

East Bay
Regional Park District



Photo: EBRPD



Photo: Richard Langs



Photo: Museum of the San Ramon Valley #17-20080320009



Photo: SLPDC #468



Photo: EBRPD



Photo: S. Lewis



Photo: EBRPD



BOARD OF DIRECTORS

Board Meeting Packet

December 2, 2014



Photo: EBRPD



Clerk of the Board

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

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

AYN WIESKAMP
President - Ward 5

WHITNEY DOTSON
Vice-President - Ward 1

TED RADKE
Treasurer - Ward 7

DOUG SIDEN
Secretary - Ward 4

BEVERLY LANE
Ward 6

CAROL SEVERIN
Ward 3

JOHN SUTTER
Ward 2

ROBERT E. DOYLE
General Manager

MEMO to the BOARD OF DIRECTORS
EAST BAY REGIONAL PARK DISTRICT

**The Regular Session of the DECEMBER 2, 2014
Board Meeting is scheduled to commence at
2:00 p.m. at the EBRPD Administration Building,
2950 Peralta Oaks Court, Oakland, CA**

Respectfully submitted,

ROBERT E. DOYLE
General Manager



P.O. Box 5381
2950 Peralta Oaks Court
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AGENDA

**REGULAR MEETING OF DECEMBER 2, 2014
BOARD OF DIRECTORS
EAST BAY REGIONAL PARK DISTRICT**

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

PUBLIC COMMENTS

CLOSED SESSION

A. Conference with Labor Negotiator:

1. Agency Negotiator(s): Robert E. Doyle, Dave Collins,
Jim O'Connor, Sukari Beshears
Employee Organizations: AFSCME Local 2428
Unrepresented Employees: Managers and Confidentials
2. Agency Negotiator(s): Sukari Beshears, Carol Victor
Unrepresented Employee: General Manager

B. Conference with Legal Counsel:

1. Existing Litigation – Subdivision (a) of Gov't Code Sec. 54956.9:
 - a) EBRPD v. City of Alameda et al., Alameda County Superior Court Case No. RG12655685.
 - b) United States v. 1.41 Acres of Land et al., United States District Court, Northern District of California
 - c) EBRPD v. Sweningsen Trust, Alameda County Superior Court Case No. RG14745591

C. Conference with Real Property Negotiator Regarding Price and Terms of Lease:

Agency Negotiator: Bob Nisbet, Liz Musbach

<u>APN/ADDRESS</u>	<u>PROPERTY OWNERS</u>	<u>PARK/TRAIL</u>
<u>Contra Costa County</u>		
208-230-033; 208-230-032 and 208-230-046 Subdivision 9009, Elworthy Ranch, Danville	Elworthy, Inc.	Las Trampas Regional Wilderness
208-230-042-3 Subdivision 9009 Elworthy Ranch, Danville	KB Home South Bay, Inc.	Las Trampas Regional Wilderness



The Board of Directors of the East Bay Regional Park District will hold a regular meeting at the District's Administration Building, 2950 Peralta Oaks Court, Oakland, CA, commencing at 12:45 p.m. for Closed Session and 2:00 p.m. for Open Session, on Tuesday, December 2, 2014.

Agenda for the meeting is listed adjacent. Times for agenda items are approximate only and are subject to change during the meeting. If you wish to speak on matters not on the agenda, you may do so under Public Comments at either the beginning or end of the agenda. If you wish to testify on an item on the agenda, please complete a speaker's form and submit it to the Clerk of the Board. A copy of the background materials concerning these agenda items, including any material that may have been submitted less than 72 hours before the meeting, is available for inspection on the District's website (www.ebparcs.org), the Administrative Building 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.

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

PLEDGE OF ALLEGIANCE

- A. APPROVAL OF AGENDA
- B. PUBLIC COMMENTS
- C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- a. Approval of District Check Listing for the Period of October 20, 2014 through November 2, 2014
(Auker/Doyle) (Resolution) (No Cost)
- b. Authorization to Negotiate with Various Property Owners
(Musbach/Nisbet) (Resolution) (No Cost)
- c. Authorization to Apply to the California Department of Water Resources 2014 Water Energy Grant: District-Wide
(Ragatz/Rasmussen/Collins) (Resolution) (No Cost)
- d. Authorization to Purchase One Brush Bandit Chipper
(Moss/McCrystle/O'Connor) (Resolution) (Budgeted Funds)
- e. Authorization to Renew the Contract for Youth Employment Services with Civicorps Schools for 2015
(Patterson/O'Connor) (Resolution) (Budgeted Funds)
- f. Five-Year Review and Authorization of the Camping Software License Agreement with Active Network, LLC.
(Margulici/Kassebaum) (Resolution) (Budgeted Funds)
- g. Adoption of Mandated Reporter Policy # 16: Human Resources Division
(Beshears/Victor) (Resolution) (Budgeted Funds)

2:20 p.m. 2. FINANCE AND MANAGEMENT SERVICES DIVISION

a. FIRST PUBLIC HEARING

East Bay Regional Park District 2015 Proposed Operating and Project Budget
(Auker/Collins/Doyle) (No Action/Receive Report)

3:00 p.m. 3. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

- a. Authorization to Accept the Dedication of Fee Interest in 232+ Acres of Real Property, EVMA and Public Access Easements, a Staging Area, and Related Improvements from Elworthy, Inc. and KB Home South Bay, Inc.: Las Trampas Regional Wilderness
(Tong/Musbach/Nisbet) (Resolution) (Meas WW/Budget Change)

- 3:15 p.m. 4. BOARD AND STAFF REPORTS
 - a. Actions Taken by Other Jurisdictions Affecting the Park District (Doyle)
- 3:20 p.m. 5. GENERAL MANAGER'S COMMENTS
- 3:35 p.m. 6. ANNOUNCEMENTS FROM CLOSED SESSION
- 3:40 p.m. 7. BOARD COMMITTEE REPORTS
 - a. Executive Committee (11-13-2014) (Wieskamp)
- 3:45 p.m. 8. BOARD COMMENTS
- 4:00 p.m. D. ADJOURNMENT

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AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- a. Approval of District Check Listing for the Period of October 20, 2014
Through November 2, 2014 (Auker/Doyle)

RECOMMENDATION

It is recommended that the Board of Directors approve the Check Listing for the period of October 20, 2014 through November 2, 2014.

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.: 2014 – 12 –

December 2, 2014

APPROVAL OF DISTRICT CHECK LISTING FOR THE PERIOD OF
OCTOBER 20, 2014 THROUGH NOVEMBER 2, 2014

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 October 20, 2014 through November 2, 2014;

Moved by Director _____, seconded by Director _____, and adopted this 2nd day of December, 2014 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- b. Authorization to Negotiate with Various Property Owners
(Musbach/Nisbet)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize the General Manager and the Assistant General Manager, Acquisition, Stewardship & Development Division, to negotiate with:

<u>APN/ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>PARK/TRAIL</u>
<u>Contra Costa County</u> 258-450-012 and 258-450-018 60 Valley Hill Drive, Moraga	Scott Lothamer and Karen Lothamer	Las Trampas Regional Wilderness

REVENUE/COST

Items of cost, terms or conditions of any option are subject to negotiation and would be presented to the Board for formal approval at a later date.

BACKGROUND

The proposed resolution for this item is in direct response to the Brown Act. According to District Counsel, "The Board may meet in Closed (Executive) Session prior to or during negotiations to give instructions to its negotiator regarding the price and terms of payment for the purchase or the lease of the property only after it has identified the parcels of concern, and has identified the people with whom this negotiator may negotiate in open session."

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2014 – 12 -

December 2, 2014

AUTHORIZATION TO NEGOTIATE WITH VARIOUS PROPERTY OWNERS

WHEREAS, Government Code Section 54956.8 requires that prior to or during the negotiations concerning the acquisition of real property, the Board of Directors in closed session may give instructions to its negotiator regarding the price and terms of payment of such property; and

WHEREAS, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiator may negotiate;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the authorization to negotiate as presented to the Board of Directors on December 2, 2014; and

BE IT FURTHER RESOLVED, that the General Manager and the Assistant General Manager, Acquisition, Stewardship & Development Division, are hereby authorized by the Board of Directors on behalf of the East Bay Regional Park District and in its name to negotiate the price and terms of payment of the following parcels of real property:

<u>APN/ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>PARK/TRAIL</u>
<u>Contra Costa County</u>		
258-450-012 and 258-450-018 60 Valley Hill Drive, Moraga	Scott Lothamer and Karen Lothamer	Las Trampas Regional Wilderness

Moved by Director _____, seconded by Director _____, and adopted this 2nd day of December, 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

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AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- c. Authorization to Apply to the California Department of Water Resources 2014 Water Energy Grant: District-Wide (Ragatz/Rasmussen/Collins)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize grant applications to the California Department of Water Resources (DWR) for water use reduction and solar panels installation, District-wide.

REVENUE/COST

This action authorizes a grant application of approximately \$1,000,000 for water use reduction and solar panel installation, District-wide. The proposed projects would fund part of the solar panels installation at Shadow Cliffs Regional Recreation Area related to water pumping (the District's largest use of electricity) and fund the conservation of water through improved and reduced irrigation of landscaped areas. This projects, though energy efficient, will not likely decrease the ongoing operational cost of the District.

BACKGROUND

On March 1, 2014, Governor Jerry Brown approved Senate Bill 103 (SB103), which appropriated funds from the Greenhouse Gas Reduction Fund to the DWR to establish the 2014 Water Energy grant program. DWR is making \$19 million in funding available to support the implementation of residential, commercial, and institutional water efficiency programs or projects that reduce greenhouse gas (GHG) emissions, as well as water and energy usage.

In support of the District's Strategic Energy Plan, staff proposes submitting a grant application to fund part of the solar panel installation at Shadow Cliffs related to water pumping and to fund the renovation of irrigation systems for turf grass and other types of landscaped areas for the reduction of water use.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2014 – 12 -

December 2, 2014

AUTHORIZATION TO APPLY TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES 2014 WATER ENERGY GRANT: DISTRICT-WIDE

WHEREAS, on March 1, 2014, the Governor approved Senate Bill 103 (SBI03) which appropriated funds from the Greenhouse Gas Reduction Fund to the Department of Water Resources to establish the 2014 Water Energy grant program to support the implementation of residential, commercial, and institutional water efficiency programs or projects that reduce greenhouse gas emissions as well as water and energy usage; and

WHEREAS, in support of the District's Strategic Energy Plan, staff proposes to submit a grant application to fund part of the solar panel installation at Shadow Cliffs Regional Recreation Area related to water pumping and to fund the renovation of irrigation systems for turf grass and other types of landscaped areas for the reduction of water use;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby authorizes an application to the California Department of Water Resources to obtain a 2014 Water-Energy Grant pursuant to Senate Bill No. 103 Section 11 (2013-2014 Regular Session), and to enter into an agreement to receive a grant for the District-wide Turf Renovation and Solar Powered Pumping Project; and

BE IT FURTHER RESOLVED that the General Manager or Assistant General Manager of Finance and Management Services be authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement and any amendments thereto, with California Department of Water Resources, and perform such acts which may be deemed necessary for the completion of the aforementioned project; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer or Budget Manager is hereby authorized to amend the current year's budget, without further Board action, upon receipt of the executed contract from the Grants Manager. The budget amendment will include an increase in budgeted revenue and a corresponding increase in appropriation for the amount stipulated in the contract.

Moved by Director _____, seconded by Director _____, and adopted this 2nd day of December, 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- d. Authorization to Purchase One Brush Bandit Chipper
(Moss/McCrystle/O'Connor)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize the purchase of one Brush Bandit chipper from Cal-Line Equipment, Inc. of Livermore, California at a total cost of \$28,714.

REVENUE/COST

For the purposes of purchasing replacement fleet equipment, funds have been allocated in the District's 2014 Budget, Accounts 555-2130-000-7505 (Rolling Stock >\$25K) and 220-5171-651-7505 (Rolling Stock >\$25K).

PROPOSED ENCUMBRANCE, Risk Department Account 555-2130-000-7505:

Base Price	\$	26,015
Sales Tax		<u>2,211</u>
Encumbrance	\$	<u>28,226</u>

PROPOSED ENCUMBRANCE, Contra Costa Trails Unit Account 220-5171-651-7505:

Base Price	\$	450
Sales Tax		<u>38</u>
Encumbrance	\$	<u>488</u>

Total \$ 28,714

TOTAL ENCUMBRANCE:

Base Price	\$	26,465
Sales Tax		<u>2,249</u>
Total	\$	<u>28,714</u>

BACKGROUND

The new Brush Bandit chipper will replace the Brush Bandit chipper stolen from Contra Costa Trails at the Pacheco Corp Yard. The major portion of the funding for this replacement will be provided by the District's Risk Department and a minimal portion in the amount of \$488 provided by Contra Costa Trails Unit; this additional funding will cover the price difference due to a change in chipper model from a 95XP to a 90XP.

CO.CO. TRAILS	603	1999	CHIPPER, BRUSH BANDIT 95
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The new Brush Bandit chipper is available for purchase directly from Cal-Line Equipment, Inc. by means of 2014 State Bid pricing established by the State of California, General Services Procurement Division, CMAS Contract #4-08-28-0025A. The pricing is the result of a competitive bid process previously bid and awarded on a Federal General Services Administration (GSA) schedule and open to all state governmental entities and educational institutions. Public agencies electing to use this method of equipment acquisition avoid the administrative costs of seeking formal bids.

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.: 2014 – 12 -

December 2, 2014

AUTHORIZATION TO PURCHASE ONE BRUSH BANDIT CHIPPER

WHEREAS, the District has included funding in its 2014 Budget for the purchase of new rolling stock; and

WHEREAS, the new Brush Bandit chipper will replace the Brush Bandit chipper stolen from Contra Costa Trails at the Pacheco Corp Yard; and

WHEREAS, Cal-Line Equipment, Inc. of Livermore, California is a recognized vendor offering suitable equipment based on 2014 State Bid pricing established by the State of California, General Services Procurement Division, CMAS Contract #4-08-28-0025A;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes the purchase of one Brush Bandit chipper for a total cost of \$28,714, with said sum to be encumbered from the 2014 Budget: \$28,226 from the Risk Department Account 555-2130-000-7505 (Rolling Stock >\$25K) and \$488 from the Contra Costa Trails Unit Account 220-5171-651-7505 (Rolling Stock >\$25K); 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 2nd day of December, 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

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AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- e. Authorization to Renew the Contract for Youth Employment Services with Civicorps Schools for 2015 (Patterson/O'Connor)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize the renewal of the Youth Employment Services Contract with Civicorps Schools (Civicorps) for the period from January 5, 2015 through December 24, 2015.

REVENUE/COST

Funding for the proposed contract in the amount of \$339,896 is included in the 2015 Operations Division's Community Resources Budget, Account No. 101-5012-000-6191. The number of work hours will be up to 11,032, with an hourly wage of \$30.81, per person per hour based on an 8-hour work day. The contract includes the cost of the corps members, crew leader, and site supervisor wages and benefits, transportation costs, and other program expenses. Any remaining funds in the account will be used to contract one extra week, if needed.

BACKGROUND

Since 1983, Civicorps Schools has furnished job, life, academic, and citizenship skills to young adults through Park District environmental service projects. Civicorps' project work with the District has included such labor-intensive jobs as trail work, firebreaks, fence repair, construction, erosion control, vegetation management, and habitat restoration work. Civicorps has been extremely well received by park supervisors and supported throughout the years by Park District staff and the Board of Directors.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2014 - 12 -

December 2, 2014

AUTHORIZATION TO RENEW THE CONTRACT FOR
YOUTH EMPLOYMENT SERVICES WITH CIVICORPS SCHOOLS FOR 2015

WHEREAS, the District has worked with Civicorps Schools (formerly East Bay Conservation Corps) since 1983 on various environmental service projects such as firebreaks, trail work, fence construction and repair, and erosion control; and

WHEREAS, the District wishes to continue to support and aid the young adult community by providing environmental service projects;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes the renewal of the contract in the amount of \$339,896 with Civicorps Schools for youth employment services for the period January 5, 2015 to December 24, 2015, with said amount appropriated in the 2015 Operations Division Community Resources Budget, Other Professional Services, Account No. 101-5012-000-6191; 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 2nd day of December, 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- f. Five-Year Review and Authorization of the Camping Software License Agreement with Active Network, LLC. (Margulici/Kassebaum)

RECCOMENDATION

The General Manager recommends that the Board of Directors review and authorize the continuation of the camping software license agreement with Active Network, LLC.

