

May 6, 2008

Board Packet



East Bay 
Regional Park District



Clerk of the Board

ALLEN PULIDO
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**East Bay Regional
Park District
Board of Directors**

AYN WIESKAMP
President, Ward 5

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Vice-President, Ward 7

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Treasurer, Ward 4

NANCY SKINNER
Secretary, Ward 1

BEVERLY LANE
Ward 6

CAROL SEVERIN
Ward 3

JOHN SUTTER
Ward 2

PAT O'BRIEN
General Manager



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MEMO to the BOARD OF DIRECTORS
EAST BAY REGIONAL PARK DISTRICT

**The Regular Session of the May 6, 2008
BOARD MEETING is scheduled to commence
at 2:00 p.m. at EBRPD Headquarters,
2950 Peralta Oaks Court, Oakland, CA.**

Respectfully submitted,

PAT O'BRIEN
General Manager

**AGENDA
REGULAR MEETING OF MAY 6, 2008
BOARD OF DIRECTORS
EAST BAY REGIONAL PARK DISTRICT**

1:15 p.m. CLOSED SESSION (Board Conference Room)

ROLL CALL

PUBLIC COMMENTS

- A. Conference with Labor Negotiator:
 Agency Negotiator: Pat O'Brien, Dave Collins, Susan Gonzales
 Employee Organizations: AFSCME Local 2428, Police Association
 Unrepresented Employees: Managers and Confidentials
- B. Conference with Real Property Negotiator Regarding Price and/or Terms of Payment:

<u>APN/ADDRESS</u>	<u>PROPERTY OWNERS</u>	<u>PARK/TRAIL</u>
<u>Contra Costa County</u>		
408-100-023, -024 Goodrick Avenue, Richmond	Don and Lonnie Carr	Point Pinole Regional Shoreline

2:00 p.m. OPEN SESSION

- A. APPROVAL OF AGENDA
- B. PUBLIC COMMENTS

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

I. CONSENT CALENDAR

- a. Approval of District Check Listing for the Period of April 4, 2008 Through April 25, 2008
(Henry/O'Brien) (Resolution) (No Cost)
- b. Approval of Minutes of the Board Meeting of March 18, 2008
(Pulido) (No Cost)
- c. Authorization to Amend the 2008 Budget and Convert Vacant Public Safety Positions to an Office Specialist and Dispatch Systems Administrator: Public Safety Division
(Gonzales/T. Anderson) (Resolution) (Budget Change)



The Board of Directors of the East Bay Regional Park District will hold a regular meeting at the East Bay Regional Park District Headquarters Building, 2950 Peralta Oaks Court, Oakland, CA, commencing at 1:15 p.m. for Closed Session and 2:00 p.m. for Open Session, Tuesday, May 6, 2008.

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 is available on the District's website (www.ebparks.org), administrative office 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.

- d. Approval to Reclassify One Confidential Secretary Position to Confidential Legal Assistant and Set the Salary Range at Confidential Range 2
(Gonzales/O'Brien) (Resolution) (Budgeted Funds)
- e. Resolution to Oppose Pending State Ballot Proposition 98 – California Property Owners and Farmland Protection Act
(O'Brien/Radke) (Resolution) (No Cost)
- f. Resolution to Support Pending State Ballot Proposition 99 – The Homeowners and Private Property Protection Act
(O'Brien/Radke) (Resolution) (No Cost)
- g. Authorization to Apply for Grant Funds From the Land and Water Conservation Fund for Open Turf Construction: Oyster Bay Regional Shoreline
(Rasmussen/Collins) (Resolution) (No Cost)
- h. Authorization to Accept Annual Insurance Renewal/Quotations
(Moss/Radosevich) (Resolution) (Budgeted Funds)
- i. Authorization to Amend the 2008 Budget and Purchase One Sanitation Truck
(Gehrett/Escobar) (Resolution) (Budgeted Funds)
- j. Resolution to Support the Proposed Increase to the City of Oakland Landscape and Lighting Assessment District's Annual Assessment and Authorization to Amend the 2008 Budget
(Radosevich/O'Brien) (Resolution) (Budget Change)
- k. Approval of Out-of-State Travel for General Manager Pat O'Brien to Attend the 2008 Nevada Hike, Bike and Walk Conference, May 14-16, 2008, at Lake Tahoe, Nevada
(Pulido) (Resolution) (Budgeted Funds)
- l. Resolution to Support the Candidacy of Katy Foulkes to the Enterprise Special District Seat on the Alameda County Local Agency Formation Commission
(Pfuehler/O'Brien) (Resolution) (No Cost)
- m. Authorization to Reallocate and Appropriate Funds for the Tidewater Phase 2 Improvements: Martin Luther King, Jr. Regional Shoreline
(Althoff/M. Anderson) (Resolution) (Budget Change)
- n. Resolution to Support Pending State Resolution SCR 87 Calling for a Moratorium on Aerial Spraying of the Light Brown Apple Moth
(Pfuehler/O'Brien) (Resolution) (No Cost)
- o. Resolution to Support Pending State Legislation AB 2537 to Maintain Community Volunteerism
(Pfuehler/O'Brien) (Resolution) (No Cost)
- p. Resolution to Support Pending State Legislation AB 2504 to Establish a More Comprehensive Regional Recreation Plan for the Sacramento – San Joaquin Delta
(Pfuehler/O'Brien) (Resolution) (No Cost)

2:30 p.m.

2. LAND DIVISION

- a. Authorization to Appropriate and Transfer Funds for the Acquisition of Fee Interest in Real Property from Don and Lonnie Carr and Bay Area Wetlands, LLC (Breuner Marsh): Point Pinole Regional Shoreline
(Wenninger/Doyle) (Resolution) (Budget Change)

- 2:50 p.m. 3. PARK ADVISORY COMMITTEE
- a. Update on Park Advisory Committee
(Pfuehler/Guarienti)
- 3:05 p.m. 4. BOARD AND STAFF REPORTS
- a. 2008 Regional Parks Bond Extension
Public Input Process: Summary of Comments Received
(Collins/O'Brien)
- b. Actions Taken by Other Jurisdictions Affecting the Park District
(O'Brien)
- 3:25 p.m. 5. GENERAL MANAGER'S COMMENTS
- 3:45 p.m. 6. ANNOUNCEMENTS FROM THE CLOSED SESSION
- 3:50 p.m. 7. BOARD COMMITTEE REPORTS
- a. Contra Costa County Special Districts Assn. (1-28-2008) (Radke)
- b. EBMUD/EBRPD Liaison Committee (4-11-2008) (Sutter)
- c. Executive Committee (3-25-2008) (Wieskamp)
- d. Operations Committee (2-21-2008) (Severin)
- 4:05 p.m. 8. BOARD COMMENTS
- D. PUBLIC COMMENTS
- 4:30 p.m. E. ADJOURNMENT

April 27 - June 7, 2008

Future Dates

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Apr 27</i>	<i>Apr 28</i> 7:00 pm PAC Meeting, Board Rm	<i>Apr 29</i> 10:30 am, Board Field Trip	<i>Apr 30</i> 12:30 pm, Board Workshop Capital/Trails Board Room	<i>May 1</i> 6:30 pm, CCCTy Mayors, Moraga 7:00 pm, AA Public Mtg, Dublin	<i>May 2</i> 7:30 am Oakland's Annual Economic Summit, Marriott	<i>May 3</i>
<i>May 4</i>	<i>May 5</i>	<i>May 6</i> 1:15 pm, Board Mtg, Closed Sess 2:00 pm, Bd Mtg, Open Sess, Bd Rm	<i>May 7</i> 8:00 am, AlaCty CSDA, Fremont 7:00 pm, Wildlife Hazard Mtg, Trudeau	<i>May 8</i> 4:30 pm, LAFCO Mtg, Dublin	<i>May 9</i>	<i>May 10</i>
<i>May 11</i>	<i>May 12</i> 9:30 am, CSDA Legislative Day, Sacto 12:00 pm, CCCTy Liaison Mtg, Martinez	<i>May 13</i> 10:00 am Pleasanton/ EBRPD Liaison Cmte	<i>May 14</i> 6:30 pm Ala Cty Mayors, San Leandro	<i>May 15</i> 12:45 pm Ops Cte, Bd Rm	<i>May 16</i> 7:00 am, Reg'l Parks Fndtn Mtg, Bd Rm 12:45 pm Legislative Cte, Bd Rm	<i>May 17</i>
<i>May 18</i>	<i>May 19</i> 7:00 pm PAC Meeting, Board Rm	<i>May 20</i> 12:45 pm, Board Mtg, Closed Sess 2:00 pm, Bd Mtg, Open Sess, Bd Rm	<i>May 21</i> 8:00 am, Bay Area Open Space Council, SF Presidio	<i>May 22</i> 2:00 pm JPA Pinole / Hercules/ EBRPD Pinole	<i>May 23</i>	<i>May 24</i>
<i>May 25</i>	<i>May 26</i> HOLIDAY	<i>May 27</i> 12:45 pm, Executive Cte, Board Rm	<i>May 28</i> 12:45 pm, Finance Cte, Board Rm	<i>May 29</i> CANCELLED BOARD FIELD TRIP	<i>May 30</i>	<i>May 31</i>
Trails & Greenways Conference, San Diego, CA						
<i>Jun 1</i>	<i>Jun 2</i>	<i>Jun 3</i> 12:45 pm, Board Mtg, Closed Sess 2:00 pm, Bd Mtg, Open Sess, Bd Rm	<i>Jun 4</i> 12:45 pm Nat/Cult Resources, Board Rm	<i>Jun 5</i> 12:30 pm, Board Workshop (Land Sess) Bd Rm 6:30 pm CCCTy Mayors Conf, PI Hill	<i>Jun 6</i> 10:00 am, Alameda County Liaison, Oakland	<i>Jun 7</i>

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- a. Approval of District Check Listing for the Period of April 5, 2008
Through April 25, 2008 (Henry/O'Brien)

RECOMMENDATION

It is recommended that the Board of Directors approve the Check Listing for the period of April 5, 2008 through April 25, 2008.

Per Resolution No. 1992-1-40, adopted by the Board on January 21, 1992, a copy of the Check Listing has been provided to the Board Treasurer for review. A copy of the Check Listing has also been provided to the Clerk of the Board, and will become a part of the Official District Records.

EAST BAY REGIONAL PARK DISTRICT

Resolution No.: 2008-5-

May 6, 2008

APPROVAL OF DISTRICT CHECK LISTING FOR THE PERIOD OF
APRIL 5, 2008 THROUGH APRIL 25, 2008

WHEREAS, District Resolution No. 1992-I-40, adopted by the Board of Directors on January 21, 1992, requires that a listing of District checks be provided to the Board Treasurer for review;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the check listing for the period of April 5, 2008 through April 25, 2008.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- b. Approval of Minutes of the Board Meeting of March 18, 2008
(Pulido)

The Board Meeting, which was held on March 18, 2008 at the Peralta Oaks Headquarters Building, 2950 Peralta Oaks Court, Oakland, CA, was called to order at 12:45 p.m. by Board President Ayn Wieskamp.

ROLL CALL

Directors Present: Ayn Wieskamp, President
Ted Radke, Vice-President
John Sutter
Beverly Lane
Carol Severin

Directors Absent: Director Siden, Treasurer
Director Skinner, Secretary

At this time, the Board of Directors met in Closed Session to discuss those items outlined on the Closed Session Board Meeting Agenda.

The Open Session of the Board Meeting was called to order at 2:05 p.m. by Board President Ayn Wieskamp; Directors Siden and Skinner joined the meeting at this time.

Staff Present Included: Pat O'Brien, Ted Radosevich, John Escobar, Dave Collins, Carol Victor, Jim Townsend, Diane Althoff, Anne Scheer, Joe Didonato, Liz Musbach, Larry Tong, Tim Anderson, Susan Gonzales, Dan McCormick, Shelly Lewis, Nancy Baglietto, Brad Olson, Linda Wu.

A. APPROVAL OF AGENDA

President Wieskamp announced the following:

- 1) Correction to staff report regarding item C-1-b: base bid for Maxistone dba Maxicrete should be \$323,500 instead of \$325,500;
- 2) Amendment to agenda by the addition of new item E – Discussion of Washington DC trip by Conference attendees.

By motion of Director Lane, seconded by Director Sutter, the Agenda was unanimously approved.

B. PUBLIC COMMENTS

Mr. Brian Smalley addressed the Board to relate his experiences regarding problems caused by mountain bikers on various trails at Redwood Regional Park, and his request for the installation of more signage and more enforcement of park rules by District police officers. Chief Tim Anderson, Asst. General Manager for Public Safety, advised that staff is aware of the problem and will continue to put more officers to patrol the area.

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

Moved by Director Radke, seconded by Director Siden, the Consent Calendar was unanimously approved.

- C-I-a. Approval of District Check Listing for the Period of February 23, 2008 through March 7, 2008
Resolution No. 2008-3-055 (attached)
- C-I-b. Authorization to Accept the Bid for Installation of a Bridge and Trail Approaches: Big Break Regional Shoreline
Resolution No. 2008-3-056 (attached)
- C-I-c. Authorization to Purchase One Cab-Chassis Truck
Resolution No. 2008-3-057 (attached)
- C-I-d. Authorization to Purchase One Wide-Area Mower
Resolution No. 2008-3-058 (attached)
- C-I-e. Authorization to Purchase One Pickup Truck
Resolution No. 2008-3-059 (attached)

Director Siden asked that a total financial plan for the Mobile Fish Exhibit project be presented in the future as an update to the Board.

- C-I-f. Authorization to Purchase One Tractor
Resolution No. 2008-3-060 (attached)
- C-I-g. Authorization to Transfer Funds and Purchase One Police Patrol Boat
Resolution No. 2008-3-061 (attached)

Chief Anderson, in a response to questions from Directors Lane and Sutter, stated that this boat will be a replacement for the current patrol boat in use at Del Valle, but may also be used for Bay/Delta patrols should the need arise. The existing boat will be kept as a spare.

- C-I-h. Authorization to Negotiate with Various Property Owners
Resolution No. 2008-3-062 (attached)
- C-I-i. Authorization to Object to Public Sale, Enter Into an Agreement to Purchase and Transfer Funds for Purchase of Fee Interest in Tax-Delinquent Real Property (Heirs of the Estate of Jesslyn M. Grant) from the Alameda County Tax Collector's Office: Claremont Canyon Regional Preserve
Resolution No. 2008-3-063 (attached)
- C-I-j. Authorization to Amend the 2007 Budget and Transfer Funds to Correct and Reconcile the Special Health Care Fund
Resolution No. 2008-3-064 (attached)

Director Siden asked that this item be put on the agenda for a future Finance Committee meeting for further explanation.

- C-I-k. Acceptance of 4th Quarter Report of Investment Activity for the East Bay Regional Park District for the Period Ending December 31, 2008
Resolution No. 2008-3-065 (attached)

C-1-l. Authorization to Accept and Appropriate Grant Funds From Fletcher Conservation Properties for Kangaroo Rat Research in the Ohlone Wilderness
Resolution No. 2008-3-066 (attached)

C-1-m. Authorization to Accept and Appropriate Grant Funds From the Bay Area Ridge Trail Council For Survey Work Along Feeder Trail #1: Bay Area Ridge Trail
Resolution No. 2008-3-067 (attached)

2. LAND DIVISION

C-2-a. Authorization to Exchange Real Property with Garin Vista, LLC, Accept a Conservation Easement and Amend the 2008 Budget: Garin Regional Park
Resolution No. 2008-3-068 (attached)

Moved by Director Severin, seconded by Director Sutter, item C-2-a was passed unanimously.

Directors present: Beverly Lane, Ted Radke, Carol Severin, Nancy Skinner, Doug Siden, John Sutter, Ayn Wieskamp.

Directors absent: None.

C-2-b. Authorization to Execute a 25-year Management Agreement with Bureau of Reclamation and Contra Costa Water District: Delta DeAnza Regional Trail/Contra Costa Canal Trail
Resolution No. 2008-3-069 (attached)

Moved by Director Radke, seconded by Director Lane, item C-2-b was passed unanimously.

Directors present: Beverly Lane, Ted Radke, Carol Severin, Nancy Skinner, Doug Siden, John Sutter, Ayn Wieskamp.

Directors absent: None.

The Board expressed their appreciation to both the Bureau of Reclamation and the Contra Costa Water District.

C-2-c. Authorization to Execute a Cost Sharing Agreement with the East Contra Costa County Habitat Conservancy and Accept and Appropriate \$120,000 for Land Acquisition Related Costs
Resolution No. 2008-3-070 (attached)

Moved by Director Radke, seconded by Director Siden, item C-2-c was passed unanimously.

Directors present: Beverly Lane, Ted Radke, Carol Severin, Nancy Skinner, Doug Siden, John Sutter, Ayn Wieskamp.

Directors absent: None.

3. BOARD AND STAFF REPORTS
 - a. 2008 Regional Parks Bond Extension

General Manager Pat O'Brien stated that this survey, first presented to the Legislative Committee, shows the very important public support for the proposed extension. GM O'Brien introduced Dr. George Manross of Strategy Research Institute, who gave a presentation of the survey results, including the methodology used.

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

GM O'Brien discussed the other items listed on the staff report.

4. GENERAL MANAGER'S COMMENTS

GM O'Brien introduced Aquatics Manager Dan McCormick, who gave a presentation on the Fire Departments' Aquatics Program.

5. ANNOUNCEMENTS FROM THE CLOSED SESSION

President Wieskamp stated that there were no announcements from the Closed Session.

6. BOARD COMMITTEE REPORTS
 - a. Executive Committee (1-22-2008) (Sutter)
 - b. Finance Committee (2-27-2008) (Siden)
 - c. Pinole/Hercules/EBRPD (No. CCCty JPA) (3-18-2008) (Radke)

7. BOARD COMMENTS

Director Skinner reported on meetings attended. Director Skinner

- stated that during the Ecology Committee meeting, Local 2428 brought forward a request for the District to express its concern regarding the aerial spraying for the Light Brown Apple Moth (LBAM). Since it was an informational item only, no recommendation was adopted. Instead, this will be brought forward to the Legislative Committee for discussion and recommendation.

Director Radke recommended that this item be brought direct to the full Board instead of the Legislative Committee; GM O'Brien will consult with the District's Legislative Advocate and bring this issue forward to the full Board, as suggested, as soon as possible.

- was not able to speak before the Richmond Rotary as previously scheduled as speakers were double-booked; this was postponed to a future date;
- spoke before the Berkeley Rotary regarding the proposed bond measure extension, which was well received;
- will report on other meetings attended at a future meeting.

Director Severin reported on meetings attended. Director Severin

- attended a park tour of Pleasanton Ridge and Las Trampas with Director Wieskamp;
- attended the Supervisors Academy graduation;
- attended the NRPA Legislative Forum in Washington, DC;
- spoke about future appointments/commitments.

Director Siden reported on meetings attended. Director Siden

- attended the San Leandro Chamber of Commerce membership meeting;
- attended the Legislative Committee meeting and the Supervisors Academy graduation;
- attended the NRPA Legislative Forum in Washington, DC.;
- mentioned that the District was a co-sponsor of the Alameda Spring Egg Scramble;
- spoke about future appointments/commitments.

Director Lane reported on meetings attended. Director Lane

- attended the NRPA Legislative Forum in Washington, DC;
- attended the Contra Costa County Mayors conference in Concord;
- will attend the March 18 evening meeting of the Citizens' Advisory Committee for CNWS;
- saw a video that is being produced for third graders within her District, wherein the final segment will follow the Iron Horse Trail and will talk about transportation in the Valley and how third graders learn about their community;
- asked for a copy of the April 3rd invitation for the Black Diamond Mines tour.

Director Sutter reported on meetings attended. Director Sutter

- attended a meeting of the Oakland Rotary Club with GM O'Brien;
- mentioned that a meeting with Oakland Mayor Dellums was postponed;
- attended the NRPA Conference in Washington, DC, and mentioned it was well organized;

Director Radke reported on meetings attended. Director Radke

- attended, with Director Skinner, a meeting with the Richmond Liaison Committee;
- announced a town hall meeting tonight at the Ambrose Recreation and Park District wherein Supervisor Federal Glover will be announcing whether or not he will be supportive of taking most of the mitigation money given to the county a while back as mitigation for the closure of the road to the Concord Naval Weapons Station;
- mentioned that the District has been invited to the dedication of the new undercrossing that goes under the railroad tracks in Oakley off Highway 4, improving access to the Iron House Sanitary District headquarters and the District's corporation yard and the Big Break/Marsh Creek Trail;
- had a meeting with the Contra Costa Redevelopment Agency.

Director Wieskamp reported on meetings attended. Director Wieskamp

- conducted a park tour of Pt. Pinole, Wildcat Creek underpass, Pinole Shores, Lone Tree;
- attended a meeting of the Livermore Rotary, wherein she asked that people visit Black Diamond Mines for its re-opening the first weekend in April;
- visited Las Trampas, Pleasanton Ridge;
- attended the Supervisors Academy graduation;
- attended a LAFCo meeting;
- spoke about possible connections at the Nilas Canyon Rail; asked that a map of Nilas Canyon be made showing the route and the right-of-way for the Pacific Locomotive group – secret sidewalk/abandoned roadways;
- asked about the ownership of the Master Plan site – Cedar Mountain area;
- attended a Habitat Means Home poster contest at Coyote Hills;
- spoke about future meetings.

D. PUBLIC COMMENTS

There were no public comments at this time.

E. DISCUSSION OF NRPA LEGISLATIVE CONFERENCE

There was a discussion about the recently concluded NRPA Legislative Conference in Washington DC among members of the Board and staff who attended.

F. ADJOURNMENT

The Board Meeting was adjourned at 5:35 p.m.

Allen Pulido, Clerk of the Board

Attachments: Visitors Log
Resolution Nos. 2008-3-055 through 2008-3-070
Board Committee Reports

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- c. Authorization to Amend the 2008 Budget and Convert Vacant Public Safety Positions to an Office Specialist and a Dispatch Systems Administrator: Public Safety Division (Gonzales/T. Anderson)

RECOMMENDATION

The General Manager recommends that the Board of Directors approve the amendment of the 2008 Budget and the conversion of vacant 0.53 full time equivalent (FTE) Office Assistant, 1.0 FTE Dispatcher/CSO and 0.46 FTE Police Officer positions to a 1.0 FTE Office Specialist and a 1.0 FTE Public Safety Dispatch Systems Administrator in the Public Safety Division.

REVENUE/COST

There are no new costs associated with these position conversions.

BACKGROUND

The Board of Directors, through adoption of the District's budget, sets the number, classification and assigned location of all approved staff positions at the District. From time to time, changes in workload and/or duties require that the District add, delete, or modify the number and/or classification of employees. Utilizing the position control system, the specific assignment of employees by number, classification and worksite is tracked and held in strict conformance with the adopted budget. If approved, these changes will be made a part of the base budget for future years.

- Conversion of .53 Office Assistant

In mid-2007, the Police Department enrolled in an internationally-recognized accreditation process through the Commission on Accreditation for Law Enforcement Agencies (CALEA). The Division's progress in the self-assessment phase has been impeded due to a variety of demands placed upon the staff assigned the project. The Division has one Administrative Analyst I assigned to Administrative Services which provides support for the entire organization. It is the Division's desire to re-align that analyst's duties to focus more on the CALEA process. To compensate for

the other duties performed by the Analyst, many of which are ministerial in nature, the Division proposes to convert an existing 1/2-time Office Assistant position currently budgeted to the Air Support Unit to a full-time Office Specialist, working in Public Safety Administration. The Division has been unable to successfully fill the 1/2-time position for the Air Support Unit in four years for a variety of reasons. The patrol secretary working at Headquarters is accommodating the needs of the Air Support Unit formerly handled by the Office Assistant.

- Conversion of Dispatcher/CSO to Dispatch Systems Administrator

In November of 1999, the Division obtained its first-generation mainframe computer-aided dispatching and records management system (CAD/RMS). The system is utilized 24 hours per day, seven days per week to manage emergency services provided by our police and fire departments. It has the ability to create reports, collate large volumes of data including criminal offender data, and is fully integrated with local, state and federal criminal offender data systems. Over the past seven years, we have on numerous occasions hired independent and vendor consultants to assist us with managing and configuring the system so it would meet our needs. There are several other functions the system can perform which would greatly enhance service delivery but we have no in-house expert and the Division relies on consultants to make changes to the system. A recent consultant report recommended that to utilize the system to its fullest extent the District should have a dedicated CAD/RMS systems software administrator. Since the function of the CAD/RMS is so closely tied with Dispatching, the Division recommends converting an existing position to be a dedicated system administrator.

ALTERNATIVES

None are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

**AUTHORIZATION TO AMEND THE 2008 BUDGET AND CONVERT
VACANT PUBLIC SAFETY POSITIONS TO AN OFFICE SPECIALIST AND
A DISPATCH SYSTEMS ADMINISTRATOR: PUBLIC SAFETY DIVISION**

WHEREAS, the 2008 Budget currently includes monies to fund position reclassifications in the Public Safety Division; and

WHEREAS, the General Manager recommends that the Board of Directors approve the reclassification requests;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approve the conversion of vacant 0.53 FTE Office Assistant, 1.0 FTE Office Specialist and 0.46 FTE Police Officer positions to an Office Specialist and a Dispatcher/Community Services Officer to Public Safety Dispatch Systems Administrator; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, and seconded by Director _____, and adopted this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

**EAST BAY REGIONAL PARK DISTRICT
BUDGET CHANGE FORM**

NEW APPROPRIATIONS		BUDGET TRANSFERS	
	From New Revenue		Between Funds
	Unreserved Fund Balance	X	From Another Department

REVENUE BUDGET ADJUSTMENT	AMOUNT	EXPENDITURE BUDGET ADJUSTMENT	AMOUNT
Account Name: EXPENSE: General Fund- Police Field Unit-District Wide-Salary and Benefits-Vacant Police Officer FTE		Account Name: EXPENSE: General Fund- Public Safety Communications & Records - District Wide - Salary and Benefits-System Analyst	
Acct# 101-8410-000-4021	\$ 29,671.	Acct# 101-8520-000-4021	\$ 7,662.
101-8410-000-4814	6,604.	101-8520-000-4814	1,706.
101-8410-000-4904	1,840.	101-8520-000-4904	422.
101-8410-000-4905	430.	101-8520-000-4905	58.
101-8410-000-4907	1,703.	101-8520-000-4907	440.
101-8410-000-4908	333.	101-8520-000-4908	86.
101-8410-000-4803	531.	101-8520-000-4803	234.
101-8410-000-4833	297.	101-8520-000-4833	666.
101-8410-000-4699	1,276.	101-8520-000-4699	279.
101-8410-000-4612	10,730.	101-8520-000-4920	685.
101-8410-000-4621	970.		
101-8410-000-4920	685.		
Account Name: EXPENSE: General Fund- Public Safety Helicopter Unit -District Wide - Salary and Benefits- Vacant Office Assistant Position		Account Name: EXPENSE: General Fund- Public Safety Administration -District Wide - Salary and Benefits-Office Specialist	
Acct# 101-8230-000-4021	\$ 24,225.	Acct# 101-8510-000-4021	\$ 48,867.
101-8230-000-4814	5,392.	101-8510-000-4814	10,876.
101-8230-000-4904	1,532.	101-8510-000-4904	3,030.
101-8230-000-4905	375.	101-8510-000-4905	709.
101-8230-000-4906	142.	101-8510-000-4906	266.
101-8230-000-4907	1,391.	101-8510-000-4907	2,805.
101-8230-000-4908	272.	101-8510-000-4908	549.
101-8230-000-4803	199.	101-8510-000-4803	489.
101-8230-000-4699	2,495.	101-8510-000-4833	489.
101-8230-000-4692	19.	101-8510-000-4699	5,033.
101-8230-000-4611	5,843.	101-8510-000-4692	36.
101-8230-000-4621	692.	101-8510-000-4611	10,962.
		101-8510-000-4621	1,298.

REASON FOR BUDGET CHANGE ENTRY:

As being presented at the Board of Directors meeting on May 6, 2008 the General Manager recommends that the Board of Directors authorize the budget transfers indicated above. These budget transfers are necessary to fund the conversion of one Dispatcher/CSO position to a new System Analyst FTE. The vacant .53 FTE Office Assistant from the Helicopter Unit will be converted to a new 1.0 FTE Office Specialist in Public Safety Administration. Funding for a .46 FTE portion of a vacant Police Officer position will be utilized to provide the additional budget required for the converted classifications.

As Approved at the Board of Directors Meeting on:		Date:	05/06/2008
Board of Directors Resolution		No.	2008-05
Posted By:	Signature	Date:	

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- d. Approval to Reclassify One Confidential Secretary Position to Confidential Legal Assistant and Set the Salary Range at Confidential Range 2

(O'Brien/Gonzales)

RECOMMENDATION

The General Manager recommends that the Board of Directors approve the reclassification of one Confidential Secretary position, currently in the General Manager's Office, to Confidential Legal Assistant and set the salary range at Confidential Range 2.

REVENUE/COST

This action will incur a cost of approximately \$ 5,795 for wages and benefits in 2008 and will be accommodated via a budget transfer from the Legal Division, Professional Services account, 101-2120-000-6191 to the General Manager's Department, Salary and Benefits account, 101-2010-000-4xxx. At the top step, the annual salary and benefit differential is approximately \$12,000 above the current Confidential Secretary position, and will be included in future year budget proposals.

BACKGROUND

The Board of Directors approves the title and salary range for all new classifications. Currently, the Legal Department consists of a District Counsel and an Assistant District Counsel. The department is supported by one Confidential Secretary, though this position is formally in the General Manager's Office for administrative purposes. Traditionally, the Confidential Secretary's duties have been predominantly clerical in nature, such as answering the phones, filing, coordinating meetings and travel arrangements, and word processing. However, in the past several years, direct responsibility for projects and legal related tasks have been added to the position.

As noted above, the Confidential Secretary's duties and responsibilities have evolved to become more analytical, project oriented, and paralegal in nature. This is in part due to the complexity of the legal issues and projects that the department is handling. Furthermore, with the addition of an Assistant District Counsel position in 2006, the department is taking on more projects and is working on more legal issues in-house. This requires the Confidential Secretary to perform more difficult and complex legal administrative functions, which would normally be performed by a paralegal at a law firm.

