

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, April 6, 2010

C. BUSINESS BEFORE THE BOARD

6. BOARD COMMITTEE REPORTS

b. Operations (02/18/10) (Lane)

Present

Board: Directors Beverly Lane (Chair), Whitney Dotson, Carol Severin (Alternate)

Staff: John Escobar, Mimi Waluch, Paul Miller, Warren Schultz,
Renée Patterson, Leigh Padmore

Public: Kim Grandfield (Sunrise Mountaineering), Judi Bank (PAC)
Bill Surges (Union Representative, Local 2428)

I. **Review of Open Water Aquatic Team (SOWAT) Special Use Agreement
Shadow Cliffs Regional Recreation Area**

Revenue and Administration Manager Mimi Waluch briefed the Committee on the background and history of the Shadow Cliffs Open Water Aquatic Team (SOWAT). In 1982, the Board authorized entering into agreements with organized groups to train and swim in open waters outside designated swim areas with no lifeguard supervision. That same year, the District entered into the first of several agreements with SOWAT. Initially formed with 30 members, SOWAT has grown to its present membership of approximately 100 swimmers with varying levels of participation. The group wishes to continue its relationship with the District and is requesting to renew its agreement to use Shadow Cliffs Regional Recreation Area for open water swimming.

The District currently receives \$100 per year from SOWAT; however, two years ago the group was advised that the fee would increase with the next agreement renewal. At this time, staff recommends a fee increase to \$1,200 per year for an initial term of three years, with one two-year option period.

In response to Committee member questions regarding liability and safety issues, staff reported that SOWAT members are required to swim in pairs or, if swimming alone, need to be followed by a “chase” boat. Individual members are also required to sign a liability release with SOWAT, which provides the District with some level of indemnity.

Director Whitney Dotson moved that the Committee recommend approval for staff to renew the District's agreement with SOWAT for an initial three-year term with one two-year option period, with an increased annual fee of \$1,200. Director Carol Severin seconded the motion, which passed unanimously (3-0).

2. Review of Open Water Swim Team (ORCAS) Special Use Agreement: Shadow Cliffs Regional Recreation Area

Revenue & Administration Manager Waluch recounted the history of the ORCAS group's involvement with the District. The ORCAS are an offshoot group of SOWAT swimmers who were dissatisfied with the direction and leadership of SOWAT. Staff attempted to mediate the ensuing conflicts within the ranks of SOWAT's team management. It was eventually determined that formation of a separate organization, based on the same rules and regulations required of the SOWAT group, was the most appropriate resolution to ongoing conflicts between the two groups. Subsequently, in 2008 the District authorized staff to enter into a special use agreement with the newly formed Shadow Cliffs Quarry Crawlers (now known as the ORCAS).

Ms. Waluch reported that since 2008, the two open water swim teams have been using the same facility on a trial basis. The two groups have utilized the facility cooperatively and without conflict during this trial period. In fact, many swimmers are members of both the ORCAS and SOWAT, using double membership to more easily pair up to gain additional time in the water.

The District currently receives \$100 per year from ORCAS and, as with SOWAT, staff is recommending a fee increase to \$1,200 per year for an initial term of three years, with one two-year option period.

Director Dotson asked what percentage of the ORCAS group represents teenagers.

Ms. Waluch responded that although no records of age and/or gender are maintained, she estimates that the group is comprised of about 10% teenagers, with most swimmers being in the over-40 age range.

Following discussion centered on the group's training regimen, Director Dotson moved to recommend authorization for staff to enter into a special use agreement with ORCAS for an initial term of three years, with one two-year option period, with a fee increase to \$1,200 per year. Director Severin seconded the motion, which passed unanimously (3-0).

3. Review of Montclair Swim Team Special Use Agreement: Roberts Regional Recreation Area Pool

Ms. Waluch briefed the Committee on Montclair Swim Team's use of the pool at Roberts Regional Recreation Area, and emphasized how the team successfully co-exists with many other user groups. For example, this fall the District will be implementing evening swim lessons during September, and the Montclair Swim Team is willing to modify their training schedule to accommodate the swim lessons.

