

The Board Meeting, which was held on September 20, 2016 at the East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA was called to order at 11:32 a.m. by Board President Siden.

ROLL CALL

Directors Present: Doug Siden, President
Beverly Lane, Vice President
Dennis Waespi, Treasurer
Diane Burgis, Secretary
John Sutter
Ayn Wieskamp
Whitney Dotson

Directors Absent: None.

PUBLIC COMMENTS:

At this time, the Board of Directors met in **Closed Session** to discuss those items outlined on the agenda.

The **Open Session** of the Board Meeting was called to order at 1:15 p.m. by Board President Siden.

Staff Present: Robert Doyle, Ana Alvarez, Carol Victor, Carol Johnson, Jim O'Connor, Liz Musbach, Mark Pearson, Aaron Roth, Julie Schirmer, Michael McNally, Tim Anderson, Larry Tong, Ira Bletz, Kelly Barrington, Mark Ragatz, Matt Graul, Carolyn Jones, Glenn Gilchrist, Jeff Rasmussen, Mona Koh, Sukari Beshears, Bismarck Blanco, Leonard Bellows, Sean Dougan, Lt. Al Love, Anne Kassebaum, Capt. Anthony Ciaburro, Brian Holt, Mimi Waluch, Kristina Kelchner, Chris Barton, Julie Bondurant, Renee Patterson, Rob Lim, Dave Zuckermann.

Guests: Court Reporter; Skylar Hall, Consultants: LSA and Kleinfelder

A. APPROVAL OF AGENDA

By motion of Director Wieskamp, and seconded by Director Burgis, the Board voted unanimously to approve the revised agenda.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.
Directors Against: None.
Directors Absent: None.

B. PUBLIC COMMENTS

None.

C. BUSINESS BEFORE THE BOARD

CONSENT CALENDAR

By motion of Director Lane, and seconded by Director Dotson, the Board voted unanimously to approve the Consent Calendar.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.
Directors Against: None.
Directors Absent: None.

- a. Approval of District Check Listing for the Period of August 8, 2016 to August 21, 2016
Resolution No. 2016 – 09 – 243 (attached)
- b. Approval of the Minutes for the Board Meeting of September 6, 2016
- c. Authorization to Negotiate with Various Property Owners
Resolution No. 2016 – 09 – 244 (attached)
- d. Authorization to Amend Existing Contract with Airtech Mechanical, Inc. to Continue HVAC Maintenance and Repair Services for the District Administration Building and the Trudeau Training Center
Resolution No. 2016 – 09 – 245 (attached)
- e. Authorization to Apply for Grant Funds from the Delta Conservancy for the Bay Point Restoration and Public Access Project: Bay Point Regional Shoreline
Resolution No. 2016 – 09 – 246 (attached)
- f. Resolution to Support Pending State Legislation SB 450 (Allen) Vote by Mail Voting and Mail Ballot Elections
Resolution No. 2016 – 09 – 247 (attached)

2. ACQUISITION AND STEWARDSHIP DIVISION

By motion of Director Wieskamp, and seconded by Director Sutter, the Board voted unanimously to approve item 2a with the inclusion of the additional paragraph into the resolution.

Directors For: Diane Burgis, Whitney Dotson, Beverly Lane, Doug Siden, John Sutter,
Ayn Wieskamp, Dennis Waespi.
Directors Against: None.
Directors Absent: None.

- a. Certification of the Environmental Impact Report for the Stanford Avenue Staging Area Expansion Project at Mission Peak Regional Preserve; Adoption of the Mitigation, Monitoring, and Reporting Program; Approval of the Project at the “Option A” Location; and

Authorization to Appropriate Measure WW Development Funds to
Complete Design and Permitting for the Project at the "Option A"
Location: Mission Peak Regional Preserve
Resolution No. 2016 – 09 – 248 (attached)

