

**Alameda County Resource Conservation District**  
*. . . Making Conservation Happen*

**RCD BOARD MEETING ANNOUNCEMENT AND AGENDA**

**Thursday, January 21st, 2009, 6:30 p.m.      District Office, 3585 Greenville Rd., Livermore, CA**

Guests are encouraged to RSVP by 11a.m. on Wednesday Jan. 20th, to (925) 371-0154 ext. 124. Materials provided to the Board will be available at the RCD office the morning of the 21st.

**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, Jackie Charbonneau, Amy Evans, Marilyn Harvey and Pete Van Hoorn

**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 December 2009 Board Meeting.
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**PUBLIC COMMENTS**

**CORRESPONDENCE**

**CLOSED SESSION**

Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a))  
Sweet v. Alameda County Resource Conservation District, Department of Industrial Relations Case No. 07-67982 99 KF

Significant Exposure To Litigation (Government Code Section 54956.9) (One case)

**RE-OPEN MEETING AND REPORT FROM CLOSED SESSION**

**STAFF PRESENTATION** on Workload Analysis – *Leslie Koenig*

**REGULAR CALENDAR**

**FINANCE COMMITTEE** - Brenda Vieux and Becky Dennis

2. Financial Reports – *see Committee Report*

Committee Recommendation	The Board accepts the Finance Committee's meeting summary and financial reports.
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3. NRCS Reimbursable – *see Project Report*

Committee Recommendation	The Board accepts the Finance Committee’s recommendations regarding changes in billing requirements for the NRCS Reimbursable Agreement
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4. Bank Signature Resolution

Committee Recommendation	The Board of Directors adopts Resolution #2010-4 and appoints Leslie Koenig as an additional signor on financial accounts.
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5. Audit

Committee Recommendation	The Board accepts the Finance Committee’s recommendation to hire Robert Johnson, CPA to perform financial audits for the years of 2008-2011.
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6. Alameda County RCD Office Lease

Committee Recommendation	The Board accepts the Finance Committee’s recommendation to extend the office lease another 5 years.
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**CONSERVATION COMMITTEE** – Paul Banke, Brenda Vieux, and Mark Swisher

7. Committee Report – *written report*

Committee Recommendation	The Board accepts the Conservation Committee’s meeting summary and recommendations.
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8. SFPUC Task Order 7 Subcontracting - *see Project Report*

Committee Recommendation	The Board approves the agreement between the District and Alnus Ecological for assistance with the implementation of Task 7 of the SFPUC MOU, for a total amount not to exceed \$20,000.
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9. Alameda County Watershed Forum – *see Project Report*

a. Fiscal Sponsorship

Staff Recommendation	The Board approves the modified Agreement between the District and the Alameda County Watershed Forum, to serve as the Forum’s fiscal sponsor, as approved by County Counsel and the RCD Conservation Committee.
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b. Forum Coordinator

Staff Recommendation	The Board approves the modified Coordinator contract template and the approves the Coordinator contract with Elizabeth Diaz for a total amount not to exceed \$25,000, as approved by County Counsel and the RCD Conservation Committee.
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c. Rose Foundation Grants

Staff Recommendation	The Board approves the Grant Agreement between the Alameda County Watershed Forum and the Rose Foundation, for fiscal sponsorship of Foundation grants received by the Forum.
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**SPECIAL PROJECTS COMMITTEE** – Rod Tripp and Mark Swisher

10. Arroyo de la Laguna Earmarks - see *Committee Report*

Committee Recommendation	The Board accepts the Special Projects Committee's meeting summary and recommendations regarding the Arroyo de la Laguna Earmarks 1 and 2.
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**CONSERVATION PARTNERSHIP TEAM REPORTS**

- 11. Monthly Team Report – *Written Report*
- 12. Leadership Reports
  - a. President Paul Banke
    - i. Committee Assignments
    - ii. Other
  - b. Interim Executive Officer Leslie Koenig
  - c. Acting NRCS District Conservationist Jackie Charbonneau