REVENUE/COST

This agreement consists of a \$20,000 yearly support and maintenance fee in addition to fees of \$4.25 per internet transaction and \$2.00 per call center transaction. Funding has been allocated for the \$20,000 yearly fee in the Information Services Department Support Contracts Account 101-4150-000-6443. Transaction fees, which are estimated at \$50,000 annually, are funded from the Reservations Department Professional Services Account 101-5224-000-6191.

BACKGROUND

Appendix E of the Board Operating Guidelines states that multi-year contracts over \$25,000 must have Board approval every five (5) years.

The District has used the Reserve America system since 1993 to process camping reservations in the District call center. In 2006, the agreement was amended to include online reservations. The Board of Directors last approved the amendment to the software license agreement in 2008 (Resolution No. 2008-2-037). Over 14,000 camping reservations per year are managed through this system. Nearly 80% of family campsite reservations are made online.

Reserve America, Inc. was acquired by Active Network, Inc. in 2008; the District's agreement is now with Active Network, LLC. The agreement may be terminated at any time with sixty (60) days written notice. District staff desires to continue utilizing the Active Network software for camping reservations; the Reservations Department is continually evaluating the available reservations management systems and at this time, Active Network is the product that best meets the District needs.

ALTERNATIVES

No alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2014 – 12 -

December 2, 2014

FIVE-YEAR REVIEW AND AUTHORIZATION OF THE
CAMPING SOFTWARE LICENSE AGREEMENT WITH ACTIVE NETWORK, LLC.

WHEREAS, the District has used the Reserve America system since 2006 for camping reservations online and in the District call center; and

WHEREAS, the Board of Directors approved the first amendment to the software license agreement with Reserve America, Inc. in 2008 at the cost of \$20,000 per year in support and maintenance fees and \$4.25 per internet transaction and \$2.00 per call center transaction; and

WHEREAS, Reserve America, Inc. was acquired by Active Network, Inc. in 2008 and our agreement is now with Active Network, LLC; and

WHEREAS, the \$20,000 yearly base fee is funded by Information Services Department Support Contracts Account 101-4150-000-6443 and the transaction fees which are estimated at \$50,000 annually and funded from Reservations Department Professional Services Account 101-5224-000-6191; and

WHEREAS, the District may terminate the agreement at any time with sixty (60) days written notice; and

WHEREAS, the Park District desires to continue utilizing the Active Network software for camping reservations; and

WHEREAS, multi-year agreements costing over \$25,000 require Board approval every five years;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes the continuation of the license agreement with Active Network, LLC for camping software for up to five (5) years; 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 adopted this 2nd day of December, 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- g. Adoption of Mandated Reporter Policy # 16: Human Resources Division
(Beshears/Victor)

RECOMMENDATION

The General Manager recommends that the Board of Directors adopt a Mandated Reporter Policy in conformance with the California Child Abuse and Neglect Reporting Act.

REVENUE/COST

The training component to this policy will be paid by Human Resources Division's annual training budget.

BACKGROUND

Mandated reporters are people who have regular contact with vulnerable people such as children, disabled persons and senior citizens and are therefore legally required to report (or cause a report to be made) when abuse is observed or suspected. The East Bay Regional Park District is committed to the safety and protection of all park visitors and program participants. Accordingly, this policy relates to mandated reporters and implementation of procedures pursuant to state law, the California Child Abuse and Neglect Reporting Act (CANRA), which is intended to protect children from abuse and neglect. This policy will establish and designate District staff as mandated reporters and identify the responsibilities of such designated mandated reporters.

While Park District practice has been to notify and train those employees who are considered mandated reporters under the law, this policy formalizes this practice. Under this policy, Human Resources is designated as the Division responsible for notifying and training mandated reporters, the affected classifications are clearly defined, and important record-keeping and reporting protocols established. The policy has been reviewed internally by the AGM group and by AFSCME Local 2428.

ALTERNATIVES

Adoption of this policy formalizes the District's practice as mandated by state law; no alternatives are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2014 – 12 -

December 2, 2014

ADOPTION OF MANDATED REPORTER POLICY #16:
HUMAN RESOURCES DIVISION

WHEREAS, mandated reporters are people who have regular contact with vulnerable people such as children, disabled persons and senior citizens and are therefore legally required to report (or cause a report to be made) when abuse is observed or suspected; and

WHEREAS, the East Bay Regional Park District is committed to the safety and protection of all park visitors and program participants; and

WHEREAS, state law requires implementation of the California Child Abuse and Neglect Reporting Act (CANRA), of which mandated reporters are a part; and

WHEREAS, this policy will establish and designate Park District classifications that are mandated reporters and their responsibilities under the law; and

WHEREAS, staff training expenses related to the implementation of this policy will be funded from the Human Resources Division's annual training budget; and

WHEREAS, Board of Directors approval is needed to adopt such policy;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby adopts the Mandated Reporter Policy #16, Human Resources (Attachment A); 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 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 2nd day of December 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #16
MANDATED REPORTER POLICY**

DATE: January 1, 2015

INTRODUCTION

The East Bay Regional Park District is committed to the safety and protection of all park visitors and program participants. Accordingly, this document contains the East Bay Regional Park District's policy relating to mandated reporters and implementation of procedures pursuant to Penal Code §§ 11164-11174.3; cited as the California Child Abuse and Neglect Reporting Act (CANRA); which is intended to protect children from abuse and neglect.

IN THIS POLICY

This policy and procedure covers the following topics:

TOPIC	SEE PAGE
Policy Statement	1
Program Objectives	1
Definitions	1
Child Abuse That Must be Reported	1-2
What is Not Child Abuse?	2
Procedures	2-3
Immunity and Confidentiality of Mandated Reporters	3
Penalty for Failure to Report Abuse or Impeding Report	3
Written Acknowledgement of Legal Responsibility to Report Abuse	4
Training Requirements	4
Mandated Reporting Coordination	4-5
Recruitment Announcements	5
Internal District Procedures Following Report of Abuse	5
Exhibit A: List of District Classifications that are Mandated Reporters	
Exhibit B: Department of Justice Suspected Child Abuse Report Form SS8572	
Exhibit C: Acknowledgement of Mandated Reporter Status/Legal Duty to Report	

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #16
MANDATED REPORTER POLICY**

DATE: January 1, 2015

POLICY STATEMENT

It is the policy of the East Bay Regional Park District to establish and designate staff and certain volunteers as mandated reporters pursuant to Penal Code §§ 11164-11174.3 and identify the responsibilities of designated mandated reporters.

PROGRAM OBJECTIVES

To provide direction on implementing the California Child Abuse and Neglect Reporting Act (CANRA); which is intended to protect children from abuse and neglect.

DEFINITIONS

MANDATED REPORTERS - For purposes of this policy, a “mandated reporter” is defined as any and all District regular-status, temporary, and seasonal employees in the classifications attached as Exhibit “A”.

Volunteers are not designated mandated reporters (Penal Code § 11165.7), however the District will endeavor to provide volunteers whose duties require direct contact with and supervisor of children with training in the identification and reporting of child abuse and neglect.

REASONABLE SUSPICION - For purposes of this policy, “reasonable suspicion” is defined as occurring when it is objectively reasonable for a person to entertain such a suspicion based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse (sexual abuse, physical abuse, neglect, endangered health or well-being pursuant to PC § 11165.1-11165.6). Reasonable suspicion does not require certainty that child abuse or neglect has occurred.

CHILD ABUSE THAT MUST BE REPORTED

Whenever an employee, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child (a person under the age of 18 years) whom the employee or volunteer knows, or reasonably suspects, to have been the victim of child abuse or neglect as follows:

- **Physical injury** inflicted by other than accidental means on a child (Penal Code § 11165.6).
- **Sexual abuse** meaning sexual assault or sexual exploitation of a child (Penal Code § 11165.1).
- **Neglect** meaning the negligent treatment or maltreatments of a child by a parent or caretaker under circumstances indicating harm or threatened harm to the child’s health or welfare (Penal Code § 11165.2).

**EAST BAY REGIONAL PARK DISTRICT
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MANDATED REPORTER POLICY**

DATE: January 1, 2015

- **Willful harming or injuring or endangering a child** meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer, unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child's health is endangered (Penal Code § 11165.3).
- **Unlawful corporal punishment** or injury willfully inflicted upon a child and resulting in a traumatic condition (Penal Code § 11165.4).

WHAT IS NOT CHILD ABUSE?

The following is not child abuse for reporting purposes:

- Corporal punishment that is not cruel or inhumane or does not result in a traumatic condition
- Injuries caused by two children fighting during a mutual altercation
- An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment
- Reasonable and necessary force used by public school officials to quell a disturbance threatening physical injury to a person or damage to property
- Voluntary sexual conduct between minors
- Not receiving medical treatment for religious reasons
- An informed and appropriate medical decision made by a parent or guardian after consultation with a physician who has examined the child

PROCEDURES

Mandated reporters shall report suspected child abuse or neglect as follows:

1. Immediately, or as soon as practically possible: Call East Bay Regional Park District Public Safety Dispatch at (510) 690-6510 or in case of an emergency call 9-1-1. Reporters may also make a report directly to Contra Costa County Department of Children and Family Services: 1-877-881-1116; or Alameda County Emergency Response Unit Children's Protective Services 24 Hour Hotline: 510-259-1800.
2. Within 36 hours of receiving the information concerning an incident: Complete California Department of Justice (DOJ) Form Suspected Child Abuse Report (Form SS8572; Exhibit B) and hand deliver the DOJ Form SS8572 to the officer taking the report. The DOJ Form (SS8572) is also available online at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf.

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3. At the time of mandated reporting and/or a phone call to East Bay Regional Park District Public Safety Dispatch, mandated reporters shall provide the following information, if known:
 - a. Name, business address, and telephone number of the mandated reporter (self or subordinate)
 - b. Child's name, address, and present location
 - c. Names, addresses, and telephone numbers of the child's parents or guardians
 - d. The information that gave rise to the suspicion of child abuse and the source of that information
 - e. Name, address, telephone number, and other relevant personal information of person(s) who might have abused the child
4. Mandated reporters under this policy are not excused from making a report where some of this information is not known or is uncertain.
5. Mandated reporters are encouraged to also report suspected child abuse or neglect to their immediate supervisor. However, making a report to a supervisor, a coworker, or some other person is not a substitute for making the required mandated report to East Bay Regional Park District Public Safety Dispatch, another police or sheriff department or to Child Protective Services of the appropriate County.

IMMUNITY AND CONFIDENTIALITY OF MANDATED REPORTERS

Mandated reporters are not civilly or criminally liable for their required reports. (Penal Code § 11172(a).) Additionally, the identity of any mandated reporter who makes a report and the report itself is confidential and disclosed only among appropriate agencies. (Penal Code § 11167(d).) An employee making a report shall not be required to disclose their identity to their employer. (Penal Code § 11166(i)(2).)

Questions regarding mandated reporter immunity and confidentiality shall be directed to the District's Risk Manager, Human Resources Manager, District Counsel, or the Assistant General Manager of Public Safety.

PENALTY FOR FAILURE TO REPORT ABUSE OR IMPEDING REPORT

A mandated reporter who fails to make a required report, or any District supervisor, or other District employee who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1,000, or both. (Penal Code § 11166 (c).) Where the abuse results in death or excessive bodily injury, the mandated reporter and any person who impeded or inhibited the report shall be punished by up to one year in jail, a fine of \$5,000, or both. (Penal Code § 11166.01 (b)).

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #16
MANDATED REPORTER POLICY**

DATE: January 1, 2015

WRITTEN ACKNOWLEDGEMENT OF LEGAL RESPONSIBILITY TO REPORT ABUSE

Mandated reporters are required to sign a written statement provided by the District, which states that the employee acknowledges his/her legal reporting obligations and will comply with mandated reporter laws. Exhibit C functions as a notification to each mandated reporter that he/she is a mandated reporter and an acknowledgement form that he/she has been notified. All mandated reporters must complete Exhibit C within four (4) weeks of the effective date of this Administrative Policy, for future employees written acknowledgment shall be received prior to commencing employment.

TRAINING REQUIREMENTS

All mandated reporters shall complete classroom and/or online training designed to help them recognize and report child abuse (Mandated Reporter Version) every three years or as determined by Human Resources.

Note: A mandated reporter must comply with the duties imposed by CANRA whether or not he or she has received training.

MANDATED REPORTING COORDINATION

The East Bay Regional Park District's Human Resources Division, working in conjunction with appropriate operating divisions, shall have direct oversight responsibilities for the following:

- a. Ensure that all District mandated reporters and their supervisors are provided with a copy of this Administrative Policy including Exhibits A through C;
- b. Ensure that written and online resources regarding mandated reporters duties contain the most current information;
- c. Oversee employee training;
- d. Take measures, if necessary, to ensure that employees are not impeded in performing their mandated reporter responsibilities;

INTERNAL DISTRICT PROCEDURES FOLLOWING REPORT OF ABUSE

The Risk Manager and the Human Resources Manager along with the Assistant General Manager of Public Safety are responsible for ensuring that reported incidents of suspected child abuse or neglect are properly handled by the District.

The East Bay Regional Park District Police Department will promptly convey all information received about any incident of child abuse involving a District employee or volunteer to the District's Risk Manager. A mandated reporter's identity shall not be disclosed to the District without their consent. (Penal Code §11166(i)(2)) The Risk Manager will evaluate every instance

**EAST BAY REGIONAL PARK DISTRICT
HUMAN RESOURCES POLICIES & PROCEDURES #16
MANDATED REPORTER POLICY**

DATE: January 1, 2015

of abuse and, in coordination with Human Resources and District Counsel determine any actions to be taken by the District. The Risk Manager may notify and/or consult with the following District administrators: Human Resources Manager, General Manager, District Counsel, Assistant General Manager of Public Safety, and Assistant General Manager of the applicable division. The Risk Manager will use his or her judgment to determine whether anyone else should be notified or consulted. The actions taken will vary depending on the facts of each incident.

Exhibit A: List of District Classification that are mandated reporters.

