

The Board Meeting, which was held on July 7, 2009 at the Administrative Building, 2950 Peralta Oaks Court, Oakland, CA, was called to order at 11:30 a.m. by Board President Ted Radke.

ROLL CALL

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

Directors Absent: None.

Staff present: Pat O'Brien, Jack Kenny.

The Board met for a review of the Special Park Districts Forum held in Libertyville, IL last June 8 - 12, 2009.

At 12:45 p.m., 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 2:04 p.m. by Board President Ted Radke.

Staff Present Included: Pat O'Brien, Dave Collins, Rosemary Cameron, Tim Anderson, Shelly Lewis, Jack Kenny, Mike Anderson, Diane Althoff, Bob Doyle, Mark Pearson, Everett James, Brian Wiese, Pam Burnor, Ted Radosevich, Carol Victor, Mimi Waluch, Renee Patterson, Anne Kassebaum, Steve Myli, Sonja Stanchina, John Escobar, Raphael Breines, Carol Johnson.

A. APPROVAL OF AGENDA

By motion of Director Siden, and seconded by Director Severin, the Agenda was unanimously approved.

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

Directors Absent: None.

B. PUBLIC COMMENTS

Richard Bangert, a resident of Alameda, advised the Board that if the redevelopment ballot initiative in Alameda, which includes a General Plan Amendment, is passed, the goal of developing the northwest portion of Alameda Point will be deleted. He added that this area will be re-categorized as a public land trust wherein park development will be absent.

Nina Eggert addressed the Board to report that the Leona Canyon Trail project, which was started by her foundation in conjunction with the District, has been delayed by 2 years; it was planned for completion in the fall of 2007. Board President Radke requested that she submit any proposals or additional comments to the Board via the Clerk.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

By motion of Director Sutter, seconded by Director Severin, the Consent Calendar was unanimously approved.

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

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- C-I-a. Approval of District Check Listing for the Period of June 6, 2009 through June 19, 2009
Resolution No. 2009-7-174 (attached)
- C-I-b. Authorization to Negotiate with Various Property Owners
Resolution No. 2009-7-175 (attached)
- C-I-c. Authorization to Obtain Out-of-State Criminal History Information for Employment Purposes
Resolution No. 2009-7-176 (attached)
- C-I-d. Authorization to Appropriate Funds and Accept Proposal for Rebuilding of Insured Fire Loss to Gillespie Group Camp Structures: Tilden Regional Park
Resolution No. 2009-7-177 (attached)

In response to Director Lane's question on the increased costs to repair the damaged structures, District Counsel Ted Radosevich stated that the structures had to be rebuilt with upgrades to conform with current building codes. He added that the District's insurance will pay for all expenses less the District's \$25,000 deductible.

- C-I-e. Authorization to Amend the 2009 Budget to Transfer Funds and Enter Into An Agreement with Clean Harbors Environmental Services for Hazardous Waste Removal: District-wide
Resolution No. 2009-7-178 (attached)
- C-I-f. Authorization to Apply for Grant Funds from the Pacific Forest and Watershed Lands Stewardship Council for Restroom Construction: Wildcat Canyon Regional Park
Resolution No. 2009-7-179 (attached)
- C-I-g. Authorization to Amend the 2009 Capital Budget to Meet Prop. 40 Grant Requirements
Resolution No. 2009-7-180 (attached)

- C-1-h. Authorization for Budgetary Closure of Completed Projects and Related Amendments to the 2009 Budget
Resolution No. 2009-7-181 (attached)
- C-1-i. Authorization to Enter into a Special Use Agreement with Eden Medical Center for Overflow Parking Lot Use: Lake Chabot Regional Park
Resolution No. 2009-7-182 (attached)
- C-1-j. Authorization to Enter Into an Agreement with Cindy and Gary Wilkinson to Operate Las Trampas Stables: Las Trampas Regional Park
Resolution No. 2009-7-183 (attached)
- C-1-k. Authorization to Enter into a Special Use Agreement with Row Chabot for a Pilot Program for Youth Rowing: Lake Chabot Regional Park
Resolution No. 2009-7-184 (attached)

Director Siden expressed his appreciation to Vince Horpel, Row Chabot and District staff for their hard work in getting this pilot program started.