ALTERNATIVES

None are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

APPROVAL TO RECLASSIFY ONE CONFIDENTIAL SECRETARY
POSITION TO CONFIDENTIAL LEGAL ASSISTANT AND SET
THE SALARY RANGE AT CONFIDENTIAL RANGE 2

WHEREAS, the Confidential Secretary assigned to support the Legal Department has traditionally performed duties that are clerical in nature; however, in the past several years, the duties and responsibilities have evolved and are more analytical, project oriented, and paralegal in nature; and

WHEREAS, the reclassification would increase efficiency and would relieve the District Counsel and Assistant District Counsel with a variety of administrative legal details and duties; and

WHEREAS, the Board of Directors approves the title and salary range for all new positions;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby approves the reclassification of one Confidential Secretary position to Confidential Legal Assistant and sets the salary range at Confidential Range 2, and authorizes the transfer of funds from the Legal Division, Professional Services account, 101-2120-000-6191 to the General Manager's Department, Salary and Benefits account, 101-2010-000-4xxx per the attached Budget Change form; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and approved this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSENT:

ABSTAIN:

EAST BAY REGIONAL PARK DISTRICT BUDGET CHANGE FORM											
NEW APPROPRIATIONS					BUDGET TRANSFERS						
From Measure AA Bond					Between Funds						
New Revenue					<input checked="" type="checkbox"/> From Another Department						
DECREASE BUDGET					INCREASE BUDGET						
General Fund-Legal Dept-District Wide- Professional Services					General Fund-General Manager Dept-District Wide- Salary & Benefits						
Fund	Dept	Loc	Obj	Amount	Fund	Dept	Loc	Obj	Amount		
101	2120	000	6191	5,795.00	101	2010	000	4021	2,907.00		
					101	2010	000	4621	690.00		
					101	2010	000	4699	634.00		
					101	2010	000	4803	29.00		
					101	2010	000	4814	647.00		
					101	2010	000	4833	448.00		
					101	2010	000	4904	181.00		
					101	2010	000	4905	43.00		
					101	2010	000	4906	16.00		
					101	2010	000	4907	167.00		
					101	2010	000	4908	33.00		
Total				5,795.00	Total				5,795.00		
<p>REASON FOR BUDGET TRANSFER: As presented to the Board of Directors May 6, 2008, the General Manager recommends that the Board of Directors authorize the transfer of budgeted funds from the Legal Department Professional Services budget to cover the reclassification of one Confidential Secretary to Conf Level 2, Step A. The transferred budget will cover the increase in salary and benefits from pay period 10 through the end of the year.</p>											
As Approved at the Board of Directors Meeting on:									5/6/2008		
Board of Directors Resolution									No.		
Posted By:					Signature				Date:		

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- e. Resolution to Oppose Pending State Ballot Proposition 98 -
California Property Owners and Farmland Protection Act
(Pfuehler/O'Brien)

RECOMMENDATION

The General Manager and Board Legislative Committee (by unanimous vote) recommend that the Board of Directors adopt a resolution to oppose Proposition 98 - California Property Owners and Farmland Protection Act.

REVENUE/COST

There would be no cost impact as a result of this action.

BACKGROUND

At the March 7, 2008 Legislative Committee meeting, members voted to oppose the state ballot Proposition 98 - California Property Owners and Farmland Protection Act. The proposition will make all eminent domain proceedings more expensive for public agencies, and will do away with rent control and inclusionary housing ordinances. The proposition contains language that may prevent the state from acquiring property by eminent domain for state water projects. It also contains language which may negatively impact the District's ability to acquire property for the protection of open space and natural resources. Additionally, the proposition may prohibit or make inordinately expensive the passage of standards, ordinances, land use and other zoning laws which enable local governments to plan and protect communities. The proposition will almost certainly mean costly lawsuits and compensation payments, for which state and local governments do not have revenue sources in place to pay. Proposition 98 is opposed by organizations of importance to the District – the Association of California Water Agencies, the Western Growers Association, the California Police Chiefs Association, California Professional Firefighters, the Association of Federal State and Municipal Employees, the League of California Cities, California State Association of Counties, League of California Homeowners, California League of Conservation Voters, League of Women Voters, the California Tax Reform Association, the California Alliance for Retired Americans and other leading state and local associations.

ALTERNATIVES

None recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008 – 5 -

May 6, 2008

RESOLUTION TO OPPOSE PENDING STATE BALLOT PROPOSITION 98 - CALIFORNIA PROPERTY OWNERS AND FARMLAND PROTECTION ACT

WHEREAS, a constitutional amendment ballot measure, Proposition 98, will appear on California's June 2008 ballot; and

WHEREAS, provisions in the initiative would preclude the use of eminent domain to acquire land or water to develop public water projects needed to provide Californians with a reliable and safe water supply; and

WHEREAS, language in the initiative will also prohibit the passage of standards, ordinances, land use and other zoning laws which enable local governments to plan and protect communities; and

WHEREAS, provisions in the measure would impair the ability for government to enact environmental protections such as laws to control greenhouse gas emissions, preserve open space, protect coastal areas and govern development; and

WHEREAS, the initiative could cost California taxpayers billions in frivolous lawsuits and compensation payments for "devalued" or "taken" property; and

WHEREAS, state and local government agencies would both likely be faced with compensation claims, yet not have a revenue source in place to pay for them; and

WHEREAS, Proposition 98 is opposed by the Association of California Water Agencies, the Western Growers Association, the California Police Chiefs Association, California Professional Firefighters, the Association of Federal State and Municipal Employees, the League of California Cities, California State Association of Counties, League of California Homeowners, California League of Conservation Voters, League of Women Voters, the California Tax Reform Association, the California Alliance for Retired Americans and other leading state and local associations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby opposes Proposition 98 on the June 2008 ballot; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents, and

to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May 2008 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- f. Resolution to Support Pending State Ballot Proposition 99 - The Homeowners and Private Property Protection Act (Pfuehler/O'Brien)

RECOMMENDATION

The General Manager and Board Legislative Committee (by unanimous vote) recommend that the Board of Directors adopt a resolution to support State Ballot Proposition 99 - The Homeowners and Private Property Protection Act.

REVENUE/COST

There would be no cost impact as a result of this action.

BACKGROUND

At the March 7, 2008 Legislative Committee meeting, members voted unanimously to support State Ballot Proposition 99 - The Homeowners and Private Property Protection Act. This initiative would prohibit state and local governments from using eminent domain to acquire an owner-occupied residence for conveyance to a private person or business entity. The proposition allows the voters to support limited, reasonable eminent domain reform, whereas extensive eminent domain reform could severely impact and limit the District's ability to fulfill its mission. The proposition is supported by individuals affiliated with organizations of importance to the District: the California State Association of Counties, the California League of Conservation Voters and the League of California Homeowners.

ALTERNATIVES

None are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008 - 5 -

May 6, 2008

RESOLUTION TO SUPPORT PENDING STATE BALLOT PROPOSITION 99 -
THE HOMEOWNERS AND PRIVATE PROPERTY PROTECTION ACT

WHEREAS, in June of 2005 the United States Supreme Court ruled in *Kelo v. New London* that government could take a home through eminent domain to give to a private developer; and

WHEREAS, since that decision more than 40 states have reformed their eminent domain laws; and

WHEREAS, California has failed to place a prohibition on the use of eminent domain to take homes for private development; and

WHEREAS, Proposition 99, which will be on the June 2008 ballot, will prohibit government from using eminent domain to take an owner-occupied home to transfer to another private party; and

WHEREAS, the protections in Proposition 99 directly address the issues in the *Kelo* decision and the measure does not contain any unrelated provisions that will result in unintended, harmful consequences for California or impair the East Bay Regional Park District's ability to fulfill its mission; and

WHEREAS, the League of California Homeowners supports this measure because it will provide ironclad protections for California homeowners; and

WHEREAS, the Yes on Proposition 99 campaign is represented by a broad based coalition, including the California Special Districts Association, the League of California Cities, California State Association of Counties, California League of Conservation Voters, the American Federation of State County and Municipal Employees, the California Police Chiefs Association, the California Fire Chiefs Association, League of Women Voters, the California Tax Reform Association, the California Alliance for Retired Americans and other leading state and local associations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby supports Proposition 99 on the June 2008 ballot; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents, and

to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- g. Authorization to Apply for Grant Funds from the Land and Water Conservation Fund for Open Turf Construction:
Oyster Bay Regional Shoreline (Rasmussen/Collins)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize an application to the California Department of Parks and Recreation for grant funds from the Land and Water Conservation Fund for open turf construction at Oyster Bay Regional Shoreline.

REVENUE/COST

This action proposes an application for funds, not to exceed \$200,000, from the Land and Water Conservation Fund for turf construction at Oyster Bay Regional Shoreline. The required \$200,000 non-federal match from the District will be provided by Measure AA Bond funds budgeted to this project. The total capital cost for the project is estimated to be \$400,000. This project will also increase ongoing operational costs to the District.

BACKGROUND

The Board of Directors approved the filing of this grant application at its February 19, 2008 meeting with Resolution Number 2008-2-038. However, the California Department of Parks and Recreation, in a letter dated April 16, 2008, requested revision of the resolution language to be more consistent with the state's standard language. This action proposes to amend the language used in the February resolution to conform with the requested standards and does not propose an additional grant application.

In January 1965, Congress established the Land and Water Conservation Fund. Under provisions of the Outdoor Recreation Resources Plan Act of 1967, funds allocated to California are administered by the Director of the California Department of Parks and Recreation. The Park District will submit the grant application to the California Department of Parks and Recreation for consideration for payment from the Land and Water Conservation Fund.

Should this grant be awarded, it will provide an amount not to exceed \$200,000 for the construction of turf at Oyster Bay Regional Shoreline. Open turf is defined as turf not dedicated to sports fields. The installation of turf will provide visitors with a natural, comfortable, and safe setting to increase enjoyment of the shoreline.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

AUTHORIZATION TO APPLY FOR GRANT FUNDS FROM THE LAND
AND WATER CONSERVATION FUND FOR OPEN TURF CONSTRUCTION:
OYSTER BAY REGIONAL SHORELINE

WHEREAS, Congress, under Public Law 88-578, has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the state, setting up necessary rules and procedures governing applications by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of eligible matching funds prior to submission of said applications to the State; and

WHEREAS, the proposed East Bay Regional Parks project is consistent with the most recent *California Outdoor Recreation Plan (CORP)* and compatible with the land use plans of the surrounding jurisdictions;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance; and
2. Certifies that said agency has matching funds from eligible source(s) and can finance 100 percent of the project, which up to half may be reimbursed; and
3. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; and
4. Appoints the General Manager or Assistant General Manager of Finance and Management Services as agent of the applicant to conduct all negotiations and execute and submit all documents, including, but not limited to, acceptance of grant funds, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned project; and

BE IT FURTHER RESOLVED, that the Controller is authorized to establish a Capital Project Account upon receipt of an executed contract with a budget appropriation equal to the value stipulated in the contract, as required by the Land and Water Conservation Fund Program.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008, by the following vote,

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- h. Authorization to Accept Annual Insurance Renewal/Quotations
(Moss/Radosevich)

RECOMMENDATION

The General Manager and the Board Finance Committee (by unanimous vote) recommend that the Board of Directors accept the premium quotation renewals for the District's insurance programs as presented and discussed at the April 23, 2008 Board Finance Committee meeting.

REVENUE/COST

This action authorizes the encumbrance of funds as follows:

EXISTING SOURCE OF FUNDS:

2008 Appropriation, Acct. no: 555-2130-000-6801	\$ 766,165
(Gen. Liability Fund, Premiums)	
Expenditure to date	<u>1,000</u>
BALANCE AVAILABLE	\$ 765,165

PROPOSED ENCUMBRANCE FOR INSURANCE *	<u>\$ 755,000</u>
REMAINING BALANCE	\$ 10,165

EXISTING SOURCE OF FUNDS:

2008 Appropriation, Acct. No: 552-9110-000-6841	\$ 296,096
(Workers Compensation Fund, Premiums)	
Expenditure to date	<u>0</u>
BALANCE AVAILABLE	\$ 296,096

PROPOSED ENCUMBRANCE FOR INSURANCE *	<u>\$ 285,054</u>
REMAINING BALANCE	\$ 11,042

(*Note: All quotes on insurance are not-to-exceed values and may change prior to 6/30/08.)

BACKGROUND

The District self-funds for losses to a retention that is the most advantageous and supported by actuarial analysis. The cost of insurance is based on values, payroll, and losses. Notable rate changes include a decrease in property insurance rates, an increase in liability insurance rates, and an increase in aviation insurance (due to the value of the new hull) in 2008. The true insurance costs have increased about 8%.

Liability Insurance

This year's estimated premium is based on a 15% rise in rates, with the final pricing expected to be a 10% increase. Pooled losses have caused an increase in cost. This pooled program is still a savings over stand-alone insurance.

Excess Liability Insurance

This pooled coverage for \$5,000,000 in excess of a \$15,000,000 policy provides the District with a total of \$20,000,000 in liability insurance. The additional coverage has been at a very reasonable cost for the added assurance.

Property Insurance

Rates on property insurance decreased slightly.

Aviation Insurance

The District has been fortunate in having a strong safety program and record, which is reflected in the low cost of aviation insurance. There is an increase in insurance cost only because of the corresponding higher dollar value helicopter which replaces Eagle 5.

Fidelity Coverage

This is a policy that covers the District from embezzlement, theft, and fiduciary losses, covering employees, and Directors and Officers liability. Staff expects a nominal increase.

Boiler and Machinery

This program is now integrated into the property program.

Workers' Compensation Excess

This covers the cost of claims greater than \$350,000. The increase is due to assessments of prior years and reserving at a higher confidence level. Alternate coverage will be explored in 2009 for potential cost savings; consistent with the By-Laws of Local Agency Worker's Compensation Excess (LAWCX) pool, the District will provide a notice of potential withdrawal to the LAWCX Board of Directors by December 31, 2008, so that the District can obtain quotes from other resources for renewal of excess workers' compensation insurance.

ALTERNATIVES

No alternatives are recommended for replacing insurance coverage. These insurance policies are important to managing the District's operations. Self-funding or pay-as-you-go may be an alternative, but may imperil the financing of District operations unless sufficiently financed.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

AUTHORIZATION TO ACCEPT INSURANCE RENEWAL/QUOTATIONS

WHEREAS, the District's Risk Management Program has identified the District's areas of potential exposure to loss; and

WHEREAS, the District has evaluated the multiple possibilities for the financing of such potential losses; and

WHEREAS, the General Manager recommends that insurance is the most cost-efficient means for financing the potential exposure to loss, and

WHEREAS, District staff has reviewed coverage available from the Excess Insurance Authority (EIA) public entity risk sharing pool, and recommends acceptance of coverage at limits selected by the District and at rates provided by the EIA and its broker, Alliant Insurance, for the pooled coverage of general and automobile liability , property, boiler and machinery, watercraft, renewal of aviation and fidelity coverage through Diversified Risk Services, and renewal of excess workers' compensation through the Local Agency Worker's Compensation Excess (LAWCX) pool; and

WHEREAS, the Board Finance Committee has reviewed and approved this program on April 23, 2008;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby accepts the not-to-exceed renewal premium quotations for general and automobile liability (\$264,000) property (310,000), excess liability (\$13,000), Watercraft (\$4,000), Fidelity Deposit for Crime (\$4,000), aviation insurance (\$160,000), workers' compensation excess (\$285,000); and

BE IT FURTHER RESOLVED, that funds for total premiums in the amount of \$755,000 are budgeted and available in Account No. 555-2130-000-6801, (Insured and Uninsured Losses Accounts) and \$285,000 in fund 552-9110-000-6841 for excess workers' compensation; and

BE IT FURTHER RESOLVED, that consistent with the By-Laws of LAWCX, the District will provide notice of potential withdrawal to the LAWCX Board of Directors by December 31, 2008, so that the District can obtain quotes from other resources for renewal of excess workers' compensation insurance and possible withdrawal from the LAWCX program; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intention of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- i. Authorization to Amend the 2008 Budget and Purchase
One Sanitation Truck (Gehrett/Escobar)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize the amendment of the 2008 Budget and the purchase of a sanitation truck from West-Mark of Ceres, California at a total cost of \$189,032.83.

REVENUE/COST

The amount of \$175,000 has been allocated from the 2008 Major Equipment Replacement budget (Account 554-9110-000-7505) for the purpose of replacing an aging sanitation truck. Rising production and stainless steel costs have resulted in a \$14,032.83 price increase for this purchase. The balance of funds needed for this acquisition will be secured through a budget transfer from the Equipment Maintenance, Salary and Benefits account (101-5931-000-4021):

SOURCE OF FUNDS:

Account 554-9110-000-7505	\$ 175,000.00
---------------------------	---------------

PROPOSED BUDGET TRANSFER:

From Account 101-5931-000-4021	<u>14,032.83</u>
Total Available Account 554-9110-000-7505	\$ 189,032.83

PROPOSED ENCUMBRANCE:

Base Price	\$ 174,610.00
California Tire Tax	17.50
Sales Tax	<u>14,405.33</u>
Total Encumbrance	\$ 189,032.83

BACKGROUND

This new sanitation truck will replace #2684, a 1994 sanitation truck being retired due to age, high mileage, and condition. The new vehicle will be a vacuum tanker truck designed to transport 3,000 gallons of raw sewage and 250 gallons of sanitation chemicals. The new truck is available for purchase directly from West-Mark by means of a federal contract issued by the Defense Supply Center of Philadelphia (DSCP), Contract No. SP0550-01-D-0068. The contract pricing is the result of a competitive bid process and open to all public agencies within the 48 contiguous states and Washington, D.C. Public agencies electing to use DSCP contracts avoid the administrative costs of seeking formal bids.

Due to the retirement of a Service Manager in late 2007, and the succeeding promotions of staff that followed, the Equipment Maintenance Division has had a vacant mechanic position since the beginning of 2008. This vacancy has resulted in salary savings in the 2008 budget. It is proposed that \$14,032.83 of these savings be transferred to fund the additional cost of this truck. The vacancy was filled on April 28, and the Equipment Maintenance Division is now fully staffed.

ALTERNATIVES

For this purchase, staff has determined that there is no significant advantage in formally seeking other bids; therefore, none are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

**AUTHORIZATION TO AMEND THE 2008 BUDGET AND
PURCHASE ONE SANITATION TRUCK**

WHEREAS, the District has included funding in its 2008 Budget for the purchase of replacing existing rolling stock; and

WHEREAS, West-Mark of Ceres, California is a federally-recognized vendor offering suitable vehicles based on the results of competitive pricing through contracts issued by the Defense Supply Center of Philadelphia;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes the amendment of the 2008 Budget by the transfer of \$14,032.83 from Account 101-5931-000-4021 Equipment Maintenance Regular Wages to Account 554-9110-000-7505 Major Equipment Replacement Budget, and the purchase of one sanitation truck from West-Mark, for a total cost of \$189,032.83, with said sum to be encumbered from the 2008 Major Equipment Replacement Account No. 554-9110-000-7505; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

EAST BAY REGIONAL PARK DISTRICT BUDGET CHANGE FORM

NEW APPROPRIATIONS		BUDGET TRANSFERS	
	From Measure AA Bond Interest	X	Between Funds
	From Unappropriated Fund Balance		From Another Department

DECREASE BUDGET:	AMOUNT	INCREASE BUDGET:	AMOUNT
Account Name: EXPENSE: General Fund-Equipment Maintenance-District Wide- Salaries Acct # 101-5931-000-4021	\$14,032.83	Account Name: EXPENSE: Major Equipment Replacement Fund- Non-departmental-District Wide- Rolling Stock Acct # 554-9110-000-7505	\$ 14,032.83

REASON FOR BUDGET CHANGE ENTRY:
 As being presented at the Board of Directors meeting on May 6, 2008 Manager recommends that the Board of Directors authorize the transfer of \$14,032.83 from the General Fund, Equipment Maintenance salaries to the Major Equipment Replacement Fund to allow for the purchase of a one new sanitation pumper truck. The transferred budget is to cover the shortfall in the anticipated replacement cost of the truck, asset ID 2684.

As Approved at the Board of Directors Meeting on:		Date:	05-06-2008
Board of Directors Resolution		No.	2008-05
Posted By:		Date:	
	Signature		

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- j. Resolution to Support the Proposed Increase to the City of Oakland Landscape and Lighting Assessment District's Annual Assessment and Authorization to Amend the 2008 Budget (Radosevich/O'Brien)

RECOMMENDATION

The General Manager and the Board Executive Committee (by unanimous vote) recommend that the Board of Directors cast a "YES" vote in support of the City of Oakland's proposed increase to its Landscape and Lighting Assessment District's annual assessment, and authorize an amendment to the 2008 Budget.

REVENUE/COST

The initial cost of the assessment is approximately \$14,000 per year and will increase annually with the CPI, not to exceed 3%. There is no funding for the cost in the 2008 Budget; it is therefore recommended that it be funded through a budget transfer from the Board Contingency Fund, Account 101-1110-000-5821, to General Fund, District-Wide Taxes and Assessments, Account 101-9110-000-6931.

BACKGROUND

The City of Oakland (City) is proposing an increase and an expansion of its existing Landscape and Lighting Assessment District (LLAD) to raise additional funds by replacing the original LLAD with one assessing higher rates and tied to the CPI. The previous LLAD did not assess District lands, but under provision of current State law, non-parklands are being assessed.

The City established the existing LLAD in 1989 to ensure a continuous funding source for street lighting functions; cleaning and landscaping parks and facilities; grooming roadway landscaping; and planting and pruning street trees. The proposed increase is 65% over the current rate. As currently proposed, four District parcels that are considered commercial/business are being assessed, with the annual charge roughly \$14,000.

A similar, though smaller, increase (40%) was proposed but failed to receive property owner approval in 2006. The Board Executive Committee recognized the budgetary needs of the City to support its street lighting, trees, and parks and the general value of well maintained City parks, as several border or interface with District parks. Accordingly, the Board Executive Committee unanimously recommended a “YES” vote.

ALTERNATIVES

None are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

RESOLUTION TO SUPPORT THE PROPOSED INCREASE TO THE CITY OF OAKLAND
LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT'S ANNUAL ASSESSMENT
AND AUTHORIZATION TO AMEND THE 2008 BUDGET

WHEREAS, the City of Oakland has proposed an annual increase to its Landscape and Lighting Assessment District; and

WHEREAS, the assessment increase impacts four District parcels that are being assessed with an annual fee of approximately \$14,000 and will increase with the Consumer Price Index (CPI), not to exceed 3% annually; and

WHEREAS, the District has received ballots which requests a response of either "YES, I approve the proposed assessment..." or "NO, I do not approve the proposed assessment..."; and

WHEREAS, the action taken by the Board of Directors is a decision based solely on issues which are unique to the East Bay Regional Park District;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby determine that ballots representing District-owned properties shall be cast with a vote of "YES" and authorizes an amendment to the 2008 Budget according to the attached Budget Change Form; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____ and approved this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

EAST BAY REGIONAL PARK DISTRICT BUDGET CHANGE FORM

NEW APPROPRIATIONS		BUDGET TRANSFERS	
	From Unappropriated Fund Balance		Between Projects
	From New Revenues	X	From Another Department

DECREASE BUDGET ACCOUNT	AMOUNT	INCREASE BUDGET ACCOUNT	AMOUNT
Account Name: EXPENSE: General Fund-Board of Directors-Contingency Fund		Account Name: EXPENSE: General Fund-District Wide-Taxes and Assessments	
Acct # 101-1110-000-5821	\$ 14,000	Acct # 101-9110-000-6931	\$ 14,000.

REASON FOR BUDGET CHANGE ENTRY:

As being presented at the Board of Directors meeting on May 6, 2008 the General Manager recommends that the Board of Directors authorize the transfers of \$14,000 from the Board of Directors contingency budget to cover the increase in the City of Oakland's proposed increase and expansion of the existing Landscape and Lighting Assessment District. The transfer will cover the anticipated cost for 2008 only.

As Approved at the Board of Directors Meeting on:		Date:	05/06/2008
Board of Directors Resolution		No.	2008-05
Posted By:		Date:	
	Signature		

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- k. Approval of Out-of-State Travel for General Manager Pat O'Brien to Attend the 2008 Nevada Hike, Bike and Walk Conference, May 14-16, 2008, at Lake Tahoe, Nevada (Pulido)

RECOMMENDATION

It is recommended that the Board of Directors approve the out-of-state travel for General Manager Pat O'Brien to attend the Nevada Hike, Bike and Walk Conference from May 14-16, 2008, at Lake Tahoe, Nevada.

REVENUE/COST

Funding for this travel is available in existing departmental budgets.

BACKGROUND

The 2008 Nevada Hike, Bike and Walk Conference is scheduled for May 14 - 16, 2008, at Lake Tahoe, Nevada. This conference is an important gathering exploring the latest information on bicycle and pedestrian trails planning, advocacy, events and education. General Manager Pat O'Brien has been requested to speak at the conference regarding funding approaches to trail maintenance, including assessment districts, zones of benefits and share other insights on trail financing. He will also participate in the presentation to be conducted by Mike Anderson, AGM Planning/Stewardship & Development, and Dr. George Manross, Strategy Research Institute, regarding the use of GIS for policy decision-making.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

APPROVAL OF OUT-OF-STATE TRAVEL FOR GENERAL MANAGER PAT O'BRIEN
TO ATTEND THE 2008 NEVADA HIKE, BIKE AND WALK CONFERENCE,
MAY 14-16, 2008, AT LAKE TAHOE, NEVADA

WHEREAS, the Nevada Hike, Bike and Walk Conference is being held on May 14-16, 2008, at Lake Tahoe, Nevada; and

WHEREAS, the General Manager has been requested to speak at the conference on trails funding and GIS policy;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby approve out-of-state travel for General Manager Pat O'Brien to attend the Nevada Hike, Bike and Walk Conference, May 14-16, 2008, at Lake Tahoe, Nevada; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and approved this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSENT:

ABSTAIN:

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- I. Resolution to Support the Candidacy of Katy Foulkes to the Enterprise Special District Seat on the Alameda County Local Agency Formation Commission (O'Brien)

RECOMMENDATION

The General Manager recommends the Board of Directors adopt a resolution to support the candidacy of Katy Foulkes to the enterprise special district seat on the Alameda County Local Agency Formation Commission (LAFCo).

REVENUE/COST

There are no costs associated with this action.

BACKGROUND

Chapter 1307 of the Government Code, enacted in 1993, requires LAFCo to seat two special district representatives and an alternate if specified conditions are met. Both Alameda and Contra Costa Counties have fulfilled these conditions. The selection process, as approved by the Chapter, specifies one seat for enterprise districts and one seat for non-enterprise districts, with an at-large alternate seat. Katy Foulkes of the East Bay Municipal Utility District (EBMUD) has expressed her intention to seek re-election to a fourth term for this seat. Ms. Foulkes has extensive experience in local government planning issues, having served on the Board of Directors for EBMUD since 1994. She has also served two terms on the Piedmont City Council and on various community liaison committees.

The Government Code authorizes the Presiding Officer, or a designated representative, as a voting member of the Independent Special District Selection Committee (ISDSC) for the purpose of selecting special district representatives to LAFCo. At the request of East Bay Regional Park District Board President Ayn Wieskamp, Director Carol Severin will attend the publicly noticed meeting of the ISDSC, convened by the LAFCo Executive Officer, on Wednesday, May 7, 2008 at 10:00 a.m. at the Washington Township Health Care District headquarters. At that meeting, the election will take place with the term beginning immediately and ending in May 2012.

ALTERNATIVES

None recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

RESOLUTION TO SUPPORT THE CANDIDACY OF KATY FOULKES
TO THE ENTERPRISE SPECIAL DISTRICT SEAT ON THE
ALAMEDA COUNTY LOCAL AGENCY FORMATION COMMISSION

WHEREAS, the Cortese-Knox Local Government Reorganization Act amended by Chapter 1307 requires the Alameda County Local Agency Formation Commission (LAFCo) to seat two special district representatives and an alternate if requested by a majority of independent special districts; and

WHEREAS, each of the 15 independent special districts Board of Directors in Alameda County is entitled to submit the name of one of their members for election to the LAFCo seats; and

WHEREAS, there is an opening for the enterprise special district seat in Alameda County; and

WHEREAS, Katy Foulkes has expressed an interest in serving a fourth term representing enterprise special districts on the Alameda County Local Agency Formation Commission; and

WHEREAS, Katy Foulkes is highly qualified to fill the LAFCo seat having served on Board of Directors for the East Bay Municipal Utility District since 1994 and as a Piedmont City Council Member;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby adopts a resolution to support the candidacy of Katy Foulkes as the enterprise special district representative on the Alameda County Local Agency Formation Commission; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- m. Authorization to Reallocate and Appropriate Funds for Tidewater Phase 2 Improvements: Martin Luther King, Jr. Regional Shoreline
(Althoff/M. Anderson)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize the reallocation and appropriation of \$50,000 to augment the budget for Tidewater Phase 2 Improvements, including construction of the Phase 2A Utilities and Access Improvements and the design of the Tidewater Phase 2B Aquatic Center Dock at Martin Luther King, Jr. Regional Shoreline.

REVENUE/COST

This action would authorize the reallocation of \$50,000 in Measure AA Development funds from the unappropriated Oyster Bay Regional Shoreline fund balance to Martin Luther King, Jr. Regional Shoreline and appropriate these funds into Project No. 126400 (Tidewater Phase 2: Martin Luther King, Jr. Regional Shoreline).

EXISTING SOURCE OF FUNDS

Current Approve Project Budget	
Tidewater Phase 2: Martin Luther King, Jr. Project No. 126400	\$2,238,156
Encumbrances and Expenditures to Date	<u>2,249,810</u>
PROJECT BALANCE	\$ (11,654)

PROPOSED SOURCE OF FUNDS AVAILABLE FOR REALLOCATION

Measure AA Development Funds Allocated to Oyster Bay	
Original Allocation (Less Adjustments)	\$2,998,056
Less Expenditures and Encumbrances to Date	<u>2,136,006</u>
UNAPPROPRIATED BALANCE AVAILABLE	\$ 862,050

PROPOSED REALLOCATION OF FUNDS

From Measure AA Development Funds Allocated to Oyster Bay	
To Martin Luther King, Jr. Regional Shoreline	<u>\$ 50,000</u>

OYSTER BAY UNAPPROPRIATED DEVELOPMENT FUND BALANCE \$ 812,050

PROPOSED APPROPRIATION

To Project No. 126400 BAAA: Tidewater Phase 2, MLK, Jr.	\$ 50,000
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BACKGROUND

The Tidewater Phase 2 Improvements project for Martin Luther King, Jr. Regional Shoreline includes the Phase 2A Utilities and Access Improvements project and the Phase 2B Aquatic Center and Dock. This Board item proposes to augment the budget for Project No. 126400 to cover additional work in both Phase 2A and 2B.

