AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 5, 2009

C. BUSINESS BEFORE THE BOARD

5. BOARD COMMITTEE REPORTS

d. Operations Committee (03/24/09) (Severin)

Present

Board: Directors Carol Severin (Chair), Whitney Dotson, John Sutter

Staff: John Escobar, Jack Kenny, Mimi Waluch, Bill Nichols, Renee Patterson, Rita Fesler

Public: Judi Bank, Barbara Glenn, Roxann Crosby, Graham Wright, Debbie DeAngelis, Katie Stone, Vince Horpel

1. Review of Martinez Horsemen's Association Special Use Agreement: Martinez Regional Shoreline

Revenue Analyst Rita Fesler reviewed the Martinez Horsemen's Association's (MHA) long history with the District dating back to 1978. MHA currently has an active membership of between 25-35 individuals and families. The park supervisor and staff maintain an ongoing positive and cooperative working relationship with MHA who fully maintain the arena and perform maintenance and repair work on viewing bleachers, gate panels, and the snack stand, as needed. Staff notes that MHA's presence in the park also helps deter problems with vandalism. The arena is open to the public in the spring when not otherwise scheduled for MHA events.

MHA recently completed a 25-year Master Agreement and staff is recommending a five-year Special Use Agreement with MHA to include a five-year option; authorization to rent the facility to other equestrian groups for a fee of $225/day with District-approved proof of insurance; and use of the arena for up to six days per year to conduct Park District Volunteer Mounted Patrol (VMP) required testing and certification. Staff also recommends a fee increase from $100/year to $300/year, recognizing MHA's use during weekend days when the facility could be rented to the general public.

Present at the meeting were two MHA representatives: Barbara Glenn, President, and Roxann Crosby, Secretary. Responding to Director John Sutter's inquiry regarding disposition of the

$225/day charged to other equestrian groups, MHA reported that the fee is intended to off-set the cost of tractor repairs and costs incurred in dragging and maintaining the arena.

Director Whitney Dotson asked whether MHA provides riding lessons. MHA responded that although they do not give lessons, they periodically conduct riding clinics for the general public. MHA also sponsors an annual fundraiser in July for the Orinda Therapeutic Riding Center. In response to Director Carol Severin's suggestion, Ms. Fesler reported that staff recently submitted an article about the group's activities for publication in Regional in Nature (RIN).

Director Severin concluded the discussion by thanking MHA for providing a great community service. Director Sutter moved to accept staff's recommendation. The motion was seconded by Director Dotson and passed unanimously (3-0).

2. Review of Bay Area Radio Control Society Special Use Agreement: Pt. Pinole Regional Shoreline

Administrative Analyst Renee Patterson reported that the Bay Area Radio Control Society (BARCS) has been a tenant on a segment of Pt. Pinole Regional Shoreline, formerly known as the Bruener Property, since 1981. In June 2007, the District entered into an agreement with BARCS to conduct radio controlled model aviation activities. This 100-member non-profit group is registered with the State of California and is a chartered member of the Academy of Model Aeronautics (AMA), the world's largest aero modeling organization. All members are required to belong to AMA which provides them $2,000,000 in personal liability insurance. Park Supervisor John Hitchen reports that club members work well with staff and that he has no knowledge of the group having experienced any major incidents.

Staff recommends authorizing a Special use Agreement with BARCS to allow its members exclusive use of a designated segment of Pt. Pinole Regional Shoreline. The Agreement will be for one (1) year and licensee shall have the right to renew the initial term for four (4) annual periods from the date of the initial term by giving the District written notice. The District will receive $2,400 per year for the license. Staff noted that each renewal will be considered one year at a time and renewal will be contingent upon the District's proposed plans to eventually construct a trail in the designated area. AGM John Escobar emphasized that long term disposition of the property will ultimately be a land use planning decision.

Director John Sutter suggested that staff consider clarifying the Agreement's current wording, "Licensee shall have the **right** to renew..." Staff agreed to revise the Agreement's wording to read, "Licensee shall have the **option** to renew the initial one-year term for four (4) annual periods."

Responding to Director Sutter's inquiry about the level of involvement in the process by the Land and Grants Departments, AGM Escobar assured the Committee that staff has consulted with Land Acquisition throughout the process. Director Sutter expressed concern about possible adverse noise impacts created by the group's activities. Director Dotson commented that living close to the facility, he does not consider the noise to be intrusive and that the group is considered a good neighbor.

Director Dotson moved that staff's recommendation be approved with the understanding that the District will retain sole option regarding whether to extend the Agreement beyond the initial one-year term. Director Sutter seconded the motion which passed unanimously (3-0).

