

Alameda County Resource Conservation District
. . . Making Conservation Happen

RCD BOARD MEETING ANNOUNCEMENT AND AGENDA

Location:

District Office, 3585 Greenville Rd., Livermore, CA

Monday, September 15, 2008

Start Time: 6:30 p.m.

A light supper will be served at 6:00 pm. Guests are encouraged to RSVP by 9am on Monday if attending supper.
(925) 371-0154 ext 111

Materials provided to the Board will be available at the RCD office Monday morning.

**6:30 p.m. CALL TO ORDER
PRELIMINARY ITEMS**

ROLL CALL OF THE BOARD OF DIRECTORS

Paul Banke, Jocelyn Combs, Tim Koopmann, Rod Tripp, Brenda Vieux

INTRODUCTION OF GUESTS & STAFF

County Counsel, Andrea Weddle
Terry Huff, Marilyn Harvey, Karen Sweet
Mike Gatzman, Bob Nuzum

CORRESPONDENCE

APPROVAL OF AGENDA

Motion	The Board approves / revises Agenda.
--------	--------------------------------------

PUBLIC COMMENTS

BUSINESS BEFORE THE BOARD

CLOSED SESSION –

1. Significant exposure to litigation pursuant to Government Code section 54956.9 (one matter)
2. Conference with Real Property Negotiators (Government Code Section 54956.8)
Real Property: Mitigation property including portions of APN's 099A-1830-001-10 and 099A-1830-002; 3064 Cross Road, Livermore
District Negotiator: Robert Nuzum
Other Negotiating Party: State of CA, Caltrans; David Yam, Sean Malloy, Ron Kiaaina
Negotiation: Cooperative Agreement Funding and Terms

RE-OPEN MEETING AND REPORT FROM CLOSED SESSION

CONSENT CALENDAR – Items for action without discussion

1. Approval of prior month's meeting minutes
2. Authorization to review and develop grant and/or contract opportunities
 - a. EPA 319(h) grant to support the Stream Protection Strategy program
 - b. Wildlife Conservation Board
 - c. Bureau of Reclamation - Central Valley Project
 - d. Urban Streams Restoration Program.

- 3. Authorization to execute grants and/or contracts
 - a. Alameda Countywide Clean Water Program, modification/extension of Watershed Adventures for 2 years, and a new task; \$115,094
- 4. Approval of Resolution 09-09-01 to revise and submit the District's Conflict of Interest Code as required biannually. (revisions highlighted)

Motion	The Board accepts the recommendations and reports contained in the Consent Calendar.
--------	--

EDUCATION and OUTREACH

- 5. Other

STEWARDSHIP & PRESERVATION OF PRIVATELY OWNED & MANAGED LANDS

- 6. Use easements - Partnership for Land Conservation.
 - a. PLCS project report.
 - b. Recommendations from the PLCS Advisory Board, September 15
 - c. Approval of MOU for mitigation buyers

Motion	The Board accepts the recommendation of the Conservation Committee to approve use of the Memorandum of Understanding to contract PLCS clients who are seeking mitigation sites, contingent upon Counsel's final approval.
--------	---

- 7. Alameda County Agricultural Advisory Committee meeting highlights of August 26
- 8. Other

STEWARDSHIP OF PUBLIC LANDS, LINKED TO PRIVATE AGRICULTURE

- 9. Proposal to develop management plan for Oak Grove project, Pleasanton has been presented.

WILDLIFE HABITAT ENHANCEMENT & STEWARDSHIP

- 10. Reduce barriers, provide incentives
 - a. LARPD pond. Approval of Contract – See Item 16
- 11. Use Mitigation
 - a. Caltrans Pigeon Pass – Cross Road Project
 - i. Bob Nuzum: Co-op amendment and easement update
 - ii. Mike Gatzman: Construction update
 - iii. Status of RFP Documents for construction
 - b. Caltrans Pigeon Pass – LARPD
 - i. Bob Nuzum: Co-op and installation update

WATERSHED PLANNING & WATER QUALITY PROTECTION & ENHANCEMENT

- 12. Provide planning & leadership
 - a. SFPUC Contract update – SFPUC will be voting on contract in September.
 - b. CalFed (EACCS) – Work is progressing.
 - c. CARCD matters.
 - i. Approve Resolution 09-09-02.

