

AGENDA  
REGULAR MEETING  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, October 6, 2009

C. BUSINESS BEFORE THE BOARD

8. BOARD COMMITTEE REPORTS

c. Executive (8/20/09) \_\_\_\_\_ (Radke)

Attendees:

Committee Members: Directors Ted Radke (Chair), Ayn Wieskamp, Beverly Lane (alternate)

Staff Members: Pat O'Brien, Dave Collins, Mike Anderson, Carol Victor, Becky Pheng, Nancy Wenninger, Rosemary Cameron, Ted Radosevich, Brenda Montano

**I. Non-Renewal of Williamson Act Contracts**

Assistant District Counsel Carol Victor explained that the California Land Conservation Act of 1965, also known as the Williamson Act (Act) is legislation designed to preserve agricultural and open space lands by offering a tax incentive to property owners. The Act provides an arrangement where a private property owner voluntarily restricts his/her land to agricultural and compatible open space uses under a contract with either the county or city in which the property is located. In exchange, the property owner benefits from being taxed at a lower rate for agricultural uses.

The District owns 16 properties (approximately 3,916 acres total) in Contra Costa County and five properties (4,960 acres total) in Alameda County that are under Williamson Act contracts entered into by prior owners. The Land Division and the District Counsel's office have been working together to identify all of the properties owned by the District encumbered with Williamson Act contracts and to develop a program for orderly non-renewal of said contracts.

Staff recommends non-renewal of 16 properties in Contra Costa County and five properties in Alameda County, none of which are orchards or flowering fields; all are used for grazing which would continue. Ms. Victor explained that this is mainly a matter of cleaning up title and removing the potential that either county could come in and state land-use authority over the properties.

Director Siden expressed his concern about the message that would be sent by letting the land titles go, being that the District is active in land preservation. Ms. Victor stated that the District preserves these properties in perpetuity, and offers even better protection than the Act. She reiterated that there would be no change in use of the properties.

**RECOMMENDATION: By motion of Director Wieskamp and second by Director Siden, the Executive Committee unanimously recommended approval by the Board to file a notice of non-renewal with Contra Costa County and Alameda County for parcels owned by the District covered by Williamson Act contracts.**

## **2. 75<sup>th</sup> Anniversary Book Update**

Assistant General Manager for Public Affairs Rosemary Cameron gave an update on the 75<sup>th</sup> Anniversary book project. Because the item was moved up on the agenda, the book's author, Laura McCreery was not present, but will meet the Committee members at a later time.

Wilderness Press has set an October 1<sup>st</sup> deadline for final submission of all text to allow one month for their copy editing process. The goal is to have the final design and copy-edited text submitted by Wilderness Press December 1<sup>st</sup> with a four month printing schedule. The book will then be available for use by the District in Spring 2010, as well as for sale in Visitor Centers and through Wilderness Press local book store distribution channels. Arrangements have been made with Wilderness Press for the District to purchase 3,000 advance copies of the book at a discounted price. Funding is available in the Public Affairs budget. Tentative public price for the book is around \$24.

The final annotated outline of the book as it is being written by Ms. McCreery was distributed to the group before the meeting. Rather than a strictly chronological approach, Ms. McCreery has crafted more of a thematic approach to the treatment of the District's 75 year history. Both GM O'Brien and AGM Cameron stated that what they have read so far has been very interesting.

In response to a question by Director Wieskamp, AGM Cameron answered that both the volunteer efforts and Public Safety, including the Fire Department, are well documented.

AGM Cameron stated the Brenda Montano is leading the archive effort to locate and track materials that will be included in the book. Ms. Montano added that she has seen some great print material and pictures in her archive project.

AGM Cameron then introduced a preview of several options for the cover of the book.

Director Siden confirmed that Laura McCreery would be available for book promotion events. There was some discussion among the group regarding verbiage and the sensitivity required in that arena.

### **Public Comments:**

- PAC Chair Rich Guarienti stated that he attended Fresh Tracks as a District Ambassador this year and observed that the type of person that Fresh Tracks attracts is a different park user that you don't otherwise see. He thought it was a positive thing to see and complimented staff.
- Laura McCreery arrived and introduced herself to the Committee.

### **3. Tom Bates Regional Sports Complex (Revised Construction Plan and Schedule)**

Ted Radosevich, District Counsel, presented this agenda item. City of Berkeley staff and Mayor Tom Bates were present. Counsel Radosevich reminded the group that this issue had been before the Executive Committee twice so far this year.

He summarized that the City of Berkeley would like to sublease a portion of the field use-time in the afternoons to College Preparatory High School in return for funds for capital contributions. The City also brought forward a plan for softball field construction, which was approved by the Board. Subsequently, the JPA determined that the priority would actually be for a soccer facility.

Staff is in agreement with the conceptual change, but because of the recent approval by the Board of the last proposal for the softball fields, staff wanted to bring this new item to the Committee for their information.

Mayor Bates stated that they were also working on the parking situation. Director Radke stated that members of the public had come forward to the District to complain about the parking, which was not under the District's domain. He reiterated that he didn't appreciate that blame. He asked what was being done by the City in regards to the parking; Mayor Bates assured that with the new project, parking would be better.

Mayor Bates invited the group to a one year anniversary celebration on September 22. He also stated that he would be looking at Measure WW money and perhaps some other funds from the District at a later date.

Director Siden asked about construction time-lines (which Berkeley City staff stated depended on El Nino) and asked about the parking situation. Mayor Bates assured the group that the parking area should be open before the fields.

**RECOMMENDATION: The Board Executive Committee recommended conceptual approval of the revised Phase 2A build - out plan, provided that the JPA provide in writing firm assurances of funding for both revised phases 2A and 2B, and a timeline that demonstrates that both phases will be built in the near term.**