- (D) Discussion

Executive Committee Members:
 Doug Siden, Chair; Ted Radke; Beverly Lane
 Carol Severin, Alternate
 Pat O'Brien, Staff Coordinator

Future Meetings:
 June 24
 July 22
 August 26
 September 23
 October 28
 November 23

Distribution/Agenda

Ayn Wieskamp
 John Sutter
 Whitney Dotson
 Mike Anderson
 Tim Anderson
 Susan Gonzales
 Bob Doyle
 Ted Radosevich
 Carol Victor
 Erich Pfuehler
 Yolande Barial
 Bob Stagnaro
 Rosemary Cameron

Distribution/Full Packet

Bruce Beyaert
 Afton Crooks
 Ralph Kanz
 Michael Kelley
 Judi Bank
 Daniel Levy
 Sylvia Falcon
 Rich Guarienti
 Barry Weiss

Carol Severin
 Doug Siden
 Ted Radke
 Beverly Lane
 Pat O'Brien
 John Escobar
 Dave Collins
 Allen Pulido
 Tyrone Davis – POA
 Dave Kalahale – Local 2428
 Kristin Vorderbrueggen – Local 2428
 Lobby/Receptionist

Norman LaForce
 Ted Radosevich
 Liz Musbach
 Susan Gonzales
 Mike Anderson

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, August 10, 2010

C. BUSINESS BEFORE THE BOARD

6. BOARD COMMITTEE REPORTS

b. Executive (5/27/10) _____ (Siden)

Present:

Board: Directors Doug Siden (Chair), Beverly Lane, Ted Radke

Staff: Pat O'Brien, Ted Radosevich, Dave Collins, John Escobar, Mike Anderson, Susan Gonzalez, Diane Althoff.

The meeting was called to order at 12:45 p.m.

I. Renewal of Hayward Area Shoreline Planning Agency Joint Powers Agreement

Mike Anderson, AGM for Planning/Stewardship and Development, gave a brief presentation on this item, stating that this year will mark the end of the five-year Joint Powers Agreement (JPA) for the Hayward Area Shoreline Planning Agency (HASPA). The JPA is composed of the East Bay Regional Park District, City of Hayward, and Hayward Area Recreation and Park District (HARD). Since its inception in 1970, the JPA has been renewed continuously on a five-year term, with the responsibility to staff the agency rotating amongst the members.

Chair Siden asked about the recent question as to whether it should be renamed to Hayward Area Shoreline "Protection" Agency. AGM Anderson clarified that this proposal was studied with interest, particularly from the Citizens Advisory Committee of the HASPA Board. It was stated that because development was becoming less of an issue, should an emphasis be given to the "protection" of what is in the area now. However, it was decided that the concept of protection for the area was not appropriate given that there are existing agencies charged with this, such as Fish and Wildlife Service, Department of Fish and Game, HARD and EBRPD, and what is really needed is coordinated planning for the area.

By motion of Director Lane and seconded by Director Radke, the Executive Committee voted unanimously to recommend the renewal of the Hayward Area Shoreline Planning Agency Joint Powers Agreement to the full Board.

2. Health Savings Account/High Deductible Health Plan

Susan Gonzales, Human Resources Manager, Bill Louie, Benefits Manager, and Debbie Mangels, of Wells Fargo Insurance Services introduced the possibility of utilizing high deductible health plans in conjunction with health savings accounts (“HSA”) as additional plan offerings. Due to federal health care reform, insured medical plans in effect prior to September 23, 2010, will be grandfathered and therefore not subject to discrimination requirements. Thereafter, medical plans will be subject to discrimination requirements, the extent of which is unknown at this time. The District has an economic interest to adopt the plan prior to the deadline date so as to avoid the expense of additional review necessitated by the new law and any rate increases that may result.

Director Lane requested clarification of discrimination requirements and testing. Ms. Gonzales replied by stating that discrimination testing aims to ensure equitable plan administration among all employees such that certain plans are not benefiting a segment of the population (i.e. highly compensated individuals).

Mr. Louie explained the HSA plan in detail. The plan allows employees to set aside money on a tax-exempt basis to use for medical expenses. The HSA is a perennial plan in that the funds carry-over from year to year and do not have to be expended within the same year (as with the annual Flexible Spending Account currently offered). What is not utilized of the deductible belongs to the employee and may be carried over into retirement. Since it is the property of the individual employee, it can be passed on to a beneficiary in the event of death. The contributions, both the District’s pre-funded amounts and the employee contributions, are held in a trust by an outside party in individual accounts and may be invested in mutual funds similar to a deferred compensation plan.