Exhibit B: Department of Justice Suspected Child Abuse Report Form SS8572

Exhibit C: Acknowledgement of Mandated Reporter Status/Legal Duty to Report

EXHIBIT A

MANDATED REPORTERS
California Child Abuse and Neglect Reporting Act (CANRA)
 Penal Code Section 11164-11174.3
List of Applicable District Classifications

Division & District Classification:	Supervisory Authority Over Minors Code Section cited
Acquisition, Stewardship & Development (ASD)	
Trails Development Program Manager	11165.7 (a) (8)
Trails Coordinator	11165.7 (a) (8)
Senior Planner (Trails)	11165.7 (a) (8)
Public Affairs Division	
AGM of Public Affairs	11165.7 (a) (8)
Community Relations Manager	11165.7 (a) (8)
Administrative Analyst II	11165.7 (a) (8)
Operations Division	
<i>Administration</i>	
AGM of Operations	11165.7 (a) (8)
Chief of Interpretive & Recreation	11165.7 (a) (8)
Regional Services Manager	11165.7 (a) (8)
<i>Park Operations Department</i>	
Lead Gate Attendant	11165.7 (a) (8)
Gate Attendant	11165.7 (a) (8)
Park Supervisor I, II, III & IV	11165.7 (a) (8)
Park Supervisor/Horticulture Specialist	11165.7 (a) (8)
Botanic Garden Manager	11165.7 (a) (8)
AWP Supervisor	11165.7 (a) (8)
<i>Interpretive & Recreation Department</i>	
Community Outreach Coordinator	11165.7 (a) (8)
Recreation Leader I, II, III, IV	11165.7 (a) (8)
Recreation Assistant	11165.7 (a) (8)
Recreation Coordinator	11165.7 (a) (8)
Recreation Supervisor	11165.7 (a) (8)
Interpretive Student Aide I, II	11165.7 (a) (8)
Naturalist/Naturalist Aide	11165.7 (a) (8)
Supervising Naturalist I, II, III, IV	11165.7 (a) (8)
Resource Analyst	11165.7 (a) (8)

Public Safety	
<i>Aquatics</i>	
Lifeguard I, II, III	III 165.7 (a) (8)
Aquatic Assistant	III 165.7 (a) (8)
Aquatic Supervisor	III 165.7 (a) (8)
Aquatic Manager	III 165.7 (a) (8)
<i>Fire</i>	
Fire Chief	III 165.7 (a) (20)
Assistant Fire Chief	III 165.7 (a) (20)
Fire Captain	III 165.7 (a) (20)
Firefighter I, II	III 165.7 (a) (20)
Industrial Fire Lieutenant	III 165.7 (a) (20, 22)
Industrial Firefighter	III 165.7 (a) (20, 22)
Administrative Analyst I/II	III 165.7 (a) (8)
<i>Police</i>	
AGM of Public Safety	III 165.7 (a) (19) (34)
Police Lieutenant	III 165.7 (a) (19) (34)
Police Captain	III 165.7 (a) (19) (34)
Police Sergeant	III 165.7 (a) (19) (34)
Police Sergeant/Helicopter Pilot	III 165.7 (a) (19) (34)
Police Officer/Police Officer-Recruit	III 165.7 (a) (19) (34)
Police Officer/Helicopter Pilot Police Officer Recruit/Helicopter Pilot	III 165.7 (a) (19) (34)
Communications/Records Manager	III 165.7 (a) (34)
Dispatch Supervisor	III 165.7 (a) (34)
Dispatcher/Community Service Officer	III 165.7 (a) (34)
Dispatch Systems Administrator	III 165.7 (a) (34)
Secretary/Confidential Secretary	III 165.7 (a) (34)
Administrative Analyst I/II	III 165.7 (a) (34)
Public Safety Volunteer Coordinator	III 165.7 (a) (34)
Public Safety Student Aide	III 165.7 (a) (34)
Property and Evidence Specialist	III 165.7 (a) (34)
Other classifications as determined by HR:	
Supervisor/Manager/staff who supervises minors in Summer, Academic, or Field Interns	III 165.7 (a) (8)
Other staff who supervise programs with minors	III 165.7 (a) (8)

EXHIBIT B SUSPECTED CHILD ABUSE REPORT ATTACHMENT A

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY					
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO			
	REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE				TODAY'S DATE			
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY							
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL		
	OFFICIAL CONTACTED - TITLE					TELEPHONE ()				
C. VICTIM One report per victim	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS			Street	City	Zip	TELEPHONE ()			
	PRESENT LOCATION OF VICTIM			SCHOOL		CLASS	GRADE			
	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)			PRIMARY LANGUAGE SPOKEN IN HOME				
	<input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME				TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)				
	RELATIONSHIP TO SUSPECT				PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK			
D. INVOLVED PARTIES	VICTIM'S SIBLINGS									
	NAME		BIRTHDATE	SEX	ETHNICITY	NAME		BIRTHDATE	SEX	ETHNICITY
	1. _____				3. _____					
	2. _____				4. _____					
	VICTIM'S PARENTS/GUARDIANS	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()	
		NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()	
	SUSPECT	SUSPECT'S NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	TELEPHONE ()		
OTHER RELEVANT INFORMATION										
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____									
	DATE / TIME OF INCIDENT			PLACE OF INCIDENT						
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)									

EXHIBIT C

EAST BAY REGIONAL PARK DISTRICT

Mandatory Reporting of Child Abuse and Neglect

Acknowledgement of Mandated Reporter Status/Legal Duty to Report Child Abuse and Neglect

California law requires certain people to report known or suspected child abuse or neglect. For purposes of District Administrative Policy #16, which implements California law, you are such a person, known in the law as a “mandated reporter.” California law requires that you, as a mandated reporter, sign this statement that you know your legal reporting obligations, summarized below, and will comply with them.

WHEN REPORTING ABUSE IS REQUIRED

As a mandated reporter, whenever in your professional capacity or within the scope of your employment you have knowledge of or observe a person under the age of 18 years whom you know or reasonably suspect has been the victim of child abuse or neglect, you must report the suspected incident (Penal Code § 11166).

PROCEDURE FOR REPORTING

- **Immediately, or as soon as practically possible:** Call East Bay Regional Park District Public Safety Dispatch at (510) 690-6510 or in case of an emergency call 9-1-1.
- **Within 36 hours of receiving the information concerning an incident:** Complete California Department of Justice (DOJ) Form Suspected Child Abuse Report (Form SS8572) and hand deliver the DOJ Form SS8572 to the officer taking the report. The DOJ Form (SS8572) is on-line at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf.

Designated mandated reporters are encouraged to also report suspected child abuse or neglect to their immediate supervisor. However, making a report to a supervisor, a coworker, or some other person is not a substitute for making the required mandated report to East Bay Regional Park District Public Safety Dispatch as listed above.

ABUSE THAT MUST BE REPORTED

- **Physical Injury** inflicted by other than accidental means on a child (Penal Code § 11165.6).
- **Sexual abuse** meaning sexual assault or sexual exploitation of a child (Penal Code § 11165.1).
- **Neglect** meaning the negligent treatment or maltreatments of a child by a parent or caretaker under circumstances indicating harm or threatened harm to the child’s health or welfare (Penal Code § 11165.2).
- **Willful harming or injuring or endangering a child** meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer, unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child’s health is endangered (Penal Code § 11165.3).
- **Unlawful corporal punishment or injury** willfully inflicted upon a child and resulting in a traumatic condition (Penal Code § 11165.4).

IMMUNITY AND CONFIDENTIALITY OF REPORTER

Mandated reporters are not civilly or criminally liable for their required reports (Penal Code § 11172(a)). Additionally, the identity of any mandated reporter who makes a report and the report itself is confidential and disclosed only among appropriate agencies (Penal Code § 11167(d)). Questions regarding mandated reporters immunity and confidentiality shall be directed to the East Bay Regional Park District Human Resources Manager, District Counsel, or the Assistant General Manager of Public Safety.

PENALTY FOR FAILURE TO REPORT ABUSE

A mandated reporter who fails to make a required report and any person who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1,000, or both (Penal Code § 11166 (c)). Where the abuse results in death or excessive bodily injury, the mandated reporter or other person who impeded or inhibited the report shall be punished by up to one year in jail, a fine of \$5,000, or both (Penal Code § 11166.01 (b)).

ACKNOWLEDGEMENT OF RESPONSIBILITY

By signing below, I certify that I have read the above statement and will comply with the applicable reporting requirements as a designated mandated reporter with the East Bay Regional Park District.

Employee's Name: _____

Signature: _____

Date: _____

Special Note: The original signed version of the Acknowledgement shall be retained in the employees' official Personnel File located in the Human Resources Division. The employee shall be given a copy of this acknowledgement.

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FINANCE AND
MANAGEMENT
SERVICES

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

2. GENERAL MANAGER

a. FIRST PUBLIC HEARING

East Bay Regional Park District 2015 Proposed Operating and Project Budget
(Auker/Collins/Doyle)

RECOMMENDATION

The General Manager, the Board Finance Committee (by unanimous vote), and the Park Advisory Committee recommend the East Bay Regional Park District 2015 proposed budget to the Board of Directors for favorable consideration. This is the first public hearing on the 2015 proposed budget and no action is requested at today's meeting. A second public hearing and consideration for adoption is scheduled for December 16, 2014.

SUMMARY

Adoption of the budget at the December 16, 2014 Board meeting will authorize the budgeted revenues and appropriations for the 2015 calendar year, as described below and included in the proposed budget document. The District's 2015 proposed budget is balanced with total resources (including the planned use of fund balance) equaling total appropriations.

In total, the 2015 proposed budget includes \$201.6 million in budgeted revenues from all sources (including transfers in), and \$223.0 million in appropriations for all uses (including transfers out). The difference of \$21.4 million between resources and uses will be supplied by fund balance, the majority of which impacts the project funds (page 42 and 43 proposed budget), in which currently available bond proceeds will be used to fund current year project expenditures.

General Fund total budgeted resources are \$122.0 million. General Fund appropriations, including transfers out, total \$120.8 million. Net revenue over appropriations equals \$1.2 million, of which \$1 million will be used to replenish the legal contingency reserve. This difference is primarily due to an increase in property tax revenues that are related to rebounding property values.

BACKGROUND AND PROCESS

The proposed 2015 Budget presents a financial plan that will guide the District through the next fiscal year. This plan continues the many successful programs that provide the District's constituents with access to the many recreational, educational and natural resources of the East Bay.

The purpose of this first public hearing is to introduce the proposed 2015 Budget to the Board of Directors, receive public comments, and allow staff to address questions or comments. No action is intended at the first public hearing. A second public hearing will be held December 16, 2014, when any final comments will be received and the Board of Directors will be asked to approve the budget. Comments or changes to the budget received during this process will be incorporated into the approval action and included in the adopted budget which will be published electronically and printed after Board action.

The 2015 proposed operating and project budget was examined by the Board Finance Committee at their November 19, 2014 meeting. The 2015 proposed budget document was also reviewed by the Park Advisory Committee (PAC) Finance Subcommittee, and a budget summary was provided to all PAC members at the November 24, 2014 meeting.

Attached to this agenda item is the Budget at a Glance, (*page 42 and 43 of the proposed budget*) which provides a summary analysis of the entire budget. The full text of the 2015 proposed operating and project budgets is available for public review at District Headquarters and on the District's website at www.ebparcs.org/aboutus/budget or by calling the Clerk of the Board at 510-544-2020.

2015 INITIATIVES

The 2015 budget includes over \$6 million in *one-time* budget increases from all funds. *One-time* costs are typically for equipment, studies and costs that will not be recurring. The 2015 budget includes these significant *one-time* increases:

- \$500,000 to augment the District-wide paving program
- \$423,900 one-time funding for rolling stock catch-up replacements
- \$350,000 to augment the project to expand the Mission Peak staging area
- \$150,000 to implement ONE Solution financial software upgrade
- \$150,000 to protect resources at Point Isabel
- \$130,000 for mine safety improvements
- \$100,000 to transition the golf concession at Willow Park

For more details the non-personnel (non-FTE) new budget requests greater than or equal to \$20,000 are listed on pages 62-64 of the proposed operating budget.

The proposed budget includes new, base budget 'Pipeline' operating expenses: staff, services and supplies, recommended for:

- Bay Trail, 0.35 FTE
- Black Diamond Land Bank, 4.41 FTEs
- Calaveras Ridge Trail, 0.20 FTE
- Coyote Hills, 2.60 FTEs
- Garin/Walpert Ridge, 1.57 FTEs
- Lafayette-Moraga Trail, 0.20 FTE
- Las Trampas, 1.30 FTE
- Vargas, 0.45 FTE

BUDGET DETAIL

Revenues:

The 2015 proposed budget includes a net 10.7% increase in the budgeted revenue (not including transfers in) for all funds as compared to 2014 budget. (See page 44 of the proposed budget.)

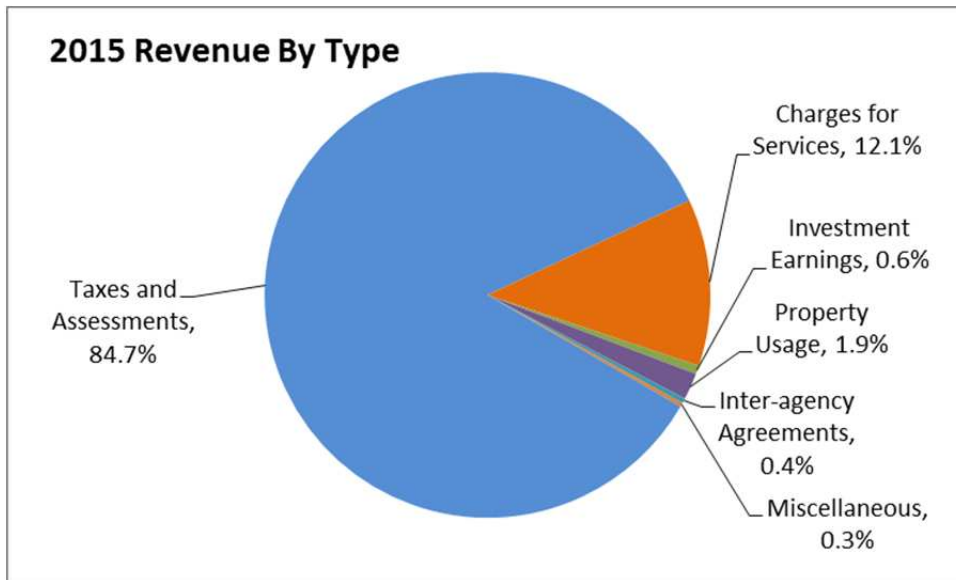
The primary cause of the rise in revenue is the increase in taxes and assessment of a net 11.3% (increase in property tax of \$10.5 million and an increase in debt levy of \$4.2 million). Other rising revenue sources are:

- camping fees: an increase of \$61,900
- facility rental fees: up \$54,000
- intra-district charges: up \$405,468
- parking fees: up \$263,600
- program fees: up \$23,000
- fishing fees: \$26,500
- grazing agreements: up \$50,000

Major reductions in revenue include:

- swimming fees: \$47,500
- other revenue: \$5,500

The chart below reflects the estimated revenue for 2015 District-wide.



The General Fund budgeted revenue increase over 2014 is 9.9%, the majority of which is attributed to the increase in property tax revenue. (See page 74 of the proposed budget.)

Expenditures:

The 2015 Budget appropriations for all funds increased a net 11.4% (not including transfers out) over the prior year's budget. (See page 50 of the proposed budget.)

The primary cause for the rise in appropriations is the increased cost for personnel related to

anticipated cost of living and benefit increases as well as modest adjustments to supplies and services.

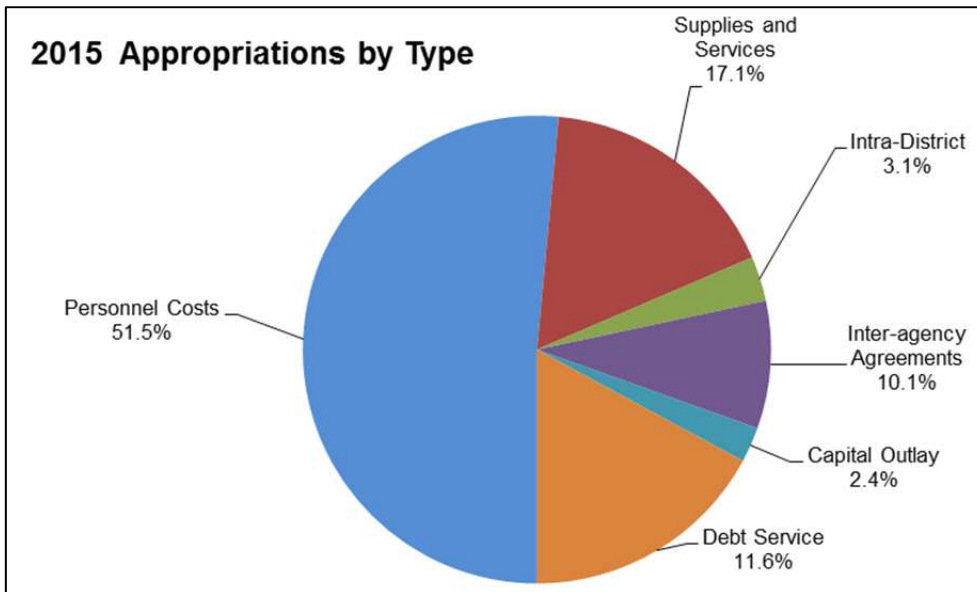
Other rising appropriation uses include:

- \$5.3 million for personnel costs
- \$1.4 million for supplies and services
- \$400,000 for principal and interest due for debt service

The increase in appropriations for personnel costs, of \$5.3 million (5.6%) is due to the salary increases resulting from 2013 AFSME contract agreement and 2014 Police Association agreement, increased benefit costs and a 24.89 FTE (full time equivalent) increase of base and limited term employees.

As a result of the major changes described above, General Fund appropriations increased 9.9% over 2014. (See page 74 of the proposed budget.)

The chart below reflects the proposed appropriations for 2015 District-wide.