Tidewater Phase 2A: Utilities and Access Improvements

The Board of Directors of the East Bay Regional Park District authorized the award of contract with Grade Tech, Inc., San Ramon, CA for the construction of the Tidewater Phase 2A Utilities and Access Improvements project at their regularly scheduled meeting of May 15, 2007. The Base Bid was awarded in the amount of \$1,038,800 plus a 12 percent contract contingency in the amount of \$124,656 for a total authorization of \$1,163,456.

The Phase 2A contract work performed to date includes construction of a rocked entry road with parallel, concrete paved trail segment, a rocked staging area with restroom, turf and picnic facilities and the installation of the infrastructure needed to provide utility service to facilities planned for future development phases, including the Tidewater Aquatic Center building complex and launch dock. As with many of District's shoreline parks constructed over bay fill at former industrial sites, existing utilities and underground facilities and obstructions are not well documented. Change orders to date have included removal of concrete rubble and debris, potholing and rerouting of underground utilities to avoid obstructions and the reconstruction of a manhole. In addition, there have been numerous delays and design changes imposed by the utility providers for gas, power, potable water and fire protection systems that have required the authorization of additional contract work on a time and materials basis. This has required additional staff time for developing design solutions, preparing and processing change orders and added inspections.

At present there is an estimated contingency balance of \$4,500 with some utility connection work still to be performed. \$30,000 of the proposed appropriation will provide construction contingency augmentation to ensure that staff can continue to authorize additional contract work as needed without delaying the contractor or incurring additional remobilization costs, as well as offset the current deficit and provide funding for staff costs to complete the project.

Tidewater Phase 2B: Aquatic Center Launch Dock

The Board of Directors authorized a sole source contract with Moffatt & Nichol in the amount of \$87,004 for engineering consulting services for the Tidewater Phase 2B Aquatic Center Launch Dock at their regularly scheduled meeting of April 18, 2006. Consultant services under this contract include the provision of bid documents and technical support needed during the permitting and construction phase of the dock. Amendment No. 1 to the contract added an additional \$31,203 for geotechnical investigation and sediment sampling for a total of \$118,207. The proposed scope of work for Amendment No. 2 to this contract would include changes to the dock design due to errors in the bathymetric survey provided by the District at a cost of \$20,000.

Basis of Recommendation for the Reallocation of Measure AA Development Funds

Staff finds that the proposed reallocation of funds from the unappropriated Measure AA Development fund balance allocated to Oyster Bay Regional Shoreline to the Tidewater Phase 2 Improvements project at Martin Luther King, Jr. Regional Shoreline meets the criteria set forth by the Board of

Directors for the movement of AA Development funds between projects as follows:

- Oyster Bay and Martin Luther King, Jr. Regional Shorelines are both located within the West Metro.
- Both parks are in the regional shoreline unit.
- The allocated Measure AA Development funds for Oyster Bay and MLK, Jr. are earmarked for like public access improvements, including entry roads and trails.

Staff therefore recommends approval of this proposed reallocation.

ALTERNATIVES

The Board could direct staff to seek funding from other sources, including other Measure AA projects, or the General Fund. This alternative is not recommended as adequate Measure AA Development funds are available from the Oyster Bay allocation.

EAST BAY REGIONAL PARK DISTRICT

Resolution No.: 2008-5-

May 6, 2008

AUTHORIZATION TO REALLOCATE AND APPROPRIATE FUNDS FOR TIDEWATER
PHASE 2 IMPROVEMENTS: MARTIN LUTHER KING, JR. REGIONAL SHORELINE

WHEREAS, the East Bay Regional Park District desires to implement a multi-phased program for capital development at the Tidewater area of Martin Luther King, Jr. Regional Shoreline in order to improve public access to the shoreline and provide water-related recreational opportunities both for the region and with outreach to local youth; and

WHEREAS, the capital project for Tidewater Phase 2 Improvements includes the Phase 2A Utilities and Access Improvements project Phase 2B Aquatic Center and Dock; and

WHEREAS, Tidewater Phase 2A is currently under construction by Grade Tech, Inc. of Castro Valley, CA and includes an aggregate baserock entrance road, staging area with restroom facility, turf and picnic facilities and the infrastructure needed to provide utility service at full build-out for future phases; and

WHEREAS, there have been numerous change orders required to complete the construction of Tidewater Phase 2A due to removal of concrete rubble and debris, potholing and rerouting of underground utilities to avoid obstructions, the reconstruction of a manhole and numerous delays and design changes imposed by the utility providers for gas, power, potable water and fire protection systems requiring the need to augment the construction contingency and budget for design and construction administration, inspection and testing; and

WHEREAS, Tidewater Phase 2B Aquatic Center Launch Dock is currently under design by the marine engineering firm of Moffatt & Nichol, Walnut Creek, CA and there is need to amend the consulting agreement to include changes to the dock design; and

WHEREAS, there are Measure AA Development funds allocated to Oyster Bay Regional Shoreline that meet the criteria for reallocation to the Tidewater Phase 2 Improvement projects at Martin Luther King, Jr. Regional Shoreline;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes the Budget Change attached hereto, which will reallocate \$50,000 of Measure AA Development funds allocated to Oyster Bay Regional Shoreline to Martin Luther King, Jr. Regional Shoreline and appropriate these funds into Project No. 126400 (Tidewater Phase 2 Improvements, Martin Luther King, Jr. Regional Shoreline) with \$30,000 made available for additional construction contingency and staff costs for Phase 2A and \$20,000 made available for additional design services for Phase 2B; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and approved this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

EAST BAY REGIONAL PARK DISTRICT BUDGET CHANGE FORM

REALLOCATE MEASURE AA AREA DEVELOPMENT FUNDS			
DECREASE AREA	AMOUNT	INCREASE AREA	AMOUNT
From Oyster Bay Allocation Area	\$ 50,000.	Martin Luther King Jr Allocation Area	\$ 50,000.
NEW APPROPRIATIONS		BUDGET TRANSFERS	
<input checked="" type="checkbox"/>	From Unappropriated Measure AA Funds	Between Projects	
	From New Revenues	From Another Department	

DECREASE BUDGET ACCOUNT	AMOUNT	INCREASE BUDGET ACCOUNT	AMOUNT
		Account Name: EXPENSE: Captial Fund-esign/Construction Dept-Martin Luther King Jr. Shoreline-Construction in Progress-Tidewater Phase 2-Measure AA Funds	
		Acct # 333-7110-437-7020/ 126400BAAA	\$ 50,000.

REASON FOR BUDGET CHANGE ENTRY:

As presented to the Board of Directors on May 6, 2008, the General Manager recommends the reallocation of Measure AA Development funds from Oyster Bay Allocation Area to the Martin Luther King Jr Allocation Area and the new appropriation of Measure AA Funds to augment the budget of capital project 126400 Tidewater Phase 2 at the Martin Luther King Jr. Shoreline.

As Approved at the Board of Directors Meeting on:		Date:	05/06/2008
Board of Directors Resolution		No.	2008-05-
Posted By:		Date:	
	Signature		

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- n. Resolution to Support Pending State Resolution SCR 87 Calling for
a Moratorium on Aerial Spraying of the Light Brown Apple Moth
(Pfuehler/O'Brien)

RECOMMENDATION

The General Manager and Board Legislative Committee (by unanimous vote) recommend that the Board of Directors adopt a resolution to support SCR 87.

REVENUE/COST

There would be no cost impact as a result of this action.

BACKGROUND

At the April 25, 2008 Legislative Committee meeting, committee members voted to support proposed state legislation SCR 87. Authored by State Senator Carole Migden, and supported by Mary Hayashi in the Assembly, SCR 87 would impose a moratorium on any aerial spraying of the Light Brown Apple Moth (LBAM) until the California Department of Food and Agriculture can demonstrate the pheromone compound it intends to use is both safe to humans and effective at eradicating the LBAM. This legislation is consistent with the Board's stated position on the LBAM when it adopted resolution number 2008-4-101 on April 15, 2008.

ALTERNATIVES

None recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008 - 5 -

May 6, 2008

RESOLUTION TO SUPPORT PENDING STATE RESOLUTION SCR 87 CALLING FOR A MORATORIUM ON AERIAL SPRAYING OF THE LIGHT BROWN APPLE MOTH

WHEREAS, SCR 87 (Migden) (2/27/08) would impose a moratorium on any aerial spraying of the Light Brown Apple Moth (LBAM); and

WHEREAS, SCR 87 stipulates the California Department of Food and Agriculture demonstrate the pheromone compound it intends to use is both safe to humans and effective at eradicating the LBAM; and

WHEREAS, support of SCR 87 is consistent with the Board's stated position on the LBAM when it adopted resolution number 2008-4-101 on April 15, 2008;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby supports SCR 87; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents, and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- o. Resolution to Support Pending State Legislation AB 2537 to Maintain
Community Volunteerism (Pfuehler/O'Brien)

RECOMMENDATION

The General Manager and Board Legislative Committee (by unanimous vote) recommend that the Board of Directors adopt a resolution to support AB 2537.

REVENUE/COST

There would be no cost impact as a result of this action.

BACKGROUND

At the April 25, 2008 Legislative Committee meeting, committee members voted to support proposed state legislation AB 2537. Authored by Assembly Member Warren T. Furutani, AB 2537 would extend the exemption for volunteers from California's prevailing wage laws until January 1, 2012. Volunteers include members of the California Conservation Corps or certified Community Conservation Corps. The current exemption, established by legislation authored by Loni Hancock in 2004 (AB 2690), is set to expire at the end of this year (January 1, 2009). The District strongly supported the Hancock bill and was involved in drafting language for her legislation so it covered the many and varied volunteer activities that occur in the District. The exemption for volunteers who assist in many environmental projects such a stream restoration, beach clean-up, wetlands restoration and trail building is important for many organizations like the District, the Muir Heritage Land Trust and Save Mt. Diablo. Legislation to permanently extend the exemption (SB 1345) recently failed in the California Senate (failed in committee on April 10, 2008). The permanent exemption was opposed by the Democrats on the Senate Labor and Industrial Relations Committee, AFSCME and the California Labor Federation, AFL-CIO. It was supported by the CPRS, the California Special Districts Association (CSDA), American River Parkway Foundation, the Planning and Conservation League and the Trust for Public Land. District staff view the three-year extension as a middle-ground approach which will allow continued review and evaluation of the impacts of the exemption, if any, on the work of regular public employees.

ALTERNATIVES

None recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008 - 5 -

May 6, 2008

RESOLUTION TO SUPPORT PENDING STATE LEGISLATION
AB 2537 TO MAINTAIN COMMUNITY VOLUNTEERISM

WHEREAS, AB 2537 (Furutani) (3/6/08) would extend the exemption for volunteers from California's prevailing wage laws until January 1, 2012; and

WHEREAS, volunteers are important to the mission of East Bay Regional Park District; and

WHEREAS, volunteers contribute valuable time and energy in shoreline and park clean-ups, trail maintenance, trail safety patrols, habitat restoration, wildlife stewardship, gardening, Earth Day events, educational and docent programs; and

WHEREAS, volunteers include members of the California Conservation Corps or certified Community Conservation Corps; and

WHEREAS, the current exemption, established by legislation authored by Loni Hancock in 2004 (AB 2690), is set to expire at the end of this year (January 1, 2009); and

WHEREAS, EBRPD strongly supported the Hancock bill and was involved in drafting language for her legislation so it covered the many and varied volunteer activities that occur in the District; and

WHEREAS, the exemption for volunteers who assist in many environmental projects such a stream restoration, beach clean-up, wetlands restoration and trail building is important for many organizations like EBRPD, the Muir Heritage Land Trust and Save Mt. Diablo; and

WHEREAS, AB 2537 is supported by organizations of importance to EBRPD, including the California Park and Recreation Society (CPRS), the California Special Districts Association (CSDA), American River Parkway Foundation, the Planning and Conservation League and the Trust for Public Land;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby support AB 2537; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents, and

to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- p. Resolution to Support Pending State Legislation AB 2504 to Establish a More Comprehensive Regional Recreation Plan for the Sacramento – San Joaquin Delta (Pfuehler/O'Brien)

RECOMMENDATION

The General Manager and Board Legislative Committee (by unanimous vote) recommend that the Board of Directors adopt a resolution to support AB 2504.

REVENUE/COST

There would be no cost impact as a result of this action.

BACKGROUND

At the April 25, 2008 Legislative Committee meeting, committee members voted to support proposed state legislation AB 2504. Authored by Assembly Member Mark DeSaulnier, AB 2504 requires the Delta Protection Commission (DPC) to develop and adopt a tourism and marketing plan for the Sacramento-San Joaquin Delta which would promote, among other things, opportunities for agriculture, ecotourism, recreation and economic development, educational outreach strategies, and cultural and historical activities. This bill seeks to build on and enhance the Great California Delta Trail (Torlakson) and establish a more comprehensive regional recreation plan for the Delta. The DPC was established by the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 and this legislation is consistent with the Act's original intent. The author asked the District for its support.

ALTERNATIVES

None recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008 - 5 -

May 6, 2008

RESOLUTION TO SUPPORT PENDING STATE LEGISLATION AB 2504 TO
ESTABLISH A MORE COMPREHENSIVE REGIONAL RECREATION PLAN
FOR THE SACRAMENTO-SAN JOAQUIN DELTA

WHEREAS, AB 2504 (DeSaulnier) (2/21/08) would require the Delta Protection Commission (DPC) to adopt a tourism and marketing plan for the Sacramento-San Joaquin Delta; and

WHEREAS, the plan would promote, among other things, opportunities for agriculture, ecotourism, recreation and economic development, educational outreach strategies, and cultural and historical activities; and

WHEREAS, this bill seeks to build on and enhance the Great California Delta Trail (Torlakson) and establish a more comprehensive regional recreation plan for the Delta which would include parks and trails operated by the District; and

WHEREAS, the DPC was established by the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 and this legislation is consistent with the Act's original intent; and

WHEREAS, the author asked the District for its support;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby support AB 2504; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents, and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and adopted this 6th day of May, 2008 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

2. LAND DIVISION

- a. Authorization to Appropriate and Transfer Funds for the Acquisition of Fee Interest in Real Property from Don and Lonnie Carr and Bay Area Wetlands, LLC (Breuner Marsh): Point Pinole Regional Shoreline
(Wenninger/Doyle)
-

RECOMMENDATION

Pursuant to a jury verdict in the recent eminent domain action against Don Carr, et al., the General Manager recommends that the Board of Directors authorize the appropriation and transfer of additional funds for the purchase and costs associated with said action to acquire 217± acres of property known as Breuner Marsh located adjacent to Point Pinole Regional Shoreline.

REVENUE/COST

This item appropriates and transfers an additional \$6,670,000 for a total project cost of \$8,830,155. In this eminent domain action, the jury determined the value of the subject property plus severance damages to be \$6,845,000. Prior Board actions had authorized \$2,160,155 to fund expenses associated with this acquisition. Pursuant to the jury's verdict, this action makes the following additional appropriations and transfers:

APPROPRIATE FROM:

Designated for Land Fund Balance (2730)	\$1,748,716
Resource Enhancement Program (RP0110 & RP0112)	650,000

TRANSFER FROM:

Designated Measure AA Acquisitions (229900BAAA)	\$3,205,040
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Measure AA Allocation Areas:

Oakland/Richmond Shoreline	\$1,568,696
San Pablo Bay Shore	506,667
Wildcat Creek to Point Pinole	134,342
Coyote Hills	500,000
Hayward to Coyote Hills	245,335
Oyster Bay	250,000

Designated Measure AA Acquisitions (229900BAAI) (West Metro Interest)	707,244
Bay Trail / BIORAD (CIP 224800BAAA) (prior condemnation deposit)	<u>359,000</u>
TOTAL	\$6,670,000

APPROPRIATE AND TRANSFER TO:

Point Pinole/Breuner (CIP 203300)	
Additional Purchase Price	\$5,320,000
Interest, Legal Fees, Expert Witnesses, Court Costs and Staff Time	<u>1,350,000</u>
TOTAL	\$6,670,000

BACKGROUND

On June 23, 1987, by Resolution No. 1987-6-187, the Board of Directors authorized negotiations with the owner of the Breuner property. The subject property was subsequently purchased by Don Carr et al around 2000. Despite extended negotiations, the new property owners and the District were unable to reach agreement as to compensation. On March 7, 2006 by Resolution No. 2006-3-50, the Board of Directors adopted a Resolution of Necessity to acquire the subject property by eminent domain for public recreation, open space preservation, ecological preservation, public park and public trail purposes.

Through the eminent domain process, the court granted the District possession of the subject property. Prior to the actual trial, an updated appraisal indicated a fair market value of \$1,525,000. The property owner's appraiser indicated a fair market value, including a claim of loss of goodwill and severance damages, of \$18,090,000. The property owner's final demand was \$14,000,000.

The eminent domain action proceeded to trial. On March 29, 2008, the jury determined the value of the property plus severance damages to be \$6,845,000. As the condemning public agency, it is the District's responsibility to pay for interest on the jury's value from the date of possession, as well as all court costs. The interest payment authorized by this action will be partially offset by \$79,501.96 already received from the State Treasurer, which represents interest earned on the original condemnation deposit of \$892,000.

The property owner's attorneys have notified the District of their intent to file an appeal. However, staff recommends that the jury's verdict be funded now in order to avoid the cost of additional interest on the award.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2008-5-

May 6, 2008

AUTHORIZATION TO APPROPRIATE AND TRANSFER FUNDS FOR THE ACQUISITION OF FEE INTEREST IN REAL PROPERTY FROM DON AND LONNE CARR AND BAY AREA WETLANDS, LLC (BREUNER MARSH): POINT PINOLE REGIONAL SHORELINE

WHEREAS, the Board of Directors authorized negotiations with the owners of the Breuner property by Resolution No. 1987-6-187 approved on June 23, 1987; and

WHEREAS, the Breuners subsequently sold their interest in the 217± acre property adjacent to Point Pinole Regional Shoreline to Don Carr, et al. in 2000; and

WHEREAS, District staff made considerable effort to negotiate an agreement with the new owners to purchase the property but were unable to reach agreement as to compensation; and

WHEREAS, by Resolution No. 2006-3-50 on March 7, 2006, the Board of Directors adopted a Resolution of Necessity to acquire the property by eminent domain for public recreation, open space preservation, ecological preservation, public park and public trail purposes and appropriated \$1,000,000 for acquisition, staff time, legal and appraisal services. Prior Board actions had authorized \$360,155 to fund expenses associated with this acquisition; and

WHEREAS, by Resolution No. 2008-2-017, adopted February 5, 2008, an additional \$800,000 was appropriated to increase the condemnation deposit per an updated appraisal and to pay for additional legal fees, court costs, staff time and expert witnesses; and

WHEREAS, the eminent domain action proceeded to trial where the District obtained a jury verdict in the amount of \$6,845,000 plus statutory costs and interest; and

WHEREAS, under CEQA and the District's Environmental Review Manual, this project is Categorically Exempt and therefore not subject to preparation and processing of environmental documentation; and

WHEREAS, staff has recommended that this parcel be made an addition to the Point Pinole Regional Shoreline;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to said verdict, the Board of Directors of the East Bay Regional Park District hereby authorizes the General Manager to appropriate and transfer funds in the amount of \$6,670,000 as follows: Designated Land Acquisitions – Measure AA (CIP 229900BAAA): \$3,205,040; Designated Land Acquisitions – Measure AA Interest (CIP229900BAAI): \$707,244; prior condemnation deposit for Bay Trail / BIORAD (CIP224800BAAA): \$359,000; Designated for Land Fund Balance (2730): \$1,748,716;

Resource Enhancement Program (RP0110 & RP0112): \$650,000 to Point Pinole/Breuner (CIP203300) as shown on the attached Budget Change form, to fund the following costs:

Balance of Purchase Price	\$5,320,000
Interest to Seller	700,000
District's Legal Fees and Court Costs	500,000
Staff Time	<u>150,000</u>
TOTAL	\$6,670,000

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____ and adopted this 6th day of May, 2008, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

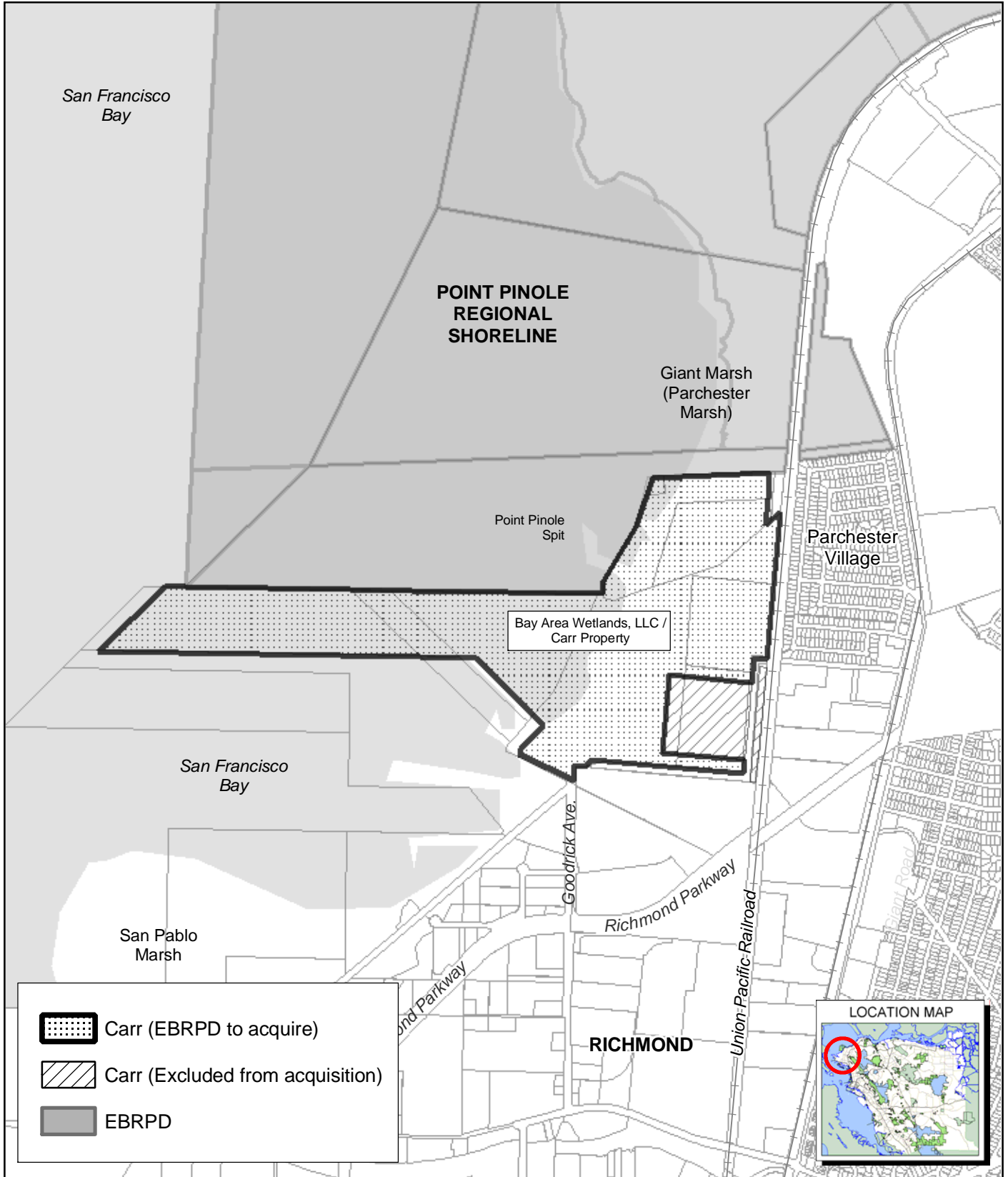


**POINT PINOLE REGIONAL SHORELINE
BAY AREA WETLANDS LLC / CARR PROPERTY**

Environmental Review
& GIS Applications
August 31, 2005
t:\bstone\mxd projects\landacq\
pp_breuner-need&nec_bw.mxd



0 2,050 4,100 8,200 12,300 16,400 Feet



	Carr (EBRPD to acquire)
	Carr (Excluded from acquisition)
	EBRPD



EAST BAY REGIONAL PARK DISTRICT

BUDGET CHANGE FORM

NEW APPROPRIATIONS		BUDGET TRANSFERS	
<input checked="" type="checkbox"/>	From Designated Fund Balance	<input checked="" type="checkbox"/>	Between Projects
<input checked="" type="checkbox"/>	From Another Fund		From Another Department

DECREASE BUDGET ACCOUNT	AMOUNT	INCREASE BUDGET ACCOUNT	AMOUNT
Account Name: Expense: Capital Project— Acquisition- Designated Acquisitions- Measure AA Account # 333-6330-000-7010/ 229900 BAAA-100	\$ 3,205,040	Account Name: EXPENSE: Capital Project— Land Acquisition—Point Pinole Breuner Acquisition- Measure AA Eastshore Area Account #: 333-6330-496-7010/ 203300 BAAA -101	\$ 2,921,284
Account Name: Expense: Capital Project— Acquisition- San Pablo Bay Trail-Biorad Acquisition- Measure AA Account # 333-6330-601-7010/ 224800 BAAA-101	\$ 359,000	Account Name: EXPENSE: Capital Project— Land Acquisition—Point Pinole Breuner Acquisition- Measure AA Eastshore Area Account #: 333-6330-496-7010/ 203300 BAAA -100	\$ 642,756
Account Name: Expense: Capital Project— Acquisition- Designated Acquisitions- Measure AA Interest Account # 333-6330-000-7010/ 229900 BAAI-100	\$ 707,244	Account Name: EXPENSE: Capital Project— Land Acquisition—Point Pinole Breuner Acquisition- Measure AA Interest Account #: 333-6330-496-7010/ 203300 BAAI -100	\$ 707,244
Account Name: Expense: Mitigation Fund- Environmental Review- Eastshore –REP Berkeley Meadow Phase 2 Account # 257-6350-423-3830 /RP0112-601	\$ 350,000	Account Name: EXPENSE: Capital Project— Land Acquisition—Point Pinole Breuner Acquisition- REP Funds Account #: 333-6330-496-7010/ 203300 REPI -101	\$ 650,000
Account Name: Expense: Mitigation Fund- Environmental Review- Eastshore –REP Berkeley Meadow Phase I Account # 257-6350-423-3830 /RP0110-601	\$ 300,000	Account Name: EXPENSE: Capital Project— Land Acquisition—Point Pinole Breuner Acquisition- Designated for Land Fund Account #: 333-6330-496-7010/ 203300 DSLF -101	\$ 1,748,716

REASON FOR BUDGET CHANGE ENTRY:

As being presented at the Board of Directors meeting on May 6, 2008 the General Manager recommends that the Board of Directors authorize the transfer and appropriation of \$1,748,716 from the Designated for Land Fund; \$ 650,000 from Berkeley Meadows REP accounts; \$ 3,205,040 from Designated Acquisitions project Measure AA Bond; \$ 707,244 from Designated for Acquisitions Measure AA Bond Interest and \$ 359,000 from the San Pablo Bay Trail Biorad Acquisition project, Measure AA. The total transfers equal \$ 6,670,000.

As Approved at the Board of Directors Meeting on:	Date:	05/06/2008
Board of Directors Resolution	No.	2008-05-
Posted By:	Date:	

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

3. PARK ADVISORY COMMITTEE

At the Board meeting, Rich Guarienti, Chair of the District's Park Advisory Committee, will provide an update on the Committee's activities.

Update on Park Advisory Committee

1. On **February 26, 2007**, the PAC recommended approval of the Damon Marsh Art Proposal at Martin Luther King Jr. Regional Shoreline (Memorial and Outdoor Art Policy).

STATUS: The Board approved the installation of the Damon Marsh Art Proposal at Martin Luther King Jr. Regional Shoreline at their **September 17, 2007** meeting.

Unanimous Comment: The PAC emphasized the importance of the policy requirement that the donor, in this case the City of Oakland, fund all costs for maintenance to the District's standards, and that this provision be enforceable in the agreement.

2. On **September 24, 2007**, the PAC recommended Board approval of the naming of the Pt. Isabel Staging Area and adjacent meadow after Jean Siri. (Naming Policy)

STATUS: The Board approved the adoption of the proposed name at their **October 16, 2007** meeting. (Resolution # 2007-10-261)

3. On **November 5, 2007**, the PAC recommended Board approval of the Oakland Strokes outreach plan and conceptual agreement as presented by staff, with an added condition that the PAC receive an annual review on the Strokes' outreach plan and goals. (Special Use Facility Policy)

Passed 12-1 (Shalaby/Harryman) 14 members present (Bick Hooper recused himself from participation on this topic).

STATUS: The Board approved the Lease Agreement for the East Bay Aquatics Center with Oakland Strokes at their **December 18, 2007** meeting (Resolution 2007-12-313).

PAC Comments

- Concern about the Strokes ability to fundraise, and suggestion that the \$400,000 originally raised by Strokes for the capital program should go to the District for the facility;
- The annual review of the Strokes should come before the PAC, as well as Board Operations. The goals could be adjusted based on successes and failures;
- Trying to get people into all programs is going to be tough, but if the Strokes succeed, word of mouth will help make it even more successful;

- Concern about how the facility will be used if Strokes has to renege on the agreement and if this will mean the District will not be able to fulfill its grant requirements;
- The District has gone from the 2002 proposal in which EBRPD residents receive the money from Strokes to going into the business of building an aquatic facility with public funds for a private group – it's not the right leap for the District at this time;
- Concern that the figures for outreach goals to low income youth are too low and not enough people are receiving the benefit of \$3,000,000 in public funds, it seems like the outreach goals should be larger and there is the drop-out rate to consider.
- The low-income community does not really seem to be benefiting, and that is a concern especially in light of the environmental justice issues;
- This program seems to directly address Dr. Kibel's environmental justice issues;
- Feel uncomfortable approving the lease agreement when we haven't even seen the agreement language – willing to approve in concept and give the Strokes a chance.

4. On **September 24, 2008**, the PAC recommended Board approval of the Master Plan Map Amendment.

STATUS: The Board approved the amendment of the 1997 Master Plan Map of Existing and Potential Parklands and Trails at their **November 6, 2007** meeting. (Resolution #2007-11-278)

PAC Comments

- Suggestion that committee members should be kept more informed as to future planning goals, so that their connections to local officials and knowledge of community park needs could be utilized to help define and achieve Master Plan goals;
- If narrow trails are built correctly, they are sustainable and easy to maintain;
- Water trail will add value, but staff should consider a loop up the Alameda estuary, since the current is difficult going the other direction by Alameda;
- More trail spokes needed to connect Bay Trail and Ridge Trail;
- Would it be possible to have access to Carnegie State Park?
- Would like to see a map with all trails in the District; this map would show the District's compelling impact on the region and communities. It would be a map with a positive message.
- There was a concern that global warming will cause enough rise of Bay waters to damage parks and trails. Mr. Wiese stated the District is beginning to look at this issue.