The Montclair Swim Team has been operating on the basis of annual renewal of their special use agreement with the District and is now requesting a longer-term agreement. The Swim Team will pay the District a rate of \$50 per hour for exclusive use of Roberts pool, and with anticipated pool use for 26 weeks from August through June, the District can expect revenue of approximately \$25,000 during the 2010 season of programming.

AGM John Escobar assured Director Beverly Lane that this group's use of Roberts Pool during the evening would not conflict with the YMCA's pool use, which takes place during daytime school hours. In response to Director Dotson's question about the availability of swim lessons, AGM Escobar indicated that the District's Lifeguard Services provide swimming lessons throughout the summer and after school in September. He added that a major goal of the District's aquatics program is to conduct outreach programs to provide more children with swim lessons, and that staff is constantly seeking funding sources to support this goal.

Director Severin moved to recommend authorization for staff to enter into a one-year special use agreement with Montclair Swim Team, with four one-year options, for use of the pool at Roberts Regional Recreation Area for swim team training. Director Dotson seconded the motion, which passed unanimously.

4. Review of Kayak Concession Agreement: Del Valle Regional Park

Kim Grandfield, the operator of Sunrise Mountaineering kayak concession at Del Valle, was introduced to the Committee by Ms. Waluch. Several years ago, the Park District solicited RFPs to operate a windsurfing concession at Del Valle. After receiving very little response to the windsurf RFP, the Board approved a concession agreement with Sunrise Mountaineering to convert the pre-existing windsurf concession into a kayak instruction and rental concession. Since the District had not advertised for this type of concession, Sunrise Mountaineering was granted a limited one-year agreement with an additional one-year option to test the public's response to the converted concession. In March 2008, Sunrise Mountaineering was granted a three-year extension of the original agreement which ends in March 2011. At this time, Sunrise Mountaineering is seeking an additional three-year commitment before investing in replacing and upgrading rental equipment and a storage facility. The proposed three-year extension will expire in March 2014.

In discussing the concessionaire's fee structure, Ms. Waluch reported that fees charged are those listed in the District's Board-approved 2010 Consolidated Fee Schedule. AGM Escobar reported that financially the kayak concession is much more profitable than the windsurf concession, and that the District can expect annual revenues of approximately \$12,000 from Sunrise Mountaineering.

Mr. Grandfield gave a detailed description of the kayak operation and the population it serves and, in closing, asked if the District could investigate the possibility of having electrical power connected to the concession stand. AGM Escobar will discuss the issue with staff and report his findings to Mr. Grandfield.

Director Severin moved to recommend to the full Board that a three-year extension agreement be granted to Sunrise Mountaineering. Director Dotson seconded the motion, which passed unanimously (3-0).

5. Quagga Mussel Inspection and Monitoring Program Update

AGM Escobar reported on the progress of the District's Quagga Mussel and Monitoring Program and its participation in the five-county Bay Area Consortium. AGM Escobar explained that the primary purpose of the Consortium is three-fold: (1) to ensure that the Quagga and Zebra Mussel do not become established in the five county area; (2) to secure funding toward the cost of monitoring the inspection programs; and (3) to establish a reciprocal banding program that would permit any boat banded by a participating agency to be launched anywhere in the five-county area without re-inspection.

AGM Escobar further reported that staff is currently engaged in seeking supplemental funding sources to support the inspection program. The District, along with other Consortium agencies, is working on a federal appropriations funding request to the Department of Agriculture to secure \$2,500,000 for the five-county area. Acceptance of the California Department of Fish & Game's funding will also be conditioned on the immediate implementation of an on-line database service that tracks information on boats that have failed inspections.

6. Public Comments

There were no public comments.

7. Staff Comments

Lakes Unit Manager Warren Schultz reported that in mid-January, a main transmittal water pipe ruptured at Del Valle creating a significant landslide near the Wente Winery on Arroyo Road. The flooding made its way into the vineyards and caused the entrance road to a residence to be completely blocked for a time. The Department of Water Resources (DWR) immediately hired a contractor to repair the damaged section of aqueduct and repair the damaged hillside.

8. Adjournment

Director Lane adjourned the meeting at 3:15 p.m. The next meeting of the Board Operations Committee is scheduled for Thursday, March 11, 2010, at 2:00 p.m. in the Board Room, Peralta Oaks.