Transfers in/out:

District-wide transfers in/out have decreased 22% (\$8.2 million) over 2014 levels. General Fund transfers to other funds total \$6.4 million (compared to \$11.2 in 2014), and include \$500,000 to the Major Infrastructure Renovation and Replacement Fund, \$2.4 million for annual design and construction staff costs, \$1.4 million for debt service, as well as ongoing support for various OTA projects such as ADA access improvements. Transfers out in 2014 were higher due to the additional one-time funding by the “smoothing” monies that were released from committed funds and repurposed to the Major Infrastructure Renovation and Replacement Fund and other projects. (See page 122-123 of the proposed budget.)

Use of Fund Balance:

The 2015 proposed budget is balanced with the planned use of \$21.4 million of fund balance, \$22.7 million in the project funds and \$3 million in the debt service funds. (See page 42 and 43 of the proposed budget.)

Full Time Equivalent (FTE):

The 2015 authorized FTE schedule proposes an addition of 24.89 FTEs. 2014 FTEs, ongoing and one-time, total 762.158. This exceeds the previous high of 744.38 in 2009. (See page 66-67 of the proposed budget for Authorized Positions schedule and pages 324-339 for details by department.).

STRUCTURE AND FORMAT

Staff continues the two volume format for the 2015 Proposed Budget, with the first volume devoted to District-wide information, summaries and operating budgets, and the second volume reserved for the detail of capital and non-capital multi-year projects.

The financial details of the budget are complete; however, work continues on several draft budget schedules, various minor editorial corrections, and several corrections to be included in the final document. These include the following:

- Operating Budget, Front Section:
 - Updated demographics data.
- Operating Budget, Section B:
 - Five year forecast.
- Operating Budget, Section C:
 - Revision to divisional information as needed, including review of performance measure information and inclusion of final 2014 results.
- Operating Budget, Section D:
 - Adjustments to personnel schedules related to last minute FTE changes.
- Project Book:
 - Photographs and maps of individual projects.
 - Update of project budget and expenditure data at 12/31/2014.
 - Adjustments or enhancements to project descriptions requested by project managers.

PROPOSED ACTION

There is no Board action recommended for this public hearing. The second public hearing and adoption of the 2015 Budget will be brought before the Board of Directors at the December 16, 2014 Board Meeting for consideration and adoption.

Attachments: Proposed 2015 Budget at a Glance

The full text of the 2015 proposed operating and project budgets (two volumes) are available for public review at District Headquarters and on the District's website at www.ebparks.org/aboutus/budget or by calling the Clerk of the Board at 510-544-2020.

**East Bay Regional Park District
Proposed 2015 Budget at a Glance**

attachment a

	2015 GENERAL FUND	2015 SPECIAL REVENUE FUNDS	2015 DEBT SERVICE FUNDS	2015 INTERNAL SERVICE FUNDS	2015 PERMANENT FUNDS	2015 PROJECTS FUNDS	2015 TOTAL		% Change
							ALL FUNDS	ALL FUNDS	
RESOURCES									
Revenues:									
Taxes & Assessments	\$ 109,800,000	\$ 7,917,400	\$ 28,824,000	\$ -	\$ -	\$ -	\$ 146,541,400	\$ 131,718,200	11.3%
Charges for Services	8,994,250	50,000	-	11,956,678	-	-	21,000,928	20,092,710	4.5%
Property Usage	1,886,000	1,449,800	-	-	-	-	3,335,800	2,326,800	43.4%
Investment Earnings	500,000	101,800	10,000	210,000	27,400	220,000	1,069,200	1,073,100	-0.4%
Grants/Inter-agency Agreements	236,400	-	-	-	-	221,000	457,400	459,400	-0.4%
Miscellaneous	581,000	27,000	-	40,000	-	-	648,000	653,500	-0.8%
Total Revenues	121,997,650	9,546,000	28,834,000	12,206,678	27,400	441,000	173,052,728	156,323,710	10.7%
Other Resources:									
Transfers In	45,000	16,800,000	1,433,900	500,000	-	9,778,785	28,557,685	36,797,910	-22.4%
TOTAL RESOURCES	\$ 122,042,650	\$ 26,346,000	\$ 30,267,900	\$ 12,706,678	\$ 27,400	\$ 10,219,785	\$ 201,610,413	\$ 193,121,620	4.4%
USES									
Expenditures:									
Personnel Costs	\$ 83,975,944	\$ 4,866,225	\$ -	\$ 4,023,882	\$ -	\$ 7,217,008	\$ 100,083,059	\$ 94,735,560	5.6%
Supplies	8,325,325	205,156	-	2,000	-	166,188	8,698,669	8,319,900	4.6%
Services	14,978,875	338,820	15,600	6,487,600	-	2,660,814	24,481,709	23,479,930	4.3%
Capital Outlay	826,060	147,900	-	380,000	-	3,370,165	4,724,125	9,135,290	-48.3%
Grants/Inter-agency Agreements	232,000	16,900,000	-	-	-	-	17,132,000	17,132,000	0.0%
Debt Service	-	-	33,264,900	-	-	-	33,264,900	32,868,950	1.2%
Intra-District Charges	6,021,024	-	-	-	-	-	6,021,024	6,132,760	-1.8%
Total Expenditures	114,359,228	22,458,101	33,280,500	10,893,482	-	13,414,175	194,405,486	191,804,390	1.4%
Other Uses:									
Transfers Out	6,446,475	2,126,210	-	500,000	5,000	19,480,000	28,557,685	36,797,910	-22.4%
TOTAL USES	120,805,703	24,584,311	33,280,500	11,393,482	5,000	32,894,175	222,963,171	228,602,300	-2.5%
Change in Fund Balance /Net Assets	1,236,947	1,761,689	(3,012,600)	1,313,196	22,400	(22,674,390)	(21,352,758)	(35,480,680)	-39.8%
TOTAL	\$ 122,042,650	\$ 26,346,000	\$ 30,267,900	\$ 12,706,678	\$ 27,400	\$ 10,219,785	\$ 201,610,413	\$ 193,121,620	4.4%

ACQUISITION,
STEWARDSHIP &
DEVELOPMENT

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

3. ACQUISITION, STEWARDSHIP & DEVELOPMENT DIVISION

- a. Authorization to Accept the Dedication of Fee Interest in 232± Acres of Real Property, EVMA and Public Access Easements, a Staging Area, and Related Improvements from Elworthy, Inc. and KB Home South Bay, Inc.: Las Trampas Regional Wilderness

(Tong/Musbach/Nisbet)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize acceptance of the dedication of 232± acres of land, an Emergency Vehicle and Maintenance Access (“EVMA”) and public trail easement, a staging area from Elworthy, Inc., a public access easement and related improvements, which include gates, fencing, and electricity, from KB Home South Bay, Inc. for Las Trampas Regional Wilderness.

REVENUE/COST

Acquisition expenses related to the dedication of the open space, EVMA and trail easements and improvements include staff time and title and escrow fees. In addition, funding is required to make the property safe and secure until such time that it can be opened for public use. This action transfers funding from Measure WW Acquisition Funds from the Las Trampas Allocation Area to capital project accounts Elworthy/Las Trampas Acquisition (CIP 206100) and Elworthy/Las Trampas Safety and Security (CIP 206101) as follows:

APPROPRIATE/TRANSFER FROM:

Designated for Acquisition – Measure WW Undesignated (CIP 229900WW00)	<u>\$67,950</u>
Current Action	\$67,950

APPROPRIATE/TRANSFER TO:

Capital Acquisition Project Account: Elworthy/Las Trampas Acquisition (CIP 206100)	
Title and Escrow	\$ 5,000
Staff Time	15,000
Elworthy/Las Trampas Safety and Security (206101WP37)	

Staging Area Gates	15,550
Fencing	30,400
Boundary Gates	<u>2,000</u>
Current Action	\$67,950
Previous Board Action for Staff Time, Surveying and Appraisal	<u>43,000</u>
Total Project Cost	\$110,950

Future costs to maintain and police the open space, trail system and staging area are discussed in the attached Acquisition Evaluation.

BACKGROUND

On May 16, 1989, by its Resolution No. 1989-5-160, the Board of Directors authorized staff to conduct due diligence activities and begin negotiations with Robert Elworthy, predecessor in interest to Elworthy, Inc., to acquire the subject property. Subsequently, Elworthy, Inc. sold the northeast portion of their property, Subdivision #9009, to KB Home South Bay, Inc. for development purposes, under the condition that a trail easement, staging area, and 232± acres of open space be offered as a dedication to the East Bay Regional Park District as an addition to Las Trampas Regional Wilderness. Subdivision #9009 is located on the eastern side of Las Trampas Regional Wilderness with frontage on San Ramon Valley Boulevard.

After several years of negotiation with the various resource agencies and revisions to the development plan to meet the agencies' requirements, the Town of Danville approved and recorded the vesting tentative map for Subdivision #9009 on September 11, 2011. On April 1, 2014, by its Resolution No. 2014-4-076, the Board of Directors authorized staff to negotiate with KB Home South Bay, Inc. to accept a public access easement and various infrastructure improvements associated with the dedication by Elworthy, Inc. On April 15, 2014, by its Resolution No. 2014-04-092, the Board of Directors authorized staff to negotiate with Elworthy, Inc. to accept the dedication of 232± acres of open space, as well as an EVMA and trail easement and staging area.

KB Home South Bay, Inc. is currently constructing 84 single family residences as well as 12 multi-family apartment units on a 12-acre portion of Subdivision #9009 that is located in the lower elevation of the northeast area of the property, directly adjacent to San Ramon Valley Boulevard. As previously stated, as a condition of this development, Elworthy, Inc. has offered to dedicate to the District approximately 232± acres of open space with an improved staging area and EVMA and trail easement connecting Subdivision #9009 to Las Trampas Regional Wilderness. Additionally, KB Home South Bay, Inc. has offered to dedicate a trail easement and EVMA along the streets within Subdivision #9009 from San Ramon Valley Boulevard through the subdivision to the staging area. Funding for the long-term maintenance of the open space, local trails and improvements will be provided by the District.

The staging area improvements are now complete, and both Elworthy, Inc. and KB Home South Bay, Inc. are prepared to dedicate the land, EVMA and trail easements and improvements to the District. The dedications and park improvements benefit the District and its residents, and will complete regional and local trail connections that are consistent with the District's 2013 Master

Plan. Staff recommends that the Board authorize acceptance of the 232±-acre open space dedication, trail easements as described herein, the constructed staging area and related improvements.

ALTERNATIVES

No alternatives are recommended.

ACQUISITION EVALUATION

Las Trampas Regional Wilderness
Elworthy West LLC Property
232± acres
APN: 208-230-046, -032, and -033 (Contra Costa County)

Site Description:

The 232-acre Elworthy West LLC property, a 12-car staging area, and an approximately one-half-mile long trail easement/EVMA are being offered to the East Bay Regional Park District per the conditions of the Elworthy Ranch development project as approved by the Town of Danville on July 1, 2008. The project, under construction today by KB Home, is now known as Quail Ridge.

At full build-out, the Quail Ridge project will include 84 single-family homes and 12 multi-family apartment units on the lower 12 acres of the former Elworthy Ranch along San Ramon Valley Boulevard. Approximately 182 acres west of the approved development area and east of the property being dedicated to the District would be retained by the Elworthy family and protected with a scenic easement. A four-acre site within that area is reserved for the potential future development of an equestrian facility, and a five-acre site was retained for the existing Elworthy residence.

The full Elworthy Ranch property originally included 459 acres between the eastern boundary of Las Trampas Regional Wilderness (the former Chen property) and San Ramon Valley Boulevard, approximately one mile south of its intersection with Sycamore Valley Road. As part of the Town of Danville's approval of the proposed development, the project was conditioned to dedicate 232 acres of ridgeline open space to the Park District. The developer was also required to build a 12-car parking lot and access road, and to agree to a trail access easement that would connect the parking lot to the ridge.

As recently completed by the developer, the 12-car gravel parking lot is located just west of the new Quail Ridge development at the end of a paved access road. This access road is steep and curving, and is gated at its east end where it connects to the development. Alongside the access road, a separated decomposed gravel (DG) pedestrian path was also constructed to the District's specification to allow trail users an alternative to walking within the roadway. The District will hold a trail easement and Emergency Vehicle and Maintenance Access (EVMA) easement for the access road, the staging area, and the trail to the open space parcels; the District will hold only a trail easement for the DG path. A general Public Access Easement (PAE) covers the development's private streets, allowing for public access from San Ramon Valley Boulevard.

Park District staff worked with the Town of Danville's engineers and inspectors, the developer, and subcontractors, to ensure that all improvements related to the staging area, trails, and access road were satisfactorily constructed or improved. In regard to long-term maintenance responsibilities, the District will maintain: the gravel parking area, the road surface of the access

road between the curb and gutter, and the surface of the DG path. The Park District will not be responsible for maintenance of any drainage structures or retaining walls, with the exception of a single culvert that runs east-west under the gravel parking lot.

From a new 16-foot ranch gate with adjacent self-closing equestrian gate, the trail connecting the staging area to the ridge follows the alignment of a ranch road through the Elworthy scenic easement area. After a distance of approximately ½ mile, the trail reaches the tree line and the boundary of the 232-acre dedication. At that point, a new fenceline will be installed to delineate the Elworthy parcel from the open space dedication area, and another ranch and equestrian gate will be installed. Prior to opening this trail to the public, signs will be added to remind the public to stay on the trail as it crosses over private land. Park staff has recommended that this trail be named “Fiddleneck Trail” in recognition of this attractive native wildflower that can be found along the trail alignment.

Once the Elworthy Trail reaches the dedication area, it continues southward to an intersection with the recommended alignment of the Calaveras Ridge Trail. In consultation with Park Operations Staff, it has been determined that a gate can be placed at or near this intersection in order to keep the public out of the Peter’s Ranch landbank: instead, trail users will be routed westward along the trail toward existing open portions of Las Trampas Regional Wilderness. This piece of the Calaveras Ridge Trail briefly crosses the Chen property (currently in landbank status) before reaching open parkland. Opening of the trail is exempt from CEQA as an existing facility under Section 15301(c) of the State CEQA Guidelines. This Acquisition Evaluation recommends that the staging area, trail easement and dedication land be opened for public use immediately following acquisition rather than placed into landbank status. This will more quickly provide a new access to Las Trampas Regional Wilderness near Danville and San Ramon. Staff has determined that the Chen and Peter’s Ranch parcels should remain in landbank until a Land Use Plan Amendment can be completed for those properties. More information on this strategy is included under the ‘Planning Issues’ heading, below.

The Elworthy West property is located within the jurisdiction of the Town of Danville and Contra Costa County. It has several General Plan designations: Public and Open Space – Agricultural; Public and Open Space – General Open Space; and Agricultural. The property is zoned A-4; Agricultural Preserve District. The northerly portion of the property is located within the Urban Limit Line.

Natural and Cultural Resources:

Vegetation on the Elworthy West LLC dedication property consists of non-native grasslands on gentle-to-steep southwest-facing slopes, with dense woodlands on northeastern slopes and in and around the site’s seasonal drainages. The woodlands are made up of mature native trees including coast live oak, valley oak, bay laurel, walnut, and sycamore. The property’s mix of plant communities is likely to provide habitat for a variety of native wildlife, although according to the 2007 EIR, no special-status species are expected to occur.

From the development area, the property’s terrain slopes up from elevations of about 500 feet above sea level (ASL) to elevations of over 1,400 feet ASL along Las Trampas Ridge. Nearer the

ridge where the dedication parcels are located, slopes are often steep as is the case along much of this ridgeline. At elevations above approximately 800 feet, grassy areas give way to dense woodland vegetation and brush.

As the property has historically been used for cattle grazing, it remains undeveloped other than cattle trails and ranch roads. Cultural and historical studies were performed during preparation of the 2007 Environmental Impact Report (EIR) for the Elworthy Ranch development project. These studies show that there are no structures of historical significance located on the Elworthy West LLC dedication property.

Planning Issues:

Master Plan: This acquisition will protect natural resources, trail and wildlife corridors, scenic values, and recreational, interpretive and educational opportunities. It provides a more logical park boundary and links existing Park District properties. This acquisition also offers a needed link in the regional trail system and helps improve access. For these reasons, this acquisition is consistent with the Master Plan 2013 Regional Parkland and Trail Map (adopted July 16, 2013).