5. **Measure AA Extension Process**

PAC Comments

- Need to disseminate responses to possible voter concerns, such as why the District is looking for more money when the initial bond money has not been spent down and why the District hasn't done all it said it would do in the 20 years;
- Need to address voter ambiguity about acquiring more open space when all existing parklands are not developed and accessible;
- Concern about how the District's measure will compete on an extremely long ballot;
- Concern that population will continue at a faster pace in the eastern portions of the District with no mechanism to adjust revenue distribution;
- Concern that District doesn't service Dougherty Valley, but they will be taxed and the population will continue to increase.

6. On **November 26, 2007**, the PAC recommended Board approval of the staff recommendation for bicycle use on the Panorama Trail at Mission Peak with a report back on conflicts after trail is in use one year. (Trail Use Change Checklist)
STATUS: Pending Board action.

PAC Comments

- Encouraged District to pursue access from a Witherly Lane gate entrance;
 - Concern that no one on the PAC has hiked the trail – the virtual tour doesn't seem like enough information to vote on this item;
 - In agreement with objectives, but would be interested in having a report regarding any incidents or complaints along the trail in the next year;
 - Concurrence with staff recommendation of increased use of supplemental equipment, in addition to periodic use of the Trail Cat, to maintain the width of the trail.
7. Recommended approval of Land Use Plans;
On **November 26, 2007**, the PAC recommended approval of the Vargas Plateau Regional Park Land Use Plan - field trip October 20
STATUS: The Board unanimously voted to approve the Vargas Plateau Regional Park Land Use Plan, with revisions. (Resolution #2008-4-086).

On **November 26, 2007**, the PAC recommended approval of the Dublin Hills Interim Land Use Plan.

STATUS: The Board voted to postpone the approval of the Interim Land Use Plan until additional public meetings are held to gather additional public input.



**EAST BAY REGIONAL PARK DISTRICT
PARK ADVISORY COMMITTEE MEMBERSHIP 2008**

First	Last Name	City	Nominating Authority
Judi	Bank	Oakland	Dir. Sutter
John	Cant	Fremont	Dir. Severin
Colin	Coffey	Hercules	Dir. Radke
Bob	Coomber	Livermore	Ala. Co. Supervisors
Whitney	Dotson	Richmond	Dir. Skinner
Rich	Guarienti (Chair)	Dublin	Dir. Wieskamp
Maureen	Hart	Fremont	Dir. Severin
Ron	Harryman	Concord	Dir. Lane
Bick	Hooper	Danville	Dir. Lane
Dave	Hudson	San Ramon	CoCo Supervisors
Alan	Kaplan	El Cerrito	CCC Labor Council
Glenn	Kirby	Hayward	Ala Co. Mayors
John	Mercurio	Concord	Dir. Radke
Jean	Peters	Berkeley	Dir. Skinner
George	Phillips	Alameda	Dir. Siden
E.J.	Shalaby	Richmond	CCSDA (West Co. Wastewater Dist.)
Mike	Shimansky	Danville	CoCo Mayors
Jan	Southworth	Fremont	Dir. Wieskamp
James	Vann	Oakland	Dir. Sutter
Roland	Williams (Vice -Chair)	Castro Valley	ACSDA (CV Sanitary District)

**BOARD AND STAFF
REPORTS**

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

4. BOARD AND STAFF REPORTS

- a. 2008 Regional Parks Bond Extension (Collins/O'Brien)

PUBLIC INPUT PROCESS

As part of the public input process, staff is compiling all public comments and correspondence received relative to the proposed 2008 Regional Parks Bond Extension. Below are items received between April 4 to April 29, 2008.

No action will be taken on these items at this time; the Board will be considering all comments and suggestions received at a future meeting when it convenes to finalize its action on the proposed bond extension.

By U.S. Mail/E-mail:

- Barbara Bream, resident of Richmond, April 8, 2008: support for additional \$5 million allocation to North Richmond Shoreline.
- Larry Reid, Vice-Mayor, City of Oakland, April 9, 2008: support for the acquisition of 67 acres in the south hills of Oakland, adjacent to Dunsmuir Ridge Open Space.
- Wayne Price, resident of El Sobrante, April 9, 2008: opposition to proposed bond extension as it will be too costly; suggestion that the District sell existing acreage to families at affordable prices.
- Dr. Henry Clark, Executive Director, West County Toxics Coalition, April 14, 2008: request to build an education center in North Richmond; installation of interpretive signs in Richmond along the park trail.
- Marta Van Loan, resident of Martinez, April 15, 2008 e-mail: concern that 25% local grant component is too large and its inclusion is beyond the "regional aspect" of the District.
- Bruce Beyaert, TRAC Chair, April 26, 2008: TRAC supports the following projects, but is also concerned about inadequacy of proposed funding: project list line items 42 (No. Richmond Wetlands), 48 (Pt. Pinole), 49 (Pt. San Pablo Peninsula) and 66 (Wildcat Creek Trail). Letter also suggested revisions/modifications to these projects.

- E.J. Shalaby, resident of Richmond, April 28, 2008 letter: request to consider increasing proposed allocation of funds to West Metro Area, specifically Pt. Pinole Regional Park.
- 4 letters/e-mails: support for opening more single-track trails to mountain biking/multi-use.

From: barbara bream
Sent: Tuesday, April 08, 2008 1:44 PM
To: Pat Obrien
Subject: Funding for No. Richmond shoreline

Dear Mr. O'Brien,

I am a Richmond resident who actively works with the No. Richmond Shoreline Open Space Alliance and the Sierra Club.

I support the Sierra Club's request that you allocate another \$5 million dollars toward the North Richmond Shoreline in your draft plan for measure AA re-authorization. I regret that I will be out of town and unable to attend the 4/9 mtg. ;

Thanks for considering my input.

Barbara Bream

CITY OF OAKLAND

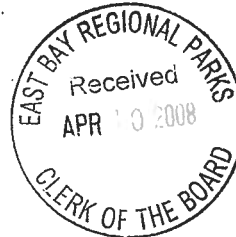


CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND , CALIFORNIA 94612

LAURENCE E. REID
Vice Mayor
Councilmember District #7
lreid@oaklandnet.com

(510) 238-7007
FAX: (510) 238-6910
TDD: (510) 839-6451

April 9, 2008



Pat O'Brien
General Manager
East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605-0381

RE: Inclusion of South Hills Property for Measure AA

Dear Mr. O'Brien,

I am writing to ask you to consider additional appropriations for Measure AA to include the acquisition of 67-acres in the south hills of Oakland, which is located adjacent to significant City and East Bay Regional Park District (EBRPD) landholdings.

This property is currently on the market for \$4.5 million dollars. The City has some funding available through Measure DD and other funding sources, however, these resources are not sufficient to meet the asking price.

For many years, the current property owner has been exploring development opportunities at the site. On numerous occasions the broader community has offered significant resistance to proposed development plans. I seek to find an opportunity to protect this property as permanent open space, and by doing so, to save a unique natural habitat and represent the will of my District and the City as a whole.

This 67-acre property contains intact riparian and upland habitat adjacent to the 143-acre Dunsmuir Ridge Open Space, the Lake Chabot Municipal Golf Course, and by extension Anthony Chabot Regional Park. Preservation of this site would augment and buffer adjacent open space, protect two significant creek tributaries of the San Leandro Creek, and provide trail opportunities. A trail system through these properties would showcase a wide variety of landscapes, habitats, and resources.

Please consider this property as a valuable addition to the Measure AA Bond. I believe that it will draw strong support from a range of Oakland residents and will also meet the habitat and recreation goals of both the EBRPD and the City of Oakland.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Reid".

Larry E. Reid
Vice Mayor, Councilmember District 7

CC: East Bay Regional Park District Board of Directors
Bob Doyle, AGM of Land Acquisition
Lesley Estes, City of Oakland

From: Wayne Price [
Sent: Wednesday, April 09, 2008 1:24 PM
To: Wayne Price
Subject: Proposed bond actions and land acquisitions

Board of Directors and Manager
East Bay Regional Park District

You have proposed extending and increasing large amounts of bonded indebtedness, and acquiring large acreages of Contra Costa County. I oppose all of this because:

1. Governments and non-profits already own or control over 50 percent of the land area of Contra Costa County. This means over half of the total land area of the county is not taxable or of reduced taxability. (I counted the acreage.) Any given amount of taxes on land must increase as taxable land area decreases. Your acquisition of land will decrease the taxable land area significantly. With non-taxable land over 50%, each acre you acquire will increase my taxes disproportionately! Don't force this indirect increase in my taxes or service fees.
2. Extending the bond and borrowing more increases the interest I must pay through your fees or taxes. You might call it fees, but its taxes to me. Also, you do not save me money with "matching" funds--that increases my taxes from the matching funds source! What are thinking by using this argument? And compared to paying off and extending your bonds, any lowering interest rates is still increasing my taxes--again, what are you thinking? These are false, unbecoming arguments.
3. These bonds merely defer tax/fee increases. Extending and increasing bonds will shift the payment for these bonds into the future for us, and for our children who will almost certainly refuse to pay future obligations already heaped on them.
4. Selling these bonds and taking more land away from development means less land for my children to buy, and it means land will be artificially expensive, out-of-financing range for our children to buy and live.
5. High tax and fee rates means businesses will not situate in this area, and those who can leave, will leave. This means your bonds will reduce employment and decrease business investment. Decrease in business investment means you and other governments will increase my taxes, and make the situation worse for my children.
6. If you execute the proposed bonds and land acquisitions, you compel me to both service your bonds through you fees/taxes, and suffer the increased indirect taxes/fees from you and other governments operating in the county, while reducing my employability and income. Increasing bonds and/or extending bond retirements is hostile to existing employment, children, and families.

It is false to say you can borrow a large amount of money and buy a lot of land and not increase taxes/fees--I find the boards insistence on this statement to be uncomplimentary of the board.

If you really want to do good for humankind in the form of Contra Costa families, you will soonest pay off all of your bonds, and sell existing acreages to these families at affordable prices.

Wayne Price
El Sobrante

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Sent: Monday, April 14, 2008 3:22 PM

Subject: Bond Measure comment

Dr. Henry Clark, Executive Director
West County Toxics Coalition, Richmond, CA
510-232-3427, !

Comment: "My concern for the North Richmond Shoreline area is that we could get some type of educational center there built to educate people about the shoreline and the native fauna and native life in North Richmond. Also [include] some interpretive signs in Richmond along the park trail. Those are the comments that the West County Toxics Coalition would like to make as part of this measure extension."

From: VanLoanM@aol.com [mailto:'] n]
Sent: Tuesday, April 15, 2008 3:26 PM
To: Brenda Montano
Subject: Comments on New Bond Measure

Brenda:

I am not able to attend the April 16th meeting in Concord, but did want to provide some feedback.

I have been an support of the EB Park bonds each time they have been on the ballot - the parks are a wonderful resource to the residents of Contra Costa and Alameda Counties.

Based on the article I read in the Contra Costa Times, I do have a concern regarding the ~\$125 million that would be distributed to local park & recreation districts.

Such a distribution is beyond the role of EB Regional Park District and would be "very messy" with the cities and towns. I can hear the political fighting in the Board of Supervisors chambers and each council chamber now. How will the funds be distributed? By amount collected from each town??? On and On and On.

The amount suggested represents a substantial portion (~25%) of the total bond.

If this aspect stays in the Bond measure I'm not sure I would vote to support it. Better EBRPD stick to the regional aspect (which has been done so well) and leave local park & recreation district out of it.

Thanks for allowing me input.

Sincerely,
Marta Van Loan



April 26, 2008

73 Belvedere Ave.
Richmond, CA 94801
Phone/Fax: 510-235-2835
Email:tracbaytrail@earthlink.net

President Wieskamp and Directors
c/o Mr. Allen Pulido, Clerk of the Board
East Bay Regional Park District
P.O. Box 5381
Oakland, CA 94605-0381

Dear President Wieskamp and Directors,

TRAC, the Trails for Richmond Action Committee, is pleased that you are considering an extension of Measure AA, which the District has used skillfully for the benefit of Contra Costa and Alameda County residents.

Richmond's six miles of vacant shoreline currently offers unequaled opportunities for completion of the Bay Trail with related shoreline recreational and educational amenities as contained in the Districts Master Plan. This unique shoreline comprises dramatic land forms -- ridges, headlands, marshes and tidal flats -- rather than simply flat Bay-fill lands bordered by rip-rap. These opportunities may be lost if funding is inadequate for land acquisition and development.

TRAC supports inclusion of proposed line items 42 - North Richmond Wetlands, 48 - Point Pinole, 49 - Point San Pablo Peninsula and 66 - Wildcat Creek Trail; however, we are very concerned that the proposed level of funding is inadequate to carry out the promises held out. especially for line items 42, 48 and 49.

TRAC recommends that funding be increased for line items 42 and 49 with Bay Trail gap closures included explicitly, rather than using the vague two-county Bay Trail line item 6. Bay Trail line item 6 undermines the goal of showing voters how they will benefit locally by voting to extend Measure AA.

Specifically, TRAC requests that funding for **North Richmond Wetlands** line item 42 be increased to include a shoreline Bay Trail between Wildcat Creek Regional

Trail and Point Pinole Regional Shoreline with related park amenities for public enjoyment of the shoreline and interpretation of tidal wetland resources.

TRAC also requests that line item 49 **Point San Pablo Peninsula** include Bay Trail segments to connect the Bay Trail planned by the City of Richmond on the shoreline of former Point Molate Naval Fuel Depot to the I-580 corridor as well as north around Point San Pablo to the Point San Pablo Yacht Harbor with related park amenities for public enjoyment of the shoreline. The City's land disposition agreement with Upstream Partners LLC, includes funding for 1.4 miles of Bay Trail with associated shoreline park lands on the Point Molate property. Funds are needed for about three miles of additional Bay Trail to connect the Point Molate beach with the trail going under the Richmond/San Rafael Bridge and to complete the planned Bay Trail segment between Point Molate and the Point San Pablo Yacht Harbor.

Also, in accordance with the May 2005 San Pablo Peninsula Open Space Study, please include funding for park lands at Point San Pablo, which is the scenic headland dividing San Francisco and San Pablo Bays. This Open Space Study was conducted by the City of Richmond, East Bay Regional Park District, California State Coastal Conservancy, Chevron, Muir Heritage Land Trust and TRAC with participation by Upstream Point Molate LLC. The Preferred Alternative recommends that former Terminal 4 should be developed for recreational use as the key to success of an open space plan for the Peninsula. BCDC's San Francisco Bay Plan Map 4 and its Policies also call for recreational uses at Point San Pablo Terminal 4 when no longer needed as a marine terminal.

Thank you very much for considering TRAC's recommendations

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Beyaert", written in a cursive style.

Bruce Beyaert, TRAC Chair

Attachment - Richmond Bay Trail map

cc: Pat O'Brien
Mike Anderson
Dave Collins
Bob Doyle

April 28, 2008



Dear Honorable Board of Directors, East Bay Regional Park District,

Re: Bond Measure Extension

I am writing this letter as a citizen of the City of Richmond and an avid user of Pt. Pinole Regional Park. I recently attended a public workshop held on April 9, 2008 by the East Bay Regional Park District, in Richmond, regarding the proposed funding levels associated with the 2008 Measure AA bond extension.

I fully support the 2008 bond measure extension and will continue to advocate support for this measure in my roles as a: Recreation and Parks Commissioner for the City of Richmond; a Friends of Richmond Recreation Board member; an East Bay Regional Park District Ambassador and Park Advisory Committee member.

I respectfully request the Board of Directors consider increasing the allocation of funds in the West Metro area, specifically to Pt. Pinole Regional Park. The current allocation is \$4.6 million dollars which will: develop and construct a bridge for park access from Atlas Rd, a new interpretive/visitor center and new maintenance amenities; all worthy projects. I believe we need more funding to accomplish these projects.

The proximity of Pt. Pinole Regional Park to several low income neighborhoods and schools in the City of Richmond is an excellent opportunity to fund a staffed interactive interpretive/visitor center. The visitor center could be used to accommodate year round children programs, for example; public and private school activity programs, and planned recreational activities in partnership with cities and school districts in West County.

Pt. Pinole Regional Park is ideally located along the shoreline with an abundance of wildlife, trails and endless learning opportunities for people of all ages. A fully staffed interactive interpretive center will provide our youth a chance to interact and learn the importance of nature and our environment, first hand. This opportunity is something many of our West County children are denied because of the lack of facilities and because they have limited resources to access such facilities.

The Board of Director's of the East Bay Regional Park District should seize this rare opportunity to improve and add the adequate facilities in Pt. Pinole Regional Park.

I hope the Board will consider the request to earmark additional funds to increase the \$4.6 million allocated for Pt. Pinole Regional Park projects.

Thank you for your consideration,

E.J. Shalaby

, Richmond, CA -----

From: richard cohen m]
Sent: Friday, April 04, 2008 5:18 PM
To: John Sutter
Subject: Re: my position on measure aa....

thanks for getting back to me. as i said in my note, it pains me to have to vote with my wallet, but after several decisions by ebrpd board that have zero to do with safety other than to use that as an excuse for excluding a user group, there are few options left. there is no safety issue for example with the recent decision not to permit bikes on a narrow section of trail adjacent to old briones road. in fact, the ebrpd board has without a doubt made things less safe by forcing bikes onto a one lane blind road where cars come by without concern for the other direction of traffic. the board hides behind the cloak of safety without really considering safety. there isn't a trail around that equestrians would like to see multi-use, while most hikers and bikers believe that these are public lands for public use rather than the playground of one particular user group. if the board isn't representing my interests as a taxpayer and as a user of the parks i have to vote for those that are.

richard cohen

Bruce Presser

Lafayette, CA 94549

April 14, 2008

John Sutter
Ward 2 Director
East Bay Regional Park District
2950 Peralta Oaks Court
PO Box 5381
Oakland, CA 94605



Re: Measure AA – Mountain Biking Access

Dear Director Sutter: / *ALL BOARD*

I have lived in the East Bay since 1985. I am an avid hiker, mountain biker, local business owner and consider myself a strong park advocate and environmentalist. I enjoy the outdoors and our local parks, and my forms of exercise are totally devoted to outdoor activities. I have been mountain biking on the trails in the East Bay since 1988 and due to my strong ethics I have avoided riding on the single track trails which we are prohibited from riding on.

I attempt to be cordial and polite to all other park users and to a large extent I am extended the same courtesy by the other park users. Regretfully, there are some trail users who I encounter that do not extend me the same courtesy. I know there are some rude and inconsiderate mountain bikers, as there are some rude and inconsiderate hikers and equestrians; as well as rude drivers on the road. However, it does not mean that because of the actions of a few that we therefore ban all drivers off the road or hikers and equestrians off the trails.

I cannot agree with EBRPD's approach to restricting mountain bikers' use of single track trails. Numerous studies have shown that a bike does significantly less damage to a trail than a horse and obviously less than the cattle who roam throughout much of the park system. After almost 20 years of riding on the legal fire roads, I am bored with riding these trails when there are miles of single track trails available to other park users. It is regretful but I am forced, as are many other area residents, to drive several miles to use legal single track trails in other areas, such as in the Peninsula, South Bay, North Bay, or the Sacramento/Auburn area. How can all of the other surrounding areas allow our use of many miles of single track trails where in our own backyard we are restricted to a few short stretches in a couple parks? I would prefer to be able to ride out from my door and not need to get in a car and use gas to enjoy this incredible opportunity for recreation, exercise and time outdoors. In these times where we are all trying to be sustainable it only makes sense for the District to want to keep local people using local parks and not parks outside of our backyards.

The current Measure AA funds will be expiring, and the EBRPD is seeking a renewal of this bond funding. I would thoroughly endorse this renewal; except for the District's attitude to mountain bikers' use of the park system. If the EBRPD cannot see fit to treat mountain bikers as equal users of the park system, I must regretfully strongly oppose this bond measure. I will inform my friends, neighbors, employees, and business associates of my opinion on this matter unless the District changes its position on our ability to equally use the park trail system.

If you look at the number of mountain bikers as compared to hikers and equestrians you understand that we are a significant user of the park system. We should be striving to broaden the appeal of the parks to our children and young adults, and I believe opening single track trails to bikes would significantly increase the appeal to this generation.

I am available to meet with you to review my concerns in further detail if you so desire.

Thank you for your time and consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bruce Presser', with a long horizontal flourish extending to the right.

Bruce Presser

From: Steve Grau
Sent: Monday, April 14, 2008 11:09 PM
To: Ayn Wieskamp
Subject: EBRPD bond measure

Hi Ayn,

I've seen recent news articles regarding a new bond measure to support parks in the East Bay. I am a bicyclist who frequently rides in East Bay parks - mainly Pleasanton Ridge, Shadow Cliffs and Del Valle. I'm wondering if there are plans to use any of this money to improve access to the parks for bicyclists, particularly opening more single track trails to bicycle use.

My current inclination is to vote against this bond issue because the actions of the board have generally been to maintain highly restricted access to bicyclists. I know most of the recent checklist process requests to open trails to bicycle access have been rejected by the current board. I will be very inclined to vote for it if it is clear the district intends to use a reasonable portion of the funds to increase multi-use access and strives to improve access for bicyclists.

Specifically, I would like to know if you intend to support using a reasonable portion of these funds to improve park access for bicyclists and specifically to open more single track trails to multi-use? Also, will the measure include specific language regarding how these funds will pertain to bicycle access?

Regards,

Steve Grau
Pleasanton resident

Allen Pulido

From:
Sent: Thursday, April 17, 2008 12:22 PM
To: Nancy Skinner
Subject: Measure A

Hello Board Member Skinner,

My name is Jacob Chestnut, I'm a Berkeley resident, UC Berkeley alumna (BA), current UC Berkeley PhD candidate, and an avid cyclist. I spent the first 20 years of my life in California's beautiful Central Coast. It was here that I gained my lifelong appreciation of nature, which I explore via responsible off-road cycling.

After witnessing some of the East Bay's natural spaces, I was excited to come and experience them for myself. This excitement did not last, since it seems that I find myself in the middle of a bitter feud between East Bay cyclists, certain environmental groups, and a strong equestrian lobby. Certainly Tilden, and Joachin Miller, parks are lovely, and I will continue riding them. However, I will do so always with the feeling that I am not welcome. In all of my time in Santa Barbara, and San Luis Obispo, counties I have never dealt with the sort of hostility I feel in the East Bay. I feel that this attitude may be institutional in nature, and as such I will be opposing the Measure AA extension. My opposition to this bond measure will last until I see the East Bay Regional Park District open more single track trails to cycling. Cyclists vastly outnumber equestrians in the Bay Area, yet we are able to enjoy a minuscule amount of single track trails in comparison. I hope this will stop.

Thank you for your time,
Jacob P. Chestnut

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

4. BOARD AND STAFF REPORTS

- b. Actions Taken By Other Jurisdictions Affecting the Park District
(O'Brien)

Alameda County – Palomares Cattle Company/Pleasanton Ridge

On April 21, 2008, the Alameda County Planning Commission approved a Vesting Tentative Map for the subdivision of 666 acres into 6 separate parcels of approximately 100 acres each. The subdivision, proposed by the Palomares Cattle Company, is located approximately 3.7 miles south of Palo Verde Road on the east side of Palomares Road adjacent to Pleasanton Ridge Regional Park. The subdivided parcels are proposed for agricultural use.

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

5. GENERAL MANAGER'S COMMENTS

STAFF PRESENTATION

At the Board meeting, Laura Comstock, Interpretive Parklands Unit Manager, will provide an update on projects within her unit.

FINANCE AND MANAGEMENT SERVICES DIVISION

Office Services Department

At the April 15, 2008 Board meeting, it was announced that certain meetings will be relocated to the Richard C. Trudeau Training Center to accommodate the work to be performed to replace the fiberboard ductwork in the Peralta Oaks Administrative Office first floor hallway:

- May 10 & 11 - Lifeguard Academy
- May 19 - Park Advisory Committee
- May 20 - Board of Directors Meeting**
- May 20 - Volunteer Hiking Patrol
- May 21 - East Bay Trail Council

As an update, the following meetings will also be relocated to the Trudeau Training Center:

- May 12 - Volunteer Mounted Patrol
- May 15 - Board Operations Committee**
- May 16 - Board Legislative Committee**
- May 21 - Board Natural/Cultural Resource Committee**

PUBLIC SAFETY DIVISION

From March 12 – April 14, 2008, the Division handled 725 service calls and 545 total incidents. Highlights are included below.

Police Department

There were 31 arrests made throughout the District for a variety of felony and misdemeanor offenses, including DUI, weapons possession, drug possession, violating Court Restraining Orders, disorderly conduct, public intoxication, and indecent exposure. Officers issued 486 citations for violations of Ordinance 38, vehicle code violations, and parking violations. Officers also handled 344 field interviews (contacts without cites or arrests).

Some of the cases that officers investigated include:

- Middle Harbor: On March 12, Sgt. Scott McCaughin was locking the gates when he encountered a stolen vehicle from a rental car agency. The occupant was arrested.
- Middle Harbor: On March 14, Ofc. Joe Cotcher made an enforcement stop in the North Lot. Two people were cited for drug paraphernalia and possession of hard alcohol.
- Del Valle: On March 15, Ofc. Doug Jackley responded to a man down in the Arroyo Staging Area. An arrest was made for public intoxication.
- Alameda: On March 16, Sgt. Lance Brede and Ofc. Joseph Scott made a warrant arrest at a suspect's residence for a November 2007 public intoxication case at Crab Cove.
- Miller Knox: On March 16, Ofc. Erin O'Neill made an arrest in the south parking lot for parole violation, unlawful sex with a minor, and domestic violence.
- Hayward Shoreline: On March 17, Ofc. Bill Probets contacted two people in a vehicle in the West Winton Staging Area. One arrest was made for being under the influence of a controlled substance and prostitution.
- Newark: On March 17, Sgt. Lance Brede and Ofc. Chris Chapman made a warrant arrest at a suspect's residence for a June 2006 theft case at Lake Chabot, and a second arrest for a September 2007 DUI case at Del Valle.
- Oakland: On March 17, Sgt. Lance Brede and Ofc. David Greaney made a warrant arrest at a suspect's residence for a February 2007 DUI case at Anthony Chabot.
- Coyote Hills: On March 18, Ofc. Bill Probets responded to a suspicious object on the Bayview Trail. The Alameda County Bomb Squad was called in and they determined that it was not an explosive.
- Lake Chabot: On March 20, Ofc. Gary Hirata contacted a person having mental health issues on the Ten Hills Trail. He transported the person to John George hospital for a mental evaluation.

- Redwood: On March 22, Lt. Dave Dubowy, Ofc. Terrence Cotcher, and Fire Dept. personnel responded to a horse accident on the French Trail. The horse was frightened by a hiking group with dogs, stepped backwards and the horse and rider, Ed Rourke – former member of the PAC, went over the hillside. The rider escaped serious injury, but the horse died.
- Lake Chabot: On March 24, Ofc. John McGovern responded to the Ten Hills Trail on a call of dangerous weapons. It was determined that five people had airsoft weapons in the park. All five were cited for having dangerous weapons in the park.
- Crown Beach: On March 30, a report was made of a sexual assault at the bathhouse on March 28, 2008. The Alameda Police Department took the report and is handling the case.
- Tilden: On April 2, Ofc. Gary Castaneda made a security check of two people parked in the Steam Train lot. One arrest was made for possession of a firearm.
- Briones: On April 3, Sgt. David Phulps and Ofcs. Gary Castaneda and Chris Spencer responded to a report of an auto burglary in the Lafayette Ridge lot. The burglars had tried to use stolen credit cards from this burglary at Nordstrom, and when Walnut Creek Police detained them, the owner of the vehicle was contacted. The owner referred them to our department. Our detective's investigation determined that the suspects were also responsible for another auto burglary on April 4th in the Olympic Staging Area. Our officers took custody of the two suspects from the Walnut Creek Police Department and arrested them for burglary and possession of stolen property.
- Briones: On April 7, Sgt. Anthony Segotta responded to a report of a female victim with a gunshot wound in the Alhambra Creek Staging Area. The victim had committed suicide by firearm.
- Iron Horse Trail: On April 9, Ofc. Chris Spencer responded to a call of problems with five juveniles near Alcosta Boulevard. One was arrested for being under the influence of alcohol.
- Mission Peak: On April 10, Ofc. Peter Larsen responded to the Stanford Staging Area on a report of vandalism. Eight of the new trail closure signs had been cut down and a barbed wire fence was cut near the second bench.
- Miller-Knox: On April 10, Ofc. Chris Feliciano contacted two people stopped at the top of Crest Avenue. One arrest was made for possession of a prohibited firearm (a rifle) in the park and for being a minor in possession of alcohol.
- Del Valle: On April 11, Ofc. Dustin Martinelli responded at park staff's request to talk to a man who was bothering people from his car in the campground. An arrest was made for child cruelty, driving under the influence, and driving on a suspended license.

- Crown Beach: On April 12, Ofc. Chris Spencer responded to Highland Hospital in Oakland to take a report of a battery that occurred at Crown State Memorial Beach. A family of five people were walking on the beach when they were attacked by a group of ten people. Alameda Police Department was able to provide a photo lineup of a few people they found in the area. The victims identified two of the people in the lineup as being responsible. The investigation continues.
- Tilden Park: On April 13, Ofc. Gary Silva contacted three people at the end of Brook Road. Two arrests were made for being under the influence of methamphetamine and one arrest was made for an outstanding warrant.
- Temescal: On April 13, Ofc. Joe Cotcher made an enforcement stop on two people parked in the south lot. One subject became extremely hostile and threatening towards the officer. When backup officers arrived, the subject was arrested for possession of marijuana and an outstanding warrant.

Fire Department Operations

Medical/Accident/Injury

- District firefighters responded to 32 medical/accident-related emergencies throughout the District. The responses range from health-related problems and bicycle accidents to a suicide. None of the other responses were life-threatening.

Hazardous Materials Response/Bomb

- District firefighters responded to two Haz-mat incidents throughout the District. Both of the Haz-mats were illegal-type dumps and consisted of used motor oil, paints, and solvents.

Fire Department Training

- The Fire Department completed its first Firefighter Academy. A total of ten newly-hired Industrial Firefighters successfully completed the training, which consisted of wildland certifications, structural firefighting, hazardous materials, vehicle fire suppression, and auto extrication rescue. Additional students included in the hazardous material training were Office Services staff, and for the wildland portion of the training, the East Bay Conservation Crew sent 12 students. The Fire Department also sponsored an advanced wildland course at the Trudeau Center that was attended by District personnel, as well as firefighters from various departments throughout the Bay Area.