(ADDENDUM: Based on a subsequent staff recommendation, the Board Operations Committee will reconsider the specific term of this agreement at their April 16, 2009 Meeting.)

3. Review of Row Chabot Pilot Program for Youth Rowing Special Use Agreement: Lake Chabot Regional Park

Revenue and Administration Manager Mimi Waluch briefed the Committee on Row Chabot's proposed pilot program which provides rowing opportunities for up to 20 youths utilizing the current public access dock at the Lake Chabot Marina. Staff is recommending entering into a two-year Agreement terminating June 30, 2011, with the District receiving $300 per year for the License. In 2003, the Park Advisory Committee and the Board Operations Committee reviewed and approved the basic concept of the Row Chabot proposal to promote opportunities for youth rowing at Lake Chabot. A rowing dock and boat storage facility feasibility study was completed in 2008 which estimated the cost of construction to substantially exceed available funding. In order to test the impact of the program, staff recommends approval of the Row Chabot Pilot Program. Adult instructors will supervise training and be on site at all times, with one instructor remaining on land in the event of an emergency.

Row Chabot will be required to obtain written permission from EBMUD for use of the motorized launch at Lake Chabot, to meet all insurance requirements, and to comply with US Rowing Safety Standards. Staff has imposed additional conditions on Row Chabot to ensure visitor and participant safety and to minimize conflicts with other recreational activities.

AGM Escobar commented that District studies indicate that a more comprehensive program is feasible, although expensive, and that this pilot program presents a good opportunity for staff to assess the impact of Row Chabot's program on other recreational activities. The terms, conditions and hours of operation are restrictive and staff will closely monitor and address conflicts that may arise.

Row Chabot representatives, Katie Stone, Vince Horpel and Debby DeAngelis were present at the meeting to respond to questions posed by Committee members. Director Dotson asked whether efforts have been made by Row Chabot to encourage participation in rowing activity by students in low-income communities, and suggested that Row Chabot conduct outreach in schools within close proximity to the lake. Mr. Horpel indicated that AGM Escobar had suggested that a scholarship program could be modeled after the District's campership program which classifies low-income individuals as those eligible for school lunch subsidies. The group is also considering a model that includes reaching out to the four continuation schools within their targeted service area for a source of potential scholarship recipients.

In response to Director Dotson's query as to whether the program includes swim lessons,

Mr. Horpel commented that although they do not provide swim lessons, they are required to conduct tests to ensure that participants are able to tread water for 10 minutes and swim for 50 yards.

The Committee suggested that Row Chabot representatives meet with Director Doug Siden and the District's Community Outreach Coordinator Elizabeth Hales to discuss ways to involve children in under-served communities in the Row Chabot program. Ms. Waluch reported that she has discussed with Public Affairs ways to promote Row Chabot's program through print and website articles.

Director Sutter inquired as to whether Row Chabot activities had prompted any noise complaints. Mr. Horpel responded that this has not been an issue since their activities take place weekdays early in the morning and evenings. They do not use bullhorns or microphones and do not operate near picnic or high use areas.

Ms. DeAngelis asked the Committee to consider waiving the $300 annual license fee for the first two years of the Agreement, citing the low ($20/month) fee charged to teach rowing to participants and the cost of hiring qualified instructors. Ms. Waluch responded that staff considers the proposed fee to be reasonable considering the standard fee for Special Use Agreements is $2,400 per year.

Director Sutter moved that staff's recommendation authorizing a Special Use Agreement with Row Chabot be approved, and that the $300 Special Use Agreement fee for the first year be waived. Director Dotson seconded the motion which passed unanimously (3-0).

4. Review of Board Operations Committee's 2009 Draft Work Plan

Staff presented the 2009 Board Operations Committee Draft Work Plan. The purpose was to seek feedback from the Committee prior to finalizing the 2009 Work Plan. The Committee focused their discussion on a number of high priority items, and Director Sutter requested that the 2009 Work Plan be updated to reflect current vs. new programs.

5. Public Comments: No comments were received.

6. Staff Comments:

To alleviate a conflict with a major staff meeting held earlier in the day prior to the Board Operations Committee meeting, AGM Escobar asked Committee members to consider holding their meeting later in the day. The Committee agreed to change the regular meeting time from 12:45 p.m. to **2:00 p.m.** on the third Thursday of each month.

Director Severin moved that the meeting be adjourned at 2:30 p.m. The next meeting of the Board Operations Committee is scheduled for Thursday, April 16, 2009, at 2:00 p.m. in the Peralta Oaks Board Room.