- C-1-l. Authorization to Amend the 2009 Budget and Appropriate Funds from the MLK Intern Program Fund to the Youth Work Programs Budget
Resolution No. 2009-7-185 (attached)
- C-1-m. Authorization to Amend the 2009 Budget to Adjust the Salary of the Facilities Supervisor
Resolution No. 2009-7-186 (attached)
- C-1-n. Approval of the City of Alameda Dog Park Special Use Agreement: Crown Memorial State Beach
Resolution No. 2009-7-187 (attached)
- C-1-o. Resolution to Support Pending State Legislation ACA 9 to Amend the California Constitution to Change the 2/3rds Voter Approval Requirement For Special Taxes and General Obligation Bonds
Resolution No. 2009-7-188 (attached)
- C-1-p. Resolution to Support Pending Federal Legislation S. 866 (Reed) and H.R. 2054 (Sarbanes) – The No Child Left Inside Act
Resolution No. 2009-7-189 (attached)

2. FINANCE AND MANAGEMENT SERVICES

- C-2-a. PUBLIC HEARING
Approval of Engineer's Report for Fiscal Year 2009/10, Adopt Resolution Confirming Diagram and Assessment, Order Maintenance, Improvements and Levy Annual Assessment for Alameda County/Contra Costa County Regional Trails Landscaping and Lighting Assessment District No. 1, including ZB-1 (Five Canyons), ZB-2 (Dublin Hills), ZB-3 (Walpert Ridge), ZB-4 (San Ramon Hills), ZB-5 (Stone Valley), and ZB-6 (Sibley Volcanic);
Resolution No. 2009-7-190 (attached)

By motion of Director Lane, seconded by Director Sutter, C-2-a was unanimously approved.

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

Directors Absent: None.

Adopt Resolution Overruling Protests
Resolution No. 2009-7-191 (attached)

By motion of Director Wieskamp, seconded by Director Sutter, the resolution overruling protests was unanimously approved.

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

Directors Absent: None.

Dave Collins, AGM for Finance and Management Services, gave a presentation, stating that this is the 16th annual report to be considered by the Board and is expected to provide \$4.3 million to the District this year.

He also provided a clarification regarding page 11 of the Engineer's Report which suggested that Murray Township and Liberty Union were not included in the assessment district – they are within the boundaries of the assessment district.

President Radke opened the Public Hearing. Since no comments were received, he directed that the Public Hearing be closed.

3. PLANNING/STEWARDSHIP AND DEVELOPMENT

a. PUBLIC HEARING

Certification of Mitigated Negative Declaration for San Francisco Bay Trail - Wildcat Creek to San Pablo Creek, Contra Costa County

Resolution No. 2009-7-192 (attached)

By motion of Director Dotson, seconded by Director Sutter, C-2-a was unanimously approved.

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

Directors Absent: None.

Everett James, Park Planner, provided a presentation describing the construction of a new San Francisco Bay Trail connection from the existing Wildcat Creek Regional Trail, north along the shoreline of the Wildcat Marsh to San Pablo Creek located at the foot of Parr Boulevard in Richmond.

President Radke opened the Public Hearing at this time.

E.J. Shalaby, General Manager, West County Wastewater District, spoke in support of the project which he stated would benefit the West County area. He also invited the Board for a field trip to their facility.

There were no other speakers at this time; the Public Hearing was closed by President Radke.

b. PUBLIC HEARING
Certification of Mitigated Negative Declaration
Resolution No. 2009-7-193 (attached)

By motion of Director Sutter, seconded by Director Siden, the Certification of Mitigated Negative Declaration was unanimously approved.

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

Directors Absent: None.

Approval of the Redwood Regional Park Serpentine Prairie Restoration Plan
Resolution No. 2009-7-194 (attached)

By motion of Director Sutter, seconded by Director Lane, the Redwood Regional Park Serpentine Restoration Plan was unanimously approved.

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

Directors Absent: None.

Brian Wiese, Chief of Planning and Stewardship, provided a brief introduction on this item, stating that staff has been working on this plan since the winter of 2005 when the District received petitions from area residents pointing out damage caused by recreational trail users. He added that the California Native Plant Society also engaged the District, urging that an examination of the area be conducted. David Amme, Wildland Vegetation Program Manager, followed with a slide show on the history of Serpentine Prairie and its elements, and the development of the Plan.