Fire Management

District-wide

- For the month of April, the Fire Department is utilizing goat-grazing services as a fire management tool. The areas that were grazed included Anthony Chabot Park at the end of Park Ridge Road and behind homes adjacent to Cull Canyon Regional Park in Castro Valley.

Anthony Chabot

- For the month of March and April, firefighters burned brush piles in Anthony Chabot Regional Park near Park Ridge gate. The burn was part of the Department's ongoing efforts to maintain fuel break areas and to promote habitat for native species.

Lifeguard Service

Lifeguard service began March 23. Facilities are being staffed by returning lifeguards from the previous season. There are currently 114 returning lifeguards in the hiring pool. The Aquatic Department is conducting skill reviews and check-in procedures on these guards as they become available to work. Returning lifeguard applications are being accepted through June 15. There are 70 new lifeguard candidates who are being invited to the Lifeguard Academy. By Memorial Day weekend, new lifeguards will have finished Lifeguard Academy and will be undergoing field training at their assigned facility.

Don Castro

- Medical: On April 12, lifeguards assisted a 20-year old male with symptoms of heat exhaustion. He was transported by ambulance to the hospital.

Shadow Cliffs

- Lost Children: On March 23 and April 13, lifeguards responded to reports of lost children last seen in the water. The children were each located safely on land.



Event Calendar for EBRPD Board of Directors

Excerpted Upcoming Events May 2008

Date	Day	Start	End	Event	Location	Organization
5/1	Thurs	7:00 PM	8:30 PM	Public Meeting - AA Extension	Dublin	EBRPD
5/3	Sat	10:00 AM	2:00 PM	Spring Fest: Volunteer Trail Safety Patrol	Danville	Danville
5/3	Sat	2:00 PM		Clayton Library: Beverly Lane	Clayton	Clayton Library
5/3	Sat	6:00 AM	2:00 PM	Permit event	Alameda Crk	Team in Training
5/3	Sat	6:00 AM	2:00 PM	Permit event	Laf/Moraga Trail	MS Walk
5/3	Sat	6:00 AM	2:00 PM	Permit event	Crown Beach	MS Walk
5/3	Sat	7:00 AM	10:00 AM	Fit Fest	ECC Trails	special event permit group
5/3	Sat	6:00 AM	1:00 PM	Permit event	Iron Horse Trail	East Bay Fit Training
5/4	Sun	6:00 AM	2:00 PM	Permit event	Briones	Team in Training
5/4	Sun	6:00 AM	2:00 PM	5k/10k walk/rn	Laf/Moraga Trail	CEID
5/4	Sun	6:00 AM	2:00 PM	Devil Mountain Run	Iron Horse Trail	special event permit group
5/5	Mon	12:00 PM		Brown Bag Lunch: Recreation Dept.	Richmond	Kaiser Hospital
5/9	Fri	6:00 AM	2:00 PM	Special Event	Kennedy Grove	East Bay Waldorf School
5/10	Sat	10:00 AM	3:30 PM	Backyard Bird & Butterfly Festival	Coyote Hills	EBRPD
5/10	Sat	am		Ivan Dickson Trail Project	Las Trampas	EBRPD
5/10	Sat	6:00 AM	2:00 PM	Permit event	Laf/Moraga Trail	Team in Training
5/10	Sat	6:00 AM	2:00 PM	Permit event	Iron Horse Trail	East Bay Fit Training
5/11	Sun	6:00 AM		Triathlon - permit event	Alameda Crk	Club Sports-Men's Triathlon
5/11	Sun	6:00 AM	2:00 PM	Triathlon - permit event	Coyote Hills	Club Sports-Men's Triathlon
5/13	Tues	7:30 PM		speaking engagement: Ted Radke	Hercules	Hercules City Council
5/14	Wed	6:00 AM	2:00 PM	Permit event	Canal Trail	Team in Training
5/14	Wed	evening		Fremont Chamber Mixer	Ardenwood	Fremont Chamber of Commerce
5/15	Thurs	7:00 AM		Clayton/Concord Rotary: Beverly Lane	Clayton	Rotary
5/15	Thurs	6:30 PM		League of California Cities: Beverly Lane	Walnut Creek	League of CA cities
5/17	Sat	tba		Earth Day: Mt View Sanitary District	Martinez	Mt View Sanitary District
5/17	Sat	tba		History Day	San Ramon	Forest Home Farms
5/17/18	S/S	9:00 AM	7:30 PM	Storytelling Festival	Kennedy Grove	EBRPD

**BOARD COMMITTEE
REPORTS**

**QUARTERLY MEETING OF THE
CONTRA COSTA SPECIAL DISTRICTS ASSOCIATION**

Date: Monday, January 28, 2008

Time: **10:00 a.m. Meeting**
12:00 p.m. Lunch

Location: Pleasant Hill Community Center
320 Civic Drive, Pleasant Hill

Lunch: \$24.00 (*meal optional - immediately following meeting*)

AGENDA

10:00 a.m. Welcome and Introductions

10:10 a.m. Approval of October 15, 2007 minutes

10:15 a.m. Guest Speaker
Julee Malinowski-Ball, Public Policy Advocates Lobbyist
Topic: Overview of 2008 Legislative Session

11:00 a.m. East Bay Regional Communications System Update:
Fire Chief Craig Bowen, San Ramon Valley Fire Protection District

11:05 a.m. LAFCO Representative Report:
Dwight Meadows, Contra Costa Resource Conservation District

11:15 a.m. Legislative Committee Report

11:25 a.m. County Treasurer Oversight Committee Report:
Alfred Granzella, West County Wastewater District

11:30 a.m. CCSDA Financial Report:
Mark Cornelius, Snyder, Cornelius & Hunter

11:35 a.m. California Special Districts Association Activities Update:
Sherry Sterrett, Pleasant Hill Recreation & Park District

11:45 a.m. Contra Costa County Treasurer's Investment Pool Credit Rating from S & P:
William J. (Bill) Pollacek, Treasurer-Tax Collector

11:50 a.m. Other Business

11:55 a.m. Adjourn

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

- a. Contra Costa County Special Districts Association (2/21/08) (Severin)

CONTRA COSTA SPECIAL DISTRICTS ASSOCIATION
January 28, 2008

MINUTES

A quarterly meeting of the Contra Costa Special Districts Association was held at 10:00 a.m. on January 28, 2008, at the Pleasant Hill Community Center in Pleasant Hill. Chair Bette Boatmun led the meeting with 37 members in attendance representing 23 special districts.

Call to Order:

Chairperson Bette Boatmun called the meeting to order at 10:10 a.m. on January 28, 2008. Introductions and comments followed with each representative giving an update on their respective agencies. Chair Boatmun encouraged that any district with information to share with the chapter members should submit an article for the upcoming Special Districts newsletter.

Adoption of Agenda:

There were no changes to the agenda.

Approval of Minutes:

The minutes of October 15, 2007, were approved.

**Guest Speaker - Julee Malinowski-Ball, Public Policy Advocates Lobbyist
(Topic: Overview of 2008 Legislative Session):**

Chair Boatmun introduced Julee Malinowski-Ball, a partner at Public Policy Advocates, LLC. Ms. Malinowski-Ball thanked Chair Boatmun for the introduction. Ms. Malinowski-Ball stated that it is difficult to determine in January what is happening with the legislature this early in the year.

Ms. Malinowski-Ball reported that Governor Schwarzenegger made the State of the State speech which focused on fiscal stability. The state has a \$14 billion deficit this year and the Governor declared a fiscal emergency on January 10, 2008. A third special legislative session has been called, which gives the legislative body 45 days to respond to the fiscal emergency. If they do not respond within 45 days (on day 46) all work will stop in the Legislature. The Legislature's response is due the first week of February. Ms. Malinowski-Ball observed that the Legislature does not have a good record for doing things quickly.

Ms. Malinowski-Ball reviewed the important points in the Governor's proposal: A mid-year 10% cut across the board, unless protected by statute. Each agency will be responsible for deciding where to cut 10% from their budgets. The Governor is also considering cuts in public education. However, his proposal would not require a full 10% cut in public education. The proposed cuts fall under Proposition 58 which allows only an immediate, one-time fix. Recent polling shows only 11% support meeting the deficit with new taxes.

The Governor does not want to increase taxes, and there are many tax loophole closures that could be addressed to close the budget shortfall. Possible solutions may include:

- Remove sales tax exemption from food - \$4.7 billion
- Eliminate deduction of mortgage interest, property tax and car tax - \$4.9 billion.
- Cut health care benefits - \$4 billion.
- Increase sales tax.

The question was posed to Ms. Malinowski-Ball if she thought there was a chance that property taxes would be raised. Ms. Malinowski-Ball responded that it is a possibility. However, according to the Governor, if the Legislature makes sufficient cuts per the proposal that may not be necessary.

Ms. Malinowski-Ball summarized the proposals set forth in Proposition 93 (State legislative body term limits):

- Reduce the total number of years a person could serve in the state legislature from 14 to 12 years, while allowing current members to serve 12 years in their current house regardless of prior service.
- Some current members of the legislature would be allowed to serve up to 20 years in the transition period.
- Currently, California allows a person to serve 6 years in the California State Assembly and 8 years in the California State Senate. Proposition 93 will change the term limit to 12 years in both houses combined.
- If passed, the measure will be the first amendment to the term limits law since Proposition 140 in 1990.

The legislative body is waiting for the results of this proposition. Most legislators support the proposition, and if it passes, it will be "business as usual" after the election. However, if it does not pass, there will be a "free-for-all" for the leadership positions because Speaker Nunez and President Pro Tem Perata will be termed out. There are up to 12 individuals interested in the speaker's position and a smaller number interest in Mr. Perata's position. Recent polling shows that 50% support Proposition 93.

Ms. Malinowski-Ball's summarized Proposition 58 as follows:

- Requires enactment of a balanced budget where General Fund expenditures do not exceed estimated General Fund revenues.
- Allows the Governor to proclaim a fiscal emergency in specified circumstances, and submit proposed legislation to address the fiscal emergency.
- Requires the Legislature to stop other action and act on legislation proposed to address the emergency.
- Establishes a budget reserve.

- Provides that the California Economic Recovery Bond Act is for a single object or work.
- Prohibits any future deficit bonds.

Propositions 94-97 (Indian Gaming) is polling very well and is sanctioned by the Governor. If the proposition does not pass, it will definitely impact the 2008-2009 State budget.

East Bay Regional Communications Systems (EBRCS) Update:

Fire Chief Craig Bowen of the San Ramon Valley Fire Protection District gave an update regarding the East Bay Regional Communications System (EBRCS) project. Approximately 30 agencies have joined. He advised that the Joint Powers Authority (JPA) is looking for a consultant to research the Motorola's radio mapping plan. There continues to be a funding gap, and grants are still required. There are currently 23 Board Members on the JPA with equal representation from each county (Alameda and Contra Costa), which includes one seat for a Special District representative. Chief Bowen has been the interim representative for Special Districts. Going forward, a representative from the East Bay Regional Park will represent the Special Districts on the JPA Board and Fire Chief Craig Bowen will be an alternate.

LAFCO Representative Report:

Dwight Meadows of the Contra Costa Resource Conservation District reported that the Municipal Service Reviews (MSRs) for the healthcare districts in the county have been completed. An outside consultant had been hired to complete the project, which provided a good foundation for future updates that will be need to be completed every 5 years. Several water agencies, three cities and five districts have also been completed in East and West County. Next year's goal is to complete the MSRs for Central and West County entities. Mr. Meadows thanked the Special Districts for providing their information in a timely manner. Mr. Meadows stated that the updating of the Policy and Procedure Manual is still in progress. Mr. Meadows also noted that 5 commissioners' terms will be expiring in May. Lou Ann Texeira will be sending out notices for the LAFCO elections that will take place at the April 21 CCSDA meeting. Additional information will be included in their Special Districts Newsletter. There will be a Capital Improvement Budget Allocation (CIBA) Workshop held in 2008-2009 dealing with development procedures. Funding for this workshop is tight and if a special district could host the workshop that would be greatly appreciated.

Legislative Committee Report:

Joan Gallegos of the Kensington Police Protection & Community Services District reported that introduction of bills for the next election are due by February 23. She also reported that May 12 is CSDA Legislative Day. Ms Gallegos reviewed the following legislation:

- AB 642 (Lempert) Coastal Resources: Wetlands Mitigation and Restoration
- AB 1756 (Cabellero) An act to add Section 13986 to the Government Code, relating to local government

- AB 983 (Leno) Requires the governor to submit with the annual State Budget a report containing information regarding current and “proposed” contracts for services exceeding \$5,000.
- SB 726 (Alquist) This bill allows, only for claims filed in the County of Santa Clara, retroactive application of the law granting certain firefighting and law enforcement personnel the right to a disputable presumption that any case of blood-borne infectious disease (injury) rose out of, and in the course of, employment.
- SB 940 (Yee) This bill requires that temporary services employers, with certain exceptions, pay their employees weekly, regardless of when the assignment ends, unless the employee is discharged, quits, is assigned to work for a client on a day-to-day basis, or if the employee is assigned to work for a client engaged in a labor dispute.

Ms. Gallegos also spoke on the subject of taxing vs. borrowing to address the budget deficit. She urged attendees to speak with their legislators to help find a middle ground to the States fiscal problems.

County Treasure Oversight Committee Report:

Alfred Granzella of the West County Wastewater District reported on the past November 20, 2007, meeting of the County Treasury Oversight Committee. Mr. Granzella distributed the past meeting agenda and handouts. Included in the handouts was the Contra Costa County Investment Policy dated June 2007

CCSDA Financial Report:

Terry Stretch of Snyder Cornelius & Hunter gave the report for Mark Cornelius. She called the group’s attention to a mistake in the quarterly financial report handout and a corrected copy of same will be provided at the next meeting.

California Special Districts Association (CSDA) Activities Update:

Sherry Sterrett of the Pleasant Hill Recreation & Park District reported that she had missed the last CSDA meeting. However, Joan Gallegos of the Kensington Police Protection & Community Services District had attended in her place. There was extensive discussion regarding the proposed reallocation of property taxes from cities. Ms. Gallegos reported that she has a copy of the fall 2007 publication Where Taxes Go. It was strongly recommended that special districts participate in the CSDA committees and educational programs. A complete listing of educational programs is on the CSDA website. Ms. Sterrett highly recommended the Special District Leadership Academy.

New programs from CSDA include (additional information on the CSDA website):

- Cal Trust Benefit Plan, (Central Contra Costa Sanitary District and West County Wastewater District are already investors).
- Employee Screening Program.

Ms. Sterrett also congratulated the Parks and Recreation and the California Public Cemeteries on their

50th Anniversaries.

Contra Costa County Treasurer's Investment Pool Credit Rate from S&P:

Bill Pollacek, County Treasurer-Tax Collector, reviewed the Contra Costa County investment pool. Several school districts have asked him to speak with them because of the effect of the housing market meltdown. Contra Costa County has a pool rating of AAA F S1, which is the highest rating with lowest volatility. Mr. Pollacek reminded attendees that the Standard & Poor letter is available for review.

Other Business

Chair Boatman announced:

- Fred Granzella was reappointed to the Financial Oversight Committee.
- The next CCSDA meeting will be held April 21, 2008, at 6:00 p.m. at the Pleasant Hill Community Center. The guest speaker will be Ted Radke from the East Bay Regional Park District (Topic: Parks for the Future).

Adjournment:

There being no further business, Chair Boatman adjourned the meeting at 12:09 p.m.

Respectfully submitted,

Elaine Boehme

**EBMUD/EBRPD
LIAISON COMMITTEE MEETING
Friday, April 11, 2008
2:00 p.m.**

**EBRPD Headquarters Building
2950 Peralta Oaks Court
Oakland, CA**

Agenda

<u>Topic</u>		<u>Status</u>
1. Quagga Mussels	(EBMUD)	I
2. San Pablo Dam Update	(EBMUD)	I
3. Briones Watershed		
a. Runoff Water Quality Monitoring Update	(EBMUD)	I
b. Pilot Protection Plan	(EBRPD)	I
4. Water Supply Update	(EBMUD)	I
5. Apple Moth Spraying	(EBMUD/EBRPD)	I
6. Pinole Valley Mitigation Bank Proposal	(EBMUD)	I
7. EBRPD Bond Measure Update		
a. Bond Fund Joint Land Acquisition Ideas	(EBMUD)	D
b. Bond Measure Update	(EBRPD)	I
8. Confirm Next Meeting		
9. Public Comment		
(I) Information		
(D) Discussion		
(R) Recommendation		

Distribution List

Packets:

Directors: Nancy Skinner, John Sutter, Doug Siden (alt)

Pat O'Brien, General Manager
Rosemary Cameron, AGM, Public Affairs
Allen Pulido, Clerk of the Board
Tim Anderson, AGM, Public Safety
Brian Wiese, Chief, Planning & Stewardship
Mike Anderson, AGM, Planning/Stewardship/Design
Joe DiDonato, Stewardship Manager
Bob Doyle, AGM, Interagency Planning/Land
Acquisition/Regional Trails

Leigh K. Ochikubo Chan, Fisheries Analyst

Agenda Only:

AGM's
Sharon Corkin, President, Local 2428
Yolande Barial, Clerk of the Board's Office
Jack Kenny, Chief, Park Operations

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

b. EBMUD/EBRPD Liaison Committee (04-11-08) (Sutter)

Attendees:

EBMUD:

Board Members: Doug Linney, Andy Katz

Staff: Dennis M. Diemer, General Manager; Cheryl A. Farr, Special Assistant to the General Manager; Xavier Irias, Director of Engineering and Construction; Michael J. Wallis, Director of Operations and Maintenance; Alex Coate, Director of Water and Natural Resources.

Park District:

Board Members: John Sutter

Staff: Rosemary Cameron, AGM, Public Affairs; Jack Kenny, Chief of Parks; Hal MacLean, Water Management Supervisor; Dave Yoas, Unit Manager, Recreation Areas; Leigh Ochikubo-Chan, Fisheries Resource Analyst; Paul Miller, Recreation Area Unit Manager.

Guests: None

EBRPD Director John Sutter called the meeting to order at 2:10 p.m. at the EBRPD Headquarters Bldg., Board Room, 2950 Peralta Oaks Court, Oakland.

I. Quagga Mussels

EBMUD Director of Water and Natural Resources, Alex Coate provided an update on EBMUD's quagga mussel prevention efforts, which include boat inspections, physical barriers at the intake site of water that will be drawn from the Sacramento River at Freeport, and research to investigate ways to control the spread of the mussels. EBRPD Chief of Parks, Jack Kenny reported on Lake Chabot inspections; 87 boats have been inspected and two were turned away which were from Lake Mead and one was turned away for refusing inspection. Mr. Kenny further reported that other water agencies in the park district service area are still deciding how to approach the quagga mussel issue. In the meantime, EBRPD is conducting education about quagga mussels by providing handouts at kiosks and posting signs at boat launch areas.

2. San Pablo Dam Update

EBMUD Director of Engineering and Construction, Xavier Irias provided a brief update on upcoming seismic improvements to the dam. Recreation Area Unit Manager, Paul Miller was introduced as the new lead for EBRPD regarding Kennedy Grove road closure and related matters during the San Pablo dam seismic work.

3. Briones Watershed

a. Runoff Water Quality Monitoring Update

EBMUD Manager of Operations and Maintenance, Mike Wallis reported that the three storms that occurred this past winter enabled EBMUD to take water samples. The samples have been sent to a specialty lab for analysis in the hopes that they can identify specific animal sources for any pathogens found. Mr. Wallis noted that results of the lab research should be available for the next Liaison Committee meeting.

b. Pilot Protection Plan

EBRPD Water Management Supervisor, Hal MacLean reported that the more actively managed grazing program and fencing installation has been successful, and the solar powered pumps to provide water stations for the grazing herds will be developed next. Staff was asked to provide a Briones grazing location map at the next meeting.

4. Water Supply Update

Mr. Wallis said that precipitation is now at 66% of normal and carryover storage is likely to require a continuation of the voluntary rationing begun next year. Director John Sutter asked if savings desired last year were achieved. Mr. Wallis reported that 6,700 of the 10,000 acre feet desired were saved between May and October, and water demand has continued to be slightly under average levels but not at the 15% target. There was discussion of the potential for mandatory rationing and the types of specific actions the EBMUD Board might require in that case.

5. Apple Moth Spraying.

Mr. Wallis next reported on a proposal by the Department of Food and Agriculture to spray pheromones that would reduce apple moth populations. He noted that the State has not substantiated the need for an exemption from normal environmental review processes. Mr. Wallis reported that EBMUD had sent a letter to the state asking for more information on issues related to the spraying due to concerns about potential risks to drinking water reservoirs and their watersheds. Mr. Wallis also said that on April 22, 2008, the EBMUD Board would consider a resolution urging that a full environmental review be completed prior to the spraying program. Director Sutter described concerns about the destructive nature of the apple moth on trees, and said EBRPD's Board would be considering an action on the spraying at its meeting on April 15, 2008. EBRPD Assistant General Manager, Rosemary Cameron noted that there currently are seven legislative bills addressing this item and that thirty East Bay cities have opposed the spraying to date. EBMUD Director, Andy Katz observed that some cities are expecting to sue if the spraying plan goes forward as currently scheduled.

6. Pinole Valley Mitigation Bank Proposal

Mr. Coate described a proposed mitigation bank to improve habitat for several endangered and threatened species. Director Sutter commended the effort to preserve Pinole Valley. There was discussion about public use and it was noted that because habitat areas are not in the vicinity of trails that no impact on public use is expected. General Manager Diemer affirmed that the Bay Area Ridge Trail will be identified in the bank proposal as an existing resource.

7. EBRPD Bond Measure Update.

a. Bond Fund Joint Land Acquisition Ideas

Mr. Coate discussed mutually advantageous property acquisitions and opportunities to acquire Proposition 84 funds that could be used in conjunction with the bond funds to complete projects. This partnership was commended as a win-win.

b. Bond Measure Update

Director Sutter described the goal of extending Measure AA to facilitate land acquisition and improvements. Ms. Cameron said the first public workshop, held in Richmond, had 50 attendees; she encouraged participation in upcoming workshops. The EBRPD Board expects to action on the measure in June.

10. Public Comment

There was no public comment.

11. Confirm Next Meeting

The Liaison Committee scheduled its next meeting for Friday, July 11, 2008 at 2:00 p.m. at EBRPD headquarters.

Director Sutter adjourned the meeting at 3:10 p.m.



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BOARD EXECUTIVE COMMITTEE

**Tuesday, March 25, 2008
12:45 p.m., Board Room**

The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee's purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

AGENDA

<u>STATUS</u>	<u>TIME</u>	<u>ITEM</u>	<u>STAFF</u>
(R)	12:45 p.m.	1. 2008 District Media Partnerships	C. Johnson
(I)	1:15 p.m.	2. 75 th Anniversary Planning	C. Johnson
(I)	1:45 p.m.	3. Community Survey	R. Cameron
(R)	2:15 p.m.	4. Adjustment of Salary Range for the Classification of Assistant General Manager, Management Services	P. O'Brien
(R)	2:45 p.m.	5. Proposed Mosquito and Disease Control Assessment	E. Pfuehler

- (R) Recommendation for Future Board Consideration
- (I) Information
- (D) Discussion

Future Meeting Dates:

April 22	September 23
May 27	October 28
June 24	November 25
July 22	
August 26	

Executive Committee Members:

Ayn Wieskamp, Chair; John Sutter; Ted Radke
Doug Siden, Alternate
Pat O'Brien, Staff Coordinator

Board of Directors

John Sutter President Ward 2	Ayn Wieskamp Vice-President Ward 5	Ted Radke Treasurer Ward 7	Doug Siden Secretary Ward 4	Beverly Lane Ward 6	Carol Severin Ward 3	Nancy Skinner Ward 1	Pat O'Brien General Manager
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AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

c. Executive (3/25/08) _____ (Wieskamp)

Attendees:

Committee Members: Directors Ayn Wieskamp (Chair), John Sutter, Ted Radke

Staff Members: Pat O'Brien, Susan Gonzales, Allen Pulido, Ted Radosevich, Carol Johnson, Rosemary Cameron

Guests: Rich Guarienti, PAC

I. 2008 District Media Partnerships

Carol Johnson, Community Relations Manager, presented an overview of the 2008 District media partnerships plan to increase visibility for park activities, programs, and the proposed bond measure scheduled for November. This comprehensive review followed the goals outlined in the 2008 Community Relations Plan, previously reviewed by the Executive Committee and the Board of Directors in February.

Annually, as part of its public information and community outreach planning, Public Affairs negotiates sponsorship agreements with local media outlets to promote the Park District and several of the Park District's signature interpretative and recreation programs. Most costs are budgeted for within the Public Affairs Division.

Media Tactics and Strategies

Much research and planning goes into the selection of media groups the Park District contracts with and what programs will be highlighted on an annual basis, including:

- Audience profile and demographics (age, address, gender, interests)
- Park District program matching the media format
- Cost of sponsorship with media agencies
- Outside corporate sponsorship tie in – ie, Kaiser Permanente
- Added value provided by the media group
- Potential measurable return on investment based on program participation etc. Ms. Johnson noted that the District doesn't replicate things that don't work.

She then noted and reviewed the 2008 Media Program Focus, and reviewed the forms of media that the District uses to keep the public aware of the services it offers.

This year, the following programs will be promoted through radio, print, and internet marketing: Trails Challenge 15th Anniversary, Kids Challenge, Day Camps, Fresh Tracks, and disadvantaged access support (e.g, Boys & Girls Clubs). Director Sutter wanted to know how Public Affairs measures “what works and what doesn’t” – Ms. Johnson explained that it all comes down to measurable results through anecdotes (talking to park staff as well as park users) and measuring number of increases, for example the Trails Challenge – being able to look at registration data month by month, etc. to see any gains or losses based on radio or other methods of public outreach to measure the effectiveness.

Director Wieskamp asked if transfers of users from sfgate.com to ebparks.org could be tracked, and Ms. Johnson answered that yes, it was a measurable way to track both sfgate.com and bayarea.com usage and how often their sites connected user to our website.

Director Sutter wanted to know the difference in benefits of the money paid for bayarea.com vs. sfgate.com, which Ms. Johnson reviewed.

AGM Cameron noted that at a later date, both websites would be available for interactive use to the Board. Ms. Johnson noted that sfgate.com is more expensive because of its popularity and sheer number of visitors. Director Sutter asked about whether this was the total advertising schedule of events and how much advertising costs per year – AGM Cameron also noted that there would be a ½-hour show involving Doug O’Connell. Director Sutter asked about how many park agencies spend the dollars on advertising that the District does, and GM O’Brien noted that the District was #1 for this kind of awareness and the largest Special District for a reason. AGM Cameron noted that the District is doing what they can to raise awareness, Bick Hooper (?) used a personal example of a person at Fresh Tracks not knowing about the program who became a regular hiker because of advertising. Director Wieskamp asked about PBS; and if the District had been in contact with them. Ms. Johnson noted that public television was in the works for discussion.

Staff recommends that the Executive Committee support an allocation of \$30,000 from the General Manager’s and Board’s contingency accounts (\$15,000 from each) to fund additional media sponsorships, including the San Francisco Chronicle online website, www.sfgate.com.

RECOMMENDATION: Moved by Director Weiskamp. By a unanimous vote, the Executive Committee recommended to support of the allocation of funds to pay for media sponsorships.

2. 75th Anniversary Planning

Carol Johnson, Community Relations Manager, presented an informational overview of the preliminary plans being considered for the celebration of the Park District’s 75th Anniversary. Items discussed included objectives, preliminary creative designs for 75th Anniversary logo treatment, and a broad overview of key signature programs, gatherings, and events being considered.

Public Affairs has been given the responsibility to direct the Park District’s efforts to plan and execute a 75th Anniversary celebration strategy in 2009. This report will give an overview of the initial thinking for

this gala event. A cross-divisional internal team, including Board Members, will be selected to begin work on this initial thinking that has been created to date.

The goal is to develop a two-year communications plan beginning in 2008 for celebrating the Park District's 75th Anniversary that inspires corporate, nonprofit, and private citizens to support the Park District's legacy of conservation and preservation of public lands that promote:

Creative Development

An outside marketing agency was consulted and given the responsibility to develop concepts of thematic and logo treatment that would showcase the Park District's mission and influence on the East Bay community. Ms. Johnson reviewed some of the material, which included the methods of financing the celebration with minimal cost to the District, staying with the core values and mission of the District, and sustainability/preserving the land. Four guiding factors were used in the planning: education, preservation, health and wellness, and fun.

Gaining measurable results was discussed as well. Ms. Johnson reviewed the possible logo for the celebration, and how Public Affairs works with consultants, and does not just rely on them for advice. Communication, Signature Events, Programs and Gatherings were introduced, as well as the noting of potential ideas for incorporating – such as t shirts, garbage cans, etc. She reviewed a few different opportunities and explained each.

Ms. Johnson mentioned the Mobile Visitor's Center being a possibility of a good, state of the art, emission-free vehicle. Funding for the vehicle was discussed. The Committee also noted that they understand that Public Affairs is under a significant amount of pressure with a heavy workload, and offered them any help they could.

There was no recommendation needed; this was an informational item only.

3. Community Survey

Rosemary Cameron, Assistant General Manager for Public Affairs, noted how for some time, Jack Kenny, Chief of Park Operations, and herself have wanted to have a "community survey" conducted, similar to the one that was conducted in 1975 by an outside firm. The survey would explore similar questions and build on the customer satisfaction and loyalty research work that has been done over the last few years through in-park user surveys. Their interest in a survey of the "general public" some 32 years after the original research was born out of a desire to better understand how the Park District is perceived by East Bay residents, who are not necessarily regular park users. There was also strong interest in learning more about public knowledge of the Park District, park improvement needs, how the public learns about the regional parks, and barriers to usage. Mr. Kenny noted that this was a collaborative effort between Operations and Public Affairs to get the opinion of both the general public and park users to guide future ideas.

Dr. George Manross, of SRI, conducted this telephone interview in December 2007, and the survey was completed in January 2008. While this new research conducted by SRI is more in-depth than the original study done in the 1970's, it does build on that work and offers interesting insights into the progress the Park District has made. Dr. Manross presented the Executive Committee with the findings from this new community survey. The sort of data collected included brand identification, availability of parks, level of appreciation and environmental maintenance, as long as park user patterns and frequency.