Land Use Planning: Planning for the Elworthy West LLC property including the staging area, trail, and dedication of the open space area, was addressed in the 2007 Environmental Impact Report (EIR) for the Elworthy Ranch development project. Because the Park District provided comments and worked with the developer and the Town during the EIR process in anticipation of accepting the open space and access, Staff recommends that no additional planning beyond this Acquisition Evaluation will be needed in order to open this property to public access once it is acquired. The Park District's internal Planning Department has reviewed and approved of this approach.

Staffing: In anticipation of opening the 232-acre Elworthy property and associated trail and staging, the Park District Pipeline process has allocated an additional .25 FTE to provide sufficient staff coverage in Las Trampas Regional Wilderness.

CEQA Compliance:

The Park District was a Responsible Agency under CEQA for the Elworthy Ranch development project. As a Responsible Agency, the District was charged with consideration of the project's Environmental Impact Report (EIR) as prepared by the Lead Agency; in this case the Town of Danville, and the District participated and provided input during the environmental review process. The staging area, trail, and proposed dedication of this property for incorporation into Las Trampas Regional Wilderness are fully considered in the Project Description and throughout the 2007 EIR for the Elworthy Ranch development project. On page 5.12-6, the EIR found that "the construction and use of these facilities would not contribute to the deterioration of the surrounding environment." Staff recommends that the Board adopt findings to formally establish concurrence with this assessment of the portions of the project relating to the Park District.

Public Safety:

Police: The Elworthy West property dedication will result in a new staging area and access point for Las Trampas Regional Wilderness requiring patrol by the District Police Department. The dedication will provide greater access to the eastern boundary of Las Trampas for emergency vehicles and patrols in addition to the general public. The opening of the new staging area will increase demands for police services and contribute to the number of facilities and access points on Las Trampas' eastern edge that will require regular patrols. Cumulative impacts on police services of this dedication, likely adjacent dedications, and existing access points to Las Trampas from Danville and San Ramon should be further evaluated during future Land Use Plan Amendment processes.

Fire: The property is classified as State Responsibility Area (SRA) for fire protection, and is within the State's Direct Protection Area. Initial attack fire suppression resources would likely arrive first from CAL FIRE's Sunol and Sunshine Stations. CAL FIRE crews, dozers, air resources, supervisory overhead and additional engines would also be dispatched. Engines and a watertender as well as overhead personnel would respond from EBRPD Fire Station I (Tilden). Response time would be 30 to 45 minutes depending on the time of day. The EBRPD helicopter, if staffed, would arrive within 15 minutes or less from the Hayward Air Unit. San Ramon Valley Fire Protection District would likely dispatch fire engines as mutual aid.

San Ramon Valley Fire Protection District has the jurisdictional responsibility for structure fires and emergency medical services for this parcel. CAL FIRE and EBRPD would respond as well. The primary roles of CAL FIRE and EBRPD in the event of a structure fire would be to prevent fire spread to the surrounding wildlands and nearby improvements.

The parcel is located within the State's "High" Fire Hazard Severity Zone. It is likely that a wildland fire would be of high intensity and cause substantial damage to the natural resources and infrastructure improvements. San Ramon Valley Boulevard carries the public along the eastern boundary, and an improved road winds through the center of the parcel. This access increases fire risk and influences the potential for human-caused fires to occur.

Hazardous materials response will be the responsibility of EBRPD. District records show that over a recent three year period, Las Trampas Regional Park has had two hazardous materials incidents. This average of more than one per year is a Low occurrence, compared with other District parks. One could expect a similar level of occurrence in this new addition.

In a recent three year period, EBRPD fire department personnel responded to 13 medical incidents in Las Trampas. This is a Low level of occurrence when compared with other District parks, and could characterize medical response activity in the new parcel as well.

Recommendations:

- At trailheads or other public access points, include public education information regarding fire risks, hazards, responsibilities and actions to minimize fire occurrence and losses.

- Continue to strengthen mutual aid relationships with Contra Costa County, neighboring fire departments and protection districts, as well as with the State of California’s CAL FIRE to ensure adequate emergency response times.
- Integrate wildland/urban interface fire considerations in land management planning as well as development project plans.
- Ensure an adequate level of fire and visitor safety protection capability is provided, commensurate with the increasing landbase and wildland-urban interface requiring protection.
- Conduct hazard mitigation and annual defensible space clearances in compliance with State PRC 4291.

Acquisition Criteria: This property:

- Will protect natural resources, trail and wildlife corridors
- Will contribute scenic values, and recreational, interpretive and educational opportunities.
- Provides a more logical park boundary and links existing Park District properties.
- Offers a needed link in the regional trail system and helps improve access.

Recommendation for Land Bank Status: Yes _____ No **X**

- The dedication property, staging area, and trail are not located within an area covered by an approved Land Use Plan. However, the Park District provided input on the Elworthy Ranch development project’s EIR and other approval documents. Staff has determined that the Park District’s planning interests are adequately reflected within the project documents, and that sufficient coverage under CEQA is provided by the EIR. Therefore, Staff recommends that the land can be opened as soon as practical following close of escrow.

Site Cost Estimate:

Acquisition Cost: \$ 0
Dedication Required by Town of Danville

Safety and Security Estimate: \$ 47,950
Staging area infrastructure \$ 15,550
Fencing/Gates \$ 32,400

Maintenance and Operational Estimate (annual): \$ 20,165 ¹
Total Five-Year Projection: \$ 100,827

¹ Estimate is based upon the annual Land Base Operating Cost Methodology.

A. Thomson

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2014 – 12 -

December 2, 2014

AUTHORIZATION TO ACCEPT THE DEDICATION OF FEE INTEREST IN
232± ACRES OF REAL PROPERTY, EVMA AND PUBLIC ACCESS EASEMENTS,
A STAGING AREA, AND RELATED IMPROVEMENTS FROM
ELWORTHY, INC. AND KB HOME SOUTH BAY, INC.:
LAS TRAMPAS REGIONAL WILDERNESS

WHEREAS, on May 16, 1989, by its Resolution No. 1989-5-160, the Board of Directors authorized staff to begin due diligence activities and negotiations with Robert Elworthy, predecessor in interest to Elworthy, Inc., to acquire the subject property. Subsequently, on April 15, 2014, by its Resolution No. 2014-04-092, the Board of Directors authorized staff to negotiate with Elworthy, Inc.; and

WHEREAS, Elworthy, Inc. sold a portion of their property to KB Home South Bay, Inc. for development purposes, under the condition that an EVMA, trail easement, staging area, and 232± acres of open space be offered as a dedication to the East Bay Regional Park District as an addition to Las Trampas Regional Wilderness; and

WHEREAS, on April 1, 2014, by its Resolution No. 2014-04-076, the Board of Directors authorized staff to negotiate with KB Home South Bay, Inc.; and

WHEREAS, Elworthy, Inc. has offered to dedicate a staging area, and EVMA and trail easement, and 232± acres of open space as shown on Vesting Tentative Map #9009, to be a part of Las Trampas Regional Wilderness; and

WHEREAS, KB Home South Bay, Inc. has offered to dedicate an EVMA and trail easement along the streets within Subdivision #9009 and has completed several infrastructure improvements for and on behalf of the East Bay Regional Park District which include gates, fencing, parking improvements and electricity for the staging area; and

WHEREAS, staff has found these improvements to meet District standards, and hereby recommends acceptance of all improvements for park benefit and use; and

WHEREAS, acceptance of these dedications and improvements meets the goals and policies of the East Bay Regional Park District 2013 Master Plan; and

WHEREAS, the District seeks to work with private property owners to preserve properties for public access, recreational opportunities and scenic corridors; and

WHEREAS, this dedication is consistent with Measure AA and Measure VV projects for Las Trampas Regional Wilderness; and

WHEREAS, the District was a Responsible Agency under the California Environmental Quality Act (CEQA) for the Elworthy Ranch development project and the 2007 Environmental Impact Report (EIR) prepared by the Town of Danville; and

WHEREAS, staff has found that aspects of the Elworthy Ranch project related to the District have been adequately addressed by the project EIR, and no alternatives or mitigation measures within the District's power are feasible or would substantially lessen or avoid significant effects;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby accepts the dedications of open space, and EVMA and trail easements and infrastructure improvements, as presented to the Board of Directors on this date; and

BE IT FURTHER RESOLVED that the Board of Directors hereby finds that based on the District's review of the Elworthy Ranch project EIR, the Elworthy Ranch project avoids or substantially lessens any environmental effects of the project; and

BE IT FURTHER RESOLVED that the Board of Directors hereby finds that the property, by virtue of the improvements constructed and the environmental compliance already completed, is safe and accessible for public use and will be opened to public use at the earliest opportunity; and

BE IT FURTHER RESOLVED that the Board of Directors hereby authorizes the transfer of \$67,950 from Designated for Acquisition – Measure WW Undesignated (CIP 229900WW00), utilizing acquisition funds from the Las Trampas Allocation Area, to capital project accounts Elworthy/Las Trampas Acquisition (CIP 206100) and Elworthy/Las Trampas Safety and Security (CIP 206101WP37), to be combined with \$43,000 of previously transferred funding, as shown on the attached Budget Change form, to fund acquisition related expenses; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed to book the asset value of this dedication in CIP 206100; 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 2nd day of December, 2014, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT:

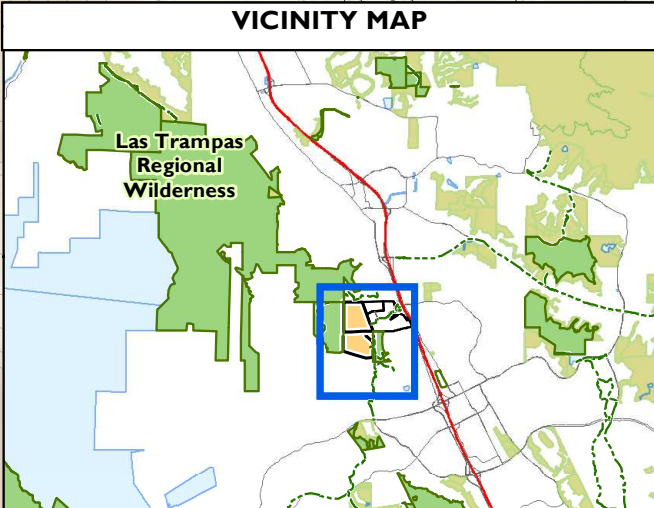
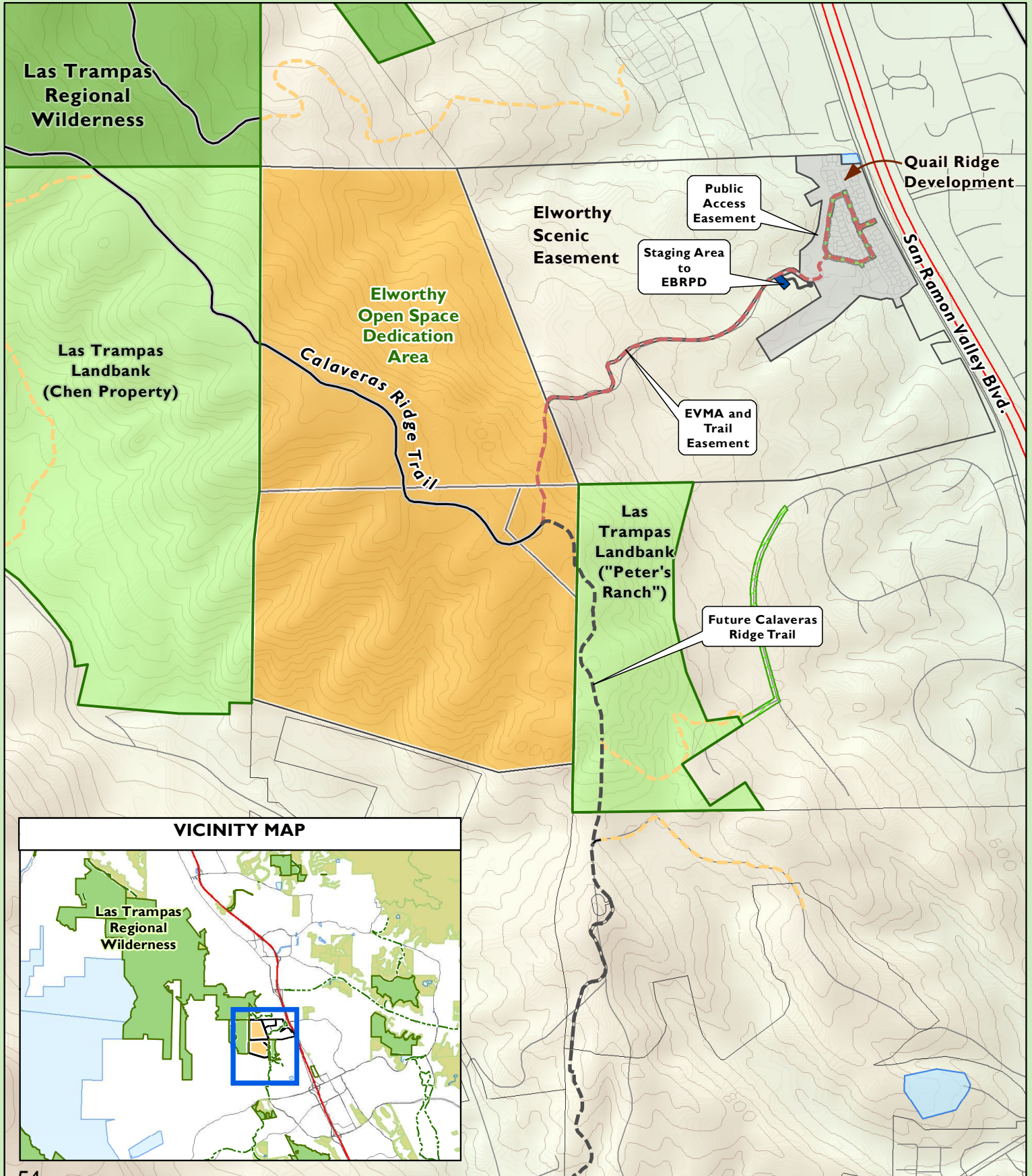
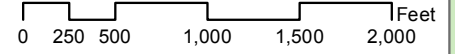
**EAST BAY REGIONAL PARK DISTRICT
BUDGET CHANGE FORM**

NEW APPROPRIATIONS		BUDGET TRANSFERS	
<input type="checkbox"/> From New Revenues		<input checked="" type="checkbox"/> Between Projects	
DECREASE BUDGET ACCOUNT	AMOUNT	INCREASE BUDGET ACCOUNT	AMOUNT
Account Name: Expense: Capital- Land- District Wide-Acquisition-Designated Land Acquisition-Measure WW Undesignated Account: 333-6330-000-7010 / 229900WW00-100	\$ 67,950.00	Account Name: Expense: Capital-Land- Las Trampas-Land and Trails-Bollinger Canyon Rd-Measure WW Las Trampas Allocation Area-Administrative Costs Account: 333-6330-170-7010 / 206100WP37-100	\$ 20,000
Account Name: Expense: Capital-Land- Las Trampas-Land and Trails-Bollinger Canyon Rd-Measure WW Las Trampas Allocation Area-Safety and Security Account: 333-6330-170-7010 / 206101WP37-500			\$ 47,950
REASON FOR BUDGET CHANGE ENTRY			
As being presented at the Board of Directors meeting on December 2, 2014 the General Manager recommends that the Board of Directors authorize the transfer of \$67,950 of Measure WW Bond for the Las Trampas acquisition allocation area to project 506100 to complete the acquisition and project 506101 for safety and security costs related to fencing and gates. This new funding augments the amounts previously appropriated from WP37, Measure AA Bond and Measure AA Bond Interest.			
As approved at the Board of Directors Meeting on date:			11/21/2014
Board of Directors Resolution Number:			2014-11-
Posted By:		Posted date:	
Signature:			

LAS TRAMPAS REGIONAL WILDERNESS

Elworthy, Inc. and KB Home South Bay, Inc. Property
Dedication of 232 acres of Fee Interest, Staging Area,
Trail Easements and Various Improvements

N



AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

4. BOARD AND STAFF REPORTS

a. Actions Taken By Other Jurisdictions Affecting the Park District
(Doyle)

Alameda County – Altamont Pass Wind Resource Area

On Wednesday, November 12, 2014, the Alameda County Board of Zoning Adjustments for East Alameda County unanimously voted to certify the Final Program Environmental Impact Report (PEIR) for the repowering of the Alameda County portion of the Altamont Pass Wind Resource Area (APWRA). Staff is evaluating the full implications of this action and will provide more detailed information to the Board as it becomes available. A brief background on the matter is as follows:

The APWRA encompasses approximately 49,202 acres with 36,870 acres located within eastern Alameda County and 12,332 acres in Contra Costa County. The PEIR evaluated the modernization of the wind power generators with replacement technology and infrastructure. The approval allows for the generation of up to 450 megawatts with 281 wind turbines. Wind energy projects were originally established in the APWRA in 1980's and, in general, the current facilities consist of old generation turbines with limited generation capacity. These turbines operate under various existing Conditional Use Permits most of which will expire between now and September 2018. The facilities are subject to a settlement agreement entered into in 2007 between the wind farm operators, Alameda County, the Golden Gate Audubon Society, and the Californians for Renewable Energy (CARE). The settlement agreement required certain steps to reduce mortality of raptors. The PEIR identifies necessary mitigation measures, turbine placement, and turbine design and technology intended to reduce the number of turbines and reduce avian and bat mortality while allowing increased renewable energy production.