There was a discussion on the type and color of fencing proposed for installation to protect the Serpentine Prairie, and a concern was raised as to the industrial look of the proposed use of galvanized/silver-colored fencing material which may not match the interpretive nature of the project. Directors Lane and Sutter requested staff to research other possible fencing materials and color options.

President Radke opened the Public Hearing at this time.

Several individuals (representing the California Native Plant Society/East Bay Chapter, horse riders or speaking for themselves) expressed support for the project and appreciation for the work done by the District.

Mr. Wiese also expressed appreciation for the community support received, and also acknowledged the expertise provided by Botanic Garden Supervisor Steve Edwards.

Director Sutter expressed his appreciation to the California Native Plant Society, as well as others who have contributed. He also acknowledged the effective public information program used to disseminate information on this item. Director Lane also emphasized the importance of having interpretive materials placed in appropriate locations of the area.

There were no other speakers at this time; the Public Hearing was closed by President Radke.

- c. Authorization to Accept the Bid for Construction of the Tidewater Aquatic Center:
Martin Luther King, Jr. Regional Shoreline
Resolution No. 2009-7-195 (attached)

By motion of Director Siden, seconded by Director Sutter, item C-3-c was unanimously approved.

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

Directors Absent: None.

Mike Anderson, AGM for Planning/Stewardship and Development, gave a presentation describing the project. He also announced that a bid protest was received by staff.

Scott Littlehale, representing the Carpenters Union, handed a memo to the Board. He addressed the Board to ask that all bids received be rejected. He asked that the District's bid proposal form be revised to ensure that the District is getting the best proposal possible - he suggested that it needs to specify that bidder's project references be from parties unrelated to the bidder and that the instructions to bidders be modified to state that failure to accurately represent a bidder's experience will render a proposal non-responsive.

District Counsel Ted Radosevich provided a response, stating that all pertinent documents have been examined by staff. He added that the documents have served the District well in the past and recommends moving forward with the item.

Dan Herbert, Chairman of Oakland Strokes, addressed the Board and commended the work performed by District staff. He also extended his appreciation to the District for working with the Oakland Strokes in order to serve the public.

4. LAND DIVISION

- a. Authorization to Exchange Real Property with the East Bay Municipal Utility District and to Transfer Funds: Wildcat Canyon Regional Park and Lake Chabot Regional Recreation Area
Resolution No. 2009-7-196 (attached)

By motion of Director Wieskamp, seconded by Director Severin, item C-4-a was unanimously approved.

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

Directors Absent: None.

Bob Doyle, AGM for Land Acquisition, gave a presentation on this item, stating that it proposes the authorization of a conveyance of a 2,626 square foot parcel at Wildcat Canyon Regional Park in exchange for a 2.68 acre parcel and access road at Lake Chabot Regional Recreation Area. He added that this is another good example of the District's cooperative partnership with EBMUD. He added that the funds requested for transfer will only be for the estimated tree clean-up costs on the property to be received.

- b. Authorization to Purchase Fee Interest in 21.21± Acres of Real Property from Barbara Mays-Bush and Transfer Funds Therefor: Crockett Hills Regional Park Resolution No. 2009-7-197 (attached)

By motion of Director Radke, seconded by Director Severin, item C-4-b was unanimously approved.

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

Bob Doyle, AGM for Land Acquisition, gave a presentation on this item, which will be an addition to Crockett Hills Regional Park. He added that the purchase is important in that the District already owns most of the surrounding properties.

5. BOARD AND STAFF REPORTS

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

GM O'Brien reported on the current budget situation in Sacramento. He also discussed those items listed on the staff report.

6. GENERAL MANAGER'S COMMENTS

Design and Construction Chief Diane Althoff gave a presentation on the history of the Big Break area as well as an update on the Big Break/Delta Science Center planning and project implementation.

7. ANNOUNCEMENTS FROM THE CLOSED SESSION

President Radke announced that the Board voted to approve the settlement of the lawsuit of Gabriel Delfre, Jr. in the amount of \$32,500.

