

Alameda County Resource Conservation District
. . . Making Conservation Happen

RCD SPECIAL BOARD MEETING ANNOUNCEMENT AND AGENDA

Thursday, February 18, 2010, 6:30 p.m. District Office, 3585 Greenville Rd., Livermore, CA

Guests are encouraged to RSVP by 11a.m. on Thursday Feb. 18th, to (925) 371-0154 ext. 124. Materials provided to the Board will be available at the RCD office the morning of the 18th.

CALL TO ORDER and PRELIMINARY ITEMS

CALL TO ORDER AND FLAG SALUTE

ROLL CALL OF THE DIRECTORS

Paul Banke, President; Directors Becky Dennis, Tim Koopmann, Rod Tripp, Brenda Vieux

INTRODUCTION OF GUESTS AND STAFF

Staff: Leslie Koenig, Terry Huff, Amy Evans, Marilyn Harvey
Guest: Daniel Mountjoy, NRCS Area 2 Conservationist

APPROVAL OF AGENDA

Motion	The Board adopts the Agenda.
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BUSINESS BEFORE THE BOARD

APPROVAL OF PRIOR MONTH'S BOARD MEETING MINUTES – *Written Minutes*

Staff Recommendation	The Board accepts the Minutes of the January 2010 Board Meeting.
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PUBLIC COMMENTS

CORRESPONDENCE

REGULAR CALENDAR

FINANCE COMMITTEE - Becky Dennis and Tim Koopmann

1. Financial Reports – see *Committee Report*

Committee Recommendation	The Board accepts the Finance Committee's meeting summary and financial reports and authorizes the Executive Committee to approve the finalized revised budget.
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2. PLCS Checking Account

Committee Recommendation	The Board authorizes staff Accountant to open an additional checking account for PLCS funds.
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3. NRCS Reimbursable – see *Project Report*

Staff Recommendation	The Board approves Amendment 3 to the Agreement between the NRCS and RCD (Contribution Agreement No. 65-9104-7-595) to change the billing requirements for the District to advance pay the NRCS for services to be provided under this agreement on a quarterly basis.
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STAFF PRESENTATION on Workload Analysis, Staff recommendations – *Leslie Koenig*

CONSERVATION COMMITTEE – Brenda Vieux, Tim Koopmann and Mark Swisher

4. Committee Report – *written report*

Committee Recommendation	The Board accepts the Conservation Committee's meeting summary and recommendations.
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5. New contract with Alameda County Flood Control District for Watershed Adventures and other tasks- *see project report*

Staff Recommendation	The Board approves the 2010-11 contract with Alameda County Flood Control District for Watershed Adventures and other tasks as outlined in Exhibit A of the contract. Contract term is 3/9/10-12/31/11; not-to-exceed amount is \$566,523.
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6. Amendment to EACCS Subcontract to Alnus Ecological, dba Jim Robins – *see Project Report*

Staff Recommendation	The Board approves Amendment 4 to the agreement between the District and Alnus Ecological for assistance with the implementation of the East Alameda County Conservation Strategy Project for a total amount not to exceed \$75,000.
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SPECIAL PROJECTS COMMITTEE – Rod Tripp and Mark Swisher

7. Arroyo de la Laguna Earmarks - *see Project Report*

PARTNERSHIP FOR LAND CONSERVATION AND STEWARDSHIP – Rod Tripp

8. Mutual Settlement Agreement – *see Project Report*

Staff Recommendation	The Board approves the Mutual Settlement Agreement and Release between Joseph P. Ciolek dba Extend Conservation Services Group in reference to the Professional Services Agreement and associated modifications between the District and the Consultant for Consultants waiver of a claim for payment up to the total of \$34,333.33.
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9. Fee Schedule – *see Project Report*

Staff Recommendation	The Board approves the updated 2010 Fee Schedules for services rendered under the Partnership for Land Conservation and Stewardship.
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CONSERVATION PARTNERSHIP TEAM REPORTS

10. Monthly Team Report – *Written Report*
11. Leadership Reports
- a. President Paul Banke

- b. Interim Executive Officer Leslie Koenig
- c. NRCS District Conservationist Terry Huff

BOARD MEMBER COMMENTS AND REPORTS

SCHEDULING NEXT MEETING AND FUTURE AGENDA ITEM SUGGESTIONS

ANNOUNCEMENTS

Upcoming Meetings

February 25 Arroyo de la Laguna Earmark Legislative Meeting, Heritage House, Alameda County Fairgrounds

Board and Committee Meetings

March 15	March Board Meeting
TBD	Special Projects Committee (Charbonneau)
March 9	Finance Committee (Harvey)
March 4	Conservation Committee (Anima)
TBD	Education and Outreach Committee (Evans)

ADJOURNMENT

Alameda County Resource Conservation District

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RCD SPECIAL BOARD MEETING MINUTES

Thursday, February 18, 2010, 6:30 p.m.

District Office, 3585 Greenville Rd., Livermore, CA

CALL TO ORDER and PRELIMINARY ITEMS

CALL TO ORDER AND FLAG SALUTE conducted by President Banke at 6:35 p.m.