He also studied the distance that people are willing to travel to go to a regional park. The average travel miles to parks is 11 (perceived vs. realistic). He also noted the high approval of employee interaction, as well as public safety satisfaction. Most people consider that they are well informed about the District and its activities, including the RIN. Manross also referred to the Kibel report, which he noted was a skewed and uncontrolled report. Manross controlled for population density and saw more realistic results. He noted urban vs. rural areas have differences in locations of parks, but that his scientific research showed that the District does indeed serve many populations, rural and urban. The Committee was appreciative of this research.

Director Sutter asked about in-park and voter surveys – he wanted to know the difference between the two. Dr. Manross answered that voter surveys were high amount of propensity voters. In both conditions, there was a high level of credibility among the people surveyed. The community at large represents higher levels of concern over public safety, but the users especially value the parks. Dr. Manross noted that there is a high level of trust from the public – more than 5-10 years ago.

There was no recommendation needed; this was an informational item only.

4. Adjustment of Salary Range for the Classification of Assistant General Manager, Management Services

Pat O'Brien, General Manager, introduced this item. Following the departure of the Park District's CFO/Controller in September of 2007, the General Manager reassigned the day-to-day management of the Finance Division to the Assistant General Manager for Management Services. The Park District retained a consultant to review the structure of the Finance Division prior to starting the recruitment process of a new CFO/Controller. The consultant recommended the consolidation of the finance and administrative functions under one Assistant General Manager, and the General Manager has directed that this consolidation occur.

GM O'Brien is recommending that the compensation of the Assistant General Manager of Management Services be adjusted from the range of AGM I to AGM II. This salary adjustment is based on the expanded supervisory relationship that the Assistant General Manager of Management Services currently has with the recent addition of the Clerk of the Board and will have supervising the CFO/Controller. It also addresses Director Wieskamp's concern of the reporting relationship balance between the AGM of Finance and Management Services.

Director Sutter asked the difference between AGM I and AGM II. GM O'Brien reviewed those from higher to lower ranges. Director Wieskamp added that she considered it logical to do this increase because of hierarchical issues. Director Radke noted the importance of the reporting capacity to the Board.

RECOMMENDATION: Moved by Director Weiskamp. By a unanimous vote, the Executive Committee recommended this item be brought to the full Board for favorable consideration.

5. Proposed Mosquito and Disease Control Assessment

Erich Pfuehler, Legislative Administrative Manager, was going to present this item, but was unable to attend this meeting due to Jury Duty. GM O'Brien instead made the presentation to the Committee. On March 14, ballots were mailed to property owners in Alameda County for a proposed Mosquito and Disease Control Assessment. The current special tax used to fund the Alameda County Mosquito

Abatement District has not increased since 1982. This measure will be decided by mailed ballots. The funds raised can only be spent on mosquito abatement and control services within the Alameda County Mosquito Abatement District.

The fiscal impact to the Park District is minor and estimated at \$31.00 for the next fiscal year, and is based mainly on the Peralta Oaks building. "Inaccessible" land does not get the same level of assessment as other open space.

RECOMMENDATION: Director Sutter moved for approval. By a unanimous vote, the Executive Committee recommended this item be brought to the full Board for favorable consideration.

Future Agenda Items:

None

Next Meeting is April 22, 2008



BOARD OPERATIONS COMMITTEE

Thursday, February 21, 2008

12:45 p.m., Board Room

The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee's purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

AGENDA

<u>STATUS</u>	<u>TIME</u>	<u>ITEM</u>	<u>STAFF</u>
(R)	12:45 p.m.	1. Review of Ordinance 38 Trail Use Change Proposal	Brienes
(R)	1:15 p.m.	2. Environmental Preferred Purchasing Program (EPP)	Myli
(I)	1:35 p.m.	3. Fleet Management Update	Gehrett
(I)	1:50 p.m.	4. Pavement Management Program Update	Haselden/ Gehrett
(I)	2:10 p.m.	5. Mobile Fish Exhibit and Mobile Visitor Center Update	Parmer
(I)	2:40 p.m.	6. 2008 Board Operations Committee Work Plan	Escobar
	2:55 p.m.	7. Public Comments	
	3:10 p.m.	8. Staff Comments	
	3:25 p.m.	9. Adjourn	

- (R) Recommended
- (I) Information
- (D) Discussion

Operations Committee Members:

Carol Severin, Chair; Beverly Lane; Ayn Wieskamp; Ted Radke, Alternate
John Escobar, Staff Coordinator

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Future Meetings

March 20	July 17	November 20
April 24	August 21	December 18
May 15	September 18	
June 19	October 16	

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 6, 2008

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

d. Operations (2/21/08) (Severin)

Present

Board: Directors Carol Severin (Chair), Ayn Wieskamp, Beverly Lane

Staff: John Escobar, Jack Kenny, Anne Scheer, Mimi Waluch, Raphael Breines,
Steve Myli, Shelly Lewis, Brian Wiese, Julie Haselden, Stephen Gehrett,
Pete Alexander, Rick Parmer

Public: Frank Binney, James Wilson, Peter Rauch, Rich Guarienti, Caryn Kralovansky

I. Review of Ordinance 38 Trail Use Change Proposal

Senior Park Planner Raphael Breines stated that the Panorama trail is being evaluated for a use designation change. This is the fourth year of this trail use review program. The four trails opened to bicycle use through this program have successfully accommodated the additional use. Staff reviews trail change requests thoroughly before making recommendations to the Board. This specific request has been under review for over a year. The Trail Use Change process has been endorsed by the Board of Directors.

Staff believes that the Panorama trail, with minor modifications, can accommodate bicycle traffic in a safe manner to the public and will not degrade the experience of existing or future park users or the environment. It has been requested that this proposal go to the full board for consideration. There are currently 27 miles of trail on Mission Peak: 7 miles of the trails are narrow and less than 3 miles of narrow trail are currently open to bicycles. East Bay Area Trail Council submitted the request to open specific section of the Panorama Trail to bicycles in order to permit bicycles to complete an entire trail loop. The trail currently experiences very low use levels. There is no dedicated staging area near the trail. Parking is available at the adjacent Ohlone College for a fee. The proposal includes the replacement of barbed wire fencing with smooth gauge wire. Minor modifications would be needed to better delineate the existing four foot wide trail. The modifications are generally maintenance tasks that are needed

to accommodate all users. Additional signing and trail gate would need to also be installed to improve accessibility.

The Park Advisory Committee (PAC) recommended approval of this trail use change at their January committee meeting. The PAC voted 15 to 0, with one abstention. PAC Chair Rich Guarienti abstained because he had not visited the site.

Mr. Peter Rauch presented a diagram that outlined the construction of a new section of trail to bypass the wooded section of the Panorama Trail. Mr. Rauch felt that the wooded section is too narrow to accommodate bicycles and that the added section of trail he proposed would permit bicycles to complete the loop trail without using the narrowest section of the loop.

Director Carol Severin suggested taking a Board field trip to the site.

Director Ayn Wieskamp commented that a field trip would permit the Committee to review the alternative trail route suggested by Mr. Rauch.

Assistant General Manager of Operations John Escobar stated that he would not recommend constructing 1000 feet of duplicate trail to address potential conflicts on a trail with such low levels public use. Staff had reported earlier that the trail is only used by about 10 visitors a week. Trail use conflicts would likely be a very rare occurrence.

By motion of Director Severin and seconded by Director Wieskamp, the Committee unanimous voted to table the proposal until Committee members have an opportunity to visit the trail.

The Committee thanked staff for their work on this project.

2. Environmental Preferred Purchasing Program (EPP)

Facilities Manager Steve Myli outlined the recent work of the Central Stores Advisory Committee in reviewing options to implement an Environmentally Preferable Purchasing Program (EPP) which will reduce solid waste generated by the District. The EPP program covers purchasing by Central Stores and other departments. The recommended EPP program establishes environmentally preferred purchasing options for District staff that are both achievable and measurable.

Mr. Myli stated that a letter was received from Karen Smith at StopWaste.org requesting the District move forward on several initiatives. One of those initiatives was an EPP. This is a program that establishes guidelines for purchasing materials in a way that looks at the entire product lifecycle from manufacture, to use, and disposal. The ultimate goal is to reduce the amount of materials that go into landfill. The EPP program will take some time to fully implement. However, improvements are being made on a daily basis. As an example, a dishwasher has been installed in the Board Room kitchen and flatware, ceramic mugs, and glass pitchers for water have been purchased.

By motion of Director Wieskamp and seconded by Director Lane, the Committee unanimous voted that this item be brought to the full Board for favorable consideration.

3. Fleet Management Update

Maintenance Superintendent Stephen Gehrett reviewed the District's fleet management program. The fleet includes administration vehicles; pick-up and utility trucks, dump trucks, tractors, mowers and ATVs for field staff; heavy equipment for the Roads and Trails crew; police vehicles include patrol cars, SUVs, motorcycles; fire vehicles include an array of response and emergency vehicles; Sanitation fleet include 3,000 gallon 'Honey Bucket' trucks.

Mr. Gehrett stated that he is purchasing 26 vehicles and 13 pieces of equipment including mowers, tractors, and chippers in 2008. Additions to the fleet vary from year to year. The Mobile Fish Exhibit and the Mobile Visitor Center will also be purchased this year. A sanitation truck will also be replaced this year.

Purchasing is completed using various methods, including formal bid, government supply contracts, and state vehicle purchasing contracts. The two equipment shops outfit new vehicles, repair and service existing vehicles, and insure that the District's vehicles are in compliance with increasing environmental requirements.

Both South County and North County equipment shops are green business certified. The shops also have Best Management Practices in place. In 2004, the District purchased the first electric hybrid and now have 6 of them. In 2005 the District purchased its first Bio-Diesel. Currently, the District is using 5% Bio-Diesel at all eleven sites. The goal for the fleet is to reduce vehicle emissions. Numerous ghost vehicles were eliminated or replaced with more efficient vehicles on a 2 for 1 basis. Two vehicles were eliminated for every one purchased.

Mr. Gehrett noted that there are only 2 sedans manufactured for police work and those are the Ford Crown Victoria and the Dodge Charger. Both vehicles have rear wheel drive, ballistic doors, extra roll over protection, special wiring, higher horsepower and heavier suspension. It would be extremely difficult to try and use an alternative police vehicle because of the fact most cars just aren't designed for what the police need.

The Committee thanked Mr. Gehrret for his report.

4. Pavement Management Program Update

Administrative Analyst II Julie Haselden reported on the use of "StreetSaver", which is a pavement management software system supported by the Metropolitan Transportation Commission. The District first engaged a consultant in 2005 to assess the condition of the Park District's 17 million square feet of asphalt surface. Numerous improvements have been made in the overall condition of the District pavement in the past three years. The District's current pavement quality is ranked good to very good. On March 4th, Ms. Haselden will be opening proposals and selecting a consultant to reassess the condition of 859 separate sections of road, trail, and parking lot. Ms. Haselden used a PowerPoint presentation to review the numerous pavement projects that were completed last year throughout the District.

The Committee thanked staff for all their efforts to improved the Park District's roads, trails and parking lots.

5. Mobile Fish Exhibit and Mobile Visitor Center Update

Chief of Interpretive and Recreation Services Rick Parmer introduced Mr. Frank Binney who is a consultant for the Mobile Visitors Center project. Mr. Binney shared a color brochure with the Committee showing various types of Mobile Visitor Centers that are currently in use across the United States. There is a wide range of vehicles from utility trailers to semi-trucks and converted buses.

Staff currently favors a small motor home or cargo van option so just one person could be more easily driven by Interpretive and Public Affairs staff. Larger vehicles are expensive, difficult to maneuver, and may have more limited applications.

Mr. Parmer states that the Mobile Visitor Center is still in the research phase and there is a possibility of having more than one vehicle to address a wider variety of applications. Themes and storylines are currently being developed for mobile visitor center use.

Director Wieskamp noted that given the high cost of a mobile visitor center, staff should make sure that the Mobile Visitor Center serves a wide variety of uses.

Mr. Parmer updated the Board on the development of the Mobile Fish Exhibit. The consultant is currently working with the Stewardship Department on the live well for the exhibit. Options for the trailer are also being reviewed. Once design work is complete, the main tank will be ordered, and District staff will work on constructing the completed exhibit.

6. 2008 Board Operations Committee Work Plan

AGM Escobar stated there will probably be at least a dozen or more items that the Committee will address through the year that are not on the 2008 work plan.

An agreement with the existing slide operator at Shadow Cliffs will need to be reviewed on before the waterslides can open this year. The Land Use Plan for the Park will also need to be updated.

Ardenwood, Little Hills, and Lake Chabot's concession agreement are also on the work plan for 2008.

Dave Yoas, former Recreation Areas Unit Manager, will be working as a consultant to assist staff in finishing up the *Geocaching* policy.

7. Public Comments

No public comments

8. Staff Comments

Director Severin reported that the handicapped ramp at Quarry Lakes has an area that could be a potential problem because of the adjacent unprotected stairway. Staff will address the problem immediately.

Director Severin expressed concern about the condition of the pathways at Middle Harbor Park. She stated the pathways seem to be pitted and uneven in certain areas.

Chief of Maintenance & Skilled Trades Anne Scheer stated that the District recommends repairs to the Port of Oakland. If the Port of Oakland agrees with the recommendation, Park District staff typically carries out the repairs and are reimbursed by the Port of Oakland.

There was no further discussion, the meeting adjourned at 3:16 p.m.

100,000 acres of open space . . .



A lone cirrus oak
in Briones Regional
Park – comfortable
in 6,116 acres of
protected open
space.

Oakland
MAGAZINE
April 2008
pg. 1 of 2

A sampling of Green Initiatives by the East Bay Regional Park District:

- Camp Arroyo, a youth environmental education camp in Livermore
- Solar power
- Water conservation
- Energy conservation
- Recycling in offices and parks
- Battery, e-waste, computers, and scrap metal recycling
- Reducing vehicle emissions
- "Grass-cycling"
- Environmentally conscious construction practices
- Equipment shops are Certified Green Businesses
- Environmental education programs



Camp
Arroyo in
Livermore features
"green" design and
offers environmental
education to youth.



East Bay 
Regional Park District

... Now that's refreshing.

For 75 years,

our mission and vision have supported environmental protection, preservation, and public access to open space and Bay shoreline for recreation. Preservation of open space and natural resources has

many benefits to the environment, including climate regulation, improved air and water quality, erosion control, and nutrient recycling—enhancing the quality of life in the East Bay.



Property taxes may be reduced on more than 100,000 homes

Reductions in home values to cost local governments tens of millions in property tax revenues

By Simon Read

Contra Costa Times

Article Launched: 04/27/2008 06:17:18 AM PDT

More than 100,000 homeowners in Contra Costa and Alameda counties may see their property taxes fall this year as home values continue heading south.

While good news for financially strapped individuals, the reductions mean local governments could miss out on tens of millions of dollars in badly needed revenues.

The assessed value on 65,000 to 75,000 single-family homes in Contra Costa could drop this year, meaning a loss of roughly \$40 million, according to Assessor Gus Kramer. Homes are taxed at 1 percent of their assessed value, plus whatever bonded indebtedness is attached to the property.

Alameda County is anticipating 30,000 to 40,000 reductions.

"Our review won't begin until May," Alameda County Assessor Ron Thomsen said, "but we're probably looking at \$2 billion in assessed values being removed from the assessment rolls — that equates to \$20 million in taxes."

While the numbers are only estimates, Kramer said the reductions in his county will probably range from 2 percent to 20 percent. The value of many homes could fall to 2002 and 2003 levels. And in East Contra Costa, some homes may return to 1998 levels.

"We're seeing sales that indicate they should be rolled back to that level," Kramer said. "More than 50 percent of properties on sale on the open market, in Antioch particularly, are bank-owned. The banks in East County are the market-makers of real estate."

Kramer said when banks "dump" homes a drastically reduced costs, the price of surrounding real estate drops further.

Contra Costa this year will review the value of 150,000 properties — more than half the total of single-family homes in the county —

compared with last year's review of 50,000 properties and reductions on 22,500 homes.

In Alameda County, officials will take a look at 65,000 homes purchased between July 1, 2004, and Dec. 31, 2007, Thomsen said. Last year, Alameda County reduced the value of 6,000 homes after reviewing 34,000 properties.

Thomsen said it is not yet clear what areas of Alameda County will be hit the hardest. Such is not the case in Contra Costa.

"The I-680 corridor does not seem to be as hard hit as other areas," Kramer said. "Prices are down, and the number of sales are down, but it's not as severe. It's the further you get away from the 680 corridor that you see the areas hit the hardest."

Contra Costa cities most affected by the housing slump include Antioch, Brentwood, Oakley, and parts of Pittsburg, San Ramon and Richmond.

The lost revenues from reassessments could be bad news for school districts and city and county governments already stretched thin by the statewide budget crunch.

Alameda County Auditor-Controller Patrick O'Connell said the county receives 15 cents of every property tax dollar.

"At most, if we're going on the \$20 million figure, that would be a reduction of \$3 million for the county," O'Connell said. "Our budget is close to \$2 billion, so \$3 million isn't a lot by comparison — but we hate to lose any of it."

From 2000-01 to the present, Contra Costa experienced annual growth in property tax revenue of 8.8 percent. Contra Costa Auditor-Controller Steve Ybarra — hazarding a guess — said the county this year will see about 5 percent growth.

Schools typically receive 50 percent of property tax revenues, Ybarra said. Special districts, such as fire, parks and sewer, receive 28 percent.

"We are in communication with the counties and monitoring what's going on," said Dave Collins, the East Bay Regional Park District's assistant general manager for finance and administration. "We have

been conservative with our budgeting to allow us to make adjustments without hopefully having to lay off people or cancel some of our operations."

Collins said the state budget is of greater concern right now.

"That's a wild card," he said. "We're waiting for them to tell us how bad it is."

After schools and special districts, the county and cities receive 12 percent and 10 percent, respectively, of every property tax dollar, Contra Costa's Ybarra said.

Kerry Breen, Brentwood's business services manager, said the city will probably see no more than a 2 percent to 3 percent growth in property tax revenue this year.

"I don't know how far back you'd have to go to see it that bad," he said. "The year we're in now was at 13 percent, and we had five years when we were seeing 20 to 25 percent in annual growth."

Brentwood's situation is not uncommon.

Greg Rogers, San Ramon's administrative services director, said the city is expecting about 4 percent growth this year, compared with 8 percent in years past.

"We're not expecting a reduction in property tax," Rogers said. "We're just not expecting it to increase very much."

Rogers said a "good portion" of San Ramon's housing has a low assessed value because of Proposition 13. Passed in 1978, it places a cap on property tax increases. Those homes are not subject to adjustments because their market value is higher than their assessed value.

"Out to the east, we have a subdivision buildout of 11,000 homes," Rogers said. "Most likely, we'll lose out on reassessments in that area."

In Richmond, city officials have reduced their revenue expectations to balance the books.

Finance Director James Goins said the city is anticipating 3 percent growth in property taxes this year, compared with an average of 5 percent to 6 percent in recent years.

Schools will also be taking a hit, Ybarra said, but the news is not all bad.

Ybarra said a school district's level of funding is derived from a formula that takes into account daily attendance. If a district does not receive its full share of property tax revenue, the state makes up the shortfall.

"We have 18 school districts in the county," he said, "and they all receive backflow from the state. The schools are in better shape than the county is."

Denise Porterfield, the Antioch school district's chief business official, said schools are guaranteed the state funds through Proposition 98, which establishes the formula for K-12 school funding.

"One of the things being discussed at the state level is whether to suspend Prop. 98," Porterfield said. "If that should ever go forward, there would be an impact."

Meanwhile, the prospect of a lower property tax bill is little consolation to Ted Diaz, who purchased a 3,000-square-foot home in Pinole last year and is feeling the pressure.

A 61-year-old lab support worker with the U.S. Department of Agriculture, Diaz purchased the three-bedroom, 3 1/2-bath home in the high-\$500,000 range, he said. Today, a house identical to his in the same subdivision is selling for \$499,000.

"I happen to be one of those who got a bad loan," said Diaz, who has an adjustable-rate mortgage. "It's going to cap in five months and go up about \$200. I'm close to retirement age and thought this would be a good investment.

"Everything is coming down on me right now," he said. "I'm just trying to get by from day to day, and hope I make the right decisions."

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PORT COSTA CONSERVATION SOCIETY NEWSLETTER

Spring Issue, April, 2008

Next Meeting, Port Costa School, Monday, April 21, 2008 7:30 p.m.



Photos: Lewis Stewart

BREAK TIME

Peter and Kaui DeMarzo of Foster City take a welcome break at the Port Costa School during the 2007 Grizzly Peak Century tour. The school is one of four designated rest stops along the 112-mile course from Moraga to San Pablo Reservoir, the Carquinez Strait, Crockett, Port Costa, McEwen Road, Franklin Canyon, Briones Park and back to the starting point. An estimated 950 cyclists will take part in this year's sold-out Century ride on Sunday, May 4. For details, go to www.grizzlypeakcyclists.org.

Economic slump weighing on Contra Costa

By John Simerman

Contra Costa Times

Article Launched: 04/21/2008 06:46:32 PM PDT

With Contra Costa County facing a budget downturn for the first time in more than a decade, it's easy to blame the housing market for the bitter pill residents are about to swallow.

Yet county property tax receipts continue to rise, albeit slightly, lifting an estimated 4 percent this year compared with 11.5 percent two years ago.

So why will the Board of Supervisors consider nearly \$52 million in service cuts when it meets this morning in what is expected to be a tense hearing?

How has the mortgage meltdown forced residents to reckon with shuttered mental health clinics in Concord, Antioch and Richmond, fewer deputies, longer-lingering roadkill, the end of home visits for frail seniors and disabled adults, and more?

A big part of the answer, say county officials and budget experts, is that the housing gash bleeds across the revenue landscape. Money that normally helps the county keep up with ever-rising costs has disappeared.

"This is kind of like the dot-com bubble. You have to look at the shock waves," said Paul McIntosh, executive director of the California State Association of Counties. "Property taxes are down, sales taxes are down, various fees are down. Counties across the state are having to look at reductions, before we even visit what the state has in store for us."

Among the ripples:

- The number of deeds and other recorded documents has dropped by half since 2005, resulting in an estimated \$3.3

million in lost revenue, according to Clerk-Recorder Steve Weir, who describes it as a "nosedive."

- Revenues from real property transfer taxes fell 44 percent, or \$4.5 million, in a single year.
- Lower interest rates have helped trim earnings from county investments more than \$5 million, with another \$7 million decline projected.
- County sales taxes are expected to drop \$800,000 as spending slides.

The decline in property tax increases, the loss of investment income and the drop in recording fees are the three largest factors affecting county revenue, said Lisa Driscoll, the county's finance director.

Until now, the county had steadily counted \$12 million to \$15 million a year in so-called "general purpose revenues." Next year, officials project a \$3.7 million loss.

With the supervisors aiming to set aside \$20 million next year to help trim a huge retiree health care liability, and more bad news expected from a state facing a shortfall pegged at \$8 billion or more, cuts are slated to reach all corners of county government.

Similar scenarios are playing out in counties across the state, McIntosh said.

"The housing crisis is the single largest element that has turned the county's economic health into a full-blown epidemic," said county assessor Gus Kramer.

It might have been worse, Kramer said. Several high-end commercial and office buildings changed hands in Walnut Creek and elsewhere, helping temper losses from the housing slump. The sales of long-owned homes also helped keep property tax revenues above water.

"The only thing saving our butts is the senior citizens "... who are either retiring and selling their properties or passing away, and the fact there's been a little bit higher number of commercial and office space changing hands," he said.

"Local government is losing immense sleep that if the market remains like this the rest of the calendar year, next year's number is going to be zero or a negative number," Kramer said. "That's when it would be a real crisis."

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Martinez open space in dispute

By Lisa P. White

Contra Costa Times

Article Launched: 04/19/2008 07:43:10 PM PDT

MARTINEZ — When Mark and Lorna Thomson bought their house on Meadowvale Court nearly three years ago, the couple believed they would always have a clear view of an open field and Mount Diablo from their bedroom window.

"We bought there with the idea of it being open space," Mark Thomson said.

But a potential obstruction looms on the horizon.

Gary Freitas, who owns the property at 635 Vine Hill Way down the hill from the Thomsons' house, has been trying for years to get the city to change the designation from open space to residential on three of his acres so he can build four luxury homes.

Scenic easements protect open space, but two incorrectly recorded easements could open up more than 120 acres in Martinez to development. The city, homeowners associations, the East Bay Regional Park District and nonprofit land trusts own most of the 2,600 acres of open space in Martinez. That land is protected either through ownership or scenic easement and is unlikely ever to be developed.

There are also 71 acres of privately owned open space, which includes the Freitas property and the Pine Meadow golf course, where houses or commercial development could one day sprout if the city does not hold a scenic easement on the property.

"The reason we use (scenic easements) is it protects land in perpetuity, in theory, so no one can ever build on it," said Albert Lopez, deputy community development director. "It's a tool the city can use to be able to get open space without having to either own it or rezone it."

Typically, property owners agree to easements in return for city approval of housing projects that include valuable extras such as additional lots or larger lot sizes.

But easements only work if they are attached to the deed. Freitas and the owners of property at 370 Lindsey Drive, where the city was supposed to have been granted a scenic easement on 120 acres, believe the documents were recorded incorrectly.

The City Council classified the Freitas property as "permanent open space" in 1976.

"We have attorneys who are stating that after 25 years, if you overlooked something, it's just too bad," said Freitas, who has sought permission to build on his property three times. "I never signed anything saying I agreed that it can be private open space."

Thomson, who represents a group of neighbors who have hired an attorney to prevent Freitas from building on the land, disagrees.

"It comes down to the fact that the city and developer of the entire subdivision made an agreement that it would be open space," he said. "It was open space, and it should stay open space."

Attorney Scott Sommer represents Peter Ostrosky and Bob Devries, owners of the 163-acre Lindsey Drive property, which is zoned residential.

He said the easement is invalid because the original owner and the city never agreed where the 120 acres subject to it were located on the property. Ostrosky and Devries are suing to force the city to settle the easement issue and subdivide the lots so the partners can sell the property.

"I think the chance of open space being rezoned is probably remote unless we get to the point at some time in the future when it's crucial, and we need land for homes," said Mayor Rob Schroder.

Schroder said the original owner of the Ostrosky property never bothered to record the easement, although the council approved a resolution accepting the 120 acres as open space in 1985.

About the Ostrosky matter, Schroder added, "I think the intent is pretty clear what the city was asking for and what (the original owner) agreed to, so it's going to be played out in court."

Lopez, the deputy community development director, acknowledged that both easements were incorrectly recorded, although he said the original owner of the Lindsey Drive land, not the city, dropped the ball.

"That's the big lesson to the city. You have to record them properly to make sure you don't have problems," Lopez said. "That, of course, makes the land much more vulnerable."

According to the Greenbelt Alliance, Contra Costa County has 210,000 acres of open space which are protected by policy, such as being located outside the urban limit line. Of those, the group says about 82,000 acres still are at risk for development.

Christina Wong, East Bay field representative for Greenbelt Alliance, said privately owned open space is not uncommon in the county, nor are attempts to build on it. Property owners often ask for zoning changes or general plan amendments to shake the open space restrictions, she said.

"You can't take designated open space for granted; things can always change based on political changes or property owners," Wong said. "The bottom line is there are several ways that people continue to build on open space, and it's really up to the community to protect this open space by always being vigilant."

Lisa P. White covers Pleasant Hill and Martinez. Reach her at 925-943-8011 or lwhite@bayareanewsgroup.com.

April 17, 2008

CAPITOL WEEKLY

Gov wants to rename Resources Agency

Similar changes also pending for Public Safety, Emergency Services

MALOLM MACLACHLAN | CAPITOL WEEKLY

With all of the budget deficits and other problems looming throughout state government, some state agencies are getting cosmetic facelifts. The latest was a bill to change the name of the state Resources Agency to the Natural Resources Agency, which sailed through committee on Tuesday.

Sen. Abel Maldonado, R-Santa Maria, introduced SB 1464 on behalf of the agency. It passed the Senate Governmental Organization on an 8-0 vote. Senators Jim Battin, R-Palm Desert, and Jeff Denham, R-Merced, abstained.

The bill is one of several currently active that would rename or reorganize large state agencies. While the Maldonado bill is mostly cosmetic, other bills would have made fundamental, structural changes in the way state government is organized.

Over the in the Assembly GO committee,

see NAME, page A6

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Name

continued from page A1

AB 2490 also passed on an 8-0 vote. The bill from Assemblyman Kevin Jeffries, R-Riverside, would unite numerous police and emergency responder agencies under a California Public Safety Agency. It still faces opposition from the Emergency Medical Services Administrators' Association of California and several local groups.

On Monday, Assemblyman Pedro Nava, D-Santa Barbara, made extensive amendments to AB 38. This bill would merge the Office of Homeland Security into the Office of Emergency services. It stalled in the Senate Public Safety Committee last fall after objections from the committee's chairwoman, Sen. Gloria Romero, D-Los Angeles.

But unlike those other two instances, the name change for the Resources agency does not come with any functional change in the way the agency does business. Resources Secretary Mike Chrisman sent a letter to Senate GO chair Dean Florez, D-Shafter, on Monday seeking to smooth the bill's passage. The new name, he said, "would more accurately reflect the agency's primary mission of overseeing the state's activities relating to the conservation, management and enhancement of California's natural resources." The bill would also make changes in the Government Code to "accurately reflect those governmental entities currently within the agency's jurisdiction," Chrisman wrote.


Like any other bill changing the name of an agency, SB 1464 would incur costs mainly in the replacement of stationary, business cards, vehicle decals and the like. While it has yet to be written into the bill, Maldonado's staff released a statement saying they will minimize the cost by: "mandating that 'old' supplies and logos continue to be used until they are exhausted or unserviceable."

"The Resources Agency, which is the sponsor of this legislation, has committed to continue using existing 'California Resources Agency' logos, forms and other insignia until it they are exhausted or rendered unusable. With this commitment, the Resources Agency believes, 'the bill will have little or no fiscal impact.'"

However, in a huge agency, even minor costs like changing the signs on offices and redesigning printed materials could add up to \$50,000 or more. In his letter to Florez, Chrisman cited several other agency name changes that used a phase-in strategy to minimize costs. This included CAL FIRE in 2006, Health and Human Services in 1998, and Business, Transportation and Housing in 1980. In most of these cases, though, the change accompanied a larger-scale reorganization than those called for in SB 1464.

Nava's staff said that while there would be minor administrative costs to their bill, overall merging the agencies would save money. The amendments enacted Monday made several technical changes, including one that would ensure that the new Emergency Services Agency would have oversight power over other state agencies. New language also sidestepped a contentious disagreement of the definition of "terrorism."