In response to Chair Siden’s question regarding a “low deductible versus high deductible”, Mr. Louie replied that the HSA would only be offered in conjunction with a high deductible health plan, such as the Anthem Blue Cross high deductible health plan.

In response to Director Lane’s inquiry as to whether or not the HSA entails the need for one to learn to manage an additional account, Mr. Louie replied that the HSA is indeed an additional account which is accessible and manageable by the accountholder. Ms. Mangels added that an HSA account would include a card to be used for purchases.

Director Radke asked if the HSA funds could be used for non-medical expenses. Mr. Louie and Ms. Mangels clarified that the funds are only tax-exempt when used for medical expenses as qualified by the IRS as acceptable reimbursable medical expenses. In the case that one separates from the District, at age 65 and up, the funds can be used for non-medical purposes which will then be subject to federal and state taxes.

Chair Siden and Director Lane inquired as to where retirees stand with this health plan. Mr. Louie and Ms. Gonzalez stated that HSAs can only be used by active participants in the high deductible health plan and that Medicare-eligible individuals are not able to participate.

Mr. Louie explained that the core idea is to bring awareness to employees as to the money they spend on medical care and to encourage wellness and preventative care. Data shows that individuals enrolled in this type of health plan are 20% more likely to use preventative services and

wellness care. Wellness visits are not applied to the deductible so it is only those services over and above regular wellness visits that cost and those services would be subject to a normal service visit cost. These types of medical plans cost less in fixed monthly premiums, which would represent a savings to the District and its employees. The District would pre-fund \$1,500 of the deductible and employees would be able to fund a portion of the deductible on a pre-tax basis.

If the plan is added, employees will have the *choice* to elect coverage under this plan as with any other medical insurance plan offered by the District during open enrollment. The open enrollment period is scheduled typically in September of each year. *Newly hired Manager and Confidential* employees hired on or after July 1, 2010 would be offered the alternative plan in addition to the current Anthem Blue Cross and Kaiser options. *Employees would not be required to participate.* The District has met and conferred with AFSCME, Local 2428, regarding this issue. The Union has made clear that it does not wish to participate in this plan so the District will make this plan available only to Managers and Confidential employees.

Director Lane stated that an AFSCME member claimed that District employees are paying more for medical care than East Bay Municipal Utility District (EBMUD) employees. Ms. Gonzales informed the committee that after some investigation, she found that EBMUD is paying a lower premium available only to water districts through a separate JPA.

By motion of Director Radke and seconded by Director Lane, the Executive Committee voted unanimously to recommend the Health Savings Account/High Deductible Health Plan proposal to the full Board.

3. Tom Bates Regional Sports Complex—Phase 2A

Ted Radosevich, District Counsel, summarized an update report for the committee beginning with a brief background. In July 2008, the City of Berkeley (“City”) submitted for District review and approval a proposed long-term use agreement (“Agreement”) with College Preparatory School (“CPS”) for the Tom Bates Regional Sports Complex. The City was the lead agency for the complex’s development among its Joint Powers Agreement (“JPA”) partners including, in addition to Berkeley, the cities of Albany, El Cerrito, Emeryville, and Richmond. In May 2009, the City arranged a long-term sublease with CPS to help fund Phase 2. At that time, it appeared the various members of the JPA would be able to fund several ball fields in part using WWF funding. Since that time, issues with that funding have been limited. The JPA through the City has come up with a revised Phase 2A plan which is somewhat larger than the original Phase 2 because it includes parking and a softball field built to National Federation of State High School Association standards. District staff has reviewed and approved the construction plans for Phase 2A.

Mr. Radosevich added that the reason this item is being brought forward before the committee is that when the sublease was approved in 2009, both softball and baseball fields were going to be built in Phase 2. The City has now come forward and stated that it has the ability to do Phase 2A, but not Phase 2B, which will be sometime in the future. Based on this committee’s action and the Board’s approval of the entire Phase 2, District staff and the City felt it appropriate to return to this committee to indicate that the project is different than previously proposed, but that it still serves an important public purpose. He added that according to the City, this issue has been discussed and approved by other members of the JPA.

City of Berkely Mayor Tom Bates addressed the Board, stating that there is always a question of resources as the City does not qualify for Prop 84 funds.

Chair Siden also acknowledged receiving support for Phase 2A from the City of Emeryville, City of El Cerrito, the College Preparatory School, and the City of Richmond.

William Roger, Director of Parks and Recreation and Waterfront for the City of Berkeley explained that they can afford to install the 82-space parking lot at this time.

Director Radke asked staff to inform Directors Dotson and Sutter of this item.

By motion of Director Radke and seconded by Director Lane, the Executive Committee affirmed that Phase 2A as proposed is consistent with prior Board action and can therefore go forward.