ROLL CALL OF THE DIRECTORS

Paul Banke, President; Directors (Becky Dennis- *absent, excused*) Tim Koopmann, Rod Tripp, Brenda Vieux

INTRODUCTION OF GUESTS AND STAFF

Staff: Leslie Koenig, Terry Huff, Amy Evans, Marilyn Harvey
Guest: Daniel Mountjoy, NRCS Area 2 Conservationist

APPROVAL OF AGENDA

<i>Motion</i>	<i>The Board adopts the Agenda, by unanimous consent, as moved by Dir. Koopmann and seconded by Dir. Vieux.</i>
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BUSINESS BEFORE THE BOARD

APPROVAL OF PRIOR MONTH'S BOARD MEETING MINUTES – Written Minutes

<i>Motion</i>	<i>The Board accepts the Minutes of the January 2010 Board Meeting, by unanimous consent, as moved by Dir. Koopmann and seconded by Dir. Vieux.</i>
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PUBLIC COMMENTS Daniel Mountjoy, NRCS, gave a status update on NRCS activities, and described the excellent efforts of staff as to the quick turnaround in regard to EQIP. He said that the process will get back on schedule in the new fiscal year. As for funding for the EQIP program, this year's allocation will be less than last year's, however, more funding is available for special initiatives. Alameda County got less of a reduction than some other counties.

CORRESPONDENCE A letter from Ed Burton outlining the accomplishments of NRCS was circulated. Dir. Banke read an announcement from LAFCO that there are two seats open, and that the incumbents are seeking re-election to them.

REGULAR CALENDAR

FINANCE COMMITTEE - Becky Dennis and Tim Koopmann

1. Financial Reports – see *Committee Report*

Marilyn Harvey presented the financial reports. She reported on A/R and noted that she and Leslie are tracking the progress of the Calfed payment, and that the SFPUC payment process is now fairly smooth. For the profit/loss report, Marilyn noted that the finance committee reviewed the revised budget prepared by staff, and that updates to the P/L report were made in response to the revised budget. Marilyn discussed the changes highlighted in the revised budget including: unanticipated state loan from the county taxes, an increase in legal fees line item, and a decrease in

subcontractor expenses. Dir. Banke noted that in December 2009 we were looking a minus \$26K, and now a positive balance of \$4K. He recommended that this level of analysis be continued in order that we have a realistic roadmap to work from, that for the next fiscal year we should project a 5-10% surplus, and also start to build a reserve for legal of \$20-25K over the next 5 years, as well as establish other capital funds.

Marilyn then went through our contracts, which now shows both original and revised (Q 3&4) budgets. There is projected to be a drop in billable staff time; PUC easements work was over budgeted and started later than expected and workshops and outreach will be conducted next FY. It was noted by Leslie and Marilyn that this is a more conservative budget and more accurate than in previous years, and is based on project work- with more realistic projections.

The finance committee discussed the situation with the lease- the county is losing money on managing the facility so they are proposing turning it over to GSA, therefore delaying lease extensions because GSA will be negotiating directly with tenants if they become the facility managers. We are currently paying \$1.25 per sf including utilities; because of higher vacancy rates in the area we may be able to push back if a rate increase is proposed by GSA.

Removed text in motion that read "and authorizes the Executive Committee to approve"

Motion	The Board accepts the Finance Committee's meeting summary and financial reports and approves the finalized revised budget by unanimous consent, as moved by Dir. Tripp and seconded by Dir. Vieux.
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2. PLCS Checking Account

Motion	The Board authorizes staff Accountant to open an additional checking account for PLCS funds, by unanimous consent, as moved by Dir. Tripp and seconded by Dir. Vieux.
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3. NRCS Reimbursable – see Project Report

Daniel presented background information on the District's reimbursable agreement. The current agreement is for \$75,000. Federal reimbursement policy is being revised, and payments must be received in advance of work performed by NRCS staff. A discussion took place concerning how best to provide in-advance payments, whether monthly or quarterly, in light of the District's cash flow situation; it was agreed that bi-monthly payments would work best for the District. This will need to be negotiated with NRCS. It was also agreed that the District research the possibility of obtaining a line of credit to assist with pre-payments if our cash-flow situation warrants. Terry reiterated that both ACRCD and NRCS benefit from the reimbursable agreement.

The motion was modified to allow staff to continue to negotiate a satisfactory pre-payment schedule with NRCS.

Motion	The Board directs staff to propose a modification to the draft Amendment 3 to the Agreement between the NRCS and RCD (Contribution Agreement No. 65-9104-7-595) to reflect bi-monthly advance payments toward billings to NRCS for services to be provided under this agreement. Motion moved by Dir. Tripp and seconded by Dir. Vieux, approved by unanimous consent.
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STAFF PRESENTATION on Workload Analysis, Staff recommendations – Leslie Koenig

Leslie presented a chart of staff hours for projects for Quarters 3&4, and explained upcoming staffing needs based on the number of available hours per staff person. Staffing needs and issues were outlined, and included need for funding for Executive Officer tasks, PLCS, increasing revenue development efforts, and upcoming Arroyo work that needs staffing. Daniel suggested incorporating the new engineering position into the chart and staffing plan. Pres. Banke proposed a special board meeting to review staffing scenarios, and the date and time of March 4th at 1:00 PM was agreed upon. The RCD budget will be prepared in April, so decision making efforts in regard to staffing needs are timely.

