

Alameda County Resource Conservation District
... Making Conservation Happen

RCD BOARD MEETING ANNOUNCEMENT AND AGENDA

Location:
District Office, 3585 Greenville Rd., Livermore, CA

Date: NOTE NEW DATE
Monday, July 21, 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.

6:15 p.m. Come early for a pre-meeting orientation to the live website!

**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 (excused)

INTRODUCTION OF GUESTS & STAFF

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

CORRESPONDENCE – None

APPROVAL OF AGENDA

Motion	The Board approves / revises Agenda
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PUBLIC COMMENTS

BUSINESS BEFORE THE BOARD

CLOSED SESSION –

1. "Significant exposure to litigation pursuant to Government Code section 54956.9 (two cases)."
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 California, 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 develop grants and/or contracts
 - a. Review EPA grant opportunity with other Bay Area RCDs to fund equine and/or small farm demonstration sites and educational programs to showcase innovative best management practices for water quality protection
3. Other

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

- 4. Increase activities
 - a. The RCD participated in the Fair at the Agriculture Building with children’s activities – a collaboration with Farm Bureau and CattleWomen
 - b. Use of RCD website for PLCS business

Motion	The Board approves use of its website to conduct PLCS business.
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- c. Other

STEWARDSHIP & PRESERVATION OF PRIVATELY OWNED & MANAGED LANDS

- 5. Use easements
Partnership for Land Conservation.
 - a. PLCS project report.
 - b. Habitat assessment project update - NRCS
 - c. Approval of landowner MOUs to provide services

Motion	The Board approves the Memorandum of Understandings with <ul style="list-style-type: none"> a. Ahmed Hashmi (et al) for PLCS services to assist the landowner to develop and implement a conservation easement strategy or other options b. Colleen and Fethi Dhoui for PLCS services to assist the landowner to develop and implement a conservation easement strategy or other options c. JoAnn McCabe and Virginia Strieff for PLCS services to assist in developing and implementing an easement strategy.
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- d. Extend agreement with County of Alameda to administer PLCS

Motion	The Board authorizes staff to develop and execute an agreement extension with the County of Alameda to administer PLCS.
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- e. Minutes of June 17, 2008 Special Joint Meeting of PLCS Advisory Board with Alameda County Resource Conservation District Board of Directors

Motion	The Board approves the minutes of the June 17, 2008 Special Joint Meeting of PLCS Advisory Board with Alameda County Resource Conservation District Board of Directors
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- 6. Holding easement endowments for other agencies’ easements – request for staff direction
- 7. Alameda County Agricultural Advisory Committee meeting highlights
- 8. Other

STEWARDSHIP OF PUBLIC LANDS, LINKED TO PRIVATE AGRICULTURE – no business

WILDLIFE HABITAT ENHANCEMENT & STEWARDSHIP

- 9. Reduce barriers, provide incentives
 - a. LARPD pond. Awaiting contract to sign. Construction project postponed until 2009 due to agreement delay and while the contract is completed
- 10. Use Mitigation
 - a. Caltrans Pigeon Pass – Cross Road Project
 - i. Bob Nuzum: Co-op amendment update
 - ii. Mike Gatzman: Construction update

- iii. APPROVAL OF THE RFP DOCUMENTS NECESSARY TO BEGIN CONSTRUCTION of the CALTRANS PIGEON PASS CROSS ROAD MITIGATION PROJECT See Project Report.

Motion	The Board approves the Caltrans Pigeon Pass Cross Road Project construction RFP and directs staff to release the RFP for advertisement as soon as feasible. Further, bids will close 30 days from release of the RFP packet.
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- iv. Approval to extend professional services agreement with Robert Nuzum for the Caltrans Pigeon Pass Cross Road Project

Motion	The Board extends the professional services contract with Robert Nuzum for the Caltrans Pigeon Pass Cross Road Project for an amount not to exceed \$50,000.000 and until June 30, 2009.
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- b. Caltrans Pigeon Pass – LARPD
 - i. Bob Nuzum: Co-op and installation update

WATERSHED PLANNING & WATER QUALITY PROTECTION & ENHANCEMENT

- 11. Provide planning & leadership
 - a. East County Conservation Strategy
 - i. Landowner information meeting, June 18, 6-9pm
 - ii. Approval of the EACCS Funding Agreement with the funding partner agencies.

Motion	The Board accepts recommendations of the Finance Committee to approve the EACCS Funding Agreement with the funding agencies.
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- b. SFPUC. Contract is being refined for presentation in August.