Motion	The Board approves Resolution 09-09-02, asking that CARCD support CA Rangeland Conservation Coalition's efforts to reduce state permitting barriers to voluntary conservation.
--------	--

- ii. Staff contributions for the November Conference
- iii. Attendance by Directors: November 19-22, Riverside. Handouts

d. Other

PARTNERSHIP OPERATIONS

13. Finance Committee Report

- a. August Financial Reports. See reports

Motion	The Board accepts recommendation of the Finance Committee to accept the financial reports.
--------	--

- b. Other

14. Conservation Partnership Team (staff)

a. Conservation Partnership Team Monthly Report.

Motion	The Board accepts the Conservation Partnership Team Report.
--------	---

15. Personnel Committee Report and Recommendations, September 15

- a. Status of the Revisions to the Personnel Policies
- b. Update of the Staffing Plan hiring:
 - o Leslie Koenig, formerly Project Assistant was hired to become the Biologist.
 - o Contract Administrator posting has closed and applicants being reviewed.
 - o Other positions are on hold, pending funding.

16. Conservation Committee Report and Recommendations. See meeting notes.

- a. Status of various topics.

Motion	The Board accepts the report of the Conservation Committee.
--------	---

- b. Contracts under development. See report. Approval of individual contracts.

- i. LARPD pond restoration

Motion	The Board accepts the recommendation of the Conservation Committee and, upon Counsel's final approval authorizes execution of the agreement with Livermore Area Recreation and Park District to provide pond restoration in the amount of \$220,000 for the Sycamore Recovery Program Phase II in Sycamore Grove Park.
--------	--

- ii. Alameda Creek Historical Ecology Study

Motion	The Board accepts the recommendation of the Conservation Committee and, upon Counsel's final approval authorizes execution of the agreement with County of Alameda, Public Works for the District to administer the Alameda Creek Historical Ecology Study in the amount of \$250,000. Further, once an agreement with the study funders is signed, the Board authorizes execution of the \$422,000 services agreement with San Francisco Estuary Institute to conduct the study.
--------	---

17. Board of Directors Vacancy

- a. Status of Vacancy and timeline for recommendation to Board of Supervisors

18. **Consideration and Adoption of a Policy** to Preclude Board Consideration or Approval of Contracts involving Real Property owned by ACRCO employees or consultants with pending ACRCO contracts.

Motion	The Board approves policy Approval of Contracts involving Real Property owned by ACRCO employees or consultants with pending ACRCO contracts.
--------	---

19. **Other**

LEADERSHIP REPORTS

- 20. President, Jocelyn Combs
 - a. Miscellaneous
- 21. NRCS District Conservationist, Terry Huff
 - a. Miscellaneous
- 22. Executive Officer, Karen Sweet
 - a. Miscellaneous. Written report

BOARD MEMBER COMMENTS, REPORTS AND FUTURE AGENDA ITEM SUGGESTIONS

ANNOUNCEMENTS for Director Participation

October 20	Next Board Meeting, 6:30p.m.
October 1	Personnel Committee, 7:30 a.m. at Sunol
October 2	Conservation Committee, 4:00 p.m. at the RCD Office
October 20	PLCS Advisory Board, Martinelli Center, Livermore, 9:30 a.m.
November 19-22	CARCO Annual Conference, Riverside

ADJOURNMENT. Time:

Alameda County Resource Conservation District
. . . Making Conservation Happen

RCD BOARD MEETING MINUTES, SEPTEMBER 15, 2008

Location: **District Office, 3585 Greenville Rd., Livermore, CA** **Monday, September 15, 2008**

6:30 p.m. CALL TO ORDER by Rod Tripp

PRELIMINARY ITEMS

ROLL CALL OF THE BOARD OF DIRECTORS

Paul Banke, Jocelyn Combs (absent), Tim Koopmann, Rod Tripp, Brenda Vieux

INTRODUCTION OF GUESTS & STAFF

County Counsel, Andrea Weddle
Terry Huff, Ling He, Marilyn Harvey, Karen Sweet, Bob Nuzum

CORRESPONDENCE - none

APPROVAL OF AGENDA

Motion	The Board revises Agenda to continue Closed session item 1 and item 18. Passed (Banke / Vieux)
--------	--

PUBLIC COMMENTS - none

BUSINESS BEFORE THE BOARD

CLOSED SESSION –

1. Conference with Real Property Negotiators (Government Code Section 54956.8)
Real Property: Mitigation property including portions of APN's 099A-1830-001-10 and 099A-1830-002; 3064 Cross Road, Livermore
District Negotiator: Robert Nuzum
Other Negotiating Party: State of CA, Caltrans; David Yam, Sean Malloy, Ron Kiaaina
Negotiation: Cooperative Agreement Funding and Terms

RE-OPEN MEETING AND REPORT FROM CLOSED SESSION

Rod reported the following staff directives.