Craig DeLuz with Jeffries staff said they're also quite conscious of keeping costs down. Their bill reorganizes several agencies, but doesn't actually change names or move any personnel around.

"It didn't seem to make any sense to have all these first responders in different agencies," DeLuz said. "There will be some cost. We believe it will be minimal." 

Contact Malcolm Maclachlan at malcolm.maclachlan@capitolweekly.net

However, in a huge agency, even minor costs like changing the signs on offices and redesigning printed materials could add up to \$50,000 or more.

pg. 2 of 2

Moth fallout leads committee to pass two bills

Matthew Yi, Chronicle Sacramento Bureau

Thursday, April 17, 2008

An Assembly committee approved a pair of bills Wednesday that were written in response to public outcry over the state's plans for aerial spraying of a pesticide in the Bay Area to eradicate an invasive moth.

The two measures, approved by the Assembly Agriculture Committee, would improve the state's response to foreign pests that may harm California crops and require state officials to disclose the ingredients of a pesticide before it is sprayed over urban areas.

Proponents of the spraying, including the California Department of Food and Agriculture, maintain that the chemical, a moth pheromone, is safe for humans and that the insect could harm the state's \$32 billion agriculture industry if it is not treated.

But many Bay Area elected officials oppose aerial spraying, especially after some residents in Santa Cruz and Monterey counties complained of respiratory and stomach ailments after the same chemical was sprayed in those counties in October.

On Wednesday, four bills and a resolution were presented to the eight-member Assembly Agriculture Committee. Two of the bills that passed also received the blessing of the agriculture industry while the two that failed were opposed by the industry.

AB2765 by Assemblyman Jared Huffman, D-San Rafael, was approved 6-0, with two Republican members declining to cast votes.

The bill requires state officials to hold at least one public hearing before deciding how to eradicate a pest. The measure also requires state officials to make public the list of ingredients in the pesticide that they plan to use for aerial spraying.

Huffman was able to get industry support for his bill by taking out the requirement for making public how the pesticide is formulated.

"This is an issue where different interests could have dug in their heels and declared a trench warfare," he said.

Assemblyman John Laird, D-Santa Cruz, received similar welcome response from the committee on his bill, AB2763, which would require the Department of Food and Agriculture to develop and maintain a list of invasive animals, plants and insects likely to enter California.

The bill, approved by a 6-0 vote, also orders the department to plan appropriate responses if such pests enter the state.

Even if the two bills sail through the Legislature, there is some doubt that Gov. Arnold Schwarzenegger, who has said there is no evidence that the pesticide to eradicate the light brown apple moth is harmful to humans, would sign the measures.

Rachel Cameron, a spokeswoman for the governor, refused comment on the bills, saying Schwarzenegger doesn't take positions on legislation that has not reached his desk. Still, she added that public safety is Schwarzenegger's No. 1 concern.

Bills that failed to get out of committee were AB2892 by Assemblyman Sandré Swanson, D-Oakland, and AB2764, by Assemblywoman Loni Hancock, D-Berkeley.

Swanson's bill would have required approval from two-thirds of voters in the cities and counties that would be subject to aerial spraying. Opponents argued that asking local jurisdictions to have an election for each aerial spray would be unwieldy and questioned how to resolve the issue if voters in two adjacent municipalities vote differently.

Hancock's bill would have required the governor's declaration of a state of emergency before pesticides could be sprayed over urban areas. Opponents said the measure would give the governor too much power.

E-mail Matthew Yi at myi@sfchronicle.com.

Local Wire , CBS5.com

April 17, 2008

REGIONAL: WORK TO BEGIN ON WESTERN BURROWING OWL CONSERVATION AREA

Bay Area cities in coordination with the East Bay Regional Park District have started working this week on a project aimed at creating protected habitat for the Western Burrowing Owl, a species of concern in California.

The \$57,000 project will be completed at the Albany Plateau within the Eastshore State Park, which includes 2,262 acres stretching from the San Francisco-Oakland Bay Bridge to Richmond.

The project, a partnership between the park district and the cities of Albany, Berkeley, El Cerrito, Emeryville and Richmond, will create a conservation area and enhanced bird-viewing areas for visitors. It is one of the projects to restore ecosystems and habitats included in the Eastshore State Park General Plan, officials said.

The conservation area will include an 8-acre space that will provide the owls protection from predatory animals, burrows to act as the abandoned rodent holes the owls typically inhabit, and an enhanced .5 mile viewing trail around the area perimeter and along the bay. A 4-foot fence will be built around the conservation area.

The project is scheduled for completion June 22, officials said.

The Western Burrowing Owl is considered a species of concern as its population has declined due to development of its natural habitat, according to park officials.

Funding for the project at the Eastshore State Park has been provided by the Joint Powers Authority Agency, formed by the cities of Albany, Berkeley, El Cerrito, Emeryville and Richmond, to account for the owl habitat lost when the Tom Bates Regional Sports Complex south of Golden Gate Fields was approved. The sports complex is scheduled to open in September.

EB Parks opposes aerial spraying for moth

By Denis Cuff

Contra Costa Times

Article Launched: 04/16/2008 03:59:51 PM PDT

OAKLAND — The East Bay Regional Park District Board has joined the opposition to state plans for aerial spraying of the light brown apple moth.

The two-county park board on Tuesday called for the state to place a moratorium on spraying plans until the state can prove the chemical applications are safe for humans and plants, yet effective in controlling the moth, which the state considers a threat to agricultural crops in California.

"We got a lot of conflicting testimony about the safety of the chemicals to be sprayed," said Ted Radke, a park board member from Martinez. "It's better to be safe than sorry."

In a resolution adopted on a 6-0 vote with one abstention, the park board said it won't consider supporting the spraying until a full-blown environmental impact report assesses the chemicals the state plans to spray in parts of western Contra Costa and Alameda counties.

April 16, 2008 >

Scotland visits Fremont

By Justine Yan

"Scottish folk" - those who claim a familial bloodline from the fabled land and others who choose to share it for a day - will gather at Ardenwood Historic Farm on Saturday, April 19, from 10 a.m. - 4:30 p.m. Local festivities are timed to enhance a national celebration of Scottish heritage and its contribution to the American character.

Congress recognized National Tartan Day, April 6, as a national holiday in 2005. Tartan Day is dedicated to the Scottish Americans who have contributed to the fields of science, art, politics, and more throughout United States history. In 1996, Newark became the first city in California to proclaim Tartan Day; Ardenwood hosted one of the first large scale celebrations in the Bay Area, the Tartan Day Scottish Fair in 1997.

"I don't think people really realize how much Scottish Americans have influenced this country," said Debbie Barnes, two-year chairperson of the Tartan Day Scottish Fair. "The living history area is always a big draw. People love looking at the weapons...what they can see and touch," noted Barnes. "A lot of people have seen movies like 'Brave Heart' and 'Rob Roy.'"

Five groups, or "guilds," representing ancient Scotland will set up hands-on historical reenactments, including a sword fight show by the "Highlander Warriors," a group based in the Niles district of Fremont. Barnes belongs to this group, which practices weekly at the Vallejo Mills Park in Fremont.

Visitors with Scottish roots may search for clues to their family history. The "clans" of Gregor, Blair, MacFarlane, Henderson, Cunningham, MacLean, Cian, and Crawford will set up booths where people can be familiarized with the legacies of several family names that originated in Scotland.

Irrespective of Scottish heritage, all who attend Tartan Day festivities will enjoy the atmosphere of this event. Music from Scottish folksinger Peter Daldry, fiddlers, harpists, and the Fremont Police Department Pipe Band will be on hand as aromas of authentic Scottish food waft through the air. Highland and Scottish Country dancing will be performed; jewelry vendors and local artists will showcase their artwork in booths set up near the main stage.

The Children's Glen offers activities such as fairy storytelling, Highland games, a traditional haggis toss, and craft making.

"This is a kind of starter for the season," said Burnes, "We're hoping that this will be a good taste to get people interested in the events coming up." Ardenwood's Scottish Festival precedes the two-day Livermore Scottish Games, a festival in Oakland, and the biggest Scottish Games in the United States, held in Pleasanton on Labor Day weekend.

Admission includes a tour of Patterson house. The Ardenwood Forge will also be open.

Tartan Day Scottish Fair
Saturday, Apr. 19
10 a.m. - 4:30 p.m.
Ardenwood Historic Farm
34600 Ardenwood Blvd., Fremont
(510) 796-0199
<http://www.eastbayscots.org/>

Adults: \$10
Seniors: \$6
Child (4-17): \$5
3 & Under: Free

Sports complex fields' grass getting greener

By Doug Oakley

West County Times

Article Launched: 04/13/2008 05:44:42 PM PDT

A \$7 million sports field complex that will serve Richmond, El Cerrito, Albany, Berkeley and Emeryville is scheduled to open in September, more than a year behind schedule.

Artificial turf has been installed on two soccer fields at the Tom Bates Regional Sports Complex, just west of Interstate 80 at Gilman Street in Berkeley. The East Bay Regional Park District named the fields for Berkeley's mayor in February.

Though the soccer fields likely will be ready for action by the end of this month, Berkeley officials want to restrict access to them because of construction equipment in the area for work on three remaining natural grass fields — two for softball and one for baseball.

The entire complex could open before September, Bates said.

"Sept. 1 is the outside date, but if they get the (natural) turf planted by the end of this month, all of it could be ready by the end of July," he said.

The complex will draw about 250,000 players and spectators a year, said Doug Fielding, chairman of the nonprofit Association of Sports Field Users, which the Berkeley City Council created to schedule games and practices on the city's 23 fields. Fielding also will be in charge of scheduling play time on the new fields.

The sports complex is a joint project of Berkeley, Albany, El Cerrito, Emeryville and Richmond, started in 2003.

Another \$4 million to \$6 million is needed to buy more lights and bathrooms, and to develop additional parking, landscaping and infields for the softball and baseball fields, Bates said.

Until money is found for the second phase, the softball and baseball outfields will be used as playing fields, Bates said.

The project fell behind its targeted opening date because it involved so many government agencies, including the San Francisco Bay Conservation and Development Commission, the U.S. Army Corps of

Engineers, the East Bay Regional Park District and the California Water Resources Control Board, Bates said.

"It turned out to be incredibly more complicated than anyone imagined," he said. "There were 12 permits, and you couldn't get some without the others. I thought they would just level the ground and put the field down."

Then there was the question of moving an owl habitat and dealing with a seasonal wetland created by rain on a parking lot, he said.

Demand for playing fields from youth and adult sports leagues is so great, every time slot on all the fields was booked within 15 minutes in the fall, Fielding said.

The demand is even higher after someone drove a van onto Richmond High School's new, synthetic turf field last month and set it on fire. Three local youth sports leagues and one adult league rely on that field for games.

"The Berkeley fields are already booked up," Fielding said. "But they will repair the Richmond field eventually."

Fielding said he thinks the Berkeley sports fields will create a whole new demand for the East Shore State Park, under development in the area along the Berkeley and Albany shore.

"I think it's going to be a rather dramatic place," Fielding said. "All of a sudden, the dad who takes Billy to practice is going to realize he can take the dog for a walk down there or go jogging or check out the tide pools."

Bill to keep mussels out of lakes

By Denis Cuff

Contra Costa Times

Article Launched: 04/11/2008 09:09:53 PM PDT

California, where water and recreation often mix, is struggling to devise a plan to defend its lakes and rivers from invasions by tiny quagga and zebra mussels, which threaten to wreak havoc on the environment and water delivery systems.

An East Bay lawmaker has introduced a bill that would require lake and reservoir operators to develop plans to prevent boaters from inadvertently infecting new water bodies in California with nonnative mussels. The invasive mollusks can stow away in boats hauled from one reservoir to another. In a little more than a year, the mussels have infested the Colorado River and 17 reservoirs and aqueducts, mostly in Southern California but one in San Benito County.

Drinking water agencies and others that run private or public recreational lakes would be required to set up consumer education and boating inspection programs, under the bill introduced by Assemblywoman Loni Hancock, D-Berkeley.

"We want to make sure we're doing what we can to prevent the spread of these very destructive non-native mussels," Hancock, said. "It takes only one water management system not doing what it should to infect all our waters. Our water systems in California are highly connected."

Her bill sailed through the Assembly Water Parks and Wildlife Committee last week on an 11-0 vote with two abstentions.

Water suppliers have qualms about the cost of implementing inspection programs, a sign of potential friction ahead as lawmakers grapple with how best to combat the new problem.

"Our board is very concerned about the cost of a new state mandate placed on us without any guarantee of getting reimbursement," said Deanne Kloepfer, a spokeswoman for the El Dorado Irrigation District, which has water reservoirs with boating.

Water and wildlife managers in California worry that the fast-multiplying non-native mussels will clog water pipes and pumps, devour massive amounts of nutrients in the aquatic food chain and

starve native species. They can also ruin boat motors and force public officials to close reservoirs to boating.

The El Dorado Irrigation District could face significantly higher costs if it has to inspect boats before they're allowed in its reservoirs, Kloepper said. The El Dorado District, which supplies tap water to 100,000 people, opposes the Hancock bill unless it's amended to reflect its concerns about unfunded mandates.

Elsewhere, an association for 450 water agencies in California water has taken a cautious approach to the bill, offering support for it, but only with as-yet unspecified amendments.

"The quagga and zebra are an emerging problem. Every month, we get a new report of another invasion in another water body," said Jennifer Persike, a spokeswoman for the Association of California Water Agencies. "We really want to take a hard look at what our guidance should be on the issue."

Hancock said California needs to move swiftly to contain the mussels.

San Justo Lake in San Benito County, where the zebra mussel was first detected in California in January, is the farthest north the mussels have been found. Wildlife officials caution that they are likely to rapidly colonize water bodies in northern California if steps aren't taken to halt their spread.

"We can't wait. We have to get everyone involved," Hancock said. "Once the mussels get established in an area, it will be much more expensive to contain them."

The State Water Project, a network of canals and reservoirs, already spends \$40 million a year to control the quagga, she said.

Hancock's bill, AB2605, leaves it up to local reservoir operators to determine their own boat inspection program to monitor for vessels that might carry non-native mussels attached to a hull or hiding in pooled water.

"We think the locals know best about their reservoirs," she said.

Reach reporter Denis Cuff at 925-943-8267 or dcuff@bayareanewsgroup.com.

The Independent
The Greenbelt Alliance Turns 50 4/10/08

The Greenbelt Alliance is celebrating its 50th anniversary this year.

Formerly known as People for Open Space, the San Francisco based organization has aided Tri-Valley environmentalists in their struggles against suburban sprawl.

"They've been very supportive all the way through," said Livermore activist Robert Baltzer.

"From Measure D (which established the North Livermore urban growth boundary) to our present fight against the proposed cemetery in North Livermore, they've been a steady and effective ally.

"Simply put, they've gone to bat for us — and still DO," exclaimed Baltzer.

The organization was born in 1958 when a small group of volunteers gathered in the San Francisco livingroom of Dorothy Erskine (who four years later would help found Save the Bay). They were concerned about a threat to the San Pablo Reservoir watershed. Some 10 square miles of watershed lands were to be sold for development. Erskine and her little band of activists won that issue and went on to join the greater debate about

(See GREENBELT, page 2)

GREENBELT

(continued from page one)

how the Bay Area should grow.

Today the Greenbelt Alliance has a main office on Howard Street in San Francisco and branch offices in Walnut Creek, San Jose, Fairfield and Santa Rosa.

The Walnut Creek office watchdogs East Bay issues. Their main focus at present is the reuse plan of the Concord Naval Weapons Station and Pittsburg hillside development.

Locally, the group has been most active in the victorious struggles to preserve Pleasanton Ridge and prevent urbanization of North Livermore.

They don't always say "no" to development. The Greenbelt Alliance has become an advocate of "smart growth," promoting alternatives to sprawl type growth.

The group points out they've endorsed the creation of 60,000 homes around the Bay Area. They support affordable housing and high-density housing located close to public transit, jobs

and shopping. Proposed housing at Pleasanton's Hacienda Business Park has the Greenbelt Alliance's support.

"Today, climate change poses one of humanity's greatest challenges — and it is becoming ever clearer that the way our cities grow will have a profound effect on our climate," said Elizabeth Stampe, Greenbelt Alliance's communications director.

"The Bay Area has a chance to show the nation how to take up the challenge, by guiding new development into our existing cities and by taking a coordinated and strategic approach to conserving the region's natural landscapes," Stampe said.

A party to celebrate the 50th anniversary is scheduled for Wednesday, September 10 at Herbst Exhibition Hall in Fort Mason, San Francisco. The public is invited.

"Let's raise a glass to everything we love about the Bay Area — from its open spaces to its vibrant places!" invites Stampe.

Shadow Cliffs Ideas Range From Unleashing Dogs To Harnessing Solar Energy

The Independent
4/10/08

An event pavilion, a renewable energy demonstration site, and a nature and environment center are among the six concepts being proposed on a list of ideas for the future of the defunct California Splash expansion at the Shadow Cliffs water slides on Stanley Boulevard near Pleasanton.

Other concepts are an off-leash dog park, a native plant arboretum, and expansion of the park's trail system.

The ideas are for the future use of a parcel that was supposed to have an expansion of the Shadow Cliffs four water slides. However, the developer, California Splash, abandoned the expansion for personal reasons, and is withdrawing from the site.

Two buildings on the site already are under construction. The four existing water slides will remain in place. It's not clear whether California Splash will continue as the operator. The land is owned by East Bay Regional Park District (EBRPD), which operates Shadow Cliffs park. EBRPD is soliciting ideas for the expansion land's future use.

Friends of Shadow Cliffs (FSC), with members in Pleasanton, Livermore and Dublin, was formed by interested residents to provide focus on helping EBRPD determine the uses. At its web site, FriendsOfShadowCliffs.com, the group lists the six uses and provides some information about the ideas.

The indoor-outdoor pavilion could be used for several small or large groups for such things as family reunions, company picnics, retreats and weddings. It could have a connector trail to other Shadow Cliffs park areas. The event pavilion could include food preparation facilities, barbecuing tables, benches and chairs, and controlled access to accommodate reservations.

There could also be a stage or gazebo for centering attention, and other amenities, including play areas for kids and grass fields for pickup games of softball or other sports. Parking would use existing facilities and have minimal impact on traf-

fic," says the web site. It would also provide year-round revenue generation for EBRPD.

The nature center would offer a hands-on experience for children and adults. School programs could include nature exploration. After-school sessions could give classes in birding, fishing, water biology, and native plants. Summer camps and family nature camps could also be held. Scouts working on merit badges and Eagle projects would find it helpful.

An interpretive trail could provide visitors with simple explanations about native habitats and species. The nature center staff could also explore partnering with Zone 7 Water Agency to educate people concerning water, including protection of the streams, the underground aquifers, and riparian habitat.

A renewable resources center might show the work of solar and wind power, and provide information on cutting power and water usage. Education about groundwater could also be a part of it, since it is an important resource, too.

The water system could be demonstrated by showing pumping, storage and distribution to destinations inside the park, such as the nature center or arboretum.

The native plant arboretum could include sections for hummingbirds and butterflies, a meadow, a riparian area, and Native American plants. Native plants of the county could be highlighted. A self-guided tour would lend itself to this facility.

'DESTINATION DOG PARK'

The vision for the off-leash dog park talks about a state of the art facility, a "destination dog park" in the Tri-Valley. The group cites 3,146 dog licenses in Pleas-

anton, and one off-leash park on Muirwood Drive as pointing to a need for more space for pooches.

Among suggested amenities are a "swimming hole to be shared by all," turf runs for small and large dogs, a dog washing concession, and a cafe that serves coffee and snacks. A dog park would "help draw visitors from all over the Bay Area," but would not "cause a large enough draw to negatively impact the traffic flow to the surrounding areas."

There could be agility trials, Frisbee competitions, obedience training, and "a doggie day care center." It could also be made available to animal and humane societies for pet adoption fairs or animal awareness classes.

Trails expansion would extend the trails now present, and be a hub for the existing and future regional trails system, which includes the Iron Horse and Del Valle trails, and a trail across Pleasanton's eastern hills. Trail enhancements are proposed to include more benches and picnic tables throughout the park for resting and such things as observing a heron rookery, looking at creek-side habitat, and getting to the arboretum, off-leash dog park and nature center.

There could also be a staging area, which would help attract more hikers and cyclists, possibly even attracting competitive events. "While some users will hike or bike to Shadow Cliffs, many will come from the surrounding communities and region in vehicles thus increasing parking revenue on a year around basis. The existing parking should well accommodate any use generated by the full-service staging area. The anticipated level of use should not have a negative impact on traffic," says the FSC web page.

Pleasanton Hillside Initiative Nearly Ready

The Independent April 10, 2008

Supporters of the referendum aimed at overturning the Oak Grove development are now moving forward with the initiative aimed at preventing development on the hillsides of Pleasanton.

If approved by voters, the Save Pleasanton's Hills & Housing Cap initiative would prohibit grading on slopes of 25 percent or greater, or within 100 vertical feet of a ridgeline.

The signature gathering for the initiative had been put on hold, while the referendum effort was completed.

Kay Ayala, one of the organizers, said that they have enough signatures to turn in the initiative now. However, they want to spend one more weekend at the Farmers Market collecting signatures. The petition would then be turned into the city clerk. Ayala commented, "The initiative would take care

of future developments similar to Oak Grove."

In the meantime, Ayala is moving forward with an appeal of the court's decision overturning the referendum. "We will move as strongly as before with the appeal to overturn the decision."

She and others have asked the city to either support or lead the appeal. They have also contacted groups such as the Sierra Club and the American Civil Liberties Union to gain their support.

In late March, Superior Court Judge Frank Roesch ruled that portions of the development plan for the project should have been included as part of the ordinance being circulated by referendum supporters when gathering signatures, nullifying the signatures.

Representatives of those supporting the appeal attended last (See INITIATIVE, page 4)

INITIATIVE

(continued from page one)

week's city council meeting. They asked that the city lead the appeal. John Buttera stated, "The American right to vote is at issue. The quality of life we enjoy in the Bay Area is because people are willing to fight back."

Marty Inderbitzen, an attorney representing the landowners, the Lin family, asked that people "put the acrimony and accusations behind us. Organizers failed to carry the entire text of the ordinance. The judge has ruled, the case is over. Let's move on."

He said of the a possible appeal, "There is greater danger to pervert the integrity of the referendum process by allowing a group of citizens to pervert the process by not complying with the regulations." He added that nullifying the referendum saved the city the cost of an election, while acquiring the first part of a future 2000 acre park in the southeast hills.

Inderbitzen said of accusations that the Lins were outsiders that they had owned the property for over 25 years.

Michelle LaMarche called herself a concerned citizen. She told the council that residents had used the democratic option open to them to protect the southeast

hills. "We carried what the city said we should. We are not a few disgruntled neighbors; 5000 people who live and work here, attend church, signed the petitions."

Chris Schliess said he had not supported either side. "I am pro-referendum process. It's a right the people of the state have. I believe the judge ignored the fact that people have the right to vote."

June Thompson asked the council to discuss the issue in open session.

Councilmember Matt Sullivan raised the issue of the appeal of the referendum. He felt that the council needed to discuss the issue at its next meeting.

However, since one councilmember would be absent for that meeting, it was decided that the council would hold a special session on April 18 to discuss the appeal. It will take place in closed session.

Later in the meeting Councilmember Cheryl Cook-Kallio said that the council needs to show leadership or it would be faced with an initiative. (The initiative that is now being circulated). She asked staff to come

back with an ordinance for the southeast hills. "I'd like it done with property owners and keeping in mind what the community needs to make sure everyone is heard."

The ordinance would have no impact on the Oak Grove development. The 51-unit luxury home development was approved by the council within 562 acres in the southeast hills of Pleasanton to the east of the Kottinger Ranch subdivision. The city would receive 496 acres of open space, trails, a staging area and a new firetruck.

There were two documents approved by the city council in regard to Oak Grove. One is the development plan; the second a developer agreement. The referendum sought to overturn the development plan, but would have also canceled out the developer agreement. The city council included a "poison pill" provision in the approval so that if one document were successfully referended, both would be set aside.

The project is being developed by Charter Properties headed by James Tong, representing the Lin family.

Priceless *The Independent* 4/10/08

The recent dedication of a new section of trail was the occasion for a joyous celebration in Pleasanton.

The new trail is a mile long, running from Santa Rita Road across Mohr Avenue to Busch Road. It's for hikers, bicyclists and equestrians. And though it itself is only a mile long, it is linked to the Iron Horse Trail. Iron Horse is now almost 40 miles long, stretching from Suisun Bay to Livermore, passing through two counties and 12 cities.

Speakers at the dedication observed this is just the beginning. The trail system will ultimately traverse the entire region.

"The opening of this segment is ... not just good for Pleasanton, but for Dublin, Livermore and the whole Tri-Valley," exclaimed Kurt Kummer, president of the Pleasanton Trails Ad Hoc Committee.

Piece by piece, a trail empire is growing in our midst, creating a sense of open space and a quality of life that will be enjoyed for generations to come. Priceless.

PAGE 4 - The Independent, APRIL 17, 2008

EDITORIALS

Pleasanton Hillside Initiative

Pleasanton activists have been collecting signatures for an initiative that would ban houses on the upper slopes of the city's undeveloped hillsides. They appear to have enough names to qualify the initiative for the ballot.

If history repeats itself, the voters will approve the measure. A few years ago they rejected development of Pleasanton Ridge by an overwhelming margin. The struggle has now shifted to the gently rolling hills of southeast Pleasanton. Specifically, the initiative would prohibit grading on slopes of 25% and more or within 100 vertical feet of a ridgeline.

Meanwhile on a separate but related front, the referendum against Oak Grove has run afoul of a legal problem. That development will apparently be able to proceed regardless of how the hillside initiative fares.

Nevertheless, thousands of acres of other southeastern properties will be affected by the initiative. At stake are the pristine ridgelines that contribute so greatly to Pleasanton's serenity and beauty. In rising to action before further Oak Groves can happen, the fervent band of signature gatherers are performing a community service that will resound for generations.

Infrastructure repair top priority for many

■ Poll finds that many in Bay Area want hospitals, roads, transit systems and schools to be renovated

By George Avalos
STAFF WRITER

Businesses must cough up more money to help the Bay Area combat a shortfall in construction or repairs needed to upgrade the region's decaying public infrastructure, according to a poll released today.

The region faces a "serious" or "very serious" problem in keeping up with the demand for a broad array of public works projects, according to 87 percent of those polled by the Bay Area Council recently.

The poll found that 64 percent to 71 percent of those surveyed favor improvements to roads, highways, public transit, hospitals, schools, water supply and recreational facilities.

"They're not spending enough money," said Barbara McVay of Fremont. "The roads are terrible."

Another respondent, Louise Jones of Danville, said that the East Bay's highways and roads are "a disgrace."

The poll determined that construction or repair of hospitals, recreational facilities or public transit received the highest favorable rating from respondents.

"More money should be spent on school buildings," said Dolores Clark of Discovery Bay. "The improvements should be made in cities that are not as affluent, such as Oakland or Los Angeles. Some of the kids in those cities have to go to school in really old buildings."

The poll asked Bay Area residents if they supported the creation of a system that allows some projects to be funded and operated through a partnership of private sector companies and the government.

"All of us need to make a greater investment in our infrastructure, which has fallen way behind demand," said Jim Wunderman, president of the Bay Area Council.

The poll offered respondents an example of a public-

C.C. Times 4/10/08

For instance, a developer could finance and construct a hospital or a school. The builder then would lease back the facility to a government agency that would operate and occupy the complex. These kinds of projects are known as "performance-based infrastructure."

private partnership used in systems in Canada, Australia and Europe. For instance, a developer could finance and construct a hospital or a school. The builder then would lease back the facility to a government agency that would operate and occupy the complex. These kinds of projects are known as "performance-based infrastructure."

Analysts think that such partnerships could inject billions of dollars into the Bay Area for construction of necessary infrastructure. Field Research Corp. conducted the poll of 601 Bay Area residents in March.

The poll found that East Bay residents were especially concerned about infrastructure woes in the region. The problem was rated as serious or very serious by:

■ 94 percent of people in Contra Costa County,

■ 88 percent of those in Santa Clara County,

■ 86 percent of residents of Alameda County,

■ 82 percent of people in San Mateo County.

Regarding specific categories of projects, Alameda County residents were most supportive of public-private partnerships to build recreational facilities, with 70 percent of the respondents in favor.

Contra Costa County residents were most supportive of hospital projects, with 76 percent in favor.

Bay Area homeowners tended to be much more concerned than were renters about the infrastructure problems.

The council's survey found that 90 percent of homeowners said the problems are serious or very serious.

The survey determined that 80 percent of renters think the situation is serious or very se-

rious.

Among income groups, people with yearly incomes ranging from \$40,000 to \$79,000 were most concerned, with 93 percent of that group calling the problem serious or very serious. The poll found that 89 percent of people who made more than \$80,000 had that view, and that 84 percent of people making less than \$40,000 think the situation is serious or very serious.

Some of the council's members already have expressed interest in jumping into the public-private partnerships envisioned in the survey, Wunderman said.

These include major financial institutions and companies with expertise in development or engineering design. Gov. Arnold Schwarzenegger has called for legislation to make performance-based infrastructure arrangements available statewide.

"There is an opportunity here to get additional resources to prime the pump for improvements in our state infrastructure," Wunderman said.

George Avalos covers jobs, economic development, commercial real estate, finance and oil companies. Reach him at 925-977-8477 or gavalos@bayareanewsgroup.com.

Chronicle April 7, 2008

LETTERS TO THE EDITOR

Oil spill anything but the pilot's fault



PAUL CHINN / *The Chronicle* 2007

Effects of the spill: Hillary Van Austen, from the East Bay Regional Parks District, scans the shoreline searching for oil-covered birds — dead or alive — at Point Isabel Park in Richmond in November.

Oakland Tribune

April 7, 2008

MONDAY
April 7, 2008

oaklandtribune.com

Serving Oakland for 134 years

Bond would fund regional parks

■ Advocates seek \$500M for 66 land purchases, improvements

By Denis Cuff
STAFF WRITER

East Bay recreation advocates won voter approval 74 years ago for a property tax to start a system of regional parks — swaths of nature close to urban areas.

Now they propose to complete it with 66 park land purchases and improvements that would be funded by a \$500 million bond measure the district is considering for the November ballot in Alameda and Contra Costa counties.

Most of the money would be spent to buy land for new or expanded parks and trails.

"It's the last chance to basically complete these parks," said Bob Doyle, a park district assistant general manager. "This is a 25- to 30-year measure. By that time, open land that isn't al-



DAN ROSENSTRAUCH — Staff
A CLOSED AREA of Concord Naval Weapons Station is, where a park is being proposed.

ready protected, will be gone."

