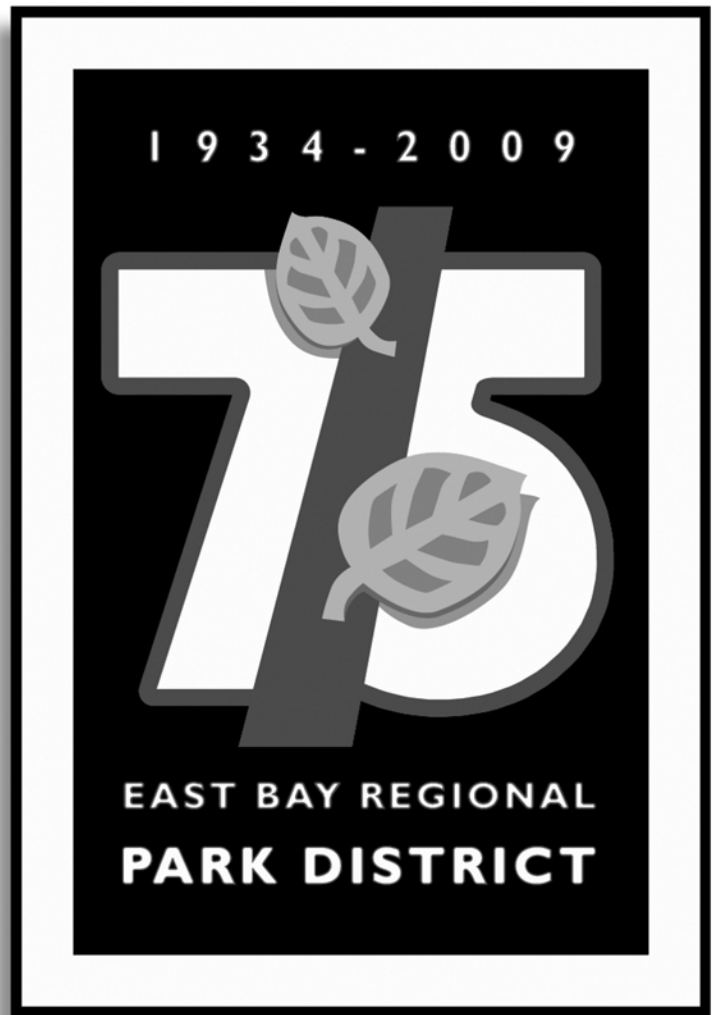


October 6, 2009

# Board Agenda



East Bay   
Regional Park District



## Clerk of the Board

ALLEN PULIDO  
(510) 544-2020 PH  
(510) 569-1417 FAX

## East Bay Regional Park District Board of Directors

TED RADKE  
President, Ward 7

DOUG SIDEN  
Vice-President, Ward 4

BEVERLY LANE  
Treasurer - Ward 6

CAROL SEVERIN  
Secretary - Ward 3

WHITNEY DOTSON  
Ward 1

JOHN SUTTER  
Ward 2

AYN WIESKAMP  
Ward 5

PAT O'BRIEN  
General Manager



P.O. Box 5381  
2950 Peralta Oaks Court  
Oakland, CA 94605-0381  
(888) 327-2757 MAIN  
(510) 633-0460 TDD  
(510) 635-5502 FAX

MEMO to the BOARD OF DIRECTORS  
EAST BAY REGIONAL PARK DISTRICT

**The Regular Session of the October 6, 2009  
BOARD MEETING is scheduled to commence  
at 2:00 p.m. at the EBRPD Administration Building,  
2950 Peralta Oaks Court, Oakland, CA.**

Respectfully submitted,

PAT O'BRIEN  
General Manager

**AGENDA  
REGULAR MEETING OF OCTOBER 6, 2009  
BOARD OF DIRECTORS  
EAST BAY REGIONAL PARK DISTRICT**



**The Board of Directors** of the East Bay Regional Park District will hold a regular meeting at the District's Administration Building, 2950 Peralta Oaks Court, Oakland, CA, commencing at 12:45 p.m. for Closed Session and 2:00 p.m. for Open Session, on Tuesday, October 6, 2009.

Agenda for the meeting is listed adjacent. Times for agenda items are approximate only. If you wish to speak on matters not on the agenda, you may do so under Public Comments at either the beginning or end of the agenda. If you wish to testify on an item on the agenda, please complete a speaker's form and submit it to the Clerk of the Board. 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](http://www.ebparks.org)), the Headquarters reception desk, and at the meeting.

Agendas for Board Committee Meetings are available to the public upon request. If you wish to be placed on the mailing list to receive future agendas for a specific Board Committee, please call the Clerk of the Board's Office at (510) 544-2020.

District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed for you to participate, please contact the Clerk of the Board as soon as possible, but preferably at least three working days prior to the meeting.

