

The Board Meeting, which was held on December 15, 2009 at the EBRPD Administrative Building, 2950 Peralta Oaks Court, Oakland, CA 94605 was called to order at 12:50 p.m. by Board President Ted Radke.

ROLL CALL

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

Directors Absent: None.

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 Ted Radke.

Staff Present Included: Pat O'Brien, Ted Radosevich, Dave Collins, John Escobar, Rosemary Cameron, Carol Victor, Shelly Lewis, Nancy Wenninger, Mark Ruppenthal, Brian Wiese, Jeff Rasmussen, John Bouyea, Mike Anderson, Brian Wiese, David Amme, Brad Olson, Chris Barton, Mark Pearson, Bill Louie, Jon King, Diane Althoff, Pam Burnor, Nadine Vargas, Neal Fujita, Jessica Lau, Don Goodenow, Anne Scheer, Pete Alexander, Cinde Rubaloff, Deborah Spaulding, Susan Gonzales, Mimi Waluch, Isa Polt-Jones, Carol Johnson.

A. APPROVAL OF AGENDA

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

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

Directors Absent: None.

B. PUBLIC COMMENTS

George Philips, Executive Director for the Alameda Boys and Girls Club, addressed the Board to clarify the issues pertaining to their plans to build a facility and the related application of Measure WW Local Grant funds with the City of Alameda. He explained that the recreation center is a joint venture between the Alameda Boys and Girls Club (providing about 80% of the funds needed for the lease-hold improvement to build the facility), the Alameda Unified School District (who provided the land), and the City of Alameda (who will submit a proposal to use Measure WW funds) with the intent to build a 25,000 square foot youth, recreation and development facility on the City's west end. The facility will be operated by the school district during the school day, and will be jointly operated by the Boys and Girls Club and the City of Alameda's Park and Recreation Department after school, evenings, weekends, and school holidays/summer breaks.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

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

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

Directors Absent: None.

C-I-a. Approval of District Check Listing for the Period of November 15, 2009 through  
November 30, 2009

Resolution No. 2009 – 12 - 315 (attached)

C-I-b. Approval of the Minutes for the Board Meeting of November 3, 2009

C-I-c. Authorization to Appropriate Revenue and Amend the 2009 Budget for Fire Department  
Out-of-County Responses and Cal-Fire Staffing Assistance

Resolution No. 2009 – 12 - 316 (attached)

C-I-d. Authorization to Amend the 2009 Budget and the Purchase of a Four-Wheel Drive  
Utility Vehicle: Public Safety Division

Resolution No. 2009 – 12 - 317 (attached)

In response to a question by Director Sutter regarding maintenance costs, Captain Mark Ruppenthal stated that the District will be purchasing an extended vehicle warranty from the manufacturer.

C-I-e. Authorization to Amend the 2009 Capital Budget to Meet State Proposition 40 Grant  
Requirements and to Encumber Additional Funds for the Delta Discovery Experience:  
Big Break Regional Shoreline

Resolution No. 2009 – 12 - 318 (attached)

C-I-f. Authorization to Apply for Grant Funds from the Bay Area Air Quality Management District for  
the Retrofit of Vehicle Engines: Point Pinole Regional Shoreline

Resolution No. 2009 – 12 - 319 (attached)

C-I-g. Authorization to Amend the 2009 Budget and Transfer Funds from Salary Savings to Supply &  
Services Accounts: Public Affairs Division

Resolution No. 2009 – 12 - 320 (attached)

C-I-h. Authorization to Award Contracts to Pacific Openspace Inc. and Go Native Inc. to Provide  
On-Call Habitat Restoration Maintenance Services for Resource Enhancement Program (REP)  
Projects: Eastshore State Park-Berkeley Meadow, Brushy Peak Regional Preserve and  
Morgan Territory Regional Preserve

Resolution No. 2009 – 12 - 321 (attached)