CONSERVATION COMMITTEE – Brenda Vieux, Tim Koopmann and Mark Swisher

In regard to Conservation Committee agenda item 5.a., there was agreement that it is not necessary for the District to have a blanket policy in regard to holding easements, but that instead proposals would be evaluated on a case by case basis.

4. Committee Report – *written report*

Leslie reported that Congressman Garamendi’s office is currently seeking requests for the 2011 Appropriations. At the request of the Conservation Committee, Leslie prepared the request form and is ready to submit it on Friday, February 19th.

<i>Motion</i>	<i>The Board accepts the Conservation Committee’s meeting summary and recommendations, by unanimous consent, as moved by Dir. Tripp and seconded by Dir. Vieux.</i>
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5. New contract with Alameda County Flood Control District for Watershed Adventures and other tasks- *see project report*

Amy Evans described the status of the negotiations for the new contract and the effect on project activities because of the month-long gap in availability of contract funds; new contract due to be approved on 3/9/10 by Alameda Co. BOS.

<i>Motion</i>	<i>The Board approves the 2010-11 contract with Alameda County Flood Control District for Watershed Adventures and other tasks as outlined in Exhibit A of the contract. Contract term is 3/9/10-12/31/11; not-to-exceed amount is \$566,523. Approved by unanimous consent, as moved by Dir. Koopmann and seconded by Dir. Tripp.</i>
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6. Amendment to EACCS Subcontract to Jim Robins dba Alnus Ecological – *see Project Report*

Leslie reported that this is basically a contract extension. “Jim Robins doing business as” was added to motion text (to precede Alnus Ecological).

<i>Motion</i>	<i>The Board approves Amendment 4 to the agreement between the District and Jim Robins dba Alnus Ecological, for assistance with the implementation of the East Alameda County Conservation Strategy Project for a total amount not to exceed \$75,000, by unanimous consent, as moved by Dir. Vieux and seconded by Dir. Tripp.</i>
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SPECIAL PROJECTS COMMITTEE – Rod Tripp and Mark Swisher

7. Arroyo de la Laguna Earmarks - *see Project Report*

The Gant Chart and budget that was completed for the first earmark for work in the Arroyo de la Laguna were reviewed. The chart details of the tasks and due dates was reviewed. Staff recommends requesting the amount estimated for the RCD staff for the remaining federal fiscal year (\$48,000) from the state office for our locally-led work on the project. Staff will begin to negotiate with NRCS on the funding request and return to the Board once a contract is being proposed.

A meeting of local partners and legislators will be held February 25th in Pleasanton. An interagency meeting will be held on March 3rd at the Martinelli Center.

PARTNERSHIP FOR LAND CONSERVATION AND STEWARDSHIP – Rod Tripp

8. Mutual Settlement Agreement – *see Project Report*

The agreement requires Board signature, so Pres. Banke will sign it.

<i>Motion</i>	<i>The Board approves the Mutual Settlement Agreement and Release between Joseph P. Ciolek dba Extend Conservation Services Group in reference to the Professional Services Agreement and associated</i>
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	<i>modifications between the District and the Consultant for Consultants waiver of a claim for payment up to the total of \$34,333.33, by unanimous consent, as moved by Dir. Koopmann and seconded by Dir. Vieux.</i>
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9. Fee Schedule – see *Project Report*
Pres. Banke proposed that the fee schedule be reviewed annually.

<i>Motion</i>	<i>The Board approves the updated 2010 Fee Schedules for services rendered under the Partnership for Land Conservation and Stewardship, my unanimous consent, as moved by Dir. Tripp and seconded by Dir. Vieux.</i>
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CONSERVATION PARTNERSHIP TEAM REPORTS

10. Monthly Team Report – *Written Report*
11. Leadership Reports
- a. President Paul Banke
 - b. Interim Executive Officer Leslie Koenig
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BOARD MEMBER COMMENTS AND REPORTS

SCHEDULING NEXT MEETING AND FUTURE AGENDA ITEM SUGGESTIONS

ANNOUNCEMENTS

Upcoming Meetings

February 25 Arroyo de la Laguna Earmark Legislative Meeting, Heritage House, Alameda County Fairgrounds

March 3 9:00, Martinelli Center, Arroyo interagency meeting

Board and Committee Meetings

March 4 1:00 PM Special Board meeting on budget/staffing planning

March 4 3:00 PM Conservation Committee (Anima)

March 9 Finance Committee (Harvey)

March 15 March Board Meeting

TBD Special Projects Committee (Charbonneau)

TBD Education and Outreach Committee (Evans)

ADJOURNMENT at 9:15 PM