**BOARD MEMBER COMMENTS AND REPORTS**

**SCHEDULING NEXT MEETING AND FUTURE AGENDA ITEM SUGGESTIONS**

**ANNOUNCEMENTS**

Board and Committee Meetings

<b>February 18</b>	<b>February Board Meeting (tentative)</b>
TBD	Special Projects Committee (Koenig)
February 16	Finance Committee (Harvey)
February 4	Conservation Committee (Anima)
TBD	Education and Outreach Committee (Evans)

**ADJOURNMENT**

# Alameda County Resource Conservation District

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## RCD BOARD MEETING MINUTES

Thursday, January 21st, 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**

Directors present: President Paul Banke, Tim Koopmann, Rod Tripp, Becky Dennis, Brenda Vieux (absent, excused).

### **INTRODUCTION OF GUESTS AND STAFF**

Staff: Amy Evans, Jackie Charbonneau, Marilyn Harvey, Leslie Koenig

### **APPROVAL OF AGENDA**

**Motion:** *The Board of Directors adopts the Agenda, by unanimous consent, as moved by Dir. Koopmann and seconded by Dir. Tripp, as amended:*

- *Change Closed Session: Significant Exposure to Litigation (Government Code Section 54956.9) (Two Cases). Note that the change is only in the language, topics remain the same.*
- *Finance Committee Report will begin before the 7:00 PM Closed Session*
- *Staff presentation on workload will follow the closed session.*

### BUSINESS BEFORE THE BOARD

### **APPROVAL OF PRIOR MONTH'S BOARD MEETING MINUTES**

**Discussion:** Dir. Tripp suggested, and it was agreed by all, that the extraneous highlighted sentence on page three of the minutes be deleted.

**Motion:** *The Board of Directors approves the minutes of the December meeting, as amended, by unanimous consent, as moved by Dir. Tripp and seconded by Dir. Koopmann.*

**PUBLIC COMMENTS** None.

### **CORRESPONDENCE**

Added ACRCDC signature to Rangeland Coalition letter to Governor Schwarzenegger in distress that his 2010-2011 proposed budget continues to eliminate funding for the Williamson Act.

SDA Governance Conference in March- Dir. Dennis could attend. Paul went last year.

### **CLOSED SESSION**

Andrea Weddle called in at 7:00

Significant Exposure To Litigation (Government Code Section 54956.9) (Two cases)

### **RE-OPEN MEETING AND REPORT FROM CLOSED SESSION**

The Board re-opened meeting a 7:15 and reported that no actions are to be taken as a result of discussions in closed session.

## REGULAR CALENDAR

### **FINANCE COMMITTEE-** Brenda Vieux and Becky Dennis

1. Financial Reports

**Discussion:** Dir. Dennis went through the monthly financial reports and reported on what was reviewed in the finance committee meeting. Pres. Banke proposed that PLCS have a separate account; agendize for next Finance Committee and Board Meeting. It was suggested that encumbered and unencumbered funds could be shown separately (p.1). Marilyn reported on SFPUC accounts receivable, showed that on the Income Statement that the NRCS was added as a line item as requested, stated that approximately \$13K was held back as a "loan" (with no repayment date given) by the state from District property tax revenue. Marilyn reported that there was discussion in the Finance Committee as to whether ACHE and Sabrecat funds could be put into short-term CDs to earn interest.

**Motion:** The Board accepts the Finance Committee's meeting summary and financial reports by unanimous consent, as moved by Dir. Dennis and seconded by Dir. Tripp.

2. NRCS Reimbursable

**Discussion:**

We pay NRCS for technical services- our current reimbursable expires 9/30/10. NRCS at national level says it is not legal to pay after services are rendered; need payment in advance- this would average approximately \$10K per month, but this amount would vary monthly based on workload. May use potential new \$20-30K RCD/NRCS tech assistance contract funds to allow us to make advance payments to NRCS; the current contract has approximately \$5K remaining. Pre-pay amounts are still being negotiated. Paul invited Daniel Mountjoy to next board meeting to discuss. Future NRCS staffing levels discussed in light of Terry's retirement next year; RCD Board may need to advocate to keep the position filled and office open. The Board suggested looking into a line of credit as a way to cover pre-pay.