PARTNERSHIP OPERATIONS

- 12. FY 09-10 Work Plan – staff presentation

- 13. **Finance Committee Report**
 - a. June Financial Reports. See reports

Motion	The Board accepts recommendations of the Finance Committee.
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- b. Late Payment Policy

Motion	The Board accepts the Policy to Charge Late Payment Fees on invoices after sixty days as follows and directs staff to incorporate it into future contracts and other service agreements. "Interest shall accrue on any past due account balance at the rate of 1.5% per month (18% per annum). In the event collection action becomes necessary, RCD client agrees to pay all costs of collection, including attorney's fees."
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- c. Other

- 14. Conservation Team

- a. **Conservation Partnership Team Monthly Report.** See meeting notes.

Motion	The Board accepts the Conservation Partnership Team Report.
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- 15. **Personnel Committee Report** and Recommendations. No meeting.

- a. **Marilyn Harvey has now achieved her first year anniversary as an employee! Congratulations!**
- b. **Volunteer** – Cari Koopmann. We appreciate Cari volunteering to provide miscellaneous assistance before she returns to Fresno State. We hope we've enhanced her interest in natural resources as a career!

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

- a. Formation of an Education Subcommittee, as a subcommittee of the Conservation Committee, with meetings to be held semi-annually and jointly with the Conservation Committee. Paul Banke will chair the sub-committee and he requests one other Director is to be appointed. (Education and Outreach Goal)

Motion	The Board accepts the recommendations of the Conservation Committee to form an Education Subcommittee.
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- b. Develop contracts with Alameda County Flood Control District, SFEI and others to implement the Alameda Creek Historical Ecology Study (Watershed Planning Goal)

Motion	The Board accepts the recommendations of the Conservation Committee to develop contracts to implement the Alameda Creek Historical Ecology Study with SFPUC, Alameda County Flood Control District and SFEI.
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- c. Permit Coordination – Pond Forum and Biological Opinion (Habitat Enhancement Goal)

Motion	The Board accepts the recommendations of the Conservation Committee to host a multi-agency forum to discuss and resolve issues related to the wildlife-friendly pond program.
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17. Regular Meeting Date Change

Motion	The Board accepts Resolution No. 08-07-01 to change the regular meeting date of the Board of Directors to the third Monday of the month.
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18. Consideration and Adoption of a Policy to Preclude Board Consideration or Approval of Contracts involving Real Property owned by ACRCDC employees or consultants with pending ACRCDC contracts.

Motion	
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19. Other

LEADERSHIP REPORTS

- 20. President, Jocelyn Combs
 - a. CaLAFCo conference
- 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

Election of Officers

ANNOUNCEMENTS for Director Participation

- August 18 Next Board Meeting, 6:30p.m.
- August 6 Personnel Committee, 7:30 a.m. at Sunol
- August 15 Conservation Committee, 3:30 p.m. at the RCD Office
- August 15 Local NRCS Work Group Meeting, following Conservation Committee
- July 29 Ag Advisory Committee, Gleason Drive, Dublin, 7:00 p.m.
- To be announced PLCS Advisory Board, Martinelli Center, Livermore, 9:30 a.m.

ADJOURNMENT. Time:

Alameda County Resource Conservation District
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RCD BOARD MEETING MINUTES

Location:
District Office, 3585 Greenville Rd., Livermore, CA

Date: NOTE NEW DATE
Monday, July 21, 2008
Start Time: 6:30 p.m.

6:30 p.m. CALL TO ORDER by President Combs.
PRELIMINARY ITEMS

ROLL CALL OF THE BOARD OF DIRECTORS

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

INTRODUCTION OF GUESTS & STAFF

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

CORRESPONDENCE – None

APPROVAL OF AGENDA

Motion	The Board approves the revised Agenda to present the website and Work Plan reports before Closed Session. Passed (T Koopmann / P Banke)
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PUBLIC COMMENTS - None

BUSINESS BEFORE THE BOARD

3.b Use of RCD website for PLCS business. The Board directed staff to return next month with more information about various issues and other opportunities for PLCS on the web.

10. FY 09-10 Work Plan – staff presentation. Staff will also send the document to Directors for their further review. The Board appreciated the visual demonstration of progress on its Work Plan.

CLOSED SESSION –

1. “Significant exposure to litigation pursuant to Government Code section 54956.9 (two cases).”

RE-OPEN MEETING AND REPORT FROM CLOSED SESSION

President Combs reported there is nothing to report.