- C-I-i. Approval of Revenue Transfers and Budget Adjustments for Resource Enhancements Program Projects Within the Mitigation Fund  
Resolution No. 2009 – 12 - 322 (attached)
- C-I-j. Authorization to Enter Into an Agreement with Mona Ellingson to Operate the Anthony Chabot Equestrian Center: Anthony Chabot Regional Park  
Resolution No. 2009 – 12 - 323 (attached)
- C-I-k. Authorization to Accept the Proposal to Provide and Install an Acoustical Ceiling System at the Brazilian Room: Tilden Regional Park  
Resolution No. 2009 – 12 - 324 (attached)
- C-I-l. Authorization to Amend the 2009 Budget and Transfer Maintenance Funds to the Capital Project Account for Tilden Nature Area Little Farm Improvements Project  
Resolution No. 2009 – 12 - 325 (attached)
- C-I-m. Authorization to Amend the 2009 Budget and Transfer Operational Funds to the Wastewater Monitoring System Project  
Resolution No. 2009 – 12 - 326 (attached)
- C-I-n. Authorization to Enter into a One Year Agreement for Waterslide Concession: Shadow Cliffs Regional Recreation Area  
Resolution No. 2009 – 12 - 327 (attached)
- C-I-o. Authorization to Renew Contract for Youth Employment Services with Civicorps Schools  
Resolution No. 2009 – 12 - 328 (attached)
- C-I-p. Authorization to Enter Into an Agreement with Existing Tenants Scott and Donna Crawford to Continue to Provide Caretaker Services: Pleasanton Ridge Regional Park  
Resolution No. 2009 – 12 - 329 (attached)
- C-I-q. Authorization to Purchase Two Vault-Type Restrooms: Mission Peak and Sibley Regional Parks  
Resolution No. 2009 – 12 - 330 (attached)
- C-I-s. Authorization to Amend the Consulting Contract for the Wildfire Hazard Reduction and Resource Management Plan and EIR and Encumber Budgeted Funds  
Resolution No. 2009 – 12 - 331 (attached)
- C-I-t. Authorization to Appropriate Funds for Capital Project Reconciliation and for the Installation of Additional Play Equipment: Roberts Regional Recreation Area  
Resolution No. 2009 – 12 - 332 (attached)
- C-I-u. Authorization to Amend the 2009 Budget and Transfer Funds to an Other Than Asset (OTA) Account for the Grassland Monitoring Study: Stewardship Department  
Resolution No. 2009 – 12 - 333 (attached)

C-1-v. Authorization to Amend the Consultant Contract with Questa Engineering Corporation for Design Engineering and Environmental Services: Wildcat Creek to San Pablo Creek Segment of the Bay Trail  
Resolution No. 2009 – 12 - 334 (attached)

The following item was pulled for separate discussion by Director Sutter:

C-1-r. Approval of 2010 Consolidated Fee Schedule  
Resolution No. 2009 – 12 - 335 (attached)

By motion of Director Sutter, and seconded by Director Siden, the Board voted 5-Yes and 2-No (Directors Lane and Wieskamp) to approve item C-1-r with the deletion of item 111-10: Public Safety Fees & Fines, Juvenile Diversion Administrative Fee.

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

Directors Absent: None.

Director Sutter made a motion to delete item 10 on Exhibit B referring to the Juvenile Diversion Administration Fee of \$50, explaining that this new fee would only serve as a discouragement to enter into the program. Capt. Ruppenthal explained that this fee simply covers the District's processing costs and is not a fine to the juvenile; the juvenile pays the entity that administers the program.

Director Wieskamp stated that while she supports juvenile diversion opportunities, she believes that this fee should be adopted since many of the individuals who take advantage of this program can afford it. She suggested that the District waive the fee only for those who cannot afford it.

General Manager Pat O'Brien commented that it may be difficult to determine who can and cannot afford to pay the fee, and suggested that staff track the program over time and report back to the Board on the actual cost to the District.

## 2. GENERAL MANAGER

C-2-a. SECOND PUBLIC HEARING  
Adoption of the 2010 Budget for the East Bay Regional Park District  
Resolution No. 2009 – 12 - 336 (attached)

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

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

Directors Absent: None.