The Board of Zoning Adjustments approved two specific projects reviewed under the PEIR - the Golden Hills Wind Project and the Patterson Pass Wind Project. The Golden Hills Wind Project will decommission and remove 775 existing turbines and install up to 52 new turbines to generate 88.2 megawatts. The Golden Hills Wind Project Area encompasses over 4,500 acres. The Patterson Pass Wind Project would replace 336 turbines with up to 12 turbines with a total capacity of 19.8 megawatts. The Patterson Pass project site encompasses 952 acres. Repowering of these two projects is expected to occur rapidly so the companies may take advantage of federal subsidies that will expire at the end of 2015. Additionally, the PEIR provides programmatic CEQA coverage for lands adjacent to Brushy Peak Regional Preserve. However, a project specific EIR will be required for future repowering proposals in the Brushy Peak area.

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AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

5. GENERAL MANAGER'S COMMENTS

STAFF PRESENTATION

Human Resources Manager Sukari Beshears and Human Resources Analyst Bismarck Blanco will present on the District's career opportunities while highlighting our diversity inclusion efforts. The goal of the Human Resources Division is to attract and retain a well-qualified workforce that reflects the diversity of the community we serve.

GM COMMENTS

Public Affairs

The District now has nearly twenty staff authorized and trained to post to District social media channels, including a dozen staff from the Interpretive and Recreation departments; two from Public Safety; and Public Affairs staff. The District's Facebook page is due to hit 17,000 fans by the end of the year; up 60% from the end of 2013. Instagram followers have doubled to over 1,000, thanks to Interpretive and Recreation staff posting from the field.

The District's YouTube video channel has surpassed 101,000 cumulative views. The most popular recent videos are the Mission Peak Trail Restoration Project with 16,000 views and a one minute video about Redwood Regional Park with over 10,000 views. A video from two years ago, of fish swimming underwater in a Christmas tree reef, has the all-time record with 19,000 views.

Public Safety

From September 18 to November 10, the Public Safety Division handled 1,115 service calls and 860 total incidents. Highlights are included below.

Police

There were 31 arrests made throughout the District for a variety of felony and misdemeanor offenses, including DUI, weapons possession, drug possession, violation of court restraining orders, disorderly conduct, public intoxication, and indecent exposure. Officers also issued 276 citations for Ordinance 38, vehicle code, and parking violations. Officers also handled 375 field interviews (contacts without citations or arrests) and contacted 16 people on probation or parole to conduct compliance checks.

- Alameda Creek Trail: On October 17, officers contacted two pedestrians for investigation of marijuana possession. One of the subjects was in possession of methamphetamine and marijuana, and was arrested.
- Anthony Chabot: On September 19, an officer contacted three juveniles during school hours and transported them back to their high school.

On September 23, an officer contacted a vehicle for not having a front license plate. The driver did not have a valid license and had an active warrant out of San Francisco. He also had several fake identities in his wallet. He was arrested for the warrant and forgery.

- Briones: On October 28, an officer contacted the drivers of two parked cars for a curfew violation. One driver was on probation and had a baton in his driver side door. He was arrested for the probation violation and possession of a baton. The other driver was released on scene.
- Crown Beach: On October 3, officers responded to the report of three intoxicated persons urinating on the beach. Two of the subjects were heavily intoxicated and were arrested for disorderly conduct. The third was able to care for himself and released.

On October 17, officers responded to the report of an attempted suicide. A juvenile was located near the restrooms unharmed; she was transported to the hospital by ambulance for evaluation and a psychiatric hold.

- Las Trampas: On November 7, officers, Eagle 7, and medical personnel responded to the report of a bicycle accident. The victim was transported by helicopter to the hospital for treatment of shoulder and leg injuries.
- McLaughlin East Shore State Park: On October 19, a subject was carjacked in the Sea Breeze Market parking lot. Berkeley Police were nearby and located the suspect, who had a semi-automatic weapon in his vehicle, and arrested him.

On October 28, several officers and medical personnel responded to the report of a victim with a gunshot wound. This incident is being investigated as a homicide and is ongoing.

- Miller Knox: On October 4, officers responded to the report of an assault in progress with an unconscious victim. Suspects were detained near the scene. Witnesses were able to identify the suspects who were then arrested for assault with force likely to produce great bodily injury.
- Out of Park on Redwood Road: On October 20, an officer attempted to stop a vehicle for excessive speed. The vehicle fled the scene without stopping. A short pursuit ensued but was cancelled by the officer.

- Pt. Isabel: On October 15, an officer responded to the report of a dog bite. Contra Costa Animal Control responded and also took a report. No visible injuries were seen and the dog owner's information was taken.
- Wildcat Canyon: On October 21, officers responded to report of an attempted sexual assault. The victim was interviewed and a suspect, known to the officers, was located and arrested for several felony offenses.

Fire Operations

Fire Response

- Tilden: On October 13, firefighters and police responded to an unknown substance at the park residence next to the Brazilian Room. The area was secured and a Contra Costa County Hazmat unit was called. It was determined the substance was not hazardous.

On October 19, firefighters and Moraga, Orinda, and Berkeley fire departments responded to a Wildland fire in Tilden Park. The fire was approximately a one-quarter acre brush fire in a light grass fuel load. The fire was contained and mopped up by District firefighters.

Fire Training

- Trudeau: On October 20, 22, 27, and 29, an EMT Recertification class was conducted. The class was attended by 26 EBRPD firefighters, 2 EBPRD rangers, 5 FBI Special Agents, and 3 Livermore Area Recreation Park District rangers.

Fire Fuels Management

- Tilden: Contractors continued the Tilden Park – Wildcat Canyon Road Wildland Fuels Reduction and Risk Tree Removal contract.
- Briones: Contractors completed the Briones Service Yard Fuel Reduction project, funded by a PG&E grant.

District-wide

- Coyote Hills: On October 5, firefighters performed medical standby and passed out fire prevention brochures, children's helmets, and stickers at the Gathering of Ohlone Peoples.
- On October 17, a contractor utilized chainsaws and weed eaters to remove brush and grass fuels in an on-going fuel break maintenance project on Claremont Canyon Road, within Claremont Canyon Regional Preserve in Oakland.
- Out of County in Auburn: On October 9, a District firefighter served as a Division Supervisor for the Applegate fire in Placer County.
- Out of County in Point Reyes: On October 9, firefighters assisted with a prescribed burn at Point Reyes Regional Shoreline.

- Out of Park in Berkeley: On October 8, firefighters were flagged down in the Berkeley Hills while passing an apartment building fire. Firefighters assisted with containment and traffic control.
- Out of Park in Moraga: On October 4, firefighters attended the Moraga-Orinda Fire District open house and pancake breakfast fundraiser. Firefighters staffed a booth and passed out fire prevention brochures, children's helmets, and stickers.
- Out of Park in Richmond: On October 4, firefighters extinguished a small dumpster fire near Tom Bates Field, McLaughlin Eastshore State Park. The cause of the fire has not been determined.
- Point Pinole: On October 4, firefighters attended the *North Richmond Shoreline Festival*. Firefighters staffed a booth and passed out fire prevention brochures, children's helmets, and stickers.
- Wildcat Canyon: On October 15, the Civicorps drought crew began work behind homes in a recommended treatment area known as RTA WC011.

Lifeguard Service

- On October 17, staff provided a CPR recertification class for Fire and Public Safety personnel.
- Out of District in Lake Arrowhead: From October 8-10, permanent and seasonal staff attended the CPRS California Aquatic Management School, with over 100 aquatic professionals in attendance.
- Out of District in Las Vegas, Nevada: From October 27-30, staff presented a topic on lifeguard training at the World Waterpark Association annual symposium, with over 800 aquatic professionals in attendance.
- Out of District in San Ramon: On October 14, staff presented at the CPRS District 3 Fall Institute, with over 150 park professionals attended.

Event Calendar

December 2014 – February 2015

Board Meeting Date: December 2, 2014

Date	Day	Time	Event	Location	Sponsoring Organization
12/6 & 12/7/14	Saturday & Sunday	10 am – 3 pm	Christmas at Ardenwood	Ardenwood Historic Farm	EBRPD
12/7/14	Sunday	3 – 4:30 pm	Meet the Artists: Natural Science Illustrators Guild	Tilden Nature Area, Tilden Regional Park	EBRPD
12/19/14	Friday	All Day	Free Third Friday	All Parks	EBRPD
12/21/14	Sunday	3:30 – 6 pm	Winter Solstice Celebration	Tilden Nature Area	EBRPD
1/19/15	Monday	8:30 am – 12 pm	Martin Luther King Jr. Day of Service	MLK Jr Regional Shoreline	EBRPD
2/20/15	Friday	11 am – 12 pm	Artists' Reception: Creativity Explored	Tilden EEC	EBRPD

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BOARD COMMITTEE
REPORTS



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BOARD EXECUTIVE COMMITTEE
Thursday, November 13, 2014
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.

A copy of the background materials concerning these agenda items, including any material that may have been submitted less than 72 hours before the meeting, is available for inspection on the District's website (www.ebparks.org), the Headquarters reception desk, and at the meeting.

AGENDA

<u>STATUS</u>	<u>TIME</u>	<u>ITEM</u>	<u>STAFF</u>
I	12:45 pm	1. Planning Department Work Plan Update	Nisbet/Brienes
I	1:15 pm	2. Brickyard Planning Update	Bates
		3. Public Comments	

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

Executive Committee Members

Ayn Wieskamp (Chair); John Sutter; Whitney Dotson
 Ted Radke, Alternate
 Robert E. Doyle, Staff Coordinator

Future Meetings:

January 9	July 10
February 27	August 14
March 13	September 11
April 10	October 9
May 7	November 13
June 12	December 11
June 24	

Distribution list (next page)

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, December 2, 2014

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

a. Executive Committee (11/13/2014) _____ (Wieskamp)

Present

Board: Ayn Wieskamp (Chair), John Sutter, Whitney Dotson

Staff: Jim O'Connor (Acting GM), Susan Schinnerer, Bob Nisbet, Audrey Som, Diane Althoff, Ren Bates, Michelle Julene, Raphael Breines, Kelly Barrington, Debra Aufer, Mimi Waluch

Public: Shirley Dean, Ellen Barth, Toni Mester, Ed Bennett

The meeting was called to order at 12:55 p.m.

I. Planning Department Work Plan Update

AGM Bob Nisbet introduced this item as a follow up to the workshop item from last winter. Director Sutter asked for clarification on the term in the staff report regarding the project schedule "slipping" due to staff vacancies – and wanted to know the status on filling the vacancies in the division. AGM Nisbet responded that two divisions merging (Land and PSD) had something to do with it, and the vacancies were in the process of being filled. Director Sutter emphasized his stance that positions should be filled when staff members are out for extended leave, etc.

Senior Park Planner Raphael Breines began the update on the work plan status update, including estimated completion dates of projects. Director Sutter asked for and received clarification on the area between Las Trampas and Moraga; Planner Breines confirmed that many options were being pursued in that area. Chief of Design and Construction Diane Althoff updated the group on access points, including the primary one on Bollinger Canyon Road. A discussion of priorities ensued, including Sunol/Las Trampas, and that Mission Peak's consultant, LSA, recently provided a geographical report that is currently in review with District engineers. Park Planner Michelle Julene advised that in spring 2015, the area should be open to the public.

Director Sutter noted, regarding Sibley, that the Camping Report was a staff document that was presented to the Board, but the way it reads in the staff report it appears to indicate that the Board set priorities based on this document, and he wanted to note that was not the case. Acting GM Jim O'Connor explained that the lower priority for Sibley in the Camping Update was based on a creek issue – and now that the issue is resolved, the item can move up. Director Wieskamp suggested that the camping item be brought to the 2015 Board Workshops, and that she would like to see more clarity on the changes at Black Diamond.

Public Comment: None.

Recommendation: None. This was an informational item.

2. Brickyard Planning Update

Landscape Architect Ren Bates reviewed a refinement of plans the Brickyard from last year, following the plan for McLaughlin Eastshore State Park. Director Dotson wanted to know where the arsenic was found in the soil; Architect Bates explained. Director Sutter asked about the dog issue; Architect Bates explained that it was state property, and he wasn't sure what Ordinance 38 laws would apply. AGM Nisbet commented that there would be phasing of the project, and Director Sutter wondered if consideration had been given to the view of the Bay from the freeway. Architect Bates responded that with the existing wetlands and the bridge, that the view from the freeway was seen as less of an issue. The Committee also had a discussion of what priorities should be taken into consideration.

Recommendation: None. This was an informational item.

3. Public Comment

Toni Mester, Vice-Chair of the City of Berkeley Parks and Waterfront Commission, invited District staff to a meeting on January 14, 2015 regarding the issues of traffic, facilities, and dogs at the Brickyard, which are a major issue off leash in certain areas. She promised a busy meeting, with very passionate folks. AGM Nisbet confirmed that staff was aware of the meeting. Director Sutter wanted to know regarding the park bond that was recently passed in the City of Berkeley – if any of these funds could be used for the Brickyard issue? Ms. Mester explained that no, the park bond only acts to fill a deficit.

Ed Bennett, CESP, wanted to know if contours were being established for the west side – the answer is no because the idea is to provide access to the bay, but there will be windbreaks elsewhere. Regarding the visitor center, he thinks that there should be a “super plan” now, and wanted more information on the location of the corp yard and traffic. Staff clarified that the plan calls for a service yard, which is not the same as a corp yard. Mr. Bennett suggested locating the service yard to the north of the playing field. He liked the detail of the plan presented.

Ellen Barth, CESP, spoke on behalf of Sylvia McLaughlin, who urged the infrastructure for a visitor center in honor of Dwight Steele be installed with the initial construction.

Shirley Dean, speaking as a representative of CESP, reiterated CESP's concern about utility planning for multiple buildings. She voiced CESP's concern about the location of the corp yard, since their belief is that it will become a symbol for the park as the staff uses the same entrance as visitors. CESP would prefer the location at the northern intersection of Gilman Street or under the freeway. Regarding the scattering of buildings around the site, CESP would like to see a single location to cut costs and in anticipation of the visitor center. She encouraged a "think big" mentality for building construction and added that CESP will work for a compromise on some issues but not the utilities, as indicated on letters sent by CESP to the District.

Acting GM O'Connor and AGM Nisbet responded that current plans for the utilities will provide later flexibilities as needed, because phasing of the projects on this site is key.

Director Sutter concluded that there are many ways to honor Dwight Steele aside from a visitor center.

The meeting was adjourned at 2:24 p.m.

Respectfully submitted,

Susan D. Schinnerer

Remain Vigilant

November 21, 2014 , The Independent By Janet Armantrout

Dublin residents spoke loud and clear on election day, with over 83 percent of those voting rejecting the Measure T, “Let Dublin Decide.” The measure established permanent urban growth limit lines on the east and west sides of Dublin.

Voters in Livermore, Pleasanton and Alameda County had previously voted to put in place urban growth boundaries. Only the voters in the cities and county can now change the boundaries.