The motion was modified to allow time to receive and review necessary documents, including a copy of the mandate requiring the pre-pay, and the reimbursable agreement.

**Motion:** To postpone to February meeting based on need to review the necessary documents, by unanimous consent, as moved by Dir. Tripp and seconded by Dir. Dennis.

3. Bank Signature Resolution

Recommendation to add Leslie Koenig as an additional signor on bank accounts and open a new credit card account under Alameda County RCD with Leslie assigned as a signor for the card.

**Motion:** The Board of Directors adopts Resolution #2010-4 and appoints Leslie Koenig as an Additional signor on financial accounts by unanimous consent, as moved by Dir. Koopman, and seconded by Dir. Tripp.

4. Audit

Marilyn outlined the audit timeline. It was proposed that the auditor selection process in subsequent years have the Board forming an ad hoc audit committee, with the Board selecting the auditor.

**Motion:** The Board accepts the Finance Committee's recommendation to hire Robert Johnson, CPA to perform financial audits for the years of 2008-2009 by unanimous consent, as moved by Dir. Dennis and seconded by Dir. Koopmann.

5. Alameda County RCD Office Lease

**Discussion:** Leslie and Marilyn have been working on the lease agreement; the current rate, to be continued is \$1.25 per sq. ft. Winegrowers recently signed a new lease for their space. A letter could be written to the County BOS and County building manager (Damien) outlining the need for improved lighting in the parking lot; apparently the cost for replacing the damaged lighting system is cost-prohibitive. We can drop the T1 line to save \$200 per month.

**Motion:** The Board accepts the Finance Committee's recommendation to extend the office lease another 5 years by unanimous consent, and authorizes Marilyn Harvey and Leslie Koenig to negotiate terms as discussed, as moved by Dir. Dennis and seconded by Dir. Koopmann.

**STAFF PRESENTATION** on Workload Analysis – *Leslie Koenig*

Leslie went through the spreadsheet that staff developed that shows staff hours for projects for upcoming 3<sup>rd</sup> and 4<sup>th</sup> quarters 2010. This tool is being utilized by staff to develop the revised budget for the February Board meeting. Jackie explained the EQIP workload and associated staffing needs, which include a conservation planner and engineer; Morpheus' position is temporary and ends in September, her expertise in EQIP is needed. Dir. Tripp suggested adding a column of hours worked.

**CONSERVATION COMMITTEE** – Paul Banke, Brenda Vieux, and Mark Swisher

6. Committee Report

**Motion:** The Board accepts the Conservation Committee's meeting summary and recommendations, by unanimous consent, as moved by Dir. Dennis and seconded by Dir. Koopmann.

7. SFPUC Task Order 7 Subcontracting

**Discussion:** These duties include working with easement staff at SFPUC to develop easement protocols, this is not the negotiations with landowners element of the task. The agreement supercedes the previous agreement with Jim.

**Motion:** The Board approves the agreement between the District and Alnus Ecological for assistance with the implementation of Task 7 of the SFPUC MOU, for a total amount not to exceed \$20,000, as moved by Dir. Dennis and seconded by Dir. Tripp (Dir. Koopman abstained).

9. Alameda County Watershed Forum

a. Fiscal Sponsorship

**Discussion:** Amy described the edits provided by Andrea Weddle. The motion was modified to remove the words "and the RCD Conservation Committee" since it was previously approved by the Committee in December.

**Motion:** The Board approves the modified Agreement between the District and the Alameda County Watershed Forum, to serve as the Forum's fiscal sponsor, as approved by County Counsel, as moved by Dir. Dennis and seconded by Dir. Tripp.

b. Forum Coordinator

**Discussion:** Amy briefly described the duties of the coordinator. The motion was modified to remove the words "and the RCD Conservation Committee" since it was previously approved by the Committee in December.