AGM for Finance and Management Services Dave Collins gave a presentation on this item, stating that this is the second public hearing, and staff has provided a summary of the revisions and changes discussed at the previous Board meeting, and will include these as well as the General Manager's Comments to the final version of the 2010 Budget.

President Ted Radke opened the Public Hearing; there being no comments, the Public Hearing was closed.

The Board also expressed their appreciation to staff in completing this, especially given how the budget has become more complicated through the years.

3. HUMAN RESOURCES DIVISION

C-3-a. SECOND PUBLIC HEARING

Amendment of the East Bay Regional Park District's General Employees Retirement Plan to Conform to Internal Revenue Service (IRS) Regulations  
Resolution No. 2009 – 12 - 337 (attached)

By motion of Director Wieskamp, and seconded by Director Lane, the Board voted unanimously to approve item C-3-a.

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden,  
John Sutter, Ayn Wieskamp  
Directors Absent: None.

Benefits Manager Bill Louie stated that this has been previously presented at an earlier Board meeting and asked if the Board had any additional questions or concerns.

President Radke opened the Public Hearing; there being no comments, the Public Hearing was closed.

4. LAND DIVISION

C-4-a. Authorization to Acquire Fee Interest, Transfer Funds and Encumber Properties for the Purchase of the 1,644± Acre Vaquero Farms Conservation LLC Property: Vasco Caves Regional Preserve  
Resolution No. 2009 – 12 - 338 (attached)

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

Directors Present: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden,  
John Sutter, Ayn Wieskamp  
Directors Absent: None.

Land Acquisition Manager Nancy Wenninger gave a presentation on this item and pointed out that this is the fourth purchase in 2009 with the District's partner, the East Contra Costa County Habitat Conservancy (Conservancy). Ms. Wenninger added that this is just the first phase of a larger project which would include some additional land; the District is looking at getting a conveyance from the Conservancy of some land which has no turbines on it, conservation easements or constraints to public access, which will allow the District to create trails.

Financial details presented were as follows:

Purchase price (appraised fair market value)		\$ 2,924,000
Option payment, 2008:	District	250,000
	Conservancy	250,000

Balance:	District	250,000
	Conservancy	<u>2,174,000</u>

Ms. Wenninger also stated that although state grant funding from sources such as Prop 84 has been frozen, the Conservancy had been able to attract federal grants. However, to qualify for funding, these sources require a 55% non-federal match. The Conservancy had therefore requested the District to allow two previously acquired properties, namely the Souza I property at Vasco Caves and the Lentzner property at Black Diamond Mines be used as match for this acquisition.

5. BOARD AND STAFF REPORT

C-5-a. Actions Taken by Other Jurisdictions Affecting the Park District

6. GENERAL MANAGER'S COMMENTS

AGM for Public Affairs Rosemary Cameron gave a presentation summarizing the top events and projects for the fourth quarter 2009. Notable projects and events mentioned included dedications of the Galindo Creek Bridge/Trail, Carquinez Strait, dedications of joint District and Regional Parks Foundation projects - the Miller Knox Playground and the Pt. Pinole Group Camp. She also mentioned that they hosted a Planned Giving Seminar for Professionals at Lake Temescal, as well as the continuing installation of freeway signs pointing to regional parks. She reported that District staff participated in the Oakland Holiday Parade with about 100,000 people in attendance. Ms. Cameron stated that the fund-raising goals will be exceeded this year, and mentioned that a \$106,000 grant was received from the Committee for Industrial Safety, while Kaiser Permanente provided a \$95,000 grant to underwrite the 2010 Trails Challenge program.

Director Lane commented that the Public Affairs department needs to be assigned a District vehicle for its staff to use instead of their personal vehicles which they have been using extensively to haul materials to prepare for and attend District-related events.

7. ANNOUNCEMENTS FROM THE CLOSED SESSION

There were no announcements from the Closed Session.