Bob Nisbet, AGM ASD, introduced presentation staff Glenn Gilchrist, Design Manager and Michelle Julene, Senior Planner. Nisbet mentioned an excerpt from the districts mission statement: 'the growing and diverse community should be able to experience nature close by.' Nisbet discussed the four parts of the recommendation which are to certify the EIR, adopt the mitigation monitoring and reporting program, adopt the "Option A" project and the funding component. Mission Peak Regional Preserve is approximately 3,000 acres and the primary trail used is roughly 3.1 miles long, representing less than 1% of the entire park. This project would address most of the existing parking shortage with a surface parking lot. Nisbet stated that staff has received comments from the Ohlone about disturbing existing cultural resources. Staff studied both proposed sites, discussed all options, and determined Site A was best because it was found to contain only shell fragments. Jim O'Connor, AGM Operations, gave his professional perspective on Mission Peak. O'Connor stated that increased visitation has impacted park resources as well as the visitation experience. The District has spent tens of thousands of dollars doing corrective work. O'Connor explained that there are plenty of experiences within the 3,000 acre preserve, and staff has held many information campaigns to educate the public. Glenn Gilchrist, Design Manager, discussed both options A & B and explained the rationale for choosing Site A. Gilchrist talked about the restrooms, kiosk, and storm water features explaining how the rainwater would be controlled. This construction project will not interfere with park users hiking from Ohlone College. Michelle Julene, Senior Planner stated the purpose of the project is to provide additional parking and restrooms to better accommodate park visitor demand. The EIR evaluates impacts for building a parking lot and restrooms. The District completed a number of specialized consultant studies: Latent Visitor Demand, Biological, Cultural, Geotechnical and Traffic Impact Analysis. Julene went through each study highlighting the results.

Director Lane asked where the kiosk is projected to be and how many access points there are at Mission Peak. Nisbet stated that the location of the kiosk will control parking access and the cul-de-sac serves as a turnaround for the fire department. O'Connor said there are 7 access points. Director Sutter inquired if the parking lot will be visible to the surrounding residents. Kristina Kelchner, Assistant District Counsel, stated that there was a visual simulation done from the fence line for both options and it was determined that because a berm will be constructed and planted with trees the cars will not be visible. Sutter asked if the parking garage has impacted visitation, Kelchner replied that 22% of the overall visitors are using Ohlone.

Director Wieskamp asked about the effect of the pond, to be constructed, on mosquito breeding. Gilchrist answered that the pond is designed to empty and prevent mosquito breeding. Director Waespi asked the height of the tallest structure on the project site. Nisbet stated that over time, it will be trees. Director Burgis suggested that interpretive signs be incorporated into the project.

President Siden opened the Public Comment section of the meeting. There were 37 people who completed speakers' cards. Approximately 14 speakers expressed their belief that building a parking lot on this site would disturb ancestral remains. There were 3 speakers who were in disagreement with the final EIR. The remaining speakers called on the board members to not approve the project because of the disruption to their community and to work towards better public transportation, public access, and the possibility of shuttle service. There were 3 speakers who were in disagreement with the final EIR.

Nisbet stated that during this 4 year process staff reached out to the Ohlone people's for consultation. The District's master plan recognizes a balance between protection of open space, natural and cultural resources, and public access. 600+ people come to Mission Peak daily and there needs to be a place for them to park when they can't access public transportation. GM Doyle thanked the members of the audience for their attendance and sharing their concerns to the Board. Doyle emphasized the District's complexity and the

need to do a better job in working with the representatives of the First People and the need to manage park visitors. Mission Peak has become incredibly popular because of Facebook. Doyle added that Coyote Hills, Brooks Island, Morgan Territory, Vasco Caves, Big Break, Round Valley are Native Peoples' sites that the District has preserved and acquired at great cost. GM Doyle expressed that he hoped these sites preservation efforts be considered.

Director Wieskamp said that Mission Peak is in the Ward she represents. Wieskamp stated that this is not an easy process and the park is being overused. Permit parking will begin in October and staff is working on convincing people to use the Ohlone College parking lot. Wieskamp hopes the District can involve the Ohlone people in the process. To that end, the paragraph below will be inserted into the final resolution.

'BE IT FURTHER RESOLVED, that the Board of Directors of the East Bay Regional Park District recognizes the continued interest and concerns of Ohlone people related to Mission Peak, and hereby directs that prior to project construction staff shall invite Ohlone representatives to meet with District management personnel to discuss implementation of the mitigation measures required by the EIR including tribal consultation.'

Director Lane reiterated that the District has preserved many areas with evidence of Indian occupation and staff is trying to manage a park with a high volume of attendance. Lane expressed hope that the District will hear from descendants of the Ohlone who will educate park users on their history.