CONSENT CALENDAR – Items for action without discussion

1. Approval of prior month’s meeting minutes
2. Authorization to develop grants and/or contracts
 - a. Review EPA grant opportunity with other Bay Area RCDs to fund equine and/or small farm demonstration sites and educational programs to showcase innovative best management practices for water quality protection

Motion	The Board accepts the recommendations and reports contained in the Consent Calendar. Passed (R Tripp / T Koopmann)
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EDUCATION and OUTREACH

- 3. Increase activities
 - a. The RCD participated in the Fair at the Agriculture Building with children’s activities – a collaboration with Farm Bureau and CattleWomen

STEWARDSHIP & PRESERVATION OF PRIVATELY OWNED & MANAGED LANDS

- 4. Use easements: Partnership for Land Conservation.
 - a. PLCS project report – written report.
 - b. Habitat assessment project update. About 60% of the client properties with ponds have been surveyed, and general reconnaissance is underway. This service is grant-funded.
 - c. Approval of landowner MOUs to provide services

Motion	The Board approves the Memorandum of Understandings with <ul style="list-style-type: none"> a. Ahmed Hashmi (et al) for PLCS services to assist the landowner to develop and implement a conservation easement strategy or other options b. Colleen and Fethi Dhoui for PLCS services to assist the landowner to develop and implement a conservation easement strategy or other options c. JoAnn McCabe and Virginia Strieff for PLCS services to assist in developing and implementing an easement strategy. Passed (R Tripp / T Koopann)
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d. Extend agreement with County of Alameda to administer PLCS

Motion	The Board authorizes staff to develop and execute an agreement extension with the County of Alameda to administer PLCS. Passed (P Banke / T Koopmann)
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e. Minutes of June 17, 2008 Special Joint Meeting of PLCS Advisory Board with Alameda County Resource Conservation District Board of Directors

Motion	The Board approves the minutes of the June 17, 2008 Special Joint Meeting of PLCS Advisory Board with Alameda County Resource Conservation District Board of Directors. Passed (R Tripp / P Banke)
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- 5. Holding easement endowments for other agencies’ easements. See Executive Officer’s report.
- 6. Alameda County Agricultural Advisory Committee meeting highlights. See Executive Officer’s report

STEWARDSHIP OF PUBLIC LANDS, LINKED TO PRIVATE AGRICULTURE – no business

WILDLIFE HABITAT ENHANCEMENT & STEWARDSHIP

- 7. Reduce barriers, provide incentives
 - a. LARPD pond. Awaiting contract to sign. Construction project postponed until 2009 due to agreement delay and while the contract is completed
- 8. Use Mitigation
 - a. Caltrans Pigeon Pass – Cross Road Project
 - i. Bob Nuzum: Co-op amendment update. See Project report. The issues discussions are proceeding, and agreement closer.
 - ii. Mike Gatzman: Construction update. Mike provided information. The RFP will be sent out prior to escrow with a cover letter clarifying that contracting is contingent upon funding. There are thirty days to bid; tend days to award. Construction must be complete in the creek by October. This RFP does not include RFP’s for planting plan and spring box development. Caltrans is reviewing the planting plan, and comments are due back by August 11.

- iii. APPROVAL OF THE RFP DOCUMENTS NECESSARY TO BEGIN CONSTRUCTION of the CALTRANS PIGEON PASS CROSS ROAD MITIGATION PROJECT See Project Report.

Motion	The Board approves the Caltrans Pigeon Pass Mitigation Construction RFP for the Cross Road Project, gives NRCS staff the authority to make non-substantive corrections or necessary changes to that RFP, to add a funding and scheduling contingency letter to that RFP, and to forward the document to Caltrans for review. Upon approval by Caltrans, the RFP should be advertised immediately for thirty days, after which bids will close.
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- iv. Approval to extend professional services agreement with Robert Nuzum for the Caltrans Pigeon Pass Cross Road Project

Motion	The Board extends the professional services contract with Robert Nuzum for the Caltrans Pigeon Pass Cross Road Project for an amount not to exceed \$50,000.000 and until June 30, 2009. Passed (P Banke / R Tripp)
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- b. Caltrans Pigeon Pass – LARPD
 - i. Bob Nuzum: Co-op and installation update. See Project Report. Bob is waiting for Caltrans response to budget information, and Caltrans is waiting for planting plan. Bob will expedite Coop conversation with LARPD and Caltrans.

WATERSHED PLANNING & WATER QUALITY PROTECTION & ENHANCEMENT

- 9. Provide planning & leadership
 - a. East County Conservation Strategy
 - i. Landowner information meeting, June 18 notes were presented and briefly discussed. Tim offered to attend the Steering Committee to provide landowner insight to the material in the notes. Various other follow-up activities were suggested to help the Steering committee better understand our perspective on private land protection.
 - ii. Approval of the EACCS Funding Agreement with the funding partner agencies.

Motion	The Board accepts recommendations of the Finance Committee to approve the EACCS Funding Agreement with the funding agencies. Passed (P Banke / R Tripp)
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- b. SFPUC. Contract is being refined for presentation in August.