Measure T was sponsored by Pacific Union, which qualified “Let Dublin Decide” in response to the “Dublin Open Space Initiative” sponsored by Dublin citizens and environmental groups. The developer approached Dublin with a proposal to build up to 2000 homes in Doolan Canyon. In June, the Dublin City Council unanimously adopted the environmental coalition’s “Dublin Open Space Initiative” and placed the developer’s initiative on the ballot.

The result of the November vote preserves Doolan and Collier Canyons, which include agricultural lands and open space, and retains the greenbelt between Dublin and Livermore. It also will take development pressure off open space areas in Tassajara and Las Positas hills stretching north of Livermore to Mount Diablo and Los Vaqueros, an important wildlife corridor.

These areas are preserved - for now. However, developers will be back with plans and promises, asking voters to extend their ability to sprawl into areas outside the growth boundaries. In Pleasanton, the potential is already on the table to move its boundary on the eastside to allow for development near the Chain of Lakes.

While celebrating this important victory, at the same time, residents who care about preserving the beautiful open space that surrounds us, should remain vigilant.

New Wind Turbines Approved

The Independent, Friday, November 21, 2014

The East County Board of Zoning Adjustment (BZA) has approved a program environmental impact review (EIR) for re-powering wind turbines in the Altamont that could have some long-term implications for the preservation of agricultural and open space uses in the Valley.

The board also approved project EIRs and the applications for two major turbine repowering projects at its meeting Nov. 12 in Pleasanton.

One turbine approval involved the Patterson Pass Wind Project on a 1.5 square mile area on the north side of Patterson Pass Road, two miles from Midway Road. The project would build from eight to 12 new turbines, with a combined maximum power output of 9.8 megawatts. The new turbines would replace 336 antiquated turbines.

In addition, Golden Hills Wind received approval to install up to 52 wind turbines for a combined power output of 88.4 megawatts. The project would cover 7 square miles. The turbines would replace 775 old technology turbines.

Dramatic reductions in raptor deaths are expected because of the reduction in number of turbines, and better siting on the property.

The creation of an advisory committee to oversee the repowering, in the light of program EIR, will be considered at the BZA board meeting in December.

Board member Larry Gosselin told The Independent that in the program EIR can be found the germ of an idea that could help integrate open space and working agricultural landscape planning. It deals with the mitigation that turbine firms will be expected to accomplish.

Gosselin explained that a Department of Interior memo last year talked about "landscape-scale" mitigations. Instead of just finding a parcel here and there for a mitigation, the county could look at the entire picture.

"Landscape scale mitigation is based on the concept of the impacts of large-scale projects, as in the Altamont. In terms of mitigation in the past, we focused on raptors and singular spots in or out of the landscape area," said Gosselin.

"In a landscape-scale approach, the entire ecosystem of the area would be considered. The focus would be on protecting a healthy landscape for eagles, versus putting up a few eagle roosts on poles. It's a broader strategy," said Gosselin.

Stakeholders that might be interested in being involved in the advisory committee could have a role in this holistic approach, said Gosselin. They could include the state and federal Fish & Wildlife Departments, USDA, and the state Natural Resources District

Using "chunks of land" for mitigation works against preservation of agricultural areas, said Gosselin, who is a rancher and veterinarian.

A bigger view of planning can work better. "Look at the South Livermore Plan. It has helped the wine industry," said Gosselin.

"I believe the operators have an interest in as well as an obligation to mitigate the impacts. I think they appreciate the fact that a plan is now being considered that would define mitigation strategies," said Gosselin.

Kayak Store Drops Plans for Lawsuit

Livermore Independent, Friday, November 21, 2014

Sunrise Mountain Sports, the Livermore store that established a kayak concession at Lake Del Valle in 2006 and built the sport locally and regionally, has decided not to file suit over loss of the concession for the coming year.

Sunrise first lost the concession earlier this year to Outback Adventures, a Fremont kayak store. Sunrise was declared the winner by a vote of the East Bay Regional Park District's operations committee, then was again declared the loser.

Last month, Sunrise founder and owner Kim Grandfield announced plans to sue on the grounds that bidding was carried out improperly.

The suit would have alleged that East Bay Regional Park District staff behaved incorrectly in several respects, many of which were outlined by Sunrise in a seven page protest letter last May when it was notified for the second time that it had lost.

In the weeks since he announced plans to sue, he said, he and his attorney have been able to examine the operating agreement by which East Bay Regional Park District manages Del Valle for the state. They found that the wording suggests that the park district is not required to live up to high standards of contract law.

As a result, the courts would likely grant the park district "flexibility" in its operations, and a suit would be a waste of money, he said.

Grandfield said he is "very disappointed" not to be able to continue the kayak program that he established and fostered at Del Valle over the past eight years.

He has until the end of November to remove all his kayaks and equipment from the buildings at the park. He has sold many kayaks already; several dozen remain. One silver lining for him is that the Park District agreed to pay him \$7,500 for the facilities, which he set up at his own expense.

Grandfield will continue to sell and rent kayaks from his Livermore store. He will also continue to offer lessons and tours at other locations such as rivers, lakes and the ocean.



Ladybug “Convention” in the East Bay

KMJ 580 am and KMJ 105.9 fm 11/20/14

OAKLAND (Courtesy of KMJ's News Partner - CBS SF) — Thousands upon thousands of ladybugs are taking flight in the East Bay hills.

East Bay Regional Park Naturalist Michael Charnofsky says even in Wednesday’s rain, the ladybugs are hard to miss.

“When you see an insect by the thousands all together, it’s something that we’re just not used to. You should be in awe when you see this.”

Charnofsky says the bugs have gathered in the East Bay to mate and sleep.

“What most people don’t know is that most ladybugs, the most common ladybug that we have in California, it hibernates in a group.”

The ladybugs typically migrate in November, only to leave a few months later.

“This is an adaptation to help them survive the winter. There’s not enough food for them to eat in the winter where they normally live along the coast where these particular ladybugs live, there’s not enough food for them, plus it’s too cold for them to be active,” according to Charnofsky.

Pleasanton: What's at the bottom of Shadow Cliffs lake?

By Beth Jensen Correspondent, *Insidebayarea.com*

11/20/14



Tom Smith enters the water while Fred Butler adjusts his mask before joining Smith at Shadow Cliffs Regional Recreation Area in Pleasanton, Calif., on Tuesday, Nov. 11, 2014. A small group of divers meets at least once a month to practice their diving skills and at the same time retrieve junk from the bottom of the lake. (Jim Stevens/Bay Area News Group) (JIM STEVENS)



A young boy fishing from the shore watches as Fred Butler, left, Tom Smith and... (JIM STEVENS)



There's a dump in Pleasanton where most of the trash -- hundreds, if not thousands, of pound of it -- is invisible.

The garbage is on the lake bed at Shadow Cliffs Regional Park, where old beer cans, chip bags and endless tangles of monofilament line pile up year after year, visible only to the fish and other lake creatures who must live among it. Like every other body of water frequented by people, the lake bottom is a final resting place for everything from bicycles and boats to fishing lures and boat motors.

The debris ordinarily would just pile up, were it not for a group of public-spirited scuba divers who volunteer their time to dredge out the junk every month or so. The five-man team brings decades of diving experience to the work -- three of them are divers for the Alameda County Sheriff's Department Underwater Recovery Dive Team.



Rich Mork, left, Fred Butler, Mike Miller and Tom Smith show some of the junk they retrieved from the water at Shadow Cliffs Regional Recreation Area in Pleasanton, Calif., on Tuesday, Nov. 11, 2014. A small group of divers meets at least once a month to practice their diving skills and at the same time retrieve junk from the bottom of the lake. (Jim Stevens/Bay Area News Group) (JIM STEVENS)

Dublin recreational diver Tom Smith, 68, of Dublin, conceived the cleanup team about five years ago when he participated in the 2009 National Shoreline Cleanup Day, volunteering to collect underwater garbage with other divers at Shadow Cliffs.

"I don't think it had ever been done (at Shadow Cliffs)," he said. "We got 500 pounds of trash out of there. We pulled out everything -- bottles, cans, whiskey bottles, you name it. There was a lot of plastic and Styrofoam -- all stuff that kills the fish and is terrible for the environment. After cleaning that out and seeing that no one else was doing it I wanted to see what I could do to help clean it out."

Smith put together a small team of diving buddies and navigated the paperwork channels at East Bay Regional Parks, finally receiving approval to dive at Shadow Cliffs on a trial basis. Few lakes have such programs, said park superintendent Bill Kaminski.

"As far as I know, this is kind of unique to Shadow Cliffs," he said. "It would be a nice service to other parks, but this is kind of a test project here, and these guys are pretty local, so it works for everybody."

While park district staff works to keep the shoreline clean, they can't access garbage that

finds its way into the water.

"It gets windy, and a lot of picnic debris will blow into the lake," he said. "And then there's just general carelessness; fishermen who sometimes find it more convenient to drop stuff over the side than to take it to a garbage can."

That's where Smith and the rest of the dive team come in, bringing lifetimes of dive experience to the job. Mike Miller, 67, of Fremont, is a dive master and teaches disabled divers. Fred Butler, 69, of San Ramon is a dive master, and Rich Mork, 66, of Livermore is a master scuba diver trainer. Along with Jim Hamilton of Livermore, Butler and Mork are also members of the Alameda County Sheriff's Department Underwater Recovery Dive Team, Butler serving as a captain and Mork an assistant chief.



Rich Mork searches for junk near the shore at Shadow Cliffs Regional Recreation Area in Pleasanton, Calif., on Tuesday, Nov. 11, 2014. A small group of divers meets at least once a month to practice thier diving skills and at the same time retrieve junk from the bottom of the lake. (Jim Stevens/Bay Area News Group) (JIM STEVENS)

The 40-member volunteer group of highly trained divers performs underwater search and recovery for drowning victims and criminal evidence. They work in all water conditions, including zero-visibility "black water," where they must search by touch alone. Conditions are generally better at the 80-acre Shadow Cliffs, where water depth normally ranges from about 20 to 45 feet. Currently about 15 feet lower than usual due to the drought, the lake's water usually has a cloudy green appearance, with a visibility of about 10 to 15 feet at the surface. Below the surface, sea grass up to 6 feet tall grows from a thick layer of silt. When disturbed, however, the silt forms a black cloud, reducing visibility to near-zero.

LOTS OF SURPRISES

The team focuses on a different area with each dive, generally cleaning the public swim area in the spring to prevent swimmers from cutting their feet on underwater debris. From there, they fan out over the lake, sometimes swimming from shore to shore. They try to swim side-by-side, each carrying collection bags and backup air tanks. They never know what they'll find.

"You get a lot of hooks, lines and a lot of fishing equipment," Smith said. "We're always

getting hooked up on fishing lines; you just have to be careful when you come out, because you can really get snarled. That's why we carry scissors or a knife so if we get wound up we can cut ourselves out."

The divers tend to see a lot of the same debris, with the occasional surprise, Mork said.

"A lot of the stuff is mainly trash left behind, like paper, plastic bags, aluminum cans and glass bottles," he said. "When we were doing a cleanup dive some years ago, we went in by the picnic area by the swim area and brought back one of Shadow Cliffs' barbecue pits. We've pulled out pieces of rebar, buckets filled with cement that people have dropped in as anchors, road signs -- the A-frame style that fold -- and a lot of boat anchors. The joke is that if we bring up another anchor one of us is going to have to buy a boat."

The divers also have found an almost-new child's bicycle, full-sized beach umbrellas, radios, a paddleboard paddle (returned to the owner) and a paddle boat that remains deeply mired in the silt. They average about 45 pounds of collected debris per dive, with the heaviest objects raised with inflatable lift bags. The most disturbing finds are those that cause the most environmental damage, such as car batteries and the lead acid batteries used by fishermen for their trolling motors. Even ordinary picnic items can have devastating results for the local wildlife.

"All the ducks and geese there? You can see them with those six-pack plastic holder things around their necks," Smith said. "Styrofoam is really bad -- they think it's something to eat.

"Lots of times we'll find crawdads inside aluminum cans," he added. "We'll break the can open and put the crawdad back in the water. If they're wound up in fishing line, we'll take our scissors and cut them free. Otherwise they'll die."

On a recent day's dive, Smith, Mork, Butler and Miller meet at the park's boat launch area for coffee and doughnuts before they enter the water. Then comes the laborious process of lifting on heavy vests loaded with scuba tanks, backup tanks and assorted devices and gauges designed to keep them safe underwater. After multiple equipment checks, they lumber down the gravel path and into the water, bobbing as they don flippers and make last-minute adjustments to their gear. They then disappear, their presence visible only occasionally by a stream of bubbles breaking the surface or a pair of flippers popping out as a diver heads back toward the bottom. Half an hour later they emerge dripping, toting orange string bags loaded with soda and beer cans, plastic plates, beer bottles, a flexible plastic tray, potato chip bags, a huge tangle of fishing line and a metal reel handle from a fishing pole.

"This is what people throw in," said Butler.

As the four men remove face masks and flippers, little children fishing nearby with their fathers and grandfathers stop to watch the unusual sight, then run over to admire the team's diving gear and to examine the contents of the collection bags. Smith explains to them where the trash came from and how they collect it.

"Wow," one says, fingering the mess of fishing line. "It's cool what you do."



Fred Butler is among a group of divers retrieving junk from the bottom of the lake at Shadow Cliffs Regional Recreation Area in Pleasanton, Calif., on Tuesday, Nov. 11, 2014. The group meets least once a month to practice thier diving skills and clean up the lake. (Jim Stevens/Bay Area News Group) (JIM STEVENS)

Altamont Pass poised to usher in next 30 years of wind power

By Jeremy Thomas jethomas@bayareanewsgroup.com, November 15, 2014

LIVERMORE -- In what Alameda County officials are calling a historic milestone, the framework for the next 30 years of wind energy on the Altamont Pass has taken a step forward, with hopes it will help reduce deaths of birds, bats and other animals.

A county planning board on Wednesday certified the final program environmental impact report for Alameda County's portion of the Altamont Pass Wind Resource Area as well as conditional use permits for two of the largest repowering projects in the area's history.

The document allows for a maximum of 450 megawatts of energy production and about 281 total turbines, provided wind energy companies adhere to strict conservation measures.

"It's the beginning of a 30-year process," said county planner Andrew Young. "It's very big for the Altamont. It's huge -- it's almost monumental."

Begun in 2010, the 900-page report sets parameters for protecting golden eagles, red-tailed hawks and other raptor species. Wind companies will be required to place turbines in low-risk areas, mitigate for bird, bat and amphibian deaths, and apply for federal Eagle Take Permits requiring the retrofitting of power poles. They will also have to pay a penalty for raptor deaths, which could go to funding rehabilitation centers.

"It's a pretty important step to being able to provide certainty to developers ... and certainty to environmental groups that there will be mitigation," said Alameda County Assistant Planning Director Sandi Rivera. "With this added conservation approach, it goes beyond your typical EIR or (California Environmental Quality Act) requirements."

An advisory committee will monitor avian mortality rates for three years after the turbines are installed, with a public review after 10 years. Deaths exceeding the county's threshold figures would trigger further operational actions, including seasonal shutdowns of turbines.

The Altamont Pass -- one of the largest concentrations of wind farms in the country -- is in the midst of a major decommission of about 4,000 older

generation turbines in an effort to reduce the thousands of bird and bat deaths caused annually by windmill impacts.

A 2007 settlement between Alameda County, windfarm operators, the Golden Gate Audubon Society and Californians For Renewable Energy sparked agreements with NextEra Energy Resources to repower or replace old turbines by 2015. Existing permits were extended in 2005, with conditions requiring operators to repower with fewer and more efficient turbines by 2018.

The programmatic environmental report concludes continued wind energy on the Altamont Pass will have "significant unavoidable impacts" to wildlife. However, county officials and environmental groups said they expect the new measures, coupled with larger turbines in the next generation, will make Altamont less deadly to birds and other animals in the future.

Audubon California policy director Mike Lynes said the group is supportive of repowering efforts in the Altamont and will continue to ensure the county and wind companies take the proper steps to reduce impacts to birds.

"We want to see those old turbines taken out and we want to see new turbines put in that can provide renewable energy," Lynes said. "But as new turbines are put in, we want to make sure they're well-sited and the impacts to local bird populations are fully mitigated. We think the programmatic EIR is a good step in that direction, and now it really is a matter of how it's implemented."