The two most expensive projects are \$27 million to finish the East Shore State Park stretching

Please see **BOND**, News 11

The workshops

The East Bay Regional Park District has scheduled a series of workshops to get input about its proposed \$500 million bond measure.

► 7 p.m. Wednesday, Recreation Center Social Hall, 3230 MacDonald Ave., Richmond

► 10 a.m. Saturday, Conference Center, Hayward/Union City Room, 125 12th St., Oakland

► 7 p.m. April 16, Centre Concord classroom, 5298

Clayton Road, Concord
► 7 p.m. April 24, Fremont Community Center, 40204 Paseo Padre Parkway, Fremont

► 10 a.m. April 26, The White House, 204 Second St., Oakley

► 7 p.m. May 1, City Hall, Regional Meeting Room, 100 Civic Plaza, Dublin

For the list of 66 planned park projects and other information about the about the proposed park bond measure, visit www.ebrparks.org.

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► **BOND**, from News 1

from the Bay Bridge to Richmond, and \$13.5 million to create a new park at the old Concord Naval Weapons Station.

The East Bay Regional Park District also proposes \$10.8 million to create a chain of mini-parks along the Bay Trail in Oakland and \$11 million to complete the section of the Bay Trail from Martinez to Fremont.

Another \$11 million would be spent for land and trails to connect four parks between Sunol and the Carquinez Strait near Martinez.

The park board is rolling out the spending plan at six public workshops this month and next. In June, the park board must decide whether to go to voters in November and exactly how much to ask them for. The measure would require two-thirds approval to pass.

One taxpayer group says the measure, an extension of a 1988 bond measure, is too much.

Property taxes in the two counties would raise the money to pay off the bonds.

"The park system is an asset to our area, but I don't think they need new park land," said Ken Hambrick, chairman of the board for the Alliance of Contra Costa Taxpayers.

Property owners would pay up to \$10 per \$100,000 of assessed valuation for the new measure, the same tax rate limit in effect for the 1988 bond measure that is running out of money.

Only the greater Livermore area would not vote on the tax measure or pay for it because the area was annexed to the park district after the 1988 measure.

Park officials say they need more land to keep up with recreation and open space needs of a growing population. Many gaps exist in current parks and trails because the district usually acquires land after owners voluntarily put it up for sale.

The district proposes to allocate \$125 million of the bond money to cities and park districts for sports fields, playgrounds and picnic tables and other local projects.

Of the remaining \$375 million, the district proposes to spend \$281 million, or 75 percent, to buy shoreline, hills, oak forests and meadows for parks.

The other \$91 million would go for capital projects to develop trails, parking lots, campgrounds and visitor centers, or to improve wildlife habitat.

The park district would spend millions on new visitor centers at Las Trampas Wilderness near San Ramon and at Point Pinole Shoreline near Richmond.

Park officials also plan to spend large sums to restore wetlands in Bay Point, Coyote Hills Park in Fremont,

Hayward Regional Shoreline and protect vernal wetlands near Byron.

The district also would allocate \$5 million to clean and restore habitat in urban creeks in partnerships with local creek-preservation groups. In a poll taken in February, East Bay residents rated creek restoration as their highest priority for a regional park bond measure.

Many of the allocations are to increase public access to the shoreline along the San Francisco Bay and the Delta. The Sierra Club says the district should allocate more money for access to the Bay shoreline in West Contra Costa County and to protect shoreline habitat there.

The \$27 million proposed for the East Shore State Park is much too low, wrote Norm La Force, chairman of the Sierra Club's San Francisco Bay chapter, in a letter to the district.

"This lack of funding is of deep concern because this park and shoreline serve the communities within the park district that have been the district's stronger supporters," La Force wrote.

He said the district should provide \$5 million rather than \$1.4 million proposed to protect wetlands in the San Pablo and Wildcat Creek marsh areas and to provide public access.

"The habitat and ecological values of this area are enormous," he wrote.

Park administrators said they tried to fairly allocate money to different areas and balance competing needs to provide recreation and restore natural areas.

"If you allocate more to one project, it leaves less money for others," said Pat O'Brien, the park district general manager. "The allocations may change, but you have to balance things."

The park bond is not the only money available for projects, he added. The district expects to use its bond money as leverage to win matching grants from state, federal and nonprofit groups, as it has done in the past, he said.

"We have doubled our money on several projects," he said.

Park officials say that once they buy land, it can take years to open it for

pg. 2 of 3

Bond measure would fund area green spaces

pg. 3 of 3

public use because of the environmental reviews and hearings required before the district can build entrance roads, parking lots and other visitor facilities.

"Just like developers, we have to go through environmental planning," Doyle said.

Some park critics say the district should not seek more tax money from voters before it opens up all its land.

"When it's all open, then come back and talk to us about buying new land," said Hambrook of the taxpayers' alliance.

Dole estimated that about 15 percent of the district's 98,000 acres is not open. The figure will drop to 13 percent by the end of the year, he added.

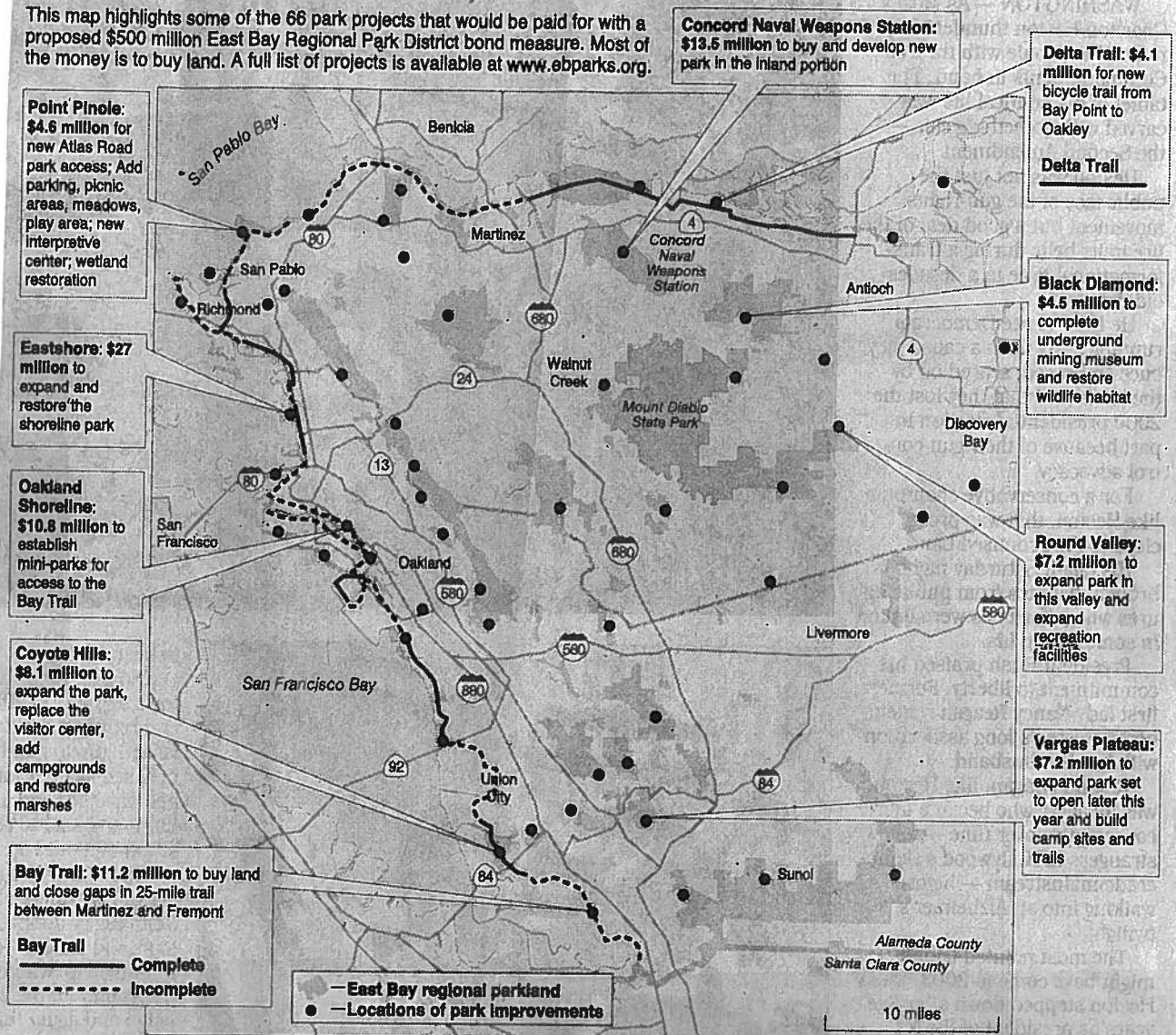
About 15 years ago, some 20 percent of the land was closed.

Doyle said if the district indefinitely postponed a bond measure to buy new land, escalating real estate prices and development would put many properties out of reach of the district forever.

"We would lose the opportunity to buy the land for parks," he said.

Blueprint for new parks

This map highlights some of the 66 park projects that would be paid for with a proposed \$500 million East Bay Regional Park District bond measure. Most of the money is to buy land. A full list of projects is available at www.ebparks.org.



CCT 4/5/08 C1

DA warns of fee on property tax services

■ Businesses are soliciting up to \$250 for tax reassessments that are free of charge

By Barbara E. Hernandez
STAFF WRITER

Leticia Munguia opened her mail last week and saw a letter from Property Tax Adjusters Inc. asking for \$95 to lower her property taxes. She thought it was odd and called the Alameda County Assessor's Office to ask about the fee only to find out that the county was already re-assessing her Dublin condominium

rental free of charge.

"I saw that the phone number was not from the area," Munguia, 58, and a business owner living in Danville, said. "I'd rather go to the real source and ask them."

She was right to call the county office, said Alameda County Assessor Ron Thomsen. His office has received several calls about companies offering property tax services and advice for up to \$250 for a county service that's free of charge.

"They are clearly taking advantage of people," Thomsen said. "They are receiving

See TAX, Page 2

Tax

FROM PAGE 1

money for something people can do on their own."

Thomsen, whose office will be reviewing every home purchased between July 1, 2004 through Dec. 31, 2007, is automatically re-assessing 65,000 properties and notifying homeowners in July. And all free of charge.

It's not illegal

Alameda County Deputy District Attorney David Lim, who handles real estate fraud, said that these companies aren't doing anything illegal.

"You should definitely be wary of this, especially when you realize the county is doing it for free," he said. "They are not going to provide you with anything you wouldn't already get, so why pay them?"

Lim likened it to a company that guarantees you will get your paycheck on time, and an employee calls your employer to check on the paycheck once. He said the likelihood of you being paid was already there, but technically the company provided a service.

He said that while what these companies are doing isn't criminal, they could be violating ethics or codes of conduct depending if their parent company is in the real

estate or insurance industry.

Defending the service

A spokesman from Property Tax Adjusters Inc. in San Diego County said that his company is performing a service for people who want them to act as their agents with the county.

"You can do it on your own or you can ask a professional to do it for you," said Henry Ortiz.

Ortiz said the company was affiliated with a licensed Realtor named Robert Teague and served seven counties, including Alameda County. A look at the state's Department of Corporations, Department of Financial Institutions, Department of Real Estate and the Office of Real Estate Appraisers showed no active license issued to Property Tax Adjusters Inc. or Robert Teague. Only one Robert Teague was listed, a real estate salesperson from Inglewood whose license expired in 1980.

A message left to another company, Connections Plus Inc. in Foster City, was not returned at this writing.

Not exactly new

"These companies, while not illegal, are opportunistic," said Mark Lyes, spokesman for the state's Department of Corporations. "But by saying they were licensed by the Department of Corporations

LOWERING PROPERTY TAXES

Properties that will have a drop in value are those who most likely were bought in the last few years. Those homes bought more than four years ago are unlikely to have dropped in value.

■ **ALAMEDA COUNTY:** Will be assessing all properties from Jan. 1, 2004 to Dec. 31, 2007. If your property was bought before this time and you believe it has dropped significantly in value from the time it was purchased call 510-272-3787 or download a form at http://www.acgov.org/forms/assessor/2008_2009_informal_request_decline_market_value.pdf

■ **CONTRA COSTA COUNTY:** Will be assessing properties purchased since 2003. If interested in requesting a reassessment, please write the assessor's office at 2530 Arnold Drive, Suite 100, Martinez, CA 94553-4359, including examples of values in your neighborhood, or download the form at www.co.contra-costa.ca.us/depart/assr/forms/4695.pdf.

■ **SAN JOAQUIN COUNTY:** Will be assessing all property purchased from Jan. 1, 2004 to Dec. 31, 2007. If your property was bought prior to 2004, and feel your property has dropped in value, call 209-468-2630.

■ **SAN MATEO COUNTY:** Call 650-363-4500 or download a form at www.smcare.org/homeowner/documents/decline_value.pdf.

Solano County: Call (707)784-6200 or download a form at www.co.solano.ca.us/resources/AssessorRecorder/Prop8.pdf.

they are obviously looking for some kind of official mantle. Shame on them."

Gus Kramer, Contra Costa County assessor, said that similar companies sprung up in the recession of the 1990s.

"The average homeowner is stressing right now and they are preying on the economic woes of that average homeowner," Kramer said. "There are people out there who are not sophisticated enough to write a letter. ...Then these people come out from under their rocks and send out letters."

(Kramer said that about

70,000 county homeowners will temporarily receive a lower property taxes this year, a loss of about \$4 billion in values.

"Pick up a pen, write us a note on a piece of paper and pay 41 cents and save that \$95 to \$250 for dinner, your mortgage or PG&E bill," Kramer said.

Barbara E. Hernandez covers real estate. Reach her at 925-952-5063 or bhernandez@bayareanewsgroup.com. Read her East Bay real estate blog, Property Lines, at www.ibabuzz.com/propertylines.

Cover Story - Friday, April 4, 2008

Pleasanton Weekly.com

Iron Horse trotting along

Pleasanton celebrates newest segment of regional trail for bicyclists, pedestrians and equestrians alike

by Janet Pelletier

By foot, bicycle or horse, the Iron Horse Trail is slowly but surely connecting to become what many hope will someday be a complete regional trail that will offer Pleasanton residents the ability to ride not only through town, but all the way up to Suisun Bay in Contra Costa County.

On Monday, the city celebrated the dedication of the newest segments of the Iron Horse Regional Trail in Pleasanton. The first segment stretches from Santa Rita Road south across Mohr Avenue. The second segment connects from Mohr Avenue south to Busch Road in the Ironwood neighborhood.

The segments comprise one mile and feature a 10-foot-wide paved pathway and a 2-foot-wide decomposed granite lane for walkers, runners, skaters and cyclists.

Amenities on the trail include benches, distance markers, a fountain, landscaping and a traffic crossing device at Mohr Avenue.

The project cost \$1.6 million and was a partnership between the city of Pleasanton, East Bay Regional Parks District, the Alameda County Transportation Improvement Authority (ACTIA) and Ponderosa Homes, which is building out the Ironwood community near Busch Road and Valley Avenue. ACTIA put up \$450,000 of the costs for the Santa Rita Road to Mohr Avenue trail segment through a grant administered by the East Bay Regional Park District. ACTIA was formed as a result of the 1986 voter-approved Measure B, a half-cent sales tax. Ponderosa paid for the design services for the project as well as funding and construction of the Mohr to Bush segment. The trail borders homes in the Ironwood community, which includes

single-family homes and senior apartments, and a soon-to-open church campus built by Pleasanton Presbyterian Church. Both trail portions will be maintained by the city and patrolled by the parks district.

Recognizing that the trail is a leisurely attraction for walkers, runners, cyclists and equestrians, East Bay Parks District President Ayn Wieskamp said it is also an everyday route for some.

"We are about real people who use the trail to get to work and school," said Ayn Wieskamp, president of the East Bay Parks District.

Assemblywoman Mary Hayashi, D-Hayward, said the trail is yet another tool for youths and adults to stay fit and healthy.

"At the state level, we're talking a lot about health," said Assemblywoman Mary Hayashi, D-Hayward.

The Iron Horse trail is just another way to get children out exercising, she said.

Alameda County Supervisor Chris Gray said the county has worked hard to purchase right-of-ways to build trails and connectivity between cities.

"We're going to continue to help make this thing go to Fremont," he said.

Kurt Kummer, chair of the city's Trails Ad Hoc Committee, said there is still much more that needs to be done with the Iron Horse Trail, but said he is excited that some progress has been made.

"It's something we've been waiting for for a long time," he said, adding that the newest segment is positive for the entire Tri-Valley. "This isn't going to be complete, but it's a good start."

In the future, the goal is to connect the Iron Horse Trail with downtown Pleasanton, the Dublin/Pleasanton BART station on Owens Drive and to Lake Del Valle in Livermore.

"We're not going to stop until we get it all," Kummer said.

Issues linger as to how the trail would all connect through Pleasanton. One section could cross through the Alameda Transportation Corridor, but Archstone Apartments on Stoneridge Drive abuts the easement owned by the parks district for the trail and a public hearing process would be required for access of a right-of-way there. Other portions by Hacienda Drive and Stoneridge Drive would force trail users to cross mid-block which could provide safety problems.

About the Trail

Goes from...

Fully connected, from Concord to Dublin, 24.5 miles

History

In 1896, the multi-use, whole-access trail between the cities of Concord and Pleasanton follow the Southern Pacific Railroad right-of-way established in 1891 and abandoned in 1977. The name Iron Horse came from the iron horse steam engine trains. When many train stations and tracks became a thing of the past, communities lobbied for the old railways to be converted into trails.

What it provides

The trail corridor connects residential and commercial areas, business parks, schools, public transportation (BART, County Connection), open space and parks, regional trails and community facilities. Currently, the trail is developed from Marsh Drive near Highway 4 in Concord south to the Dublin/Pleasanton BART station. The newest segment to open in Pleasanton connects from Santa Rita Road, across Mohr Avenue to just south of Busch Road.

Future

Extensions are planned in Pleasanton that will connect the BART station to Shadow Cliffs Regional Park and farther eastward. When fully complete, the Iron Horse Regional Trail will span from Livermore to Suisun Bay in Contra Costa County, a distance of more than 40 miles, connecting two counties and 12 communities.

Road rules

- * trail curfew is 10 p.m. to 5 a.m.
- * open containers or consumption of alcoholic beverages are not permitted within 50 feet of paved trails, roads or parking areas
- * keep to the right side of the pathways
- * helmets are required by law for bicyclists under 18 and strongly recommended for all bicyclists and equestrians
- * dogs must be on leash (with a six-foot maximum) where posted and under full verbal control elsewhere
- * people walking more than three dogs at a time must obtain a permit by calling 510-544-3009
- * bicycles should always yield to pedestrians and equestrians, establish verbal contact and/or ring bell
- * pedestrians should yield to equestrians

Source: East Bay Parks District

Threat with plenty of mussel Tiny species could wreak havoc with California's lakes and waterways

Tom Stienstra, Chronicle Outdoors Writer

Thursday, April 3, 2008

(04-02) 20:57 PDT -- The biggest threats that California's lakes have ever faced are no larger than a small thumbnail.

Tiny quagga and zebra mussels are an invasive species that represent an environmental nuclear bomb for California's reservoirs and waterways. The mussels threaten aquatic food chains in lakes, access for fishing and boating, recreation-based economies and the state and federal government's ability to send water to Central Valley farmers and beyond.

Once quagga mussels arrive in a water system, they float downstream. Since being found in Lake Mead in 2007, they have drifted downstream and been verified in 16 lakes and rivers on the Colorado River chain. In addition, zebra mussels, a slightly smaller infester, were found in January at San Justo Reservoir near Hollister (San Benito County).

The reaction by the Department of Water Resources, Department of Fish and Game and local water agencies has been swift and severe.

San Justo was immediately closed to all boating. In Southern California, Lake Casitas, where anglers have caught some of the largest bass in history, was also closed to outside boats, as was smaller Westlake. This was a defensive measure. No mussels were found in either lake.

In Northern California, the East Bay Municipal Utility District considered closing three of its most popular fishing lakes - San Pablo Reservoir near El Sobrante, and Pardee and Camanche in the Sierra foothills. EBMUD opted instead for rigorous checks for all trailered boats and to ban boats from Santa Clara County, San Benito County and Southern California.

"We can hold quagga mussels at bay, we can draw that line," said Alexia Retallack of the Department of Fish and Game. "Quagga will not move from one watershed to another without human assistance."

The only solution, she said, was for boaters to drain, clean and dry their boats, trailers and equipment.

Once introduced, the results from quagga mussels can be devastating. "Quagga are floaters, so wherever the water goes, they go," Retallack said. "From Lake Mead, for instance, any lake getting raw Colorado River water is exposed. ... The situation compounds."

Series of threats

To aquatic life: Invasive mussels feed by filtering water. In turn, high numbers of mussels remove plankton from a lake, which cleans out the base of the aquatic food chain. Small fish thus have nothing to feed on and have very low survival rates. Large fish then eat what small fish remain until they, too, run out of food.

When nutrients are removed from a lake, the water clears and sunlight reaches the bottom. That encourages weed growth. When the weeds decay, they soak up oxygen. That is why large weed die-offs in lakes cause massive fish kills through oxygen deprivation.

Quagga mussels also produce high collective amounts of pollutants in their waste. "Back east, quagga have caused outbursts of botulism that have caused the deaths of birds," Retallack said. "They can actually change the pH of a lake, making it more acidic, so it smells."

To recreational boating: Water districts could close major recreation lakes to boaters, as has been done at Casitas, the great bass lake. This would damage lake-based local economies and the boating industry, as well as recreational opportunity for the roughly 1 million California boaters. In the Great Lakes region, one study showed the quagga mussel cost the economy \$5.1 billion over seven years.

At lakes where quagga mussels are present, such as Lake Mead, a study found 50 percent more overheated engines, sloppy steering and an increased drag. That is because the mussels adhere to surfaces both inside the engine and the hull of the boat.

While these scenarios may exist at infested lakes, that does not mean it will be the fate of Northern California waters, Retallack said.

"We've been looking at Minnesota and Wisconsin, where they have quagga," Retallack said. "In Minnesota, they took a hard-line approach. They required all boaters to clean, drain dry their boats. They educated the public. They have almost eliminated new infestations, this in 'The Land of 10,000 Lakes.' They stopped the quagga from moving.

"But Wisconsin did not take a hard stand and Wisconsin has rampant infestation. It demonstrates the difference between letting the public know how they transport quagga and how they can stop it, and doing little to nothing."

The jury is still out on the public's ability to do the right thing in California. Since January, 83,000 trailered boats have gone through check stations, mostly in Southern California for boats returning from the Colorado River and its lakes, and 104 have been verified with quagga.

To pipelines: One quagga mussel can produce 40,000 eggs in a single spawning and up to a million eggs in a year, Retallack said. "I have a pipe that was suspended in Lake Mead for one and a half months," she continued. "The pipe is 9 inches long, 3 1/2 inches in diameter. It has small mussels all over the outside and is completely coated on the inside. Not only do you have this first layer, but you also have a second layer where quagga mussels were starting to settle on top of the other mussels."

So what you get are layer upon layer of mussels until they choke off pipes, or any other surface they attach to. In irrigation systems, they can clog pipes from the intake to the sprinkler heads, a bleak scenario for the agricultural industry.

In the eastern U.S., dual pumping systems are in place in some areas. When one is clogged with quagga mussels, it will be shut down and cleaned out. By the time it is clear, the other system will be clogged. "Can you imagine if California had to install parallel water systems?" Retallack asked.

For this spring, a widespread boaters' information program is being established across the state.

At San Justo, where zebra mussels were verified, all boating was stopped and water officials are trying to trace the origin of the introduction. If the mussel arrived via a canal, the source reservoir must be located and locked down, the DFG said. If it arrived via boat, the hope is that it can be treated locally. Mussels in San Justo could threaten water deliveries to local farmers this summer.

At Lake Mead, the source of the quagga mussel for California, the National Park Service is requiring decontamination when boats pull out at the ramps. At San Pablo, Camanche, Pardee and many others, a thorough check that takes about 10 minutes is required before boats are allowed to launch.

At Clear Lake, the largest freshwater lake inside the state's borders, authorities will require all boats entering the county to undergo a mandatory inspection. Santa Barbara County supervisors voted last Tuesday to require a similar inspection for Lake Cachuma, one of the best bass lakes in California, rather than close the lake.

"We don't want to see people lose recreation opportunity," Retallack said. "To stop quagga, boating and water recreationists must clean, drain and dry all of their equipment. That includes boats, trailers, kayaks, canoes, scuba gear, anything that gets in the lake."

With spring boating season imminent, that is the only answer.

"The Great Outdoors With Tom Stienstra" airs Sundays at 10 a.m. on KBCW/KMAX-Sacramento.

Tom Stienstra's Outdoors Report can be heard Saturdays on KCBS (740 AM) at 7:35 a.m., 9:35 a.m. and 12:35 p.m.

ATTENTION BOATERS**PLEASE PREVENT MUSSELS FROM INVADING OUR LAKES**

To prevent the destructive Quagga and Zebra mussels from potentially shutting down the water delivery system, EBRPD is asking all boaters to prevent the spread of mussels into East Bay reservoirs and lakes. The East Bay Regional Park District is managing boat inspection at Lake Chabot in Castro Valley, a reservoir owned by EBMUD and operated by the Park District for recreation. The Park District hopes to be able to keep its recreational boating open during normal operating hours. This mandatory inspection does not affect rental boats or anyone fishing from the shore. At this time, Lake Chabot is the Park District's only lake with mandatory boat inspections although the District anticipates the likelihood of inspections at its other lakes and reservoirs including Del Valle, Shadow Cliffs, Contra Loma and Quarry Lakes. There have been NO reports of these invasive mussels in the East Bay water bodies at this time, although they have been identified at other California sites. The mussels are typically spread by boat from infected areas.

All boats coming in will be inspected before launch. Visitors who have recently had their boats in any of the following reservoirs will be prohibited from launching at Lake Chabot or any EBMUD reservoir: Lake Mead, Lake Havasu, Lake Mojave, Lake Skinner, Copper Basin Reservoir, San Justo Reservoir, and generally waters of Santa Clara County, San Benito County, and California counties south of the Tehachapi Mountains, or any waters outside of California. Any boats found to have mussels when inspected will not be allowed on the water and the removal of those mussels on boats will be coordinated with the state Department of Fish and Game. As circumstances develop, additional restrictions may be implemented.

The Park District is asking all boaters to follow the California Department of Fish and Game guidelines for mussel prevention.

How Boaters Can Help (excerpts from DF&G)

Boaters should check their boat, trailer and vehicle every time a boat is taken out of the water.

- Inspect all exposed surfaces (vehicle, trailer, anchor, dock lines, live wells, bilge, motor, hull, trailer axel and rollers). Small mussels feel like sandpaper and are invisible to the eye.
- Wash the hull of each watercraft thoroughly (steam clean if possible).
- Remove all debris, plant and animal material.
- Drain all water and dry all areas.
- Drain and dry the lower outboard unit.
- Clean and dry all live-wells.
- Empty and dry any buckets.
- Dispose of all bait in the trash.
- Wait five days and keep watercraft dry between launches into different fresh waters.

For more information: www.ebparks.org; www.ebmud.com; www.dfg.ca.gov



DAN SULLIVAN / Special to The Chronicle

Trash, similar to this found at Damon Slough in Oakland, is polluting San Francisco Bay.

Time to get trash out of our bay

SF Chronicle
April 2, 2008

By David Lewis

San Francisco Bay is under daily assault from pollution. In addition to the 58,000 gallons of bunker oil that the Cosco Busan spilled last November, and millions of gallons of sewage overflows this winter, an alarming toxic brew flows unfiltered into the bay and ocean every day from our streets through storm drains and creeks.

This poisonous runoff includes plastic bags, Styrofoam cups, cigarette butts, cans, bottles and batteries that kill wildlife, smother wetlands and spoil water quality. Nearly 300,000 pounds of trash were pulled from the bay on just one volunteer cleanup day in September 2007. And a recent study found an average of three pieces of trash along every foot of streams that lead to the bay.

Our bay trash adds to a global problem, flowing through the Golden Gate to join the Texas-sized "Great Pacific Garbage Patch" floating in the Pacific Ocean. Countless seabirds, marine mammals and fish die annually from eating or getting tangled in marine debris, and Gov. Arnold Schwarzenegger's administration has declared reducing California's contribution to marine debris a top priority.

With the Bay Area population expected to grow by 15 percent to 8.1 million by 2020, runoff pollution of the bay will increase unless we make changes now in our own polluting

behaviors, and require our cities to stop trash flowing through their storm drains.

Now, for the first time, the San Francisco Bay Regional Water Quality Control Board is proposing new regulations for storm water that would require cities to reduce trash flowing to the Bay. Thousands of residents are backing the agency's crack-down on trash, as are more than 20 state and federal legislators and almost 40 community organizations and environmental groups who agree that trash should be reduced like mercury and other urban runoff pollutants.

Some Bay Area cities and counties are resisting trash restrictions as too costly. But for decades the bay has paid the price in strangled wildlife, smothered habitat and blighted shorelines.

Every polluter in history has argued it couldn't afford to clean up. But we reduced raw sewage from cities and toxic pollution from factories that used to spew into the bay through tough laws and regulations that have worked. Legal mandates force polluters to clean up their act and create requirements for public infrastructure funding to improve water quality. Applying the federal Clean Water Act to bay trash is decades overdue.

Although the Bay Area prides itself on environmental leadership, we actually trail Los Angeles in addressing runoff pollution. The Regional Water

Board in L.A. mandated an ambitious plan to achieve zero trash in storm water, and cities are installing screens and other devices to capture trash for proper disposal before it reaches the beaches. Cities there objected to new requirements as unaffordable, but their residents have approved multiple new funding measures, and state and local infrastructure bonds are paying for pollution prevention.

L.A.'s progress and the high visibility of bay trash make the foot-dragging of Bay Area cities even more shameful. Our region's cities and other stakeholders have talked about trash in storm water for four years without making a measurable dent in the debris polluting the bay. That stalling can end if residents here insist that cities stop stalling and start acting swiftly to reduce trash pollution in storm water.

The Bay Area's quality of life and economy require a healthy and vibrant San Francisco Bay, free from trash. Everyone in the Bay Area should ask our Regional Water Board to adopt tough storm water regulations now, with an accelerated timeline for significant bay trash reductions, accountability and enforcement measures, and an ultimate goal of zero trash.

David Lewis is the executive director of Save The Bay. To learn more about the storm water restrictions, visit www.saveSFbay.org/takeaction.