PARTNERSHIP OPERATIONS

- 11. Finance Committee Report
 - a. June Financial Reports. See reports. Jocelyn noted her hope that private funding sources increase.

Motion	The Board accepts reports of the Finance Committee. Passed (R Tripp / T Koopmann)
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- b. Late Payment Policy.

Motion	The Board accepts the Policy to Charge Late Payment Fees on invoices after sixty days as follows and directs staff to incorporate it into future contracts, other service agreements and invoices. "Interest shall accrue on any past due account balance at the rate of 1.5% per month (18% per annum). In the event collection action becomes necessary, RCD client agrees to pay all costs of collection, including attorney's fees." Passed (T Koopmann / R Tripp)
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- c. Other. The FY07 Audit has begun, with expected presentation in September.

12. Conservation Team

a. **Conservation Partnership Team Monthly Report.** See meeting notes.

Motion	The Board accepts the Conservation Partnership Team Report. Passed (P Banke / R Tripp)
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13. **Personnel Committee Report** and Recommendations. No meeting.

a. **Marilyn Harvey has now achieved her first year anniversary as an employee! Congratulations!**

b. **Volunteer** – Cari Koopmann. We appreciate Cari volunteering to provide miscellaneous assistance before she returns to Fresno State. We hope we've enhanced her interest in natural resources as a career!

14. **Conservation Committee Report** and Recommendations. See meeting notes.

a. Formation of an Education Subcommittee, as a subcommittee of the Conservation Committee, with meetings to be held semi-annually and jointly with the Conservation Committee. Paul Banke will chair the sub-committee and he requests one other Director is to be appointed. (Education and Outreach Goal)

Motion	The Board accepts the recommendations of the Conservation Committee to form an Education & Outreach Subcommittee. Passed (P Banke / T Koopmann)
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b. Develop contracts with Alameda County Flood Control District, SFEI and others to implement the Alameda Creek Historical Ecology Study (Watershed Planning Goal). This project will provide experience to take to other watersheds.

Motion	The Board accepts the recommendations of the Conservation Committee to develop contracts to implement the Alameda Creek Historical Ecology Study with San Francisco Public Utilities Commission, Alameda County Flood Control District and San Francisco Estuary Institute. Passed (P Banke / R Tripp / T Koopmann abstained)
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c. Permit Coordination – Pond Forum and Biological Opinion (Habitat Enhancement Goal) See committee notes. The goal of the forum is to establish cooperation on the various issues. Decision makers will be necessary participants. The Board applauded Jackie for thoughtful plan. The Directors hope to attend.

Motion	The Board accepts the recommendations of the Conservation Committee to host a multi-agency forum to discuss and resolve issues related to the wildlife-friendly pond program. Passed (R Tripp / P Banke)
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15. **Regular Meeting Date Change**

Motion	The Board accepts Resolution No. 08-07-01 to change the regular meeting date of the Board of Directors to the third Monday of the month. Passed (T Koopmann / P Banke)
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16. Other. The Board encourages more private and public partnerships so as to prepare for upcoming public funding shortages. Also, the board members are actively recruiting potential Associate Directors with interest in participating on the committees and developing district leadership.

LEADERSHIP REPORTS

17. President, Jocelyn Combs

a. CaLAFCo workshop: Agriculture and Open Space Policies. Jocelyn noted that LAFCos' mission to save agricultural land is often inconsistent with policies. This workshop and subsequent committee work will attempt to develop template policies and other information. Terry was a panelist at this event and has been asked to serve on the committee.

18. NRCS District Conservationist, Terry Huff

- a. Miscellaneous. See report. The new range conservationist will be on sight in three weeks. The Board directed staff to develop proposals on a potential project. He suggested the Board consider recognition for Keith Ochwat, formerly of Mr. Houston's Assembly office for his diligence to author and advocate AB 1074 that would reduce conservation permitting barriers.

19. Executive Officer, Karen Sweet

- a. Miscellaneous. See written report.

BOARD MEMBER COMMENTS, REPORTS AND FUTURE AGENDA ITEM SUGGESTIONS

Election of Officers; continuance of administrative policy development; presentation by 2 Range Campers

ANNOUNCEMENTS for Director Participation

August 18	Next Board Meeting, 6:30p.m.
August 6	Personnel Committee, 7:30 a.m. at Sunol
August 15	Conservation Committee to be followed by Local NRCS Work Group Meeting, and Barbecue
July 29	Ag Advisory Committee, Gleason Drive, Dublin, 7:00 p.m.
To be announced	PLCS Advisory Board, Martinelli Center, Livermore, 9:30 a.m.

ADJOURNMENT. Time: 10:15 p.m.