In addition to certifying the landmark report, the board also approved permits for two major wind projects.

NextEra Energy Resources' \$180 million Golden Hills Project will see the installation of 48 wind turbines, generating 86-megawatts of wind energy across roughly 7 square miles. The project will replace 775 existing turbines and is expected to be constructed by late 2015.

"We're going to see a drastic increase in energy output, just on a smaller footprint," said NextEra project developer Daryl Hart.

The other project, EDF Renewable Energy's Patterson Pass Wind Project, will generate close to 20 megawatts of energy with 7 to 12 turbines, which could exceed 500 feet in height. The turbines will be placed on the north side of Patterson Pass Road and cover about one-and-a-half square miles.

The combined projects represent the first repowering on the Alameda County portion of the Altamont since 2003, and are the largest in terms of energy generation in the history of the Altamont Pass Wind Resource Area, Young said.

Buildout of the repowered windfarms is expected to take place over the next four years. Other projects planned for the next several years include the 80-megawatt Mulqueeney Ranch project by Brookfield Renewable, a 95-megawatt project by Altamont Winds, and Ogin Inc.'s Sand Hill Wind Project, a 4-megawatt test of "shrouded" turbines with the potential for 30 more megawatts added later.

Jim Coelho



November 13, 2014, The Independent

Jim Coelho was born in San Jose, California to Emily Mori Coelho and John Rose Coelho. Jim is preceded in death by his parents and his late wife, June Callejon Coelho. Jim is survived by his wife Virginia, sister Nancy Coelho Margherita (Bob), brother John Coelho (Jeanne), daughters Mary Wilson (Daniel), Teresa Blake (Randy), Julie Mast (Warren), stepchildren Gael-a Wylie (Eric), Benn Burns, Alison Bettencourt (Mike), many nieces, nephews, grandchildren and great-grandchildren.

Jim was raised on a small diversified crop and livestock ranch in the San Francisco Bay area. Jim attended the University California Davis, California Polytechnic State University San Luis Obispo, and Cal State Hayward studying Administration and Agricultural Educations. It was at a young age that Jim began his 65+ year passion and career of cattle ranching. While maintaining and growing his irrigated pasture, row crop pasture, stocker cattle in Dixon-Davis and his cow-calf herd in the Mission San Jose area of Fremont, California, Jim was also the Director of Agriculture at Livermore Valley School District for 25 years and the founder and teacher of the Agriculture Business Management program at Chabot College.

Previously, Jim served as a member of the Board of Directors at the Alameda County Fair in Pleasanton, where he served as President of the Board. Among many other leadership roles he served on the Boards of the Alameda County Farm Bureau, the Sierra Bay Farm Credit Association and the California Agricultural Leadership from 1971 to 1973, and served on the California Cattleman Association Convention and Legislative Action Committees. He was also a member of numerous organizations, including the National Cattlemen's

Association, serving on the Research and Education Committee and belonged to Cattlefax.

There will be a Celebration of Life for all family and friends at the Alameda County Fairgrounds on Monday, November 17, 2014 from 4pm-7pm in the Exhibition Hall Area. Private burial services will be held. In lieu of flowers the family requests remembrances in Jim's name to the donors local F.F.A. Chapter or 4H Club.

Volunteers clean up Oakland shoreline habitat

By Jaxon Van Derbeken

Saturday, November 15, 2014, SF Chronicle



Photo: Daniel E. Porter / The Chronicle Lakisha Mitchell-Mellor (left), restoration ecologist with the Golden Gate Audubon Society, works with volunteers Diana Mueller, Kavi Lal and Nathan Weaver at the monthly cleanup on the Oakland shoreline.

On a tiny finger of land in Oakland — surrounded by rock walls and the fence lines of nearby industrial parks along Interstate 880 — volunteers muster each month in the ongoing battle to restore San Francisco Bay.

Every third Saturday, college students, environmental activists and ordinary citizens, armed with gloves, shovels and donated mulch, venture among chunks of abandoned concrete to attack invasive plants and hold the line on a tide of urban flotsam brought to the **Martin Luther King Jr.** shoreline by five urban waterways.

On Saturday, the detritus hauled away from Elmhurst Spit included an old hiking boot, a dead red-eared slider turtle and the usual collection of plastic bits and cigarette butts.

All of it threatens the California clapper rail and tiny salt-marsh harvest mouse, which is nocturnal.

The endangered clapper rail, like other bird species on the Pacific Flyway migratory route, clings to this beachhead to rest when the tides rise and flood the surrounding wetland marshes. It can eat the debris itself or accidentally feed its young with bits that can cause the birds to feel full but leave them malnourished.

Kisha Mitchell-Mellor, who is leading the fight to restore this wetland habitat for the **Golden Gate Audubon Society**, first dispatched her volunteer troops to dig up weeds that have thrived in the drought and threaten to choke the life out of a carpet of nearby native plants Mitchell-Mellor has put down at the outlet of Elmhurst Creek.

Her foes on Saturday included the star thistle. “We call it the star thug — it is a bit of a bully for a weed,” she said.

The plant can easily be dispatched by a volunteer with a pair of gloves, garbage grabbers and a trusty ax. Another nasty foe they encounter has an equally nasty name — the stinkwort. It flourishes when other plants die, and it can rob native plants of space and nutrients.

Mitchell-Mellor and her volunteers easily take out those plants along a path used by hikers, bikers and birdwatchers. Still, she says, the effort is far from done. “It takes 10 years to eradicate a weed — that’s just the reality of it. We have to be constantly working on it.”

After taking out the weeds, the crew went after the far more difficult challenge — the daily wave of garbage that chokes this oasis. She warned her volunteers that some of it is hazardous. “I guarantee you are going to find a needle today,” Mitchell-Mellor admonished her squadron of environmental fighters.

But they also found a harbor seal playing in the water and scores of birds, including a brown pelican and the flocks of migratory and native species that converge on the wetlands.

Mitchell-Mellor — a restoration ecologist who has been working here for two years — says she does not get discouraged by the endless sea of debris that gets deposited. “I’ve seen the change. There is less trash.”

And if the troops are exhausted, they don’t show it.

“I love the feeling of cleaning, and when we’re out cleaning up, we see the tangible results,” said **Ann Barnard** of Oakland, who regularly takes part in cleanup efforts around the bay.

She used to see plastic six pack rings everywhere. “Now,” she said, “it’s cigarette butts.”

And of course, tiny bits of plastic.

“The big stuff scares me,” Mitchell-Mellor says of the garbage. “But not as much as the little stuff. The little tiny bits of Styrofoam and little balls of plastic that will never disappear.”

“Styrofoam is the worst. I knew Styrofoam was toxic, but trying to pick up all these little pieces, it is almost impossible to get it all,” said **Julie Twichell** of Berkeley.

Some 300 people showed up last year to wage the battle, and Mitchell-Mellor hopes still more will join the fight. Employees at some companies, including Twitter, have recently donated full days to the restoration cause. The haul for Saturday amounted to four full-size garbage bags of debris.

“It was a great work day — a lot of weeds got removed,” she said.

Venture to East Bay parks by transit and bicycle

By Renee Rivera, SF Chronicle

Wednesday, November 12, 2014



Photo: Melissa Avery / Chasquimom.com

Crisp fall days are a great time to get outdoors in the Bay Area. This time of year is especially good for adventures in the East Bay Regional Parks, as many gems of the park system are too hot to explore in the summer months. With the first rainfalls, the East Bay hills start to turn green, and the cooler weather is perfect for hiking and mountain biking.

There's no need to start up the car to access these amazing parks. Many are within an easy bike ride from a BART station, and a Clipper Card is just as useful as a car for exploring the East Bay Regional Parks.

Here are a handful of East Bay Regional Parks that are easily accessed from BART. All have great options for easy to advanced hikes and excellent mountain biking.

Alameda Creek Trail and Coyote Hills Regional Park: Combine the Alameda Creek Trail, a mile away from the Fremont BART Station, with a visit to Coyote Hills Regional Park for a relaxing bike day trip. The paved Alameda Creek Trail takes you through Fremont along the marshy creek to the bay. The creek trail and Coyote Hills park both offer great bird-watching. Don't miss a visit to the Coyote Hills Visitor Center, which has an excellent exhibit on the Ohlone Indians. Map to 8000 Patterson Ranch Road, Fremont. Park details at <http://bit.ly/Yc6ocB>.

Anthony Chabot Regional Park: This popular park has two hilly loops around Lake Chabot, a 9-mile loop for hikers and a 15-mile loop for mountain bikers. The park is also a great destination for fishing, camping and boating. An easy 3-mile ride via bike lanes on Estudillo Avenue connects the San Leandro BART Station to the start of a path that leads to the lake. Be sure to continue left on Estudillo after the Interstate 580 undercrossing, rather than taking the right on Lake Chabot Road. Park bikes in the parking lot or pedal up the hill to the start of the hiking and mountain bike loop. Map to 1798 Estudillo Ave., San Leandro. Park details at <http://bit.ly/1tFbBmD>.

Garin/Dry Creek Pioneer Regional Park: In the hills east of Hayward, the Garin and Dry Creek parks provide miles of hiking and mountain biking trails, exhibits on early farming equipment, an annual Apple Festival and much more. A 2-mile bike ride from the South Hayward BART Station, via Dixon Street, and a short but steep climb up Garin Avenue brings bicyclists to the park entrance. Pick up a map to see the many options for hiking and biking in the park. Map to 1320 Garin Ave., Hayward. Park details at: <http://bit.ly/1MmLFT>.

Wildcat Canyon Regional Park: At the north border of Tilden Park, Wildcat Canyon features amazing views of the North Bay and a meandering creek in a canyon that feels

hundreds of miles away from the neighboring cities of El Cerrito, Richmond, San Pablo, El Sobrante and Kensington. A flat 4.2-mile bike ride from the El Cerrito del Norte BART Station via the Ohlone Greenway and the signed I-80 bikeway leads to the Park Avenue entrance. Park bikes in the parking lot or continue to ride onto the Wildcat Creek trail. Map to Wildcat Canyon Parkway, Richmond. Park details at <http://bit.ly/1tN8R8g>.

For more on reaching the outdoors by transit, go to the Transit and Trails website, or download the app, at www.transitandtrails.org. Take full advantage of the wealth of parks available in the Bay Area by making the entire trip part of the adventure, and combine your two wheels with BART. Find more transit and bike adventure ideas, visit www.bikeeastbay.org/parks.

*Renee Rivera is executive director of Bike East Bay. E-mail: 96hours@sfchronicle.com
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Bike About Town is presented by Bike East Bay (formerly East Bay Bicycle Coalition), a 4,000-member nonprofit working for safe, convenient and enjoyable bicycling for all people in the East Bay. For more biking resources, go to www.bikeeastbay.org.

Parks and open space measures win in Silicon Valley, East Bay and nationwide

By Paul Rogers, Mercury News

November 11, 2014

Although Election Day was mostly a disaster for environmentalists nationwide, in one area - open space and parks funding -- they found success in the Bay Area and other parts of the United States.

Supporters of the largest open space measure in Northern California, Measure Q, a parcel tax to raise \$120 million over the next 15 years for open space preservation in Silicon Valley, declared victory Monday. With nearly all ballots counted, the measure had 67.64 percent of the vote, about 1 percentage point above the two-thirds threshold it needed to pass.

The \$24-per-year tax will give the Santa Clara County Open Space Authority money to buy development rights to preserve farmland, build trails for bikes, hikers and horse-riders, and add roughly 15,000 acres of open space preserves and parks in the cities and rural hills of Santa Clara County.

"I think people felt that \$24 a year was an incredible bargain for what you get -- places to hike, great views and protection of the watershed and our water supply," said Melissa Hippard, program director for Greenbelt Alliance, a San Francisco environmental group. Opponents said they were disappointed, particularly with business groups such as the San Jose-Silicon Valley Chamber of Commerce that endorsed the measure.

"Every time we pass a new tax that means more businesses are going to leave California," said Mark Hinkle, president of the Silicon Valley Taxpayers Association in San Jose. "Every tax increase adds to the burden. We literally are killing the goose that is laying the golden egg."

Meanwhile, Berkeley voters also approved raising taxes for parks, passing Measure F by 74.9 percent.

The measure increased an existing special property tax by 16.7 percent, from 12.56 cents to 14.66 cents per square foot, to pay for maintenance and operation of playgrounds, ballfields and the city's Rose Garden. The cost for an owner of a 1,500-square foot house will increase from \$188 a year to \$219 a year.

In Dublin, voters overwhelmingly rejected plans to annex farmland and open space on the city's east edge near Livermore for new development. Measure T got only 17 percent of the vote, with 83 percent opposed.

The Pacific Union Land Co., based in Danville, had proposed building up to 1,990 homes in the area, known as Doolan Canyon, and had spent \$150,000 on the campaign.

"The days of fast growth are over," Seth Adams, land conservation director for Save Mount Diablo, told this newspaper. "It's not just this vote or this area, it's waking up a sleeping giant."

In Los Angeles County, voters rejected a \$23 annual parcel tax for parks and open space. Measure P would have raised \$54 million a year for 30 years. It won 62 percent of the vote, but needed just over 66 percent to pass.

Perhaps the biggest open space measure to pass in the West was not billed as one. But Proposition 1, California's \$7.5 billion water bond, promises \$1.5 billion to protect watersheds and other open space where much of the state's drinking water originates. It was endorsed by the Nature Conservancy and other large land trusts.

Nationwide, voters gave control of the U.S. Senate to Republicans, placing in leadership positions key senators who say climate change is a hoax and who support more oil, gas and coal development. But voters also approved a record \$13 billion for open space and parks funding, including in Florida, where a constitutional amendment to set aside 33 percent of an existing real estate tax for parks and wildlife projects passed with 75 percent support. The measure will raise roughly \$18 billion over the next 20 years.

In North Dakota, voters rejected a measure to devote 5 percent of the state's oil tax revenue to water quality, wildlife habitat and parks. Opponents said the measure would take money from schools, roads and other needs.

Voters in New Jersey, Colorado, Maine and Portland, Oregon, also approved significant measures for parks and open space.

"Tuesday was a remarkable day for land conservation in states and cities across America," said Will Rogers, President of The Trust for Public Land, an environmental group in San Francisco.

"Whether voters are 'red' or 'blue,' they are both 'green' and they are willing to vote with their pocketbooks to protect special places."

Cowboy Hootenanny Folk Festival Celebrates Ranching Heritage of Sunol Regional Wilderness



Volunteer helps a young visitor during a craft session.

Friday, November 7, 2014, The Independent

Celebrate Sunol Regional Wilderness' pioneer and ranching heritage at the Cowboy Hootenanny Folk Festival, a free public festival at the park on Saturday, November 15 from 11 am to 4 pm.

The old-fashioned fun includes square dancing to live music – with a caller to help you keep up with the steps; and clog dancing by the Mount Diablo Cloggers and the Clogging Express Team. Taste homemade lemonade, learn to make rustic toys such as stick ponies or clothespin dolls, and laundry with a wringer and washtub. Try horseshoes, whirlygigs, tops or other old-time pasttimes. Experience Dutch oven cooking, rope making, and quilting. Meet animals at the petting zoo. There will be pony rides for the little ones, too.

Before it became a public park, the Geary family ranched on the land that is now Sunol-Ohlone Regional Wilderness for nearly 100 years. Patrick and Mary Ann Geary were married in the Mission area of Fremont, in the shadow of Mission Peak. In 1865, the couple moved to the Sunol valley– traveling by foot, with their

belongings in a cart. The Gearys farmed - and raised their 11 children - at their homestead on Indian Joe Creek.

Geary descendants continued to ranch at Sunol for decades, even after Willis Brinker bought their land and other homesteads to form the JB Ranch. Brinker, a wealthy industrialist and builder of the original Bay Bridge, died while fighting a fire on the ranch. The land was sold to the Park District, which opened it to the public in 1962.

Join in the festivities on November 15, featuring live music, square dancing, crafts and games. Learn about local pioneer and ranching history.

Sunol Regional Wilderness, 1895 Geary Road, Sunol. Free admission. Parking fee \$5 cash. BBQ food will be available for purchase.

For information, call 1 (888) 327-2757 or visit www.ebparks.org ; Day of event: call the Green Barn Visitor Center at (510) 544-3249.

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