Director Dotson stated that a lot of very important issues have been raised however at some level there needs to be control over access to the park. How does staff manage a large number of people without providing parking? A shuttle bus might be one of the options. Director Sutter commented that he agreed with the comments of the GM, Nisbet and the Board. Sutter acknowledges that this is a difficult decision. Adding the Board has to look at the whole community; for recreation and health. In order to get to the park the District needs to provide a place for them to park. Director Waespi thanked the citizens for their attendance, and stated that the District's job is to provide public access. The reality is that this Mission Peak is not only very large, it is also very popular and the current staging area is an under-spaced parking lot. Director Waespi commented that he felt Option A was the best solution. Director Burgis said Board Members are elected to serve and must make certain decisions. She stated that she was honored by those who attended the Board meeting today. Burgis explained that she would encourage the proposal of a shuttle service with fiscally responsible from the District.

3. BOARD AND STAFF REPORTS

- a. Actions Taken by Other Jurisdictions Affecting the Park District

General Manager Doyle discussed the items listed on the staff report.

4. GENERAL MANAGER'S COMMENTS

GM Doyle introduced Sukari Beshears, HR Manager whose PowerPoint presentation focused on the current status of district employment, vacancies and the future for the department and the District. Beshears gave an overview of the newly created Benefits Portal and demonstrated site navigation. The Benefits Portal will be accessible to current employees soon.

5. ANNOUNCEMENTS FROM CLOSED SESSION

No announcements.

6. BOARD COMMITTEE REPORTS

- a. Finance Committee (7/27/16) (Waespi)

7. BOARD COMMENTS

Director Siden reported on meetings attended. Director Siden

- Attended the California Adaptation Forum;
- Attended the ACSDA meeting at Washington Hospital;
- Attended Larry Tong's retirement;
- Welcomed the Korean delegation;
- Attended the Operations Committee meeting;
- Attended the Board Field Trip;
- Attended the San Leandro Creek Alliance meeting;
- Attended the San Lorenzo Heritage Society;
- Attended the Regional Park Foundation Board meeting;
- Attending the Alameda Liaison meeting;
- Attending Ted Radke's memorial.

Director Lane reported on meetings attended. Director Lane

- Attended a Camille Avenue neighbors' meeting;
- Attended Larry Tong's retirement;
- Attended Catharine Baker's conference call event on environmental topics;
- Went on a Centennial Hike in Danville;
- Attending the Health and Safety Fair;
- Attending Ted Radke's memorial.

Director Sutter reported on meetings attended. Director Sutter

- Attended Larry Tong's retirement;
- Attended the Operations Committee meeting at Tilden;
- Attended the Board Field Trip;
- Attended the Legislative Committee meeting;
- Attended Measure DD Advisory Committee meeting;
- Will meet with Wilma Chan for a discussion;
- Attending Ted Radke's memorial.

Sutter complimented staff for following up on SB450.

Director Waespi reported on meetings attended. Director Waespi

- Attended Sierra Club's David Brower dinner;
- Attended Moonlight on the Mountain;
- Attended the Garin Apple Festival;
- Attended the Board Field Trip;
- Attended the Legislative Committee meeting;
- Met with Rep. Swalwell at Hayward Shoreline Interpretive Center;
- Attending Health & Safety Fair;
- Attending Ted Radke's memorial.

Director Burgis reported on meetings attended. Director Burgis

- Attended the Shadow Cliff's Solar Installation event;
- Attended the Legislative Committee meeting;

- Attended Sierra Club's David Brower dinner;
- Attended Moonlight on the Mountain;
- Participated in a Women in Leadership conference;
- Attended the ABAG meeting;
- Attended Creek cleanup;
- Attending the Legislative Appreciation picnic at Tidewater;
- Attending Ted Radke's memorial;
- Attending Fish and Wildlife meeting.

Director Wieskamp reported on meetings attended. Director Wieskamp

- Attended the LAFCO meeting;
- Attended the Elected Women's lunch;
- Attended the Farm Bureau BBQ;
- Attended Moonlight on the Mountain;
- Attended ACSDA at Washington Hospital;
- Attended Operations Committee meeting;
- Attended Board Field trip;
- Attending the Legislative Appreciation picnic at Tidewater;
- Attending Ted Radke's memorial.

Director Dotson reported on meetings attended. Director Dotson

- Attended the Board Field trip;
- Attended the Legislative Committee meeting;
- Attended Sierra Club's David Brower dinner.

8. PUBLIC COMMENTS

There were none.

E. ADJOURNMENT

The meeting was adjourned at 5:09 pm by Board President Doug Siden.

Respectfully submitted:

/s/ Yolande Barial Knight
Clerk of the Board