**12:45 p.m.      ROLL CALL      (Board Conference Room)**

**PUBLIC COMMENTS**

**CLOSED SESSION**

- A. Conference with Labor Negotiator:  
 Agency Negotiator:            Pat O'Brien, Dave Collins,  
    Susan Gonzales, John Escobar  
 Employee Organizations:      AFSCME Local 2428, Police Association  
 Unrepresented Employees:    Managers and Confidentials
  
- B. Conference with Legal Counsel
  - a. Existing Litigation - Subdivision (a) of Government Code Sec. 54956.9:
    - 1. Sanitary Sewer Line Break at Del Valle Regional Park  
 ACL Complaint No. R2-2009-016
  
  - b. Anticipated Litigation:
    - 1. Significant exposure to litigation - Subdivision (b) of Government Code Sec. 54956.9: (1 case)
    - 2. Initiation of litigation - Subdivision (c) of Government Code Sec. 54956.9: (1 case)
  
- C. Conference with Real Property Negotiator Regarding Price and/or Terms of Payment:

**APN/ADDRESS                      PROPERTY OWNERS                      PARK/TRAIL**

<b><u>Alameda County</u></b>		
946-4526-002-04; 096-0125-006-04; 096-0131-002; 096-0533-001, -002; 096-0534-001, -002; 096-0535-003, - 004; 096-0540-002 12565 Foothill, Sunol	Incultorum, LLC (formerly Roberts/King)	Pleasanton Ridge Regional Park
<b><u>Contra Costa County</u></b>		
273-171-036 Tunnel Road, near Fish Ranch Road, Orinda	Richard Allen Gates and Brian Timothy Gates	Sibley Volcanic Regional Preserve
218-090-031 3020 Fostoria Way, Danville	Armand Borel	Iron Horse Regional Trail

**2:00 p.m.      OPEN SESSION      (Board Room)**

- A. APPROVAL OF AGENDA
  
- B. PUBLIC COMMENT

2:10 p.m. C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- a. Approval of District Check Listing for the Period of August 22, 2009 through September 4, 2009  
(Rubaloff/O'Brien) (Resolution) (No Cost)
- b. Approval of the Minutes for the Board Meeting of July 21 and August 11, 2009  
(Pulido) (No Cost)
- c. Authorization to Negotiate with Various Property Owners  
(Wenninger/Doyle) (Resolution) (No Cost)
- d. Approval of Five Year Grazing License with a Five Year Option for Mendoza Ranch: Dublin Hills Regional Park  
(M. Anderson) (Resolution) (Revenue)
- e. Authorization to Extend the Concession Agreement with Jobetty, LLC for the Cafe at Lake Anza: Tilden Regional Park  
(Waluch/Escobar) (Resolution) (Revenue)
- f. Acceptance of Bid for Asphalt Pavement Repairs: EBRPD Administration Building  
(Haselden/Escobar) (Resolution) (Budgeted Funds)
- g. Approval to Adopt a Modified and Updated Plan Document for 401(a) Money Purchase Plan to Comply with IRS Regulations  
(Gonzales/O'Brien) (Resolution) (No Cost)
- h. Authorization to Enter into Cooperative Funding Agreements with Contra Costa County and the City of Pittsburg, Appropriate Funds and Award a Consultant Contract for a Feasibility and Preliminary Engineering Study: Great California Delta Trail  
(Townsend/Collins) (Resolution) (Revenue/Budget Change)
- i. Acceptance of Quarterly Unaudited Financial Statements for the East Bay Regional Park District for the Period Ending June 30, 2009  
(Sumner/Rubaloff) (Resolution) (No Cost)
- j. Authorization to Transfer Funds and Award a Sole Source Contract for Serpentine Prairie Fence Construction  
(M. Anderson) (Resolution) (Budget change)
- k. Authorization to Appoint Vavrinek, Trine, Day & Co. LLP as the District's Independent Outside Auditor  
(Rubaloff/Collins) (Resolution) (Budgeted Funds)

2:30 p.m.

2. LAND DIVISION

- a. Authorization to Exchange Real Property with Brian Gates: Sibley Volcanic Regional Preserve  
(Wenninger/Doyle) (Resolution) (No Cost)

2:40 p.m.

3. FINANCE AND MANAGEMENT SERVICES

- a. Approval and Authorization to Execute the Third Amended Redevelopment Agreement with the City of Fremont  
(Rubaloff/Collins) (Resolution) (No Cost)

- 2:50 p.m. 4. PLANNING/STEWARDSHIP & DEVELOPMENT  
a. Authorization to Amend 2009 Budget and Appropriate Measure WW Funds for Development Projects  
(Althoff/M. Anderson) (Resolution) (Budget Change/Meas. WW)
- 3:00 p.m. 5. BOARD AND STAFF REPORT  
a. Actions Taken by Other Jurisdictions Affecting the Park District  
(O'Brien)
- 3:10 p.m. 6. GENERAL MANAGER'S COMMENTS
- 3:30 p.m. 7. ANNOUNCEMENTS FROM THE CLOSED SESSION
- 3:35 p.m. 8. BOARD COMMITTEE REPORTS  
a. Alameda County Special Districts Association (7-8-09) (Siden)  
b. Executive Committee (7-23-09) (Radke)  
c. Executive Committee (8-20-09) (Radke)  
d. Finance Committee (8-26-09) (Lane)  
e. Natural and Cultural Resources Committee (8-19-09) (Sutter)
- 3:45 p.m. 9. BOARD COMMENTS
- 4:15 p.m. D. PUBLIC COMMENTS
- 4:30 p.m. E. ADJOURNMENT

The meeting will be adjourned in memory of former District Board member William Jardin, who passed away on September 14, 2009.