- Co-op 1.1. Andrea will confer with Caltrans counsel to facilitate payment on the two outstanding invoices before October 1. (Andrea, Sean Malloy is not counsel.)
 2. If payment is not received on the two invoices by October 1, work on Sweet Ranch will be discontinued.
- Co-op 2.1. Marilyn will generate and submit invoice for work to date.
 2. Work will not proceed until payment is received.
 3. Further: Andrea will include the late payment policy into Coop 2 and the language from Coop 1 that the initial deposit will be considered a revolving retainer.

CONSENT CALENDAR – Items for action without discussion

1. Approval of prior month's meeting minutes
2. Authorization to review and develop grant and/or contract opportunities
 - a. EPA 319(h) grant to support the Stream Protection Strategy program
 - b. Wildlife Conservation Board
 - c. Bureau of Reclamation - Central Valley Project
 - d. Urban Streams Restoration Program.

3. Authorization to execute grants and/or contracts
 - a. Alameda Countywide Clean Water Program, modification/extension of Watershed Adventures for 2 years, and a new task; \$115,094
4. Approval of Resolution 09-09-01 to revise and submit the District's Conflict of Interest Code as required biannually.

Motion	The Board accepts the recommendations and reports contained in the Consent Calendar. Passed (Koopmann / Vieux; Banke abstain)
--------	---

EDUCATION and OUTREACH

5. No business

STEWARDSHIP & PRESERVATION OF PRIVATELY OWNED & MANAGED LANDS

6. Use easements - Partnership for Land Conservation.
 - a. See PLCS staff report. There are 2 agencies prepared to sign the MOU. Karen stressed that the Calfed grant tasks are beginning to be used to support PLCS objectives to develop two pilot projects.
 - b. PLCS Advisory Board, at its September 15 morning meeting encourages the RCD's approval of the MOU for mitigation buyers.

Motion	The Board accepts the recommendation of the Conservation Committee and the PLCS Advisory Board to approve the Memorandum of Understanding to contract PLCS clients who are seeking mitigation sites. Passed (Banke / Koopmann)
--------	--

7. Alameda County Agricultural Advisory Committee meeting highlights of August 26. See report.
8. Other - none

STEWARDSHIP OF PUBLIC LANDS, LINKED TO PRIVATE AGRICULTURE

9. The proposal to develop management plan for Oak Grove project in Pleasanton will be submitted tomorrow.

WILDLIFE HABITAT ENHANCEMENT & STEWARDSHIP

10. Reduce barriers, provide incentives
 - a. LARPD pond. Approval of Contract will occur in October, as there is one unresolved issue.
11. Use Mitigation
 - a. Caltrans Pigeon Pass – Cross Road Project
 - i. Bob Nuzum: Co-op amendment and easement update. Discussion and negotiation continue about elements of the management plan, and the endowment and success assurances will be affected by this outcome. The conservation easement negotiation cannot be completed until the management plan issues are resolved due to the relationship of the two documents.
 - ii. Mike Gatzman: Construction update. Caltrans has asked for some re-engineering of the ponds, including the application of a liner in all ponds and the addition of the more eastern pond complex. All of these items are causing a redrafting of the engineering plans and will affect the construction budget and RFP release date. Release of the RFP may occur subsequent to the easement and management plan being completed and the CT payments being brought up to date. New vegetation planting plan was requested by CT and is being developed by TWN. Release is expected this week.
 - b. Caltrans Pigeon Pass – LARPD
 - i. Bob Nuzum: Co-op and installation update. We are waiting for comments back from Caltrans. The outstanding issue to resolve relates to determination of the vegetation

success. Paul noted that the site's soils may need review in light of Dept of Water Resources recent decision about releasing water through the park.

WATERSHED PLANNING & WATER QUALITY PROTECTION & ENHANCEMENT

12. Provide planning & leadership

- a. SFPUC Contract update – SFPUC will be voting in September on contract to hire RCD. The mitigation director is planning to present his proposal to the October Conservation Committee and then the Board.
- b. CalFed (EACCS) – Work is progressing.
- c. CA Association of Resource Conservation Districts matters.
 - i. Approve Resolution 09-09-02.