8. BOARD COMMITTEE REPORTS

a.	Executive Committee	(10-22-09)	(Radke)
b.	Executive Committee	(11-24-09)	(Radke)
c.	Finance Committee	(10-28-09)	(Lane)
d.	Operations Committee	(10-22-09)	(Severin)
e.	Regional Parks Foundation	(9-17-09)	(Siden)

9. BOARD COMMENTS

Director Sutter reported on meetings attended. Director Sutter

- Attended the District's Holiday/Charity Food Drive luncheon;
- Attended the CCTy Mayors conference in Lafayette;
- Attended the Sierra Club Holiday party wherein the District was toasted for the passage of Measure WW and for exceeding the 100,000 acre mark;
- Attended the PAC holiday event, as well as the Friends of Oakland Parks party;
- Attended the Alameda County Mayors Conference in San Leandro;

- Attended the Chabot Space and Science Center event Sunday evening;
- Participated in a tour of vegetation management areas with Forest Service staff this morning;
- Will attend the Waterfront Action meeting tomorrow.

Director Lane reported on meetings attended. Director Lane

- Attended the District's Holiday/Charity Food Drive luncheon, the Sierra Club's holiday event, the PAC holiday dinner and Laura Comstock's retirement party;
- Hiked trails at Magee Park and Sycamore Valley Open Space;
- Attended Jeff Eorio's (San Ramon Parks and Community Services) retirement event in San Ramon;
- Will be attending Bob McLeary's (Contra Costa Transportation Authority) retirement event this week;
- Inspected the Serpentine Prairie fence today prior to the Board meeting;
- Requested that staff allow Stephen Joseph (John Muir/National Parks photographer) to come into District parks to take photographs.

Director Severin reported on meetings attended. Director Severin

- Met with a possible PAC nominee yesterday;
- Attended the District's Holiday/Charity Food Drive luncheon, as well as the PAC holiday dinner.

Director Siden reported on meetings attended. Director Siden

- Attended the District's Holiday/Charity Food Drive luncheon;
- Attended the PAC holiday dinner;
- Attended the Coliseum Area Committee meeting where there was a presentation on the Central Estuary Plan;
- Attended a "Building Oakland" presentation sponsored by the SF Business group;
- Attended the Sierra Club holiday event attended by Directors Lane and Sutter;
- Met with the Interim Alameda City Manager as well as Mayor Beverly Johnson and Development Director Leslie Little and provided a tour of Crab Cove with Supervising Naturalist Sharol Nelson-Embry;
- Attended the Alameda County Mayors Conference in San Leandro, and requested staff to determine how the excess funding to build the bridge in San Leandro will be used by the City;
- Attended the East Bay Economic Development Alliance meeting at the Lake Temescal Beach House;
- Attended the holiday reception sponsored by Alameda County Supervisor Nate Miley;
- Attended a meeting of the MLK Holiday Committee;
- Will be attending the City of Alameda Council meeting tonight for a staff presentation on the recent oil spill;
- Will be attending the Waterfront Action meeting tomorrow with Director Sutter;
- Will be meeting with Dr. Joel Parrott of the Oakland Zoo.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the District's Holiday/Charity Food Drive luncheon, and suggested doing it again, at least informally, at a park location in the next few years;
- Attended a Friday preview of the "Ardenwood Weekend";
- Attended the PAC Holiday dinner;
- Asked staff to follow-up on the Altamont approach of the planned hi-speed rail through the area;
- Attended Laura Comstock's retirement event;
- Will be in Fremont for a presentation on the District's 75<sup>th</sup> anniversary;
- Will attend the Legislative Committee meeting for December.

Director Dotson did not report on any meetings attended.

Director Radke reported on meetings attended. Director Radke

- Reminded the Board of the December 16 Special Meeting of the Enviro-Labor Forum to be held Plumbers Hall in Martinez;
- Expressed his appreciation of the District's accomplishments in 2009.

D. PUBLIC COMMENTS

There were no public comments at this time.

E. ADJOURNMENT

The Board meeting was adjourned at 4:10 p.m. by Board President Radke in honor of Jessica Dupre, Park Ranger at Kennedy Grove Regional Park, who passed away on December 9, 2009.

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Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2009 - 12 - 315 to 2009 - 12 - 338  
Board Committee Reports