**Motion:** The Board approves the modified Coordinator contract template and the approves the Coordinator contract with Elizabeth Diaz for a total amount not to exceed \$25,000, as approved by County Counsel, as moved by Dir. Tripp and seconded by Dir. Dennis.

c. Rose Foundation Grants

**Discussion:** Amy provided information about how the fiscal sponsorship is structured with the Rose Foundation, and provided a handout that described the mission and functions of the Foundation.

**Motion:** The Board approves the Grant Agreement between the Alameda County Watershed Forum and the Rose Foundation, for fiscal sponsorship of Foundation grants received by the Forum, as approved by County Counsel, as moved by Dir. Koopmann and seconded by Dir. Dennis.

**SPECIAL PROJECTS COMMITTEE** – Rod Tripp and Mark Swisher

10. Arroyo de la Laguna Earmarks

**Discussion:** The staff is recommending a collaborative approach with the NRCS state office for implementation of both the watershed earmarks including a request that NRCS release funds to ACRCD. Staffing needs for project include 60-70% of an engineer's time here for the Arroyo design work. The appropriation bills from the senate say the projects are implemented through PL566, and the provisions of the bills need to be met, but the two letters say that the funding goes to the RCD. Board members may need to meet with decision-makers to encourage an RCD-led project.

**Motion:** The Board accepts the Special Projects Committee's meeting summary and recommendations regarding the Arroyo de la Laguna Earmarks 1 and 2, by unanimous consent, as moved by Dir. Dennis and seconded by Dir. Tripp.

**CONSERVATION PARTNERSHIP TEAM REPORTS**

11. Monthly Team Report – *Written Report*

It was noted that Ling completed the SFPUC rangeland report, that EACCS budget funding was approved and that 300 people participated in the Rangeland Coalition meeting in Sacramento that staff had attended.

12. Leadership Reports

a. President Paul Banke

Committee Assignments: there will be alternates in order for committee meetings to take place at set times/days.

Personnel: Pres. Banke, Dir. Dennis, (Dir. Vieux is alternate)

Finance: Dir. Dennis (chair), Dir. Koopmann (Pres. Banke is alternate)

Conservation: Dir. Vieus (chair), Dir. Koopmann (Dir. Tripp is alternate)

Special Projects: Dir. Swisher (chair), Dir. Tripp, (Dir. Vieux is alternate)

Education and Outreach: Dir. Koopmann (chair,

PLCS: Dir. Koopmann will begin to transition in as chair, Dr. Tripp will continue until his term is up.

b. Interim Executive Officer Leslie Koenig – no additional report

c. Acting NRCS District Conservationist Jackie Charbonneau – no additional report

**BOARD MEMBER COMMENTS, REPORTS AND FUTURE AGENDA ITEM SUGGESTIONS**

Dir. Dennis presented a suggestion, in regard to PLCS not being sustainable financially (i.e., not receiving sufficient commissions). Currently, easements are being completed within Alameda County but there isn't a process by which these easements are completed or recorded. The proposal includes investigating the potential for the Board of Supervisors to develop and require by ordinance a process for completing conservation easements in Alameda County. A fee for this registration would support the cost of developing and reviewing baseline standards for all easements. The PLCS board would review easement applications and work with the County to develop and meet conservation objectives. This may be a way to tie PLCS into EACCS. A new process might standardize restrictions and management plans, yet still support landowners and avoid the situation where developers turn to mitigation banks.

Dir. Tripp described a recent workshop held in the north on road erosion that NRCS technical staff presented, and thought it may be possible to offer it through the RCD here as a workshop. A flyer for the workshop was provided to Jackie by Dir. Tripp.

**ANNOUNCEMENTS**

Board and Committee Meetings

**February 18**

TBD

**Next Board Meeting**

Special Projects Committee (Koenig)

February 16  
February 4  
TBD

Finance Committee (Harvey)  
Conservation Committee (Anima)  
Education and Outreach Committee (Evans)

Other Meetings

**ADJOURNMENT** at 9:30 p.m.