Motion	The Board accepts the Conservation Committee's recommendation to approve Resolution 09-09-02, asking that CARCD support CA Rangeland Conservation Coalition's efforts to reduce state permitting barriers to voluntary conservation. Passed (Koopmann / Banke)
--------	--

- ii. Staff contributions for the November Conference. Karen noted that we had been asked to present a workshop.
- iii. Annual Conference: November 19-22, Riverside. Registration materials were given to Directors, but none are expecting to attend.

- c. Other - none

PARTNERSHIP OPERATIONS

13. Finance Committee Report

- a. August Financial Reports. See reports
Marilyn provided additional information, including tax and County contract monies received since August. She noted that if Caltrans was up to date with payments, the net income would be approximately +\$47,000. The Board encourages staff to establish relationships with the administrative staff of our contractors.

Motion	The Board accepts recommendation of the Finance Committee to accept the financial reports. Passed (Banke / Vieux)
--------	---

- b. Other - none

14. Conservation Partnership Team (staff)

- a. **Conservation Partnership Team Monthly Report.**
Terry thanked the Koopmann family for their assistance to hold a very successful Local Work Group meeting. He noted that the Pond Forum will soon be planned, and it will be larger than originally planned since the CA Rangeland Coalition is co-sponsoring it. Jackie was applauded for successfully receiving prompt programmatic permit from Region 5 of the Regional Board.

Motion	The Board accepts the Conservation Partnership Team Report. Passed (Vieux / Banke)
--------	---

15. Personnel Committee Report and Recommendations, September 15

Tim reviewed the morning meeting of the committee.

- a. Status of the Revisions to the Personnel Policies. The committee reviewed the current iteration and is sending it back to County Counsel for completion.
- b. Update of the Staffing Plan hiring:
 - o Leslie Koenig, formerly Project Assistant was hired to become the Biologist.

- o Contract Administrator posting has closed and applicants being reviewed. It and other positions will not be hired at this time pending accounts receivable payments.

16. Conservation Committee Report and Recommendations. See meeting notes.

- a. Status of various topics.
Paul stressed the goal to secure additional funding partners for the Stream Conservation Strategy. The strategy is designed to be landowner-friendly and not regulatory in nature. Staff is developing the policies and procedures for the CMP Revolving Fund proposal.

Motion	The Board accepts the report of the Conservation Committee. Passed (Vieux / Koopmann)
--------	---

- b. Contracts under development. See report.
 - i. LARPD pond restoration. This contract will be ready for signature in October.
 - ii. Alameda Creek Historical Ecology Study

Motion	The Board accepts the recommendation of the Conservation Committee and authorizes execution of the agreement with County of Alameda, Public Works for the District to administer the Alameda Creek Historical Ecology Study in the amount of \$250,000. Further, once an agreement with the study funders is signed, the Board authorizes execution of the \$422,000 services agreement with San Francisco Estuary Institute to conduct the study. Passed (Koopmann / Banke)
--------	--

17. Board of Directors Vacancy. See report and vacancy announcement. Status of Vacancy and timeline for recommendation to Board of Supervisors. Karen reviewed the process to announce the vacancies.

LEADERSHIP REPORTS

- 18. NRCS District Conservationist, Terry Huff
 - a. Miscellaneous. Terry introduced Ling He and applauded her quick team activity. He noted that each of his staff members has been assigned to become familiar with a program in the new Farm Bill.
- 19. Executive Officer, Karen Sweet
 - a. Miscellaneous. See written report. Karen asked directors to complete the simple structural assessment survey and return it so that she can gain feedback from the CSDA consultant for improvement.

BOARD MEMBER COMMENTS, REPORTS AND FUTURE AGENDA ITEM SUGGESTIONS

ANNOUNCEMENTS for Director Participation

October 20	Next Board Meeting, 6:30p.m.
October 20	Personnel Committee, 7:30 a.m. at RCD office
October 2	Conservation Committee, 4:00 p.m. at the RCD Office
October 20	PLCS Advisory Board, Martinelli Center, Livermore, 9:30 a.m.
November 19-22	CARCD Annual Conference, Riverside

ADJOURNMENT. Time: 8:28 p.m.