8. BOARD COMMITTEE REPORTS

- a. Legislative Committee (4-17-09) (Radke)
- b. Operations Committee (5-21-09) (Severin)
- c. Pinole/Hercules/EBRPD/ (5-26-09) (Radke)
No. CCCty Shoreline JPA

9. BOARD COMMENTS

Director Dotson reported on meetings attended. Director Dotson

- Attended the Bay Trail opening around the Ford Plant;
- Attended the Board meeting in Oakley;
- Visited the opening of the Discovery Center in Oakland;
- Attended the Operations Committee meeting;
- Attended the Contra Costa County Liaison committee meeting in Martinez;
- Plans to attend the Corporate Philanthropy Summit in San Francisco.

Director Siden reported on meetings attended. Director Siden

- Commended the Public Affairs department for the new layout of District brochures;
- Attended the recent Board meeting in Oakley;
- Together with District staff, attended a meeting with the City of Alameda to discuss the future use of Alameda Point, possible surplus property across from the Crab Cove Visitor Center and the sand erosion at Crown Beach;
- Attended a meeting of the Chabot Space and Science Center JPA;
- Attended the July 4th parade in Alameda;
- Had an interview conducted by the Alameda Journal regarding the District's 75th Anniversary;
- Will attend the Alameda County CSDA meeting at Peralta Oaks and the Alameda County Mayors Conference in Berkeley, both on July 8, and Concerts at the Cove on July 10.

Director Severin reported on meetings attended. Director Severin

- Attended the Board meeting in Oakley and the Land Session Board workshop;
- Attended the HASPA meeting in Hayward;
- Attended the Operations Committee meeting as well as the Board field trip;
- Went to the County Fair and viewed the District's exhibit.

Director Lane reported on meetings attended. Director Lane

- Attended several meetings and workshops as stated by other Board members;
- Attended the "100 Club" wherein members donate \$100 a year to provide funds to families of Public Safety officers killed in the line of duty;
- Attended the Contra Council and Tri-Valley Convention Bureau's joint luncheon;
- Discussed a process on "How to Show Title Ownerships" by Marshall Frank;
- Will be attending the "Tracks to Trails" event co-sponsored by the District with BART;
- Attended Danville's Fourth of July Parade with other District participants;
- Attended the Pleasanton Ridge Land Use Plan hearing at Amador High School.

Director Sutter reported on meetings attended. Director Sutter

- Attended the Finance Committee meeting of the Chabot Space and Science Center;
- Attended the Board's Land Session Workshop as well as the Board Field trip;
- Attended the Operations Committee meeting;
- Represented the District on behalf of Director Siden at the groundbreaking of the East Oakland Sports Center, the first local project to be funded by Measure WW.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Conducted a police ride-along with Lt. Dave Dubowy on July 4th;
- Attended the Board's Land Session workshop and the Board field trip;
- Attended the Big Break dedication and Board meeting in Oakley;
- Attended meetings of the Finance, Legislative and Executive committees;
- Conducted a tour of Coyote Hills;
- Will attend the Portuguese Water Dog event at Shadow Cliffs;
- Attended the hearing of the Pleasanton Ridge Land Use Plan.

Director Radke reported on meetings attended. Director Radke

- Attended various meetings mentioned by the other Board members;
- Attended a meeting of the Martinez Waterfront Agency, and reported on the request to build a fence to surround the bocce court. He also stated that the opening of the pedestrian portion of the George Miller

bridge will be on the Benicia side. District staff did not want to have it on the side of the District due to the poor pedestrian access; Caltrans apparently did not do an adequate job in providing access. Director Radke urged further communications with them;

- Attended a meeting of the Contra Costa County Liaison Committee, wherein the issue of the split between Ambrose and Contra Costa County was discussed;
- Mentioned an article on the League of Women Voters' Bay Area Monitor on Big Break and asked that a copy be sent to Nancy Chinn of the Delta Science Center.

D. PUBLIC COMMENTS

There were no Public Comments at this time.

E. ADJOURNMENT

The meeting was adjourned at 4:45 p.m.

Allen Pulido, Clerk of the Board

Attachments: Visitors Log, Resolution Nos. 2009-7-174 to 2009-7